

UMN Policies & Guidelines

UMN Safeguarding Policy

UMN HR | PMF Policy 5



VERSION: December 2025

Commitment Statement

United Mission to Nepal (UMN) is committed to safeguarding the dignity, rights, and wellbeing of all children, vulnerable adults, and other persons. Guided by Biblical values and our mission to serve the poorest and most vulnerable, UMN seeks to prevent all forms of harm, abuse, exploitation, and neglect. We uphold the highest safeguarding standards, and respond promptly and appropriately to any safeguarding concerns or allegations, and place the best interests of those at risk at the center of our work.

Policy Purpose

The aim of this policy has two purposes.

The first is to safeguard the interests of children and vulnerable adults in the life and work of UMN. It has three objectives:

1. To prevent harm to children and vulnerable adults by UMN staff, representatives, or agents.
2. To respond appropriately when harm is alleged.
3. To ensure that UMN staff, representatives, and agents are aware of their responsibilities if they learn of abuse taking place in the community where the alleged perpetrator is not connected to UMN.

The second purpose is to have a common understanding of the meaning of sexual exploitation, abuse, and harassment within the context of UMN and its implications. This involves defining the scope of the terms and outlining the procedures UMN follows in addressing reports of sexual exploitation, abuse, or harassment.

Document Owner

This document is owned by UMN HR. Responsibility for implementation lies with the HR Team Leader (HR TL) and the UMN Leadership Team (LT).

Document Change History

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2015-03-13	Initial approved version (Safeguarding)	Leadership Team
2015-10-14	Human Resources responsibilities revised (safeguarding)	Leadership Team
2016-05-17	Addition of Appendix 8 Minor amendment to HR responsibilities (Safeguarding)	Leadership Team
2017-06-07	Minor amendments to definitions, legal framework, and responsibilities of the UMN Leadership Team (Safeguarding)	Leadership Team
2018-02-13	Minor Amendments under the section titled "UMN staff, representatives and agents should not:" under the code of conduct (Safeguarding)	Leadership Team

DATE	STATUS/MODIFICATION	APPROVED BY
2017-10	Approved version of UMN Policy on Sexual Exploitation, Abuse, and Harassment.	Leadership Team
2020-12-15	Amended in various sections to better fit global PSEAH standards (PSEAH)	Leadership Team
Dec 2023	The PSEAH and Safeguarding Children & Vulnerable Adults policies are merged. (Safeguarding + PSEAH). UMN Safeguarding Policy is a new policy encompassing the past two policies	Leadership Team
Feb 2024	The UMN Safeguarding Policy was approved by LT-C	Leadership Team
Dec 2025	Amendments in various sections incorporated the Audit concerns feedback	Leadership Team

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1. INTRODUCTION & DEFINITIONS

1.1 Introduction

Human beings are made in the image of God. This is the basis of their inherent dignity and worth. Therefore, all people should be treated with respect, regardless of their gender, age, ethnicity, and immediate state or circumstances. In God's eyes, the strong are not worth more than the weak, nor the rich in material resources or influence worth more than the poor and marginalised. The Christian scriptures clearly state that God shows no partiality and requires Christians to serve the poor and marginalised in society. As followers of God, we seek to treat everyone with whom the United Mission to Nepal (hereafter UMN) comes into contact, in accordance with Biblical values, and accordingly, the mission and values of UMN reflect this in their focus on serving the poorest and most vulnerable in society.

We affirm that certain groups require special care because of their vulnerabilities and vulnerable situations due to context. Children, due to their developing physical, mental, psychological, and spiritual capacities, should not be exploited, harmed, or required to assume adult responsibilities for which they are not yet ready. Similarly, adults who have limited mental capacity, particular learning difficulties, severe physical disabilities, serious mental illness, and/or are infirm due to age-related deterioration should receive special care.

The UMN policy and procedures aim to ensure that the interests of children, vulnerable adults, and all other persons are protected and safeguarded - regardless of their gender differences or sexual orientation - during their contact/involvement with UMN staff, its board members, partners, contractors, consultants, volunteers, and trainees hereafter referred to as 'UMN staff, representatives, and agents'. Visitors to UMN will be made aware of its policy by being given a summary brochure that they will be required to sign. If the visitor is from a donor organisation any potential breach of the policy will be reported by UMN to the donor organisation. UMN recognises that high levels of harm to children and vulnerable adults may be endemic in Nepal due to structural and societal issues such as poverty, lack of infrastructure for health and education, gender discrimination, and political violence. UMN staff, representatives, and agents also have an obligation to report knowledge of alleged/suspected sexual exploitation abuse, and harassment in the community to the relevant authorities.

1.2 Policy Scope

This policy applies to all UMN staff, board members, partners, contractors, consultants, volunteers, and trainees. UMN strongly encourages its local implementing partners to adopt and implement this policy through the development of their own policy.

1.3 Policy Definitions

Safeguarding

The responsibility that organisations have to make sure their staff, operations, and programmes do no harm to children and vulnerable adults, and that they do not expose them to the risk of harm and abuse.

Child

A child is someone under 18 years of age (United Nations Convention on the Rights of the Child, (UNCRC), 1989).

Vulnerable

Physical, social, economic and environmental factors that increase the susceptibility of a community or individuals to difficulties and hazards and that put them at risk as a result of loss, damage, insecurity, suffering and death.

Vulnerable Adult and Adult at Risk

Vulnerable means being in a condition where physical, social, economic, or environmental factors make a person or community more likely to experience harm, loss, or suffering when exposed to risks and hazards.

A vulnerable adult is any person aged 18 years or older who, due to age, illness, disability, mental health condition, or other personal circumstances, may be unable to care for themselves or protect themselves from harm, abuse, neglect, or exploitation.

An adult at risk is defined as someone who has needs for care and support, who is experiencing, or at risk of, abuse or neglect and as a result of their care needs - is unable to protect themselves

Harm

Harm is ill-treatment or the impairment of health or development. 'Development' means physical, intellectual, emotional, social, or behavioural development; 'health' means physical or mental health; and 'ill-treatment' includes sexual abuse and forms of ill-treatment which are not physical.

Whether the harm is significant is determined by comparing the person's health and development with what could reasonably be expected from a similar person. Technological advances are creating new mechanisms for harm and need to be carefully assessed (see Appendix 1).

Physical Abuse

May involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating, or otherwise causing physical harm to a child or vulnerable adult. Physical harm may also be caused when a parent or carer fabricates the symptoms of or deliberately induces illness in, a child or vulnerable adult.

Sexual Exploitation

Sexual exploitation includes any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from the sexual exploitation of another.

Sexual Abuse

Involves forcing or enticing a child or vulnerable adult to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child or vulnerable adult is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children or vulnerable adults in looking at, or in the production of, sexual images, watching sexual activities, encouraging children or vulnerable adults to behave in sexually inappropriate ways, or grooming them in preparation for abuse (including via the internet). Sexual abuse is perpetrated by adult males, adult females, and by other children.

Sexual Harassment

Sexual harassment includes any unwelcome behaviour of a sexual nature or that targets a person's gender which could be reasonably expected to make someone feel offended, humiliated, or intimidated.

This may include (but is not restricted to):

- An unwelcome sexual advance.
- A request for sexual favours.
- Unwelcome comments about someone's sex life or physical appearance.
- Sexually offensive, degrading, and sexist comments, stories, or jokes.
- Displaying pornographic photos, pinups, or calendars, reading matter or objects.
- Sexual propositions or continued requests for dates.
- Physical contact such as touching or fondling, or unnecessary brushing up against someone.
- Indecent assault, indecent exposure, stalking, or rape.
- When the person has reasonable grounds to believe that her/his objection would disadvantage her/him in connecting with her/his employment, including recruitment, retention, or promotion.
- Creating a hostile working environment for the person who has objected to any of the above.

Sexual harassment may occur between staff members (both Nepali and expatriate), between staff members and volunteers, between staff members and partner staff or visitors, between volunteers and partner staff or visitors, and between volunteers and visitors. It may occur wherever the above parties are interacting with each other in the context of their position in and with UMN, including field trips, work off-site, and social functions.

Neglect

The persistent failure to meet a person's basic physical and/or psychological needs is likely to result in the serious impairment of their health or development. Neglect may involve a parent or carer failing to:

- Provide adequate food, clothing, and shelter (including exclusion from home or abandonment).
- Protect a child/vulnerable adult from physical and emotional harm or danger and ensure adequate supervision.
- Ensure access to appropriate medical care or treatment.

Emotional abuse

The persistent emotional maltreatment of a person which causes severe and persistent adverse effects on their emotional development or state. It may involve conveying that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may include failing to give them opportunities to express their views, deliberately silencing them, or ridiculing what they say or how they communicate. Some level of emotional abuse is involved in all types of maltreatment of a child or vulnerable adult, but it may occur as the sole or main form of abuse.

Commercial Exploitation

Commercial exploitation of children or vulnerable adults is their forced labour or involvement in sexual activity with the intention, objective, anticipation, or expectation of monetary gain or other material consideration, compensation, remuneration, or profit. This includes human trafficking.

2. POLICY STATEMENT

UMN strictly prohibits any harm to children and vulnerable adults, including sexual exploitation, abuse, or harassment in any form. The exchange of money, employment, goods, or services for sex, which includes sexual favours or any form of humiliating, degrading, or exploitative behaviour by UMN staff, representatives, and agents is strictly forbidden. Every UMN staff, representative, and agent bears the responsibility of safeguarding children and vulnerable adults and is required to sign the "UMN

Code of Conduct for Safeguarding Children and Vulnerable Adults”. They are also mandated to actively support the implementation of this policy.

UMN is also committed to ensuring awareness of the Safeguarding Policy for all staff as preventive measures through staff orientation and periodic awareness-raising exercises. UMN will ensure that risk assessments for harm and sexual exploitation/abuse/harassment of children and vulnerable adults are conducted in each project and considered appropriately to address identified high risks.

Anyone found to have caused harm to children or vulnerable adults or have sexually harassed another person will be subject to disciplinary action, which may include warning, termination and/or legal action. The best interests of the survivor will be considered when such decisions are made. Anyone found to have sexually abused or exploited another person will be subject to immediate dismissal.

Reports of sexual exploitation, abuse, or harassment will be treated promptly, seriously, and confidentially.

The nature of complaint will be evaluated according to the laws of Nepal, and if the offense is a criminal offense, the organization will follow protocols upon consultation with the leadership team of UMN and legal professional. The best interest of the survivor will be considered when such decisions are made.

The alleged perpetrator also has the right to have a supporter or representative of their choice present when responding to the allegations.

No complainant will be treated unfairly as a result of making a complaint regarding the safeguarding of children, vulnerable adults, or sexual harassment. Immediate disciplinary action will be taken against anyone who victimizes or retaliates against someone who has made a complaint.

3. LEGAL FRAMEWORK

UMN is accountable for its dealings with children and vulnerable adults and against sexual exploitation, abuse, and harassment under several legal instruments. The main provisions are:

- The United Nations Convention on the Rights of the Child was ratified by the Nepali government in 1990 and both optional protocols in 2002 and therefore these have the force of law in Nepal. The convention recognizes the basic human rights of children and furthermore recognises that communities and governments have a responsibility to ensure these rights are upheld. (See [Appendix 2: International Conventions Ratified by Nepal Concerning Children And Their Rights](#))
- The Children's Act Nepal 2048 (1992) and the Child Labour (Prohibition and Regulation) Act 1999 provide a framework for the protection of the development and rights of children. The Act contains provision on the rights of children and restricts the employment of children under 14 years (S17).
- The Constitution of Nepal 2072(2015) sets out a broad range of human rights for all Nepalis.
- Expatriates may be subject to prosecution in their own countries for offences of child sexual abuse committed in Nepal under extra-territoriality provisions that exist in legislation in most of the countries from which UMN receives volunteer staff.
- Sexual exploitation, abuse and harassment is unlawful. The National Penal Code Act 2017 (2074) covers these offenses, as does the Act Relating to Children 2018 (2075) if children are affected. The Sexual Harassment at Workplace Prevention Act* of Nepal, 2015 (2071) came into effect on February 20, 2015 (Falgun 08 2071).

4. RESPONSIBILITIES UNDER THIS POLICY

4.1 UMN Leadership Team

The UMN Leadership Team shall appoint one male and one female person with suitable knowledge and experience (see Appendix 3) to serve as Lead Safeguarding Focal Person (hereafter LSFP) based at the Kathmandu office, and one male and one female person in each cluster to act as Cluster Safeguarding Focal Person (hereafter CSFP). Where it is not possible to have CSFP of both genders in a cluster, the relevant LSFP will cover the role temporarily until a suitable person is available.

The Leadership Team shall receive a report on safeguarding issues in UMN from the Lead Safeguarding Focal Person on an annual basis and ensure that this policy is subject to review every 2 years, or sooner if there is manifest reason to do so. Funding partners shall be informed of the outcome of all reviews of the Safeguarding Policy.

4.2 UMN Human Resources Team Leader

The Human Resources Team Leader shall ensure that the risk of harm to children and vulnerable adults and sexual exploitation, abuse, and harassment by UMN personnel is minimised by operating recruitment procedures that:

- Require applicants to be asked on the application form if they have ever been convicted of a criminal offense against children and vulnerable adults.
- Include a specific question during the interview asking applicants if they have ever been subject to any safeguarding inquiries, disciplinary actions, or concerns raised regarding their conduct with children and vulnerable adults in previous roles.
- Include a specific question to referees about their awareness of the applicant having any criminal conviction against children and vulnerable adults.
- Require criminal records check for expatriate applicants from countries that can provide it.
- Require staff to sign a declaration that they have read, understood, and will abide by all UMN current policies and retain a copy of this in their personnel file.

(S)he will also ensure that all new staff receive orientation on Safeguarding Policy while joining UMN and refresher training every three years and convene investigative committees when required.

Nepali Applicants

When a Nepali applicant indicates that they have been convicted of a criminal offense they will have the option of giving more information about the offense on a separate sheet at that stage or, if they prefer, information about the nature of the offence will be sought if the applicant is short-listed. An assessment will be made as to the relevance of the offence by the interviewing panel, availing of consultation with the Lead Safeguarding Focal Person in cases where the offence is against a child or vulnerable adult.

Expatriate Applicants

When an Expatriate applicant indicates that they have been convicted of a criminal offense, the sending organisation shall provide an endorsement or declaration confirming that the offense is not related to safeguarding, that the matter has been fully explored with the applicant, and that it does not pose any risk or harm to children or vulnerable persons.

4.3 Lead Safeguarding Focal Person

The Lead Safeguarding Focal Person shall promote the best safeguarding practices among UMN staff, representatives, and agents. Specifically, they shall:

- Promote awareness of this policy, including its reporting and inquiry procedures, among UMN staff, representatives, and agents in a systematic way in collaboration with the Cluster Safeguarding Focal Person.
- Consult with and provide advice to UMN staff, representatives, and agents on issues relating to the safeguarding of children and vulnerable adults.
- Receive and record all allegations of potential breaches of the Safeguarding Policy and report any allegations concerning UMN's staff, representatives, and agents to the appropriate person or authority.
- Report concerns to relevant funding partners.
- Plan the inquiry process for each allegation of a potential breach of the Safeguarding Policy.
- Chair inquiry committees as required.
- Safeguarding Focal Person Competencies (See [Appendix 3: Safeguarding Focal Person Competencies](#))

4.4 Cluster Safeguarding Focal Person

The Cluster Safeguarding Focal Person shall promote the best safeguarding practices within their cluster and the partners with whom they work in collaboration with UMN's Lead Safeguarding Focal Person. Specifically, they shall:

- Orientation for new staff will be conducted at the Thapathali office for the initial induction and followed by the CFP at the clusters.
- Ensure that new members of their cluster teams are made aware of the Safeguarding Policy during their induction programme before they are deployed to the field, and that they receive training on the Safeguarding Policy, including its reporting and inquiry procedures within one month of appointment.
- Receive and record all allegations of potential breaches of this policy within their cluster and report these to one of the Lead Safeguarding Focal Persons based in the Kathmandu office.
- Participate in the inquiry process as required by the Lead Safeguarding Focal Person.
- Refer the alleged survivor of harm for supportive services when appropriate.
- Safeguarding Focal Person Competencies (See [Appendix 3: Safeguarding Focal Person Competencies](#))

4.5 Cluster Team Leaders & Line Managers

Cluster Team Leaders and Line Managers shall ensure that processes are in place for visitors to UMN projects to sign the "UMN Code of Conduct for Safeguarding Children & Vulnerable Adults" and arrange for these to be forwarded to the Executive Director's office where they will be retained for five years.

4.6 All UMN Staff, Representatives & Agents

All UMN staff, representatives, and agents should seek to safeguard the interests of children and vulnerable adults in all activities associated with their roles within UMN and be willing to report concerns about possible breaches of this policy to the appropriate Team Leader, Line Manager, and/or to CSFP and LSFP.

- If their concern involves the Cluster Safeguarding Focal Person, they should report their concern to the Lead Safeguarding Focal Person.
- If their concern involves the Lead Safeguarding Focal Person, they should report their concern to the HR Team Leader & UMN Executive Director.

In addition, UMN staff, representatives, and agents have a general obligation to report harm to children and vulnerable adults in the community to the concerned authorities (see below).

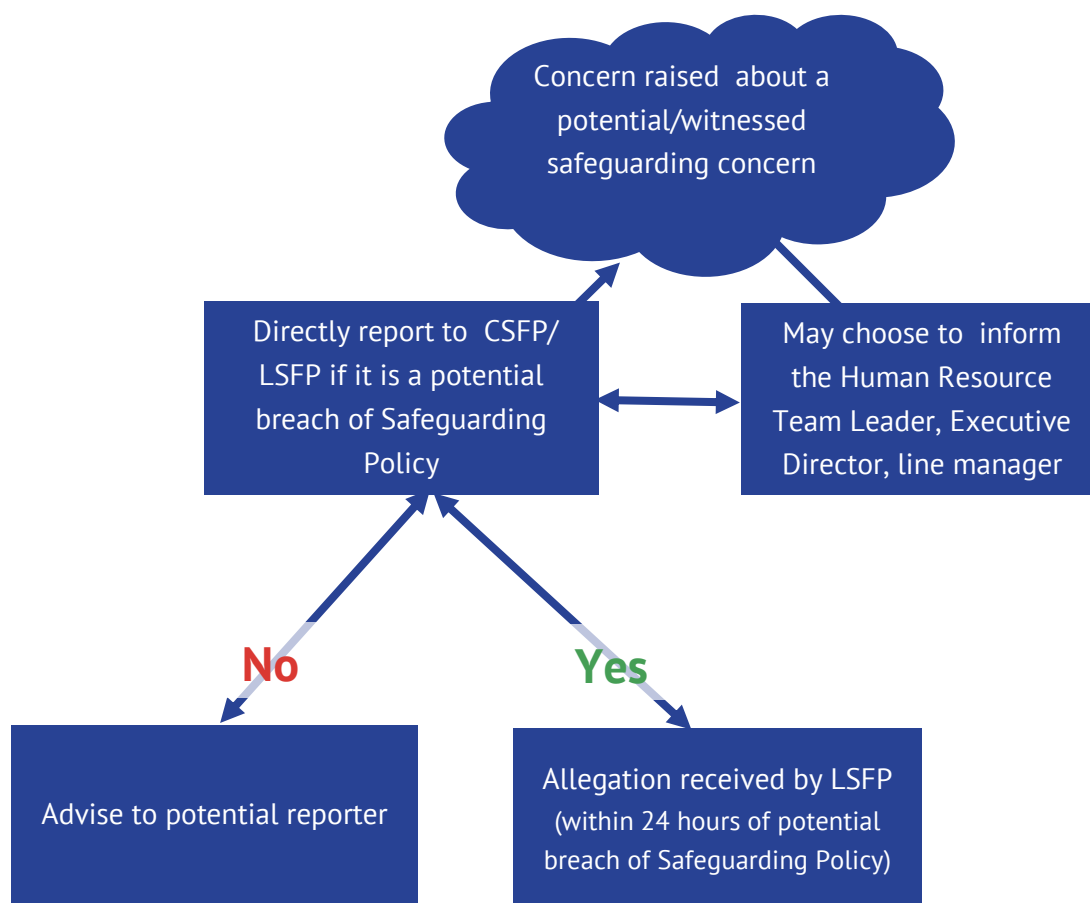
5. POLICY AWARENESS AND TRAINING

- All UMN staff will receive information on the Safeguarding Policy during their induction and must sign a Code of Conduct, confirming their understanding and agreement with the Safeguarding Policy. A record of this acknowledgement will be maintained in their personnel file.
- UMN staff will undergo refresher training on the policy and its implications in a 3-year cycle.
- Records of safeguarding orientations and trainings will be maintained in a designated register by the Human Resources Team every six months.
- The capacity of the Safeguarding Focal Person will be developed in various aspects as required.
- UMN's Safeguarding Focal Person, in collaboration with the HR and Leadership team, will play a crucial role in raising organisational awareness about preventing harm to children and vulnerable adults, including sexual exploitation, abuse, and harassment, and will also enhance awareness among local implementing partners through ongoing education, training, technical advice, and guidance on protecting children and vulnerable adults.

5.1 Prevention of Safeguarding Children and Vulnerable Adults from All Forms of Harm, Including Sexual Exploitation, Abuse, and Harassment (SEAH)

- UMN will strictly adhere to recruitment procedures, maintaining secure documentation for five years.
- All UMN staff, representatives, and agents should also follow the safeguarding guidelines on communicating electronically (See [Appendix 1: Safeguarding Guidelines on Communicating Electronically](#))
- All visitors to UMN projects must receive and sign the "UMN Code of Conduct for Safeguarding Children and Vulnerable Adults" (see [Appendix 4: UMN Code of Conduct for Safeguarding Children & Vulnerable Adults](#)) before their visit.
- Cluster leaders are responsible for ensuring that interactions with children and vulnerable adults align with the Safeguarding Policy.
- UMN's partnership choice will take into account the attitude and track record of potential partners towards safeguarding issues.
- Informal discussions with the LSFP/ CSFP are available to UMN staff, representatives, and agents to address concerns about inappropriate behaviour towards a child or vulnerable adult. If a potential breach is identified, it should be reported as an allegation and entered into the inquiry process. If the matter falls below appropriate standards, steps will be taken to address the behaviour through discussion, education, and training.
- In cases of sexual abuse or other forms of harm where the alleged perpetrator is a child, the matter shall be handled in accordance with the applicable juvenile justice laws of the Government of Nepal, as required.

- All staff and witnesses must report any safeguarding concern immediately and no later than 24 hours after becoming aware of it. Survivors may report concerns at any time, as there is no time limit for disclosures.
- All historical and current allegations will be treated with equal seriousness. Reporters may choose to consult with a line manager before reporting, or Human Resource Team Leader, the Executive Director or they may report directly to the safeguarding focal person.
- In the case of the Executive Director, reports may be presented to the board members. Upon receiving the report, the CSFP will inform the LSFP, and the reporter will be advised on the potential impact and inquiry process. A record of the allegation, signed by the reporter, will be prepared by the relevant CSFP or LSFP.
- The reporter's name will be kept confidential and disclosed only to the inquiry committee and, if necessary, the alleged perpetrator. Precautions will be taken to protect the reporter if there is any risk posed by the alleged perpetrator.
- Safeguarding concerns could be reported through the FCRM system or by using the toll-free number 16600128118, or by calling 9847387030.
- Historical and current allegations of harm will follow the same reporting and inquiry process. Please refer to [Appendix 5: Inquiry Process for harm to children and vulnerable adults, including SEAH](#), for the reporting and inquiry process and respective flow diagram



Reporting flow diagram

5.2 Responding Appropriately All Forms of Harm, Including Sexual Exploitation, Abuse, and Harassment (SEAH)

Responding to allegations of harm to children and vulnerable adults is an area that is fraught with sensitivities and carries risks of further harm to the child(ren) or vulnerable adult(s) involved, their families, to alleged perpetrators, and to UMN. The key principles of responding to allegations of harm are:

- The best interests of the alleged victim/survivor are paramount.
- The wishes of the alleged victim/survivor and their families are taken into account as far as is consistent with protecting the interests of the child or vulnerable adult.
- Confidentiality is maintained and information about the situation is strictly controlled.

5.2.1 *Harm Alleged Directly by UMN Staff*

If a child or vulnerable adult makes an allegation of harm caused by UMN staff, representatives, or agents she or he must be informed that their allegation will be inquired and how this will happen. The need for medical or psycho-social assistance should be assessed and, if required and practicable, organised as a priority. Everything the child or vulnerable adult says regarding the incident or incidents, should be carefully and accurately documented verbatim (where possible) along with the date and time of the conversation. The LSFP/SFP will keep the child or vulnerable adult and their family informed of the progress and outcome of the subsequent inquiry, without giving information that would pre-empt the outcome of the inquiry. However, consent is required to report abuse against vulnerable adults, unless the vulnerable adult is assessed as lacking the mental capacity to make that decision, the disclosure reveals that children are being abused or are at risk of abuse, or someone's life is at risk. In any of these circumstances, reporting is mandatory even without the vulnerable adult's consent.

Any further interview of a child or vulnerable adult alleged to be a survivor of abuse must:

- Only occurs at the express direction of the inquiry group.
- Only occur with the permission of the child's parents/guardians.
- Be carried out by LSFP/CSFP with experience/training in the interviewing of children/vulnerable adults where abuse may have occurred. The CSFP will consult with LSFP before proceeding with an interview.
- Be carried out in the language most comfortable for the child/vulnerable adult, either directly or via the use of appropriate interpreters.

5.2.2 *Allegations Against Members of Partner Organisations.*

Where a staff member of one of UMN's partner organisations is alleged to have breached the standards of UMN's Safeguarding Policy, UMN will strongly advise the partner organisation to investigate the matter per their own Safeguarding Policy and is willing to offer advice and expertise on how to proceed.

If the UMN partner organisation is unwilling to investigate the allegation, even though advised to do so, the inquiry group may recommend that UMN take further measures, such as ending the partnership and/or reporting the matter to appropriate authorities. UMN will inform the partner organisation of the actions they plan to take. Records of all meetings and their outcome will be maintained and kept secure by the relevant CTL, LSFP, and HR.

5.2.3 *Allegations against an Expatriate UMN Appointee*

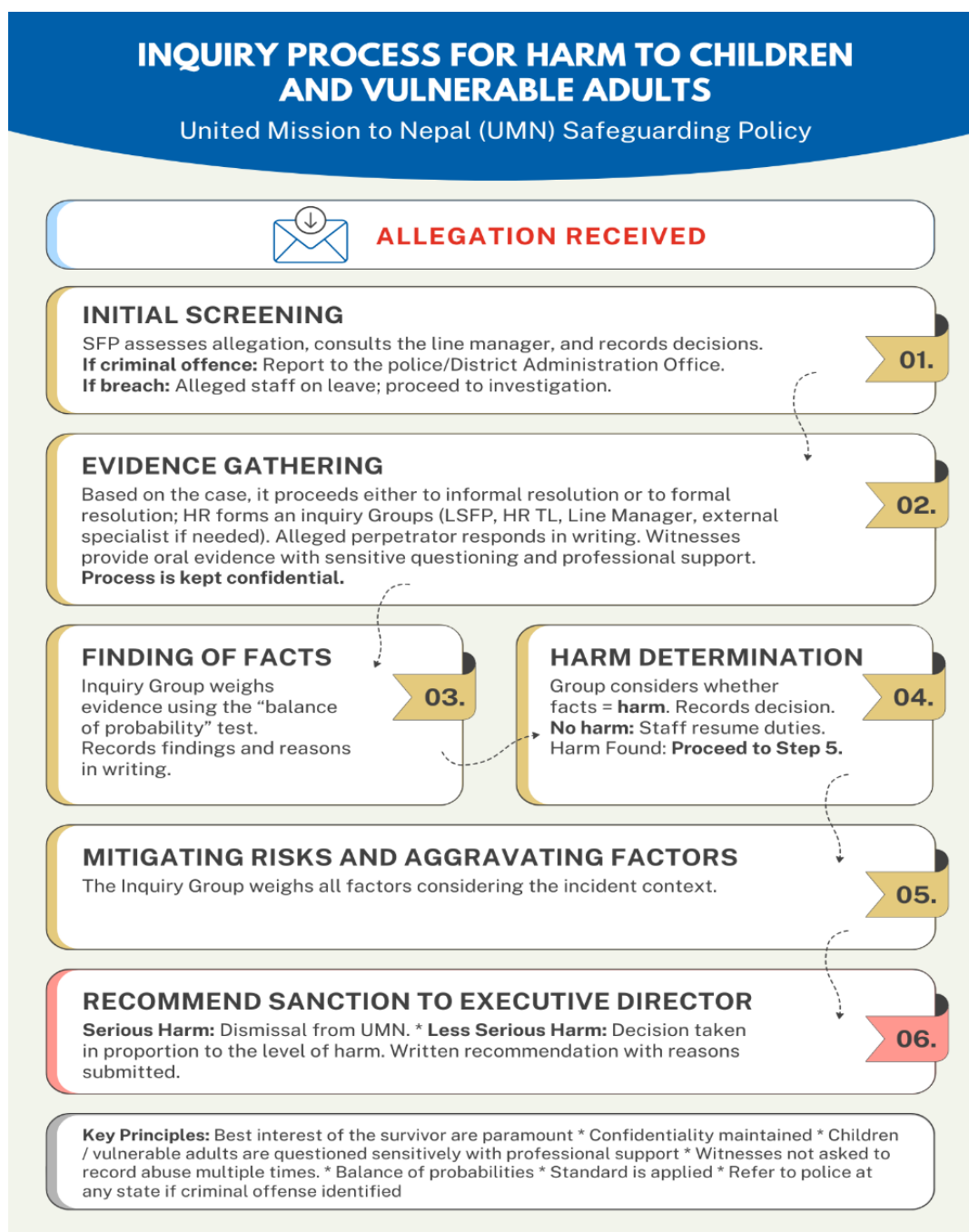
In such cases, the sending agency will be informed and invited to participate in the inquiry process.

5.2.4 Inquiry Process

(see [Appendix 5: Inquiry Process For harm to children and vulnerable adults, including SEAH](#)) for the procedure and inquiry process flow diagram)

An inquiry will be made against all allegations of harm to children and vulnerable adults by UMN staff, representatives, or agents via the following process in a step-by-step approach. It is vital in these serious matters that illogical leaps are not made and that unexamined assumptions do not become ‘fact’.

1. Initial screening
2. Evidence gathering
3. Finding of facts
4. Harm Determination
5. Mitigating risk and aggravating factors
6. Recommend sanction



6. INQUIRY RESOLUTION OF ALL FORMS OF HARM, INCLUDING SEXUAL EXPLOITATION, ABUSE, AND HARASSMENT (SEAH)

(See [Appendix 5: Inquiry Process for harm to children and vulnerable adults, including SEAH](#), for details)

7. PARTNER ORGANISATION COMPLIANCE

UMN will encourage local implementing partners to develop their own Safeguarding Policy and to review it periodically. UMN will not knowingly engage in partnerships with any partner organisations that pose an unacceptable risk to children and adults.

Where a staff member of one of UMN's partner organisations is alleged to have breached the standards of UMN's Safeguarding Policy, UMN will strongly advise the partner organisation to inquire the matter in accordance with their policy and is willing to offer advice and expertise on how to proceed.

If the UMN partner organisation is unwilling to make inquiry against the allegation, even though advised to do so, the Inquiry Group may recommend that UMN take further measures, such as ending the partnership and/or reporting the matter to appropriate authorities. UMN will inform the partner organisation of the actions they plan to take. Records of all meetings and their outcome will be maintained and kept secure by the Safeguarding Focal Persons.

APPENDIX

Appendix 1: Safeguarding Guidelines On Communicating Electronically

With rapidly developing electronic methods of communication, currently including widespread use of emails, mobile phones and social networking sites, new possibilities and dangers of harm emerge.

Email

Vulnerable people can find it easier to communicate via email rather than talking face-to-face and may share more personal or sensitive information about themselves or someone else than if talking one-on-one. Please be aware and do not encourage extensive personal revelations unless this communication method has been explicitly approved for such a purpose by your line manager.

Texting

Texting is the most common form of electronic communication. 'Sexting' (the act of sending sexually explicit messages or photographs, primarily between mobile phones) has become a concern amongst children and young people and adults should remain vigilant and report instances of this immediately.

Social Networking

Great care must be taken when using sites such as Facebook, Twitter, WhatsApp etc. to avoid crossing private boundaries.

- Have a separate group page where only business relating to the group is discussed.
- Do not post images without express consent and do not share these outside of the group.
- Set up the account so that only approved friends can message or add people as a friend.

Good Practice Guidelines for Safe Practice for Electronic Communication

- Always obtain parental permission before using email/texting/social networking sites as a method of communication.
- Use clear unambiguous language that cannot be misinterpreted. For example, don't sign off with 'luv', 'xx' or 'lol'. Use a friendly, but not over-familiar or personal tone.
- The content of messages should relate only to the group/club attended.
- Ensure that all emails sent are able to be viewed by whoever supervises the leader sending them and that this has been made explicit to all those involved.
- Add a 'rider' regarding confidentiality to the foot of each email.
- Send group emails rather than individual ones.
- Any electronic communication raising concerns should be shared with the leaders' supervisor. All electronic communications should be sent/responded to within set time boundaries i.e. not between 10pm and 8am.
- Not every person will have access to a mobile phone/computer so ensure that there are other methods of communication too.
- Images should only be taken/shared with consent. Images should not be included on social network sites or published on YouTube without written consent.

Appendix 2: International Conventions Ratified By Nepal Concerning Children And Their Rights

1. First SAARC Ministerial Conference on Children, 1986.
2. Convention on the Rights of the Child, 1989.
3. World Declaration and Plan of Action for the Protection and Development of Children (1990).
4. International Programme on Eradication of Child Labour, 1992.
5. Second SAARC Ministerial Conference on Children, Colombo, 1992.
6. Stockholm Declaration adopted at the World Congress against Commercial Sexual Exploitation of Children, 1996.
7. Third SAARC Ministerial Conference on Children, Rawalpindi, 1996.
8. The Declaration on the Elimination of the Most Intolerable Forms of Child Labour, adopted at the Amsterdam Child Labour Conference, 1997.
9. ILO Convention No. 138 Concerning Minimum Age for Admission to Employment, 1996.
10. Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.
11. Yokohama Declaration, adopted at the Second World Congress against Commercial Sexual Exploitation of Children, 2001.
12. Declaration of Commitment adopted by the twenty-sixth special session of the General Assembly on children, 2001.
13. ILO Convention No. 182 on Worst Forms of Child Labour.

(Source: Second periodic report of States parties due in 1997: submitted on 4th March 2004)

URL: <http://childnepal.blogspot.com/2011/03/uncrc-in-context-to-nepal-with-its.html>, accessed 27 February 2015.

Appendix 3: Safeguarding Focal Person Competencies

The Safeguarding Focal Person will usually have the following competencies:

- Knowledge of the needs of children and vulnerable adults and experience in working directly with vulnerable people.
- Knowledge of and experience in advocating for the rights of vulnerable people in a range of legal, formal and informal settings.
- Demonstrated capacity to maintain confidentiality.
- Demonstrated capacity to follow written procedures and maintain accurate written records
- Ability with communicate comfortably at all levels of the organisation to advocate for the needs and rights of children and vulnerable adults.
- Ability to provide formal training sessions to staff.
- Ability to be available and open to staff in informal settings to be able to provide consultation about issues relating to children and vulnerable adults.

Appendix 4: UMN Code Of Conduct For Safeguarding Children & Vulnerable Adults

PMF Template 11.2.7.2

VERSION: December 2020

UMN Code of Conduct for Safeguarding Children & Vulnerable Adults

This form needs to be signed by all UMN staff when joining UMN, including donors, supporting partners, consultants, contractors, government line agency representatives, while visiting UMN work locations, and submitted to HR.

CODE OF CONDUCT

UMN staff, representatives, and agents must:

1. Familiarise themselves with the UMN Safeguarding Policy and indicate their acceptance of it by signing a copy of the Code of Conduct.
2. Ensure they always work with children and vulnerable adults, where possible, with the knowledge and informed consent of those responsible for them.
3. Report any allegations related to potential breaches of this policy to the relevant Safeguarding Focal Person.
4. Co-operate with any inquiry process formed under the relevant procedure within this policy.
5. Not disclose the nature or details of an inquiry to any unauthorised person.
6. Abide by the Safeguarding Policy on Communicating Electronically (see UMN Safeguarding Policy, [Appendix 1: Safeguarding Guidelines on Communicating Electronically](#)).

UMN staff, representatives and agents must not:

1. Threaten or use any form of physical punishment or hitting against a child or vulnerable adult.
2. Use language or behaviour towards a child or vulnerable adult that is inappropriate, harassing, abusive, sexually provocative, demeaning, or culturally inappropriate.
3. Spend excessive amounts of time alone with children or vulnerable adults. Meetings with individual children should take place within the sight of others and such meetings must occur with the knowledge of UMN supervisors and those responsible for the child or vulnerable adult.
4. Fondle, hold, kiss, cuddle, tickle, or touch children in an inappropriate or culturally insensitive way. Physical touch between adults and children can be healthy but should occur in public places. A general guideline is not to touch children in areas that are normally covered by shorts and t-shirts.
5. Take or use images of children or vulnerable adults which are detrimental to their dignity (see UMN Visual Images Policy & Guidelines).
6. Use resources like telephones, mobiles, or other IT/electronic/digital resources to develop inappropriate relationships with children or vulnerable adults or to store/view explicit or degrading images.
7. Fail to report when they have concerns about harm to a child or vulnerable adult.
8. Hire children or vulnerable adults for domestic or other labour, which is inappropriate given their age or development stage, which interferes with their time available for education and recreational activities, or which places them at a significant risk of injury.

Signatures

I have read and understood this information. I understand that behaviour contravening these guidelines may be investigated by UMN and, if warranted, be reported to the appropriate legal authorities.

	EMPLOYEE	WITNESSED BY UMN STAFF MEMBER
Name		
Job title		
Date		
Signature		

Appendix 5: Inquiry Process For Harm To Children And Vulnerable Adults, Including SEAH

This appendix contains two distinct processes:

Part A: Inquiry Process for Harm to Children and Vulnerable Adults
Part B: Resolution Process for Sexual Exploitation, Abuse, and Harassment (SEAH)

PART A: Inquiry Process For Harm To Children And Vulnerable Adults

1. Initial Screening Decision

The first decision is whether the allegation prima facie constitutes a potential harm to children and vulnerable adults, leading to a breach of the Safeguarding Policy. The safeguarding focal person may choose to make some preliminary inquiries or consult with other relevant staff before making the initial screening decision. The safeguarding focal person will consult with an appropriate manager before making this decision and will make a record of this decision. The initial screening decision should be completed preferably within 48 hours of receiving the allegation. The safeguarding focal person/s will acknowledge receipt of the report to the reporter within 24 hours.

If the matter does not constitute a breach, advice will be given to the reporter. The safeguarding focal person will also consider whether there is prima facie evidence of an offence under Nepali law which should be reported to the Police and inform the District Administrative Office and the Women and Children Development Office. At any stage of the inquiry, if evidence emerges that indicates serious criminal conduct under Nepali law (including but not limited to sexual abuse, physical violence causing serious harm, or exploitation), the matter must be reported to the Police. In such cases, the Police become the lead investigators, and UMN will provide every support to their inquiry while maintaining its own internal inquiry process to determine organisational policy breaches and appropriate sanctions.

If the allegation is deemed a potential breach of the Safeguarding Policy and is not a matter that requires to be passed directly to the Police, the matter will proceed to the next stage of UMN's inquiry process. At any time during the inquiry process, the matter may be reported to the police if there is evidence of Nepali law being broken. If a member of UMN staff is the subject of an allegation of a breach of the Safeguarding Policy, they will be placed on compulsory paid leave from their duties until the inquiry has been completed. When the allegation is against a contractor or consultant their services and payment will be suspended until the inquiry is complete. These actions do not imply guilt but protect all parties whilst the inquiry proceeds. In cases where there is a threat to the survivor, the Leadership Team may determine that the survivor/s should also be offered paid leave for their protection and well-being.

Before proceeding with the inquiry, the safeguarding focal person will:

- Assess the need for immediate medical or psycho-social assistance for the alleged victim/survivor
- If required and practicable, organise such assistance as a priority
- Ensure the alleged victim/survivor understands that their allegation will be inquired and how this will happen
- Inform the alleged victim/survivor of their right to have a supporter or representative present throughout the process
- The welfare and best interests of the alleged survivor remain paramount throughout the inquiry process.

2. Evidence Gathering

The safeguarding focal person will contact the Human Resources Team Leader who will form an 'Inquiry Group', which will include the Lead Safeguarding Focal Person, the HR Team Leader, and the relevant Line Manager under whose sphere of influence the breach is alleged to have occurred. Other members may be co-opted into this group when they have relevant knowledge and/or expertise, including people from specialist external agencies. The inquiry group will contain at least one woman and at least one man to ensure balanced perspectives and create a safe environment for all parties. The Leadership Team/ inquiry group will inform the alleged survivor and alleged perpetrator of the composition of the Inquiry group and ask if they have any objections regarding the unbiased suitability of the members. Any objection must be submitted in written form within 3 working days for the Leadership Team/ inquiry group to consider.

The 'Inquiry Group' shall exercise the right to investigate any issue raised in the allegation. Inquiry will be commenced within 3 working days of the screening decision and will proceed as quickly as possible, given the circumstances of the case. The inquiry should be completed within 4 weeks unless exceptional circumstances require an extension, which must be documented and communicated to all parties.

The inquiry process will be kept as confidential as possible, with only those directly involved having the appropriate information. Only the chair of the 'Inquiry Group' should speak for the Group and under no circumstances should the outcomes of the inquiry be pre-empted. The alleged perpetrator will be invited to respond in writing to the allegation(s). The inquiry group 'will carefully consider the allegation before it. It may call witnesses to take oral evidence and ask questions of the witnesses. When questioning a child or vulnerable adult, the Group must ensure that questioning is conducted sensitively and with appropriate professional support, as such questioning can be retraumatizing. Witnesses should not be asked to recount the abuse multiple times, and all questioning must be conducted with safeguarding measures in place to minimize further harm. If the witness is a child, they may have an adult accompany them for support. The alleged perpetrator has the right to be present during oral evidence and may also ask questions of witnesses. If the alleged perpetrator is a child, they may have an adult accompany them for support. The chair of the 'Inquiry Group' will ensure witnesses are not subject to badgering, intimidating, or unfair questioning by an alleged perpetrator. The 'Inquiry Group' may seek additional evidence where this is realistically obtainable without undue delay to the process.

3. Finding of Facts

The 'Inquiry Group' will carefully consider and weigh the evidence before them and, on this basis only determine whether the alleged facts are sustained or not. They will record their findings and the reasons for their findings in writing. The standard of proof that the 'Inquiry Group' will adopt for the 'finding of facts' shall be the 'on the balance of probabilities' test (sometimes also referred to as the 'more likely than not' test).

4. Do the Facts Found Constitute Harm to Children and Vulnerable Adults?

The inquiry group will carefully consider whether the facts found constitute harm to children and vulnerable adults. They will record their decision and the reasons for their decision in writing. If no harm is done by the staff member, the staff member can resume their normal duties and the inquiry process is at an end. Where a breach is found, the matter will proceed to the next stage of the inquiry process.

5. Consideration of Mitigating and Exacerbating Factors

Where it is established that harm was done to the children and vulnerable adults, the 'Inquiry Group' will consider and weigh any mitigating and exacerbating factors pertaining to the perpetrator and the circumstances of the incident.

6. Recommend Sanction

Where it is established that harm was done to the children and vulnerable adults and a breach of the Safeguarding Policy has taken place, and any mitigating and exacerbating factors have been carefully considered, the 'Inquiry Group' will then make a recommendation in writing to the Executive Director of UMN regarding any sanction that should be imposed, giving reasons for their recommendation.

The usual sanction for serious harm done to children and vulnerable adults leading to a breach of the Safeguarding Policy is dismissal from their position with UMN. For less serious harm where there are mitigating circumstances, sanctions may include a probationary period with conditions and/or retraining, or suspension from their role in UMN for a specific period.

The Inquiry Group will submit their written recommendation to the Executive Director within 5 working days of completing the Finding of Facts stage.

The Executive Director will review the recommendation and make a final decision on sanctions within 10 working days. Both the alleged victim/survivor and the alleged perpetrator will be informed of the decision in writing.

Both the alleged victim/survivor and the alleged perpetrator have the right to appeal. Any appeal process will follow UMN's grievance procedures.

7. Post-Inquiry Actions

Following the completion of the inquiry and decision on sanctions:

- The safeguarding focal person or designated staff member will provide debriefing and counselling support to the alleged victim/survivor as needed
- Where appropriate, debriefing will be provided to other affected staff members while maintaining confidentiality
- No alleged victim/survivor or reporter will be treated unfairly as a result of making a complaint of harm
- Immediate disciplinary action will be taken against anyone who victimises or retaliates against someone who has made a complaint
- The Inquiry Group will recommend any necessary changes to policies, procedures, or training to prevent similar incidents in future
- The case will be documented in the annual safeguarding report to the Leadership Team (without identifying details)

8. Documentation and Record Keeping

Throughout the inquiry process, the Inquiry Group will:

- Keep detailed records of all interviews, evidence gathered, and decisions made
- Ensure all records are dated and signed by relevant parties
- Store all documentation securely with restricted access
- Maintain records for a minimum of five years in accordance with UMN's recruitment and safeguarding procedures

- Provide copies of relevant records to the Leadership Team and Executive Director as needed for decision-making
- All records must be handled in accordance with UMN's data protection and confidentiality requirements and shall be maintained by Human Resources (HR).

PART B: Resolution Process For Sexual Exploitation, Abuse, And Harassment (SEAH)

1. Making a Complaint

The complainant, who has experienced sexual exploitation, abuse, or harassment, may opt for both external and internal complaint channels or choose one of them.

1.1. External Complaint

According to the Sexual Harassment at Workplace Prevention Act of the Government of Nepal, the complainant who has been harassed may choose to take her/his complaint to the Chief District Officer of the concerned district.

1.2. Internal Complaint

The complainant should:

- If comfortable to do so, inform the alleged perpetrator of harassment that the behaviour is offensive, unwelcome, and against UMN's Safeguarding Policy and should stop.
- Make a note of the date, time, and location of the incident(s).
- If not comfortable confronting the alleged perpetrator or if unwelcome behaviour continues, or in case of sexual exploitation or abuse, report to the relevant safeguarding focal person.
- Choose their options for making a complaint: in writing (including texting a message) or verbally, such as making a phone call or by visiting UMN or partner office.
- If reporting to the safeguarding focal person is inappropriate, speak to another senior member of UMN. This may include the HR Team Leader, Line Manager, and the Executive Director,
- The safeguarding focal person or the above-mentioned person will follow the procedures set out below. At any time, the complainant has the right to discontinue this process.

1.3. Complaints Process

Upon receiving a complaint, the safeguarding focal person will:

- Obtain a step-by-step account of the incident(s).
- Ensure understanding of the organisation's complaint-handling process.
- Ascertain the complainant's preferred outcome, e.g., an apology, the behaviour to cease, a change in working arrangements, or termination of the perpetrator.
- Agree on the next step: informal resolution or formal inquiry.
- Keep a confidential record of all details of this discussion and subsequent steps in the process.

Complainants have the right to determine how a complaint will be treated for non-criminal cases, including the option to stop the process at any time. In case of severe physical and non-physical sexual exploitation, abuse, and harassment, UMN will inform the police unless the complainants ask UMN not to; in that case, the LT must decide whether police reporting is necessary or can be waived.

If the complainant and the alleged perpetrator disagree on what has happened, a formal inquiry resolution.

If a formal inquiry resolution is requested or an informal resolution fails, the safeguarding focal person will forward the matter to the 'Inquiry Group', which includes the LSFP and HR Team Leader. The HR team leader will lead the forming group. The Inquiry Group is responsible for inquiring, giving an investigative conclusion and recommendation for the Leadership Team to decide and act.

The Inquiry Group will contain at least one woman and at least one man. If required, the Leadership Team may bring an external expert to support the Inquiry Group in the process of inquiry. Any objection regarding the inquiry must be submitted in written form for the Leadership Team to consider.

1.4. Status During Inquiry

During the formal inquiry period, the alleged perpetrator will be on compulsory paid leave until the inquiry process is completed. If there is a threat to the complainant, for the purpose of protection or to safeguard from any further threat, the complainant shall also be offered paid leave for a certain period of time. These actions do not imply guilt but protect all parties whilst the inquiry proceeds.

1.5. Inquiry Timeline

The formal inquiry process shall not exceed one week; however, UMN will follow the law of the land and act accordingly.

1.6. Inquiry Procedures

The Inquiry Group will:

- Interview all directly concerned, separately.
- Interview witnesses, separately.
- Keep records of the interviews and inquiries.
- Ensure confidentiality and minimise disclosure.
- Recommend appropriate action which may include a change of duties for the perpetrator, change to working arrangements, or dismissal where the incidents were frequent and/or severe.
- Recommend action to ensure the proper functioning of the workplace, even in the case where it cannot be determined that an incident(s) of sexual harassment, exploitation, or abuse as defined has occurred; but these actions should not prejudice any party.
- Recommend the continuation of close monitoring of the situation and the provision of retraining where required.

1.7. Leadership Team Decision and Actions

The Leadership Team will:

- Make a decision and act on the decision based on the inquiry findings and recommendations from the Inquiry Group.
- Allow both the complainant and/or alleged perpetrator to appeal to the Executive Director in written form within 14 days of the known decision from the Leadership Team; from then on, any appeal process will follow the UMN grievance procedures.
- Discuss with the complainant about the outcomes as they affect the complainant to ensure that needs are met and provide counselling support as needed.
- Provide debriefing, where appropriate, with other affected staff.

1.8. Protection from Retaliation

No complainant will be treated unfairly as a result of making a complaint of sexual exploitation, abuse, and harassment. Immediate disciplinary action will be taken against anyone who victimises or retaliates against someone who has made a complaint of sexual exploitation, abuse, and harassment.

1.9. Documentation and Record Keeping

Throughout the resolution process, the Inquiry Group will:

- Keep detailed records of all interviews, evidence gathered, and decisions made
- Ensure all records are dated and signed by relevant parties
- Store all documentation securely with restricted access
- Maintain records for a minimum of five years in accordance with UMN's recruitment and safeguarding procedures
- Provide copies of relevant records to the Leadership Team and Executive Director as needed for decision-making
- All records must be handled in accordance with UMN's data protection and confidentiality requirements and shall be maintained by Human Resources (HR).