

Policy title: Protection from Sexual Exploitation and Abuse for Nazhoen Lamtoen

Policy objective:

1. To establish a policy of zero tolerance for sexual exploitation and abuse (SEA) for all Nazhoen Lamtoen employees and related/associated personnel and ensure that roles, responsibilities and expected standards of conduct in relation to SEA are known within Nazhoen Lamtoen.
2. To create and maintain a safe environment, free from SEA, by taking appropriate measures for this purpose, internally and in the communities where Nazhoen Lamtoen operates, through robust prevention and response work.
3. To establish the foundational framework of Nazhoen Lamtoen to prevent sexual exploitation and abuse and take corrective action when a sexual exploitation and abuse incident occurs.

Targeted Audience: All Nazhoen Lamtoen employees and related personnel.

Effective Date:

Mandatory Revision Date:

1. Policy statement

1. *SEA* violates universally recognized international legal norms and standards and are unacceptable behaviors and prohibited conduct for all humanitarian workers, including Nazhoen Lamtoen employees and related personnel.
2. Nazhoen Lamtoen has a policy of zero tolerance towards SEA. All Nazhoen Lamtoen employees and related personnel are expected to uphold the highest standards of personal and professional conduct at all times, and to provide assistance and services in a manner that respects and fosters the rights of beneficiaries and other vulnerable members of the local communities.
3. Nazhoen Lamtoen is fully committed to have an approach to prevent and respond to SEA that is rights-based, age, disability-and gender sensitive, non-discriminatory and culturally appropriate, and victim-centric should an SEA allegation occur.

1. Scope of application

1. This policy sets out Nazhoen Lamtoen approach to prevent and respond to SEA. Employees and related personnel of Nazhoen Lamtoen include, without being limited to: international

and locally recruited staff members, daily laborers, consultants, interns, volunteers /incentive workers, and contractors.

2.The policy also applies to all activities and operations of Nazhoen Lamtoen including any project funded by Nazhoen Lamtoen any project implemented by Nazhoen Lamtoen , and any cooperating partner.

3. The policy extends to situations of SEA which occur at or away from the workplace, during or outside working hours.

1. Definitions:

For the purposes of the present policy:

1. The term ‘**sexual exploitation**’ means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
2. The term ‘**sexual abuse**’ means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
3. ‘Sexual Exploitation and Abuse’ (SEA) is the abuse or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes or the actual or threatened physical intrusion of a sexual nature by UN personnel, their implementing partners or other aid workers, against the people they serve

1. Commitment to PSEA:

1. Nazhoen Lamtoen will make every effort to create and maintain a safe environment, free from SEA, and shall take appropriate measures for this purpose in the communities where it operates, through a robust PSEA framework, including prevention and response measures.
2. This PSEA framework, affirms Nazhoen Lamtoens commitment to the UN Secretary General’s Bulletin on Special Measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) and to achieving full, ongoing implementation of the IASC Six Core Principles relating to SEA.

1. Six core principles:

- SEA by Nazhoen Lamtoen employees and related personnel constitute acts of gross misconduct and are therefore grounds for termination of employment.
- Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.
- Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes the exchange of assistance that is due to beneficiaries.
- Any sexual relationship between Nazhoen Lamtoen employees or related personnel and beneficiaries of assistance or other vulnerable members of the local community that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
- Where Nazhoen Lamtoen employee or related personnel develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same organization or not, he or she must report such concerns via established reporting mechanisms.
- All Nazhoen Lamtoen employees and related personnel are obliged to create and maintain an environment which prevents SEA and promotes the implementation of this policy. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

• **PSEA framework**

- The PSEA framework below shall be operationalized in a way that is adapted to the context, dynamics and organizational structure of Nazhoen Lamtoen . The relevant measures shall be reflected, as necessary, in the relevant organisational policies and procedures.
- As appropriate, Nazhoen Lamtoen will consult with beneficiaries and local communities, including at-risk groups as identified by Nazhoen Lamtoen to ensure that the systems put in place and measures taken for the prevention and response to SEA are sensitive to the vulnerabilities and needs of beneficiaries and culturally appropriate.

• **Integration of PSEA into planning, programming and operational processes**

- Nazhoen Lamtoen ensures that risks of sexual exploitation and abuse are properly assessed, addressed and monitored through integrating PSEA into its planning,

programming and operational processes (e.g. strategic planning, budgeting, programme cycle management) and allocates sufficient human and financial resources.

- Nazhoen Lamtoen conducts thorough and inclusive risk analysis and assessments on SEA while designing projects and programme activities with mitigation measures and identifies the groups that are the most marginalized and at heightened risk of SEA. This may include site safety mapping, focus group discussions with intended beneficiaries and other stakeholders (including women, children, local authorities/communities, etc.) and other relevant research methods.

• Recruitments

- Nazhoen Lamtoen has safe and PSEA-sensitive human resources practices and processes in place during recruitment, contracting and performance management.
- Job announcements: Nazhoen Lamtoen explicitly states in a standard paragraph in its job announcements its zero-tolerance policy regarding SEA.
 - Interviews: As part of the recruitment interviews, Nazhoen Lamtoen asks questions related to ethics and PSEA
 - Vetting: Nazhoen Lamtoen systematically vets all prospective job candidates in accordance with established screening procedures, to ensure Nazhoen Lamtoen does not hire potential employees that would pose a risk to staff and our beneficiaries.
 - Self-declaration: Nazhoen Lamtoen asks selected applicants to sign self-declarations committing not to have committed SEA in the past and not to commit SEA in their new role within the Nazhoen Lamtoen .
 - Employment contracts: Nazhoen Lamtoen includes a PSEA clause in its employment contracts, clearly establishing the definitions and roles & responsibilities of staff regarding PSEA. These include, but are not limited to, the duty to not commit SEA, to report SEA, and to cooperate in good faith with any investigation or audit related to a SEA case conducted by the Nazhoen Lamtoen .
 - PSEA Focal Points: Nazhoen Lamtoen provides designated PSEA focal points with specific terms of reference related to their PSEA roles and responsibilities.
 - HR processes: Nazhoen Lamtoen aligns its HR processes with its SEA policy to describe the reporting and response mechanism for SEA allegations (disciplinary measures for proven allegations).

- **Organizational management - Cooperation agreements:**
 - Nazhoen Lamtoen includes a standard clause in all its contracts and partnership agreements with its suppliers, contractors, subcontractors and sub-partners requiring them to commit to a zero-tolerance policy on SEA and to take measures to prevent and address SEA.
 - Where suppliers, partners and contractors do not have appropriate policies and measures in place, Nazhoen Lamtoen will support them in developing such policies and take such measures, as deemed relevant.
 - The failure of those entities or individuals to take preventive measures against SEA, to investigate allegations thereof, or to take corrective action when SEA has occurred, shall constitute grounds for termination of any cooperative arrangement.
- **Awareness of personnel, including mandatory trainings**
 - Nazhoen Lamtoen is committed to ensure that its personnel understand PSEA, are aware of the PSEA systems of the organization, and are informed of their obligations as well as what actions to take in case of an allegation. In particular, personnel shall be informed of the following:
 - A clear prohibition of SEA;
 - Definitions of SEA and a clear understanding of behaviors that constitute SEA;
 - The obligation of all personnel to report any suspicions or concerns and consequences for failing to report (e.g. disciplinary measures);
 - The option of reporting information anonymously;
 - The organization's protections for those who makes an allegation in good faith (e.g. whistleblower policy, protection plans for complainants);
 - Details regarding who to report to and what information to share to allow for proper response and follow-up;
 - Actions that personnel are required to take (i.e. prompt reporting of allegations and referral of survivors).
 - Explanation of how the organization will use the information (e.g. who will receive the reports and the internal procedure for response and follow-up).

Nazhoen Lamtoen holds mandatory induction within a month and refresher trainings at least

once a year annually which will happen face to face for all employees and related personnel on the Organization's SEA policy and procedures. To do this:

- Nazhoen Lamtoen develops an annual training plan for all staff, targeting different levels of audiences and participants.
- Nazhoen Lamtoen keeps record of the attendance of all its personnel to induction and refresher training and the updating of the lists of participants.
- Nazhoen Lamtoen has training materials on PSEA, that are adapted to the type of training provided (induction or refresher) as well as the audience of the training and ensure opportunities to exchange and discussions among personnel.
- In addition to trainings, Nazhoen Lamtoen takes measures (both in writing and verbally) to ensure that its employees and associated personnel are informed of their PSEA related obligations as well as what actions to take in case of an allegation. This may include, without being limited to, posters, memo, reminder emails, quarterly integration in agenda meetings, etc.

• Reporting:

- Nazhoen Lamtoen has set up safe, confidential and accessible mechanisms and procedures for personnel, beneficiaries and communities, including children, to report SEA allegations that comply with core standards for reporting and ensures that beneficiaries are aware of these. Nazhoen Lamtoen has mechanisms in place to restrict access to information and keep written reports safely for the security of the survivor and the complainant. Information about an allegation will be shared only on a 'need to know' basis.
- Nazhoen Lamtoen ensures that its reporting mechanisms meet the basic principles of effective reporting:
 - Accessibility
 - Responsiveness
 - Safety
 - Confidentiality
 - Transparency

3.Notification: Nazhoen Lamtoen provides training to staff likely to receive complaints on the relevant procedures and the alleged incident report.

4. Protection from retaliation: Nazhoen Lamtoen is committed to uphold a culture of transparency and a safe environment where personnel and beneficiaries can report SEA allegations as soon as possible without any adverse or punitive action being taken against them. Nazhoen Lamtoen does not tolerate any kind of retaliation, or threat thereof, against anyone who reports a situation of SEA or cooperates in any investigation process related to a SEA allegation. Nazhoen Lamtoen organization has safe, confidential and accessible mechanisms and procedures for personnel, beneficiaries and communities, including children, to report any consideration of retaliation against them.

The description of the available reporting mechanisms, mechanisms/procedures to review SEA allegations and associated information sharing protocol are outlined in [annex or separate document]. The SOPs are built on / adapted from the PSEA Network SOPs.

5. Inter-organizational mechanisms: Nazhoen Lamtoen aligns its internal reporting mechanisms with inter-agency reporting mechanisms where they exist in the country.

- Awareness-raising to beneficiaries and local communities

- Nazhoen Lamtoen is committed to ensure awareness by its beneficiaries and local communities on PSEA and its organizational PSEA systems. For this purpose, Nazhoen Lamtoen has visual communication materials for communities and “ready-to-use” awareness raising messages. These materials are:
 - Adapted to local context;
 - Drafted in the relevant local languages;
 - Designed to be easily understood by and accessible to beneficiaries of Nazhoen Lamtoen , especially those groups considered at higher risk of abuse.
- Nazhoen Lamtoen organizes regular awareness-raising sessions in the communities in which activities are implemented, to provide information on:
 - What PSEA is
 - The standards of conduct that apply to the organization’s personnel
 - How to make a report
 - The commitments from the organization to response to SEA incidents.

1. Assistance to SEA victims/survivors

- Nazhoen Lamtoen is committed to ensure that any victims of SEA have access to assistance and support as soon as information about an allegation is received, regardless of (i) the Nazhoen Lamtoen decision to investigate the case by the organization, (ii) the

outcome of the investigation and (iii) irrespective of whether the victim cooperates with an investigation or any other accountability procedure.

- Assistance and support shall be provided by skilled and competent service providers in line with the “do no harm” and victim-centered approach, in full respect of the rights and best interests of victims and with respect to Gender-Based Violence key principles, especially informed consent. Services shall be rights-based, age, disability-and gender sensitive, non-discriminatory and culturally appropriate and ensure the best interest of the child. Support and assistance shall entail
 - Provision of safety measures to protect against retaliation, secondary victimization and traumatization,
- 4 Services including, without being limited to, immediate medical and health care, dignity kits, mental health and psychosocial support, legal services, basic material assistance and support to children born as a result of SEA.

1. To do this, the Nazhoen Lamtoen has:

- An up-to-date list of local service providers with options for child and adult survivors where appropriate, along with the types of services offered. Such list is built and/or adapted on the service mapping carried out by the inter-agency coordination group (GBV/Child Protection), present in the country.
- A defined and articulated system and process described in its standard operating procedures (SOPs) on referrals and victim support as detailed in [XX – annex or separate document]. The SOP includes information-sharing protocols to respect the complainant’s privacy, confidentiality, safety and security. The SOPs are built on / adapted from the PSEA Network SOPs.
- Referral forms

• Investigations

1. Investigations: Nazhoen Lamtoen has a process for investigating SEA allegations in place and shall properly and promptly conduct the investigation of any SEA situation reported to it and committed by its employees or associated personnel or refer to the appropriate investigative body if the perpetrator is affiliated with another entity. The

procedures for investigations management and process will be detailed in a separate document.

2. Referral to national authorities: If, after proper investigation, there is evidence to support allegations of SEA, these cases may be referred to national authorities for any appropriate action, including criminal prosecution. Informed and voluntary consent of the victim shall be sought prior to any referral to national authorities.
3. Corrective action: The person or team responsible for investigating SEA allegations will make recommendations for improvement so that Nazhoen Lamtoen can reduce the recurring risk of any misconduct. The management of the organization is in charge of reviewing and implementing these recommendations; such changes brought to the organization's PSEA systems will be communicated to the personnel as relevant.

MEMORANDUM

To: All staff across the organization

From: The management of the organization

Date: 13/2/25

Object: Designation of PSEA focal points

Dear colleagues,

Nazhoen Lamtoen is committed to applying zero-tolerance policy with regard to Sexual Exploitation and Abuse (SEA),

For this purpose, we inform you that Nazhoen Lamtoen has designated the following team members as the Focal Points for Protection from Sexual Exploitation and Abuse (PSEA):

Ugyen Wangchuk, Admin, ugyenwangchuk9@gmail.com, 17964569

Please find attached the terms of reference detailing the responsibilities of these focal points. Do not hesitate to reach out to them if you have any questions or concerns about sexual exploitation and abuse as part of the projects of the organization.

While PSEA focal points have specific responsibilities assigned to them, all Nazhoen Lamtoen's personnel are accountable for respecting the organization's standards of conduct and for reporting any allegation of SEA in line with the organization's reporting procedures. We count on your cooperation.

Yours Sincerely



Thinley Tobgay
Executive Director
Nazhoen Lamtoen

Terms of reference:

Protection from Sexual Exploitation and Abuse (PSEA) Focal Point

4. Background

Nazhoen Lamtoen follows a zero-tolerance policy with regard to Sexual Exploitation and Abuse (SEA), and reaffirms its commitment to prevent SEA and to respond to incidents of SEA by providing adequate assistance to survivors, in order to protect the rights and enhance the safety of its teams and beneficiaries.

5. Purpose

The purpose of the PSEA focal point is to have a designated staff member who supports senior management in coordinating the development and implementation of PSEA policy and procedures.

6. Scope of work

Key roles and responsibilities of PSEA focal points include:

Prevention:

7. Conduct periodic assessments of Nazhoen Lamtoen PSEA policies and practices and suggest improvements to senior management.
8. Conduct training and awareness-raising sessions on PSEA for all personnel on a regular basis.
9. Work with human resources and other relevant personnel on PSEA-related aspects, including ensuring that all personnel sign the code of conduct and that screening for past SEA violations is a regular part of the recruitment process.
10. Facilitate awareness-raising campaigns with beneficiaries and local communities on the definition of SEA, the standards of conduct expected of Nazhoen Lamtoen personnel, and the various mechanisms for raising SEA allegations or concerns, including contact details.

Reporting allegations of SEA

11. Manage the development of internal procedures for personnel to report incidents of sexual exploitation and abuse safely and confidentially.
12. Receive reports of SEA allegations and related information and coordinate the response according to relevant procedures.
13. Report concerns or issues with PSEA implementation to senior management.

Response to SEA allegations

14. Once a complaint is received, coordinate Nazhoen Lamtoen response, including referral of SEA survivors for immediate, professional assistance and referral of the case for further
15. investigations to [name of organization's entity responsible for handling internal investigations].

Other responsibilities

16. Coordinate Nazhoen Lamtoen PSEA activities with relevant organizations, including inter-agency initiatives, as appropriate.
17. Support senior management in implementing other PSEA-related activities, as appropriate.

18. Competencies and Experiences

19. Proven integrity, objectivity and professional competence
20. Demonstrated sensitivity and knowledge of cultural and gender issues; experience in GBV programming is preferred
21. Fluent in English and Dzongkha
22. Demonstrated experience of working directly with local communities
23. Proven communication skills

Upon appointment, the focal point will undergo organization-specific training on PSEA, as soon as feasible.

VENDORS AGREEMENT

This Agreement is made and entered into on this ____ day of _____, by and between:

[Nazhoen Lamtoen]

Address: _____

Contact Person: _____

(Hereinafter referred to as the "Organization")

AND

[Vendor Name]

Address: _____

Contact Person: _____

(Hereinafter referred to as the "Vendor")

WHEREAS, the Nazhoen Lamtoen is desirous of procuring goods and/or services as specified herein;

WHEREAS, the Vendor is engaged in the business of supplying such goods and/or services and is willing to provide the same to the Nazhoen Lamtoen under the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. Scope of Agreement

The Vendor agrees to supply the goods and/or services as outlined in **Schedule A** attached hereto, in accordance with the specifications, quality standards, and timelines specified therein.

2. Term of Agreement

This Agreement shall commence on _____ and continue in effect until _____ unless terminated earlier in accordance with the terms of this Agreement.

3. Pricing and Payment Terms

3.1 Nazhoen Lamtoen agrees to pay the Vendor for the goods and/or services as per the pricing detailed in **Schedule B**.

3.2 Payment shall be made within _____ days from the date of receipt of a valid invoice and satisfactory delivery of goods or completion of services.

4. Delivery and Performance

4.1 The Vendor shall deliver goods to the Nazhoen Lamtoens designated location(s) as specified in **Schedule A**.

4.2 The Vendor shall ensure timely delivery and quality of the goods/services. Any delays or defects must be promptly communicated to Nazhoen Lamtoen.

5. Warranties and Representations

5.1 The Vendor warrants that:

24. All goods provided shall be of merchantable quality and fit for the intended purpose.

25. All services shall be performed in a professional and workmanlike manner.

6. Confidentiality

6.1 Both parties agree to maintain the confidentiality of any proprietary or sensitive information disclosed during the performance of this Agreement and not disclose such information to any third party without prior written consent.

7. Termination

7.1 Either party may terminate this Agreement by providing days' written notice to the other party.

7.2 This Agreement may be terminated immediately if either party breaches any material provision of this Agreement and fails to remedy such breach within days of receiving written notice.

8. Indemnification

8.1 The Vendor agrees to indemnify and hold harmless the Organization from and against any claims, damages, losses, and expenses arising out of or resulting from the Vendor's performance under this Agreement.

9. Governing Law and Dispute Resolution

9.1 This Agreement shall be governed by and construed in accordance with the laws of Bhutan. Any disputes arising out of or in connection with this Agreement shall be resolved through negotiation, and if unresolved, through mediation or arbitration.

10. The Prevention of Sexual Exploitation and Abuse (PSEA)

10.1 "The vendor and its employees, staff and/or subcontractors shall not be involved in any sexual exploitation or abuse. The vendor shall take all appropriate measures to (1) prevent sexual exploitation or abuse of anyone by its employees or any other persons engaged and controlled by the vendors to perform any services under the Contract, and (2) take corrective action when an SEA incident occurs. The vendor hereby commits to report to Nazhoen Lamtoen any incident of SEA. Any breach of the provision by the Vendor shall entitle Nazhoen Lamtoen to terminate the contract with immediate effect."

10.2 For the purposes hereof, the following definitions shall be used:

Sexual exploitation means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

11. Entire Agreement

11.1 This Agreement, including its Schedules, constitutes the entire agreement between the parties and supersedes all prior agreements or understandings, whether written or oral.

12. Amendments

12.1 Any modifications or amendments to this Agreement must be in writing and signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

For [Nazhoen Lamtoen]:

Signature: _____

Name: _____

Title: _____

Date: _____

For [Vendor Name]:

Signature: _____

Name: _____

Title: _____

Date: _____

Schedules:

- 26. **Schedule A:** Description of Goods/Services (
- 27. **Schedule B:** Pricing Details and Payment Terms

Sample PSEA questions for self-declaration

28. Have you ever been identified by a government department or judicial or other competent authority in this country or abroad as a risk or potential risk to children or vulnerable adults?
29. Have you ever been or are you currently subject to disciplinary proceedings?
30. Have you ever been arrested, indicted or summoned in court as a defendant in a criminal proceeding, or convicted, fined, or imprisoned for violation of any law (excluding minor traffic violations)?
31. Have you ever been subject to sanctions (disciplinary, administrative or criminal) arising from an investigation in relation to sexual exploitation and abuse or sexual misconduct, or left employment pending investigation and refused to cooperate in such an investigation?
32. Have you ever been or are you currently the subject of an investigation (disciplinary, administrative or criminal) into allegations of misconduct or wrongdoing? Misconduct and wrongdoing include, while not being limited to, harassment (including sexual harassment), sexual exploitation and abuse, discrimination, fraud and abuse of authority.
33. Have you ever been found to have committed misconduct or wrongdoing in the workplace, including though not limited to harassment (including sexual harassment), sexual exploitation and abuse, discrimination, fraud and abuse of authority?
34. Have you ever faced sanctions (disciplinary, administrative or criminal) as a result of a SEA investigation?

I certify that the statements made by me in answer to the foregoing questions are true, complete and correct to the best of my knowledge. I understand that an offer of employment may be withdrawn, or dismissal may result if information is not disclosed by me and subsequently comes to the organization's attention.

35. I consent that such information may be disclosed by former employers during the verification of references.

ANNEX: SELF-DECLARATION FORM

Name and surname:	
ID card or passport number:	
Date of birth:	
Place of birth:	
Nationality:	
Place of residence:	
Phone number:	
Email address:	

36. Have you ever been the subject of a police investigation or court proceedings, in this country or abroad, as a result of charges of sexual abuse or sexual misconduct against minors or adults that do not appear on your	YES/NO <i>If yes, please provide additional information below.</i>
37. Have you ever been subject to sanctions (disciplinary, administrative or criminal) arising from an investigation in relation to sexual exploitation and abuse or sexual misconduct, or left employment pending investigation and refused to cooperate in such an investigation?	YES/NO <i>If yes, please provide additional information below.</i>
38. Have you ever been identified by a government department or judicial or other competent authority in this country or abroad as a risk or potential risk to children or vulnerable adults?	YES/NO <i>If yes, please provide additional information below.</i>

39. Have you ever been or are you currently subject to disciplinary proceedings?	YES/NO <i>If yes, please provide additional information below.</i>
40. Have you left a previous job pending an investigation and refused to cooperate with such an investigation?	YES/NO <i>If yes, please provide additional information below.</i>

<i>Confirmation of statement (please check the boxes below)</i>	
	I agree that the information provided here will be processed for recruitment purposes and in confidentiality. I understand that a job offer may be withdrawn, or termination may result if I fail to disclose timely information and if such information is subsequently communicated to the organization.
	I agree to notify the organization within 24 hours if I am subsequently investigated by any agency or organization regarding concerns about my behavior toward children, youth or vulnerable adults.
	I hereby authorize any person, organization, or educational/training institution I mentioned as a reference in my application to disclose in good faith and in confidence any information in their possession about my qualifications or suitability for the job. I assume no liability to any employer, person or educational/training institution for
	I understand that the information included in this form and submitted by third parties may be provided by the organization to other persons or organizations in cases where it is deemed necessary to protect other children or vulnerable adults.

Signature:	
Name and surname in capital letters:	
Date:	

1. Sample pre-recruitment reference checks and sexual misconduct/SEA background checks

41. Why has the candidate left your organization?
42. Do you consider the candidate could pose any threat when working with children and vulnerable adults? OR do you consider it would be appropriate for the candidate to work with children and vulnerable adults?
 1. No
 2. Yes – please provide more information:
43. Do you have any information or knowledge of their involvement that would cause us any concerns in relation to Sexual Exploitation and Abuse?
44. Do you have any suspicions that the candidate violated your organization's Code of Conduct, including sexual exploitation and abuse?
45. Was the candidate found to have committed sexual exploitation and abuse during the period of employment defined above?
 1. No
 2. Yes – please provide more information:
 3. I am unable to specify the nature of misconduct because of the following legal/regulatory requirements _____
 1. If the answer above was yes, was a disciplinary measure imposed on the candidate:
 1. No, for the following reasons:
 2. Yes – please provide more information:
 3. I cannot provide an answer for the following reasons: _____
46. Is the candidate currently being investigated for an allegation of misconduct related to Sexual Exploitation and Abuse?
 1. No
 2. Yes – please provide more information:
47. Hypothetically, would you like to employ or work with the candidate again? Why or why not?

ANNEX 1: TABLE TO REQUEST REFERENCES

Please mention the human resources (or equivalent) contact information for your three previous jobs. If you are currently employed, make sure to include the human resources

	Name and surname	Full address, email address and phone number	Position held
1			
2			
3			

Do we have your consent to contact these people from Human Resources?

No ☐ Yes ☐

ANNEX 2: REFERENCE CHECK FORM

Name of the organization	
Name of contact person	
Name of the prospective	
Date	

48. How do you know the candidate?	
49. How long have you known them?	
50. Reason for leaving the organization	Resignation ☐ Termination ☐ Dismissal
51. Considering the nature of our operations and the description of the intended responsibilities of the position, do you think the candidate is well suited for	No ☐ Yes ☐ Please provide details below:
52. Describe the candidate's relationship with teammates and supervisors	Excellent ☐ Very good ☐ Good ☐ Poor ☐ Please provide details
53. How would you describe the candidate's honesty, integrity and ethics?	Excellent ☐ Very good ☐ Good ☐ Poor ☐ Please provide details below:
54. How would you describe the candidate's ability to keep information confidential?	No ☐ Yes ☐ Please provide details below:
55. Do you have any reason to consider that it would be inappropriate for the candidate to have a job that would involve working with children and vulnerable	Excellent ☐ Very good ☐ Good ☐ Poor ☐ Please provide details
56. Do you have any doubts that this candidate has committed professional misconduct and/or acted	No ☐ Yes ☐ Please provide details below:

57. Do you have any doubt or awareness that the candidate has ever been involved in sexual exploitation or sexual abuse?	No ☐ Yes ☐ Please provide details below:
58. Nazhoen Lamtoen has zero tolerance for any form of exploitation and abuse and its personnel shall uphold organizational values and core competencies, particularly diversity and inclusion, integrity,	No ☐ Yes ☐ Please provide details below:
59. If given the opportunity, would you rehire this candidate?	No ☐ Yes ☐ Please provide details below:
60. Do you have any other information or comments that you deem useful before we proceed with the hiring of this candidate? No ☐ Yes ☐ Please provide details below:	

CONTRACT OF EMPLOYMENT

This agreement is entered on....., between the Executive Director of *Nazhoen Lamoten* (as empowered by the board resolution dated 23rd October 2016) holding Registration No. CSOA/PBO-40 Located in Changgedaphu, Thimphu (Hereinafter referred to as the Employer) and Mr./Mrs./ Bearing CID No..... Village, Gewog..... Dzongkhag..... (Hereinafter referred to as the Employee).

The employer and employee agree to the following terms and conditions.

Commencement and Duration

48. This agreement shall be for a period of..... year subject to renewal thereafter (conditional)

Position

49. The employee is appointed as the..... of *Nazhoen Lamtoen* (hereinafter referred to as the Association) effective from..... and agrees to undertake the tasks and responsibilities as indicated in the job description for this position, as presented.
50. The employer shall be able to transfer the employee to any location related to the fulfilment of these tasks and responsibilities, provided the employee is given a minimum of 2 months' notice of such transfer.

Probation

51. The probation period of 3 months will be observed from the date of appointment.

Hours of Work

52. The employee is required to work a maximum of 7 hours per day and 5 days per week in accordance with other provisions concerning hours of work as set out in the *Nazhoen Lamtoen Regulations*.

Leave and rest periods

53. The employer shall provide the employee with rest and meal breaks in accordance with the provisions of the Nazhoen Lamtoen Regulations.
54. The employee shall be entitled to annual leave, sick leave, casual leave and paternity leave and such other leave as specified in the Nazhoen Lamtoen Regulations to be taken in accordance with the procedures and arrangements provided therein.

Safety and health

55. The employer shall provide a working environment that is safe and not harmful to the health of the employee and assumes prime responsibility for all safety and health matters in the place of work. The employee agrees to cooperate with the employer to ensure the working environment is safe and healthy as is reasonably possible.
56. The employer agrees to provide the employee with all necessary protective clothing and equipment associated with the employee's duties and responsibilities, without cost to the employee.
57. The employer agrees to compensate the employee for any injury or disease attributable to the performance of his or her duties and responsibilities under this agreement, or in the event of death of the employee due to work or work-related circumstances, to compensate the employee's dependents and beneficiaries. Such compensation shall be payable according to the provisions of the Labour and Employment Act 2007.

Contract Renewal

58. The employer shall notify the employee at least three months before the expiration of this contract whether the services of the employee will be required.
59. In the event of the re-engagement of the employee, the terms and conditions of employment, including the duration of the contract, shall be as agreed between the parties.

Termination of contract

60. The parties agree that this contract can be terminated in accordance with the Nazhoen Lamtoen Regulations or by mutual agreement by either party giving a minimum of one month notice including those applying to situations of dismissal due to gross misconduct, as provided in the Labour and Employment Act 2007.

Loyalty and Confidentiality

61. The employee agrees to the best of his ability to protect and promote the property, information and interests of the employer and not to disclose information to others that could be harmful to those interests.
62. The employer agrees to respect the rights of the employee as set out in the laws in force in Bhutan, and the Nazhoen Lamtoen Regulations and to treat the employee fairly and with respect and dignity.

Documentation provided by the employee

63. The employee declares that all information, documentary evidence, including educational qualifications and other documents relied upon by the employer in entering into this agreement are to the best of the knowledge of the employee correct, complete and verified, as appropriate.
64. The employee further agrees that non-disclosure or withholding of material information that would otherwise have resulted in the employer not entering into this agreement shall result in this agreement being void.

Commitment on Protection from Sexual Exploitation and Abuse

65. The employee commits to adhere to the zero-tolerance policy of the Nazhoen Lamtoen towards sexual exploitation and abuse (SEA) and to take all necessary measures to ensure this policy is maintained and promoted. The employee commits to support all the efforts to prevent and respond to SEA allegations, in particular:

- Mandatory reporting of any SEA situation the employee should become aware of
- The mandatory participation to all trainings and sessions on SEA organized and facilitated by Nazhoen Lamtoen
- The mandatory participation in good faith in any investigations undertaken by the Nazhoen Lamtoen following the reporting of a SEA allegation.

Breaches in these requirements will be dealt with in accordance with the Nazhoen Lamtoen HR policies and may lead to sanctions being imposed (e.g. dismissal, suspension, written censure or other administrative/corrective measures) including termination of employment.

Copy of contract

66. The employer agrees to provide the employee with a signed and dated copy of this agreement, with the original signatures of both parties, at the time the agreement is entered into.

.....
Signed on behalf of the employer
Thinley Tobgyel
Executive Director
Nazhoen Lamtoen

.....
Signed by the employee

Witnessed by:

Witnessed by:

Incident Report Form for SEA Allegations

CONFIDENTIAL:

Please restrict access to this document and keep it stored safely (e.g. using passwords or encryption for computers and locking lock offices when unattended). Always use code names when referring to individual involved in the case, omit information that could reveal identities (e.g. date of birth, address, phone number, description of unique physical traits) and keep information on the identity and personal details of persons involved separate from incident and relate reports.

67. Details on how, when, and by whom, the allegation was received:
68. Description of alleged incident, including dates, times and locations.
69. Description of alleged or suspected **victims** (e.g. name, age, gender, ethnic origin/nationality, specific needs):
70. Description of alleged or suspected **perpetrators** (e.g. name, age, gender, nationality, organizational affiliation/position, previous record of misconduct):
71. Actions taken by organization in response to allegations to date (e.g. referral for assistance, investigations, notification of UN/Host Government):
72. Actions taken by other Organizations or entities (e.g. UN, Host Government) in response to the allegation:
73. Requested support from partners (e.g. support for SEA victims, investigations)

Report transmitted by:	
Name:	Contact info (email, phone):
Title:	Date:

PSEA Awareness Raising Plan Aligned with Nazhoen Lamtoen's Core Program

1. Introduction Nazhoen Lamtoen is committed to the protection of children and vulnerable individuals from sexual exploitation and abuse (SEA). This PSEA Awareness Raising Plan aims to educate and empower stakeholders, including staff, volunteers, partners, and community members, to prevent and respond to SEA.

2. Objectives

- 87. Increase awareness of PSEA principles and policies.
- 88. Educate stakeholders on recognizing and reporting SEA cases.
- 89. Strengthen a culture of zero tolerance for sexual exploitation and abuse.
- 90. Ensure Nazhoen Lamtoen's staff and partners adhere to ethical conduct.

3. Target Audience

- 91. Nazhoen Lamtoen staff and volunteers
- 92. Partner organizations
- 93. Community leaders and local stakeholders
- 94. Children and youth beneficiaries
- 95. Parents and caregivers

4. Key Messages

- 96. Understanding sexual exploitation and abuse
- 97. Rights and responsibilities under PSEA policies
- 98. How to identify and report SEA incidents
- 99. Consequences of SEA violations

5. Awareness Raising Activities A. Training and Workshops:

- 100. Conduct quarterly PSEA training sessions for staff and volunteers.
- 101. Organize awareness workshops for community leaders, youth groups, and parents.

b. Information Materials:

- 102. Develop brochures, posters, and leaflets highlighting PSEA policies and reporting mechanisms.
- 103. Create videos and infographics to share on social media and local platforms.

c. Community Engagement:

- 104. Conduct Awareness on PSEA and child protection.

d. Establish Reporting and Feedback Mechanisms:

105. Set up confidential reporting channels, including helplines and anonymous complaint boxes.

6. Monitoring and Evaluation

- Conduct pre-and post-training assessments to measure knowledge improvement.
- Gather feedback from stakeholders through surveys and focus group discussions.
- Review reported cases and responses to assess effectiveness.
- Revise and improve the plan annually based on findings.

7. Conclusion By implementing this PSEA Awareness Raising Plan, Nazhoen Lamtoen reinforces its commitment to safeguarding vulnerable individuals and fostering a culture of accountability and respect. The organization will continue to evolve its strategies to ensure effective protection against SEA.

114. **Internal Review and Investigation**
The PSEA focal person shall report the complaint to the head of the organization, initiating an investigation.
115. **Communication of Investigation Outcome**
The victim shall be informed of the investigation's findings and outcomes.
116. **Escalation to Relevant Authorities**
If the victim is dissatisfied with the internal resolution, they may escalate the complaint to the relevant external authorities, including the Pema Secretariat or other appropriate legal and judicial bodies.

Standard Operating Procedure (SOP) on Handling SEA Allegations and Providing Victim Assistance

Objective

This SOP provides a clear, victim-centered approach for handling allegations of Sexual Exploitation and Abuse (SEA) and ensuring systematic assistance and protection for victims. It aligns with the principles of confidentiality, dignity, and the ‘do no harm’ policy.

Scope

This SOP applies to all staff, partners, and associates of the Nazhoen Lamtoen and governs the handling of SEA allegations across all programs: Education, Entrepreneurship, and Culture.

Guiding Principles

1. Confidentiality: All information related to SEA allegations and victims must be kept strictly confidential.
2. Victim-Centered Approach: Prioritize the safety, dignity, and wishes of the victim in all interactions.
3. Non-Discrimination: Ensure equitable access to assistance irrespective of the victim’s age, gender, nationality, or background.
4. Do No Harm: Avoid actions that may cause further harm to the victim.
5. Informed Consent: Secure the victim’s consent before sharing their information or taking any action.

Procedures

Where a SEA allegation or incident is not reported directly by a victim (e.g., reported by another community member, a rumor is reported, the allegation is referred through a third-party channel, etc.), the recipient of the information should adopt the following steps to ensure the ‘do no harm’ principle:

All staff:

- Refer the information to the PSEA focal point, while respecting the confidentiality of the information and of the person making a report.
- Remember, do NOT seek out the victim to provide assistance as this may create risk of harm to the victim. Provide information about any resources and support that may

be available based on the existing referral pathways and encourage the individual to share this information safely and confidentially with the victim.

PSEA focal points:

117. Inform the Head of the Organization about the report as per the reporting procedures detailed in Annex 1 – without sharing identifiable information.
118. Follow up with the individual or organization that reported the SEA allegation to confirm if assistance has been offered and/or provided, in accordance with the needs and wishes of the victim. Provide any additional support necessary to link the victim with the appropriate assistance provider(s) using the referral form.
119. If the victim chooses to participate in an investigation, coordinate between the investigators and the service provider(s) to ensure that protection and assistance is provided to the victim during the investigation, as part of a victim-centered approach.

WHEN RECEIVING A SEA DISCLOSURE DIRECTLY FROM A VICTIM

Victims may choose to tell their story to anyone they trust, including family, friends, community leaders and service providers. It is crucial that victims are able to access clear, accurate and timely information to support them through the process of receiving assistance and participating in an investigation if they choose. This can help victims to feel more in control of the process and support their decision-making. Victims should be treated with dignity, and it is our duty to inform them properly of the assistance they are entitled to. If an adult or child comes forward with a question or concern, the staff receiving the notification can convey empathy and provide support to victims by following these guidelines:

All staff:

Listen, support and promptly refer the victim to the appropriate person within the organization (i.e. PSEA focal point), or the services of their choice using the GBV/CP referral pathways using the referral form. Make the referrals using the principles of LOOK, LISTEN, and LINK:

1. After introducing yourself (name and your role in the organization), conduct a safety check to assess immediate needs for safety and security. If the victim is in immediate or impending danger of serious harm, and needs immediate protective action, refer the case to the lead GBV actor or child protection actor, in your area, if the victim is a child.
2. Inform the victim about their rights and your obligation with regard to mandatory reporting and explain limitations to confidentiality so the victim can evaluate their options and possible outcomes of their decisions (risks and benefits) prior to the victim giving informed consent or assent (for children).
3. Listen and validate victims' experiences by restating and paraphrasing what they said to you. Allow the victim to share as much, or as little, information about the incident as they want – do not force them to give information and do not ask probing questions.

4. Inform about resources and provide referrals according to victims' needs and wishes. Know who your organization's PSEA focal point is and have access to the GBV/CP referral pathways or list of available services so that victims can be referred to the right services of their choice.

5. Review the information provided and confirm if and how the victim would like to be contacted for follow-up. All staff's role ends once the victim has been referred to the appropriate focal point and/or service providers for assistance. Staff should then follow established reporting procedures of their organization for reporting SEA allegations.

PSEA focal point:

120. Know what GBV and CP services exist as well as non-specialized services for referral of victims (see section 4 for examples of non-specialized services). If the victim has asked to maintain communication with the PSEA focal point, this should be done in a confidential and safe manner.
121. Provide guidance to victims on 'what comes next' and what will happen with the report.
122. Follow up with the individual or organization that reported the SEA allegation to confirm if assistance has been offered and/or provided, in accordance with the needs and wishes of the victim. Provide any additional support necessary to link the victim with the appropriate assistance provider(s).

If the victim chooses to participate in an investigation, coordinate between the investigators and the service provider(s) to ensure that protection and assistance is provided to the victim during the investigation, as part of a victim-centered approach.

If the alleged perpetrator is from the organization:

123. Ensure that immediate assistance is provided to the victim by qualified service providers. This may involve referrals to service providers according to the needs and consent of the victim (within 24 hours); if the agency/organization has received the complaint directly from the victim
124. Refer the victim to a service provider that can provide case management and provide a case worker if agreed by the victim.

2. Referral and support victims

The PSEA focal point will:

- Ensure immediate referrals to qualified service providers within 24 hours, including medical, psychosocial, and legal services.

- Maintain ongoing communication with the victim as per their preference, ensuring they understand the process and their rights.
- Coordinate with investigators and service providers to provide comprehensive support during the investigation.

Services to be provided based on victim's needs and consent:

- Mental health and psychosocial support
- Medical care, including post-incident support
- Legal assistance
- Shelter and material support
- Livelihood or educational support

3. Investigation Coordination

If the victim chooses to participate in an investigation:

- Ensure the victim's safety and access to support throughout the process.
- Coordinate with investigators to minimize re-traumatization, ensuring that the victim's dignity and rights are upheld.
- Provide regular updates to the victim on the progress of the investigation while respecting confidentiality.

Roles and Responsibilities

Staff Members:

- Respond empathetically and refer allegations to the PSEA focal point.

PSEA Focal Point:

- Serve as the primary contact for handling SEA allegations and victim support.
- Ensure all actions align with organizational policies and the victim-centered approach.

Head of Organization:

- Oversee the handling of SEA allegations and ensure compliance with this SOP.

Monitoring and Evaluation

- Regularly review and update the referral pathways and service provider directory.
- Conduct training for staff and partners on SEA handling and victim support.
- Collect feedback from victims and service providers to improve processes.

By adhering to this SOP, the Nazhoen Lamtoen ensures a consistent, empathetic, and effective response to SEA allegations, safeguarding the rights and dignity of all beneficiaries and stakeholders.

Referrals Form

Referring Agency	
Agency/Organization	Contact
Phone:	Email:
Location:	

Receiving Agency	
Agency/Organization	Contact
Phone:	Email:
Location:	

Victim Information	
Name:	Phone:
Address:	Age:
Sex:	Nationality:
Language:	CID:
If victim is a minor (under 18)	
Name of primary caregiver:	Relationship to the child:

Victim Information	
Name:	Phone:
Address:	Age:
Sex:	Nationality:
Language:	CID:
Caregiver is informed about referral? 125. Yes 126. No (if no explain below)	

Background Information/Reason for the referral and service already provided	
Has the victim been informed of the referral? 127. Yes 128. No (If no, explain below)	Has the victim been referred to any other organization? 129. Yes 130. No (If yes, explain below)

Services requested		
131. Mental Health Services	• P r o t e c t i o n Services • L e g a l Assistance • Education • L i v e l i h o o d Support	• Shelter • Material Assistance • Nutrition • Support for children born as a result of SEA
132. Psychosocial Support		
133. Social Services		
134. Medical Care		
Please explain any requested services:		
Signature of responsible party (victim or caregiver if a child)		

Details of Referrals
Any contact or other restrictions? 135. Yes 136. No (If yes, please explain below)
Referral delivered via: • Phone (emergency only) • Email electronically (e.g., App or database) • In Person
Follow-up expected via: 137. Phone 138. Email 139. In Person By date (DD/MM/YY):
Information agencies agree to exchange in follow up:

Name and signature of recipient:
YY):

Date received (DD/MM/

Internal Investigation Process

140. Introduction

Sexual exploitation and abuse (SEA) by Nazhoen Lamtoen employees, contractors, volunteers, partners, affiliates, and other related personnel constitute acts of gross misconduct and are therefore grounds for disciplinary action, up to and including termination of employment. Receipt of allegations of SEA by The Nazhoen Lamtoen personnel therefore require appropriate response with the aim of providing adequate support to survivors, investigating allegations for disciplinary action, and preventing recurrence of such misconduct.

141. Definitions

142. For the purposes of this document, the following definitions apply:
143. Sexual abuse is defined as actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a child, i.e. a person under the age of 18, is considered as sexual abuse’
144. Sexual exploitation is defined as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another
145. The Alleged Perpetrator refers to the humanitarian personnel against whom an allegation of sexual exploitation or abuse has been made.
146. The Complainant refers to the person or persons who reported the allegation to Nazhoen Lamtoen. This may or may not be the survivor.
147. The Victim refers to a person who is, or has been, sexually exploited or abused. ‘Survivor’ is often used interchangeably with ‘Victim’. This template uses the term Victim for consistency with the use of the term ‘Victim’ in the toolkit. However, neither designation is meant to imply a lack of strength, resilience, or capacity to survive.

148. Purpose and Scope

This document provides guidance and direction on the procedures to be followed when an allegation of sexual exploitation or abuse has been made that a Nazhoen Lamtoen personnel has engaged in sexual exploitation or sexual abuse against affected populations. These procedures apply to all Nazhoen Lamtoen personnel, including employees, contractors, volunteers, partners, affiliates, and other related personnel.

This document does not address cases of sexual harassment, defined as any unwanted sexual advances or verbal or physical conduct of a sexual nature by humanitarian personnel against another humanitarian personnel.

The following documents are included as annexes to this policy:

- 149. Sample Terms of Reference for Investigators of SEA Allegations
- 150. Sample Confidentiality Reminder for SEA Investigations.

151. Principles

- These procedures are based on the following principles:
- **Confidentiality:** Investigations are strictly confidential. Disclosure of the investigation to relevant stakeholders is on a need-to-know basis with confidentiality as the main guiding principle.
- **Commitment to safety, health, and welfare:** Safety, health, and welfare of all parties in an investigation is paramount. Risks must be continually assessed and managed. Investigations only proceed when risks to safety, health, and welfare can be appropriately managed.
- **Independence:** The investigation process is independent of any disciplinary action taken. This independence is maintained through separation of the roles of investigators and decision-makers.
- **Impartiality:** The investigation team is chosen on the basis of their ability to be impartial; conflicts of interest, including personal and working relationships with any parties to the investigation, are declared and members of the investigation team are replaced where necessary.
- **Victim-centered:** Victims are at the center of the investigation and shall be informed on relevant aspects of the investigations process. The investigation process is designed to empower victims and restore their sense of control over their lives and their bodies. Victims are given an opportunity to voice their wishes, needs, and concerns and shall provide their informed consent for the investigation to proceed and for any potential disclosure of their information. Investigators shall employ strategies to minimize the risk of retraumatization of victims, such as limiting the number of times victims are interviewed and considering factors as age, disability, level of trauma, cognitive development and language when preparing for the interview'. Assistance is offered to victims at the outset of the investigation process, without prejudice to the outcome of the investigation. This assistance is offered regardless of whether the victim initiates or cooperates with the investigation.
- **Respect for the law:** The investigation is conducted in accordance with all laws and statutes of Bhutan including mandatory reporting of sexual abuse against children and

relevant labour laws. Investigators follow accepted procedures in gathering evidence and interviewing witnesses, including the alleged perpetrator. The alleged perpetrator's rights to review evidence, review the Investigation Report, and appeal any decision made is in accordance with Bhutan labour law. Any disciplinary action taken is consistent with these laws and statutes.

- **Due process:** The alleged perpetrator is treated fairly and in accordance with established rules and procedures, in a way that maintains the rights of all stakeholders involved. Investigation must always be transparent, objective and fair.
- **Timely:** While the timeline may vary depending on the scope and complexity of the investigation, investigations shall be completed in a timely manner, balancing the need for expeditious disposal of the case against the requirement for investigations to be thorough and fair.
- **Competence:** Investigations are carried out by individuals with the requisite training and experience. Investigators conduct themselves within the limits of their professional competence. They seek support and guidance for any aspects of the investigation for which they have not been specifically trained and recuse themselves from the investigation if necessary.

5. Receiving Allegations

5.1 Obligation to Report All *The Nazhoen Lamtoen personnel* have an obligation to report SEA allegations, concerns, suspicions or retaliation related to SEA. Allegations, concerns, suspicions, or retaliation shall be reported to the PSEA Focal Person. Personnel reporting concerns shall not attempt to gather further information, conduct a preliminary investigation, nor inform anyone else of the matter.

5.2 Protection Against Retaliation *Nazhoen Lamtoen* maintains a zero-tolerance policy for retaliation (such as intimidation, harassment, or violence or, in the case of personnel, loss of jobs or other adverse employment actions, against anyone for making a good faith report of sexual exploitation or abuse, assisting in making a complaint, or participating in an investigation. Anyone who makes a good-faith complaint of sexual exploitation or abuse, assists, or participates in any investigation or proceeding will not be adversely affected in the terms and conditions of their employment and will not be discriminated against or discharged for engaging in such activity. However, knowingly and deliberately filing a false or malicious statement may constitute grounds for disciplinary measures.

5.3 Confidentiality: Any personnel who has knowledge of an SEA report or complaint must respect confidentiality to protect those directly involved. Information shall only be shared on a need-to-know basis in a strictly confidential manner in accordance with *Nazhoen Lamtoen* HR Policy. The obligation of confidentiality continues after the matter has been closed. Failure to respect such confidentiality is considered misconduct and may result in disciplinary measures.

5.4 Immediate Action by PSEA Focal Person Upon receiving an allegation of sexual exploitation and abuse, the PSEA Focal Person (FP) will take immediate action as follows:

152. Complete an Incident Report Form on SEA, if one has not already been completed. In completing the Incident Report Form on SEA, the FP shall:
153. Use the complainant's own wording to describe facts, violations and persons involved in the case.
154. Indicate where relevant information is missing and add essential contextual information where needed.
155. Remember that their role is not to investigate but rather to relate the facts for others to follow up.
156. Report and manage any urgent safety concerns, keeping in mind the following:
157. It is not the responsibility of the FP to complete a risk management plan⁷⁰ However, there may be urgent safety concerns that require immediate action to protect the health and welfare of parties to the investigation.
158. If urgent safety concerns are identified by the FP, these, along with any actions taken, must be reported without delay to [Ethics Committee / Disciplinary Committee / Senior Management Team].
159. In managing urgent safety concerns, the FP shall remain mindful of the obligation to maintain confidentiality and protect the identity of the parties named in the allegation.

Refer the alleged victim for assistance, keeping in mind the following: If the FP receives the SEA disclosure directly from the victim, the FP shall listen, support and promptly refer the victim to relevant services of their choice, with their consent or the consent of a caregiver or guardian in the case of a minor, using GBV/Child Protection referral pathways. The FP shall also be able to provide guidance to the victim on “what comes next” and what will happen with the report. The FP shall [Depending on the country context / presence of a PSEA Network and PSEA Network Standard Operating Procedures], the FP shall inform the PSEA coordinator about the allegations, without sharing identifiable information.] If the victim chooses to participate in an investigation, the FP coordinates between the investigators and the service provider(s) to ensure that protection and assistance is provided to the victim during the investigation, as part of a victim-centered approach.

160. If the FP is not in direct contact with the alleged victim, i.e., if the information is received from a third party, the PSEA FP or the PSEA Coordinator shall not seek out the victim to provide assistance, as this may create risk of harm to the victim. If possible, the FP can follow up with the individual or organization that reported the SEA allegation to confirm assistance has been offered in accordance with the needs and wishes of the victim. The FP shall use this information to conduct SEA or GBV risk assessment and awareness raising activities in targeted areas to engage

communities on PSEA, provide information on how to report and receive assistance. [Depending on the country context / presence of a PSEA Network and PSEA Network Standard Operating Procedures], the FP shall inform the PSEA coordinator about the allegations without sharing identifiable information.

161. Notify the [Ethics Committee / Disciplinary Committee / Senior Management Team] of the receipt of an allegation and provide them with a copy of the Incident Report Form on SEA.
162. Any documentation relating to the complaint, including the Incident Report Form on SEA, must be transmitted in a strictly confidential manner in accordance with *Nazhoen Lamtoen HR Policy*. The obligation of confidentiality continues after the matter has been closed.
163. If the allegation concerns a member of the [Ethics Committee / Disciplinary Committee / Senior Management Team], the FP shall avoid transmitting the allegation to the [Ethics Committee / Disciplinary Committee / Senior Management Team] as a whole and instead identify a trusted member to receive the allegation.

6. Review of Allegations

6.1 Decision to Investigate Upon receipt of an allegation, the [Ethics Committee / Disciplinary Committee / Senior Management Team] shall convene to review the allegation and decide whether an investigation is required. All complaints must be reviewed by the [Ethics Committee / Disciplinary Committee / Senior Management Team] but not all will require a formal investigation process. [The organization shall detail the composition of the Ethics Committee/ Disciplinary Committee/ Senior Management Team] reviewing the allegation In deciding whether an investigation is required, the [Ethics Committee / Disciplinary Committee / Senior Management Team] shall consider whether the alleged behavior violates one or more of the following standards:

164. *Nazhoen Lamtoen* Code of Conduct / Policy on Prevention of Sexual Exploitation and Abuse or other element of the organization's rules and regulations
165. National laws on sexual misconduct; The initial assessment should also establish whether there is a reasonable likelihood that an investigation could reveal sufficient evidence to prove or refute the allegations, the credibility of the allegation (whether there is a reasonable factual basis that the misconduct occurred)", the availability of evidence and witnesses; verifiability of the information received, and risk(s) for the victim(s) associated with the investigation process. In general, organizations should always keep a written record explaining the rationale for their course of action, including where a decision is taken to close a case without initiating a full investigation; this is particularly useful if they

166. decide to revisit the case at a later stage or if a report is subsequently made against the same alleged perpetrator.

If there is not sufficient information for the [Ethics Committee / Disciplinary Committee / Senior Management Team] to make a decision, they may decide to conduct a preliminary investigation to gather relevant information to take forward the complaint. This preliminary investigation shall be brief and aim only to gather the necessary information to make a decision whether to initiate a full investigation.

The [Ethics Committee / Disciplinary Committee / Senior Management Team] will be guided by the following in deciding whether to proceed with an investigation.

The [Ethics Committee / Disciplinary Committee / Senior Management Team] will convene within 48 hours of receipt of an allegation and make a decision as to whether to investigate within 3 days of receipt of the allegation.

6.2 Initiating an Investigation If the [Ethics Committee / Disciplinary Committee / Senior Management Team] finds that the complaint alleges sexual exploitation or abuse by personnel in violation of the code of conduct / PSEA policy or any other relevant internal regulation, they shall initiate an investigation into the allegation. When a complaint alleges a criminal offence, *Nazhoen Lamtoen* may refer the allegation to the authorities for investigation. The decision to refer the complaint to the authorities shall be based on the following:

- Wishes of the victim: The wishes of the survivor and his/her capacity to give informed consent shall be taken into consideration
- Safety and welfare • Referral to local authorities for investigation shall only be made if *The Nazhoen Lamtoen* is confident that doing so will not put the victim and any other person involved in the case at risk. In cases where it is determined not to report to local authorities, it is advisable for organizations to consult with a lawyer and keep documentation and evidence to support the decision

6.3 Immediate Safety Concerns In reviewing the allegation, the [Ethics Committee / Disciplinary Committee / Senior Management Team] shall consider whether any parties to the investigation are at imminent risk of harm. Where immediate safety concerns are identified, the [Ethics Committee / Disciplinary Committee / Senior Management Team] will take or direct appropriate risk management strategies to effectively manage the risk. They may be guided in this process by the Risk Assessment and Management Template (see Tool 21 in the toolkit). In considering risks to safety for the victim, the [Ethics Committee / Disciplinary Committee / Senior Management Team] shall consider possible interim measures directed at the alleged perpetrator to protect the victim (e.g. suspension, change of job responsibilities, reassignment). The alleged perpetrator should only be suspended from work if there is a risk to anyone by continuing to be at work.

7. Appointing an Investigation Team

Once a decision has been made to conduct an administrative investigation, *The Nazhoen Lamtoen* will appoint an [external / internal] investigation.

7.1 Team composition and roles the investigation team will include one Investigation Manager, and two investigators, ideally one woman and one man who speak the same language as the victim and other witnesses. Where investigators do not share a common language with the victim or other witnesses, the investigation team will include one or more interpreters.

The Investigation Manager and the Investigators are required to declare any conflict of interest they may have at the outset of the investigation or as soon as they become aware of the conflict. This includes personal or professional relationships with any parties involved or likely to be involved in the investigation. The Investigation Manager may be a member of the [Ethics Committee / Disciplinary Committee / Senior Management Team]. The Investigation Manager must have an appreciation of SEA and SEA investigations, have knowledge of human resource rules and protocols, and be able to negotiate conflicting interpersonal and institutional interests. The Investigation Manager is responsible for several preliminary steps prior to the formal launch of the investigation: compiling all information available and preliminary evidence for the investigation team, gather administrative records for the alleged perpetrator and the victim, (if the victim is also a staff member), and provide information on context and security to the investigation team.

Once the investigation is launched, the Investigation manager is responsible for:

167. Oversee the investigation;
168. Ensure that safety and confidentiality plans are in place;
169. Ensure that a victim-centered approach is upheld throughout the interview and that the victim receives appropriate assistance;
170. Review and approve the investigation plan and risk management plans;
171. Ensure the investigation is conducted fairly and transparently;
172. Provide logistical, technical, and emotional support to investigators;
173. Liaise between the investigators and the [Ethics Committee / Disciplinary Committee / Senior Management Team];
174. Review final report before submission to the [Ethics Committee / Disciplinary Committee / Senior Management Team]. Whether the investigators appointed are internal to the organization or external (for drawn from the pool of investigator managed by the PSEA network in country or affiliated with a company contracted by the organization), the two Investigators will have the requisite competencies in SEA investigations (see Section 7.2 Investigator Competencies) and shall be responsible for:
175. Develop and update an investigation plan;

176. Develop and update a risk management plan,
177. including possible interim measures to ensure the safety of the victim;
178. Ensure a victim-centred approach is upheld throughout the investigation;
179. Although victim assistance is distinct from the investigation, investigators must be familiar with the available assistance and support options and able to facilitate referral pathways as needed;
180. Conducts interviews with victims, witnesses, alleged perpetrators;
181. Gather and secure evidence;
182. Make a finding on the basis of the evidence;
183. Prepare a final report outlining evidence and findings.

Of note, internal investigators cannot be members of the [Ethics Committee / Disciplinary Committee / Senior Management Team].

7.2 Investigator Competencies

At a minimum, the investigators must be:

- Qualified to conduct SEA investigations
- Investigators must have completed training in SEA investigations from a recognized organization.
- Investigators should have experience in conducting interviews, including interviews with victims of sexual exploitation or abuse.
- Professional
- Investigators have demonstrated sound judgement in negotiating difficult interactions and situations.
- Investigators have demonstrated an understanding of and ability to protect confidentiality.
- Responsible
- Investigators are trustworthy, dependable, and personally accountable for the decision they take throughout the investigation.
- Impartial
- Investigators have no material, personal or professional interest in the outcome of the complaint and no personal or professional connection with any witnesses (especially the complainant and Alleged perpetrator).

7.3 Mandate to Investigate

The investigators are given a mandate to conduct an investigation on behalf of *The Nazhoen Lamtoen*. Their authority to investigate is detailed in the Terms of Reference (see Tool 17 in the PSEA Toolkit), which empower them to collect evidence without hindrance or prior clearance, to access staff promptly and to require the full cooperation of anyone working at *The Nazhoen Lamtoen* or with *The Nazhoen Lamtoen*. The Terms of Reference should be reviewed by the investigators prior to the investigation to identify the extent of their investigation authority.

8. Informing Stakeholders

The Nazhoen Lamtoen shall inform relevant stakeholders about the initiation of the investigation in accordance with the principle of confidentiality

8.1 Reporting Allegations to UNICEF

As UNICEF Implementing Partner, *The Nazhoen Lamtoen* has an obligation to inform UNICEF of SEA allegations. This notification should be done upon receipt of the allegation, promptly and confidentially, in a manner that assures the safety of all involved. The notification can be done to the UNICEF Head of Office, Office of International Audit and Investigations (integrity1@unicef.org) or the UNICEF PSEA Focal Person.

8.2 Complainant

The Nazhoen Lamtoen will provide the complainant with formal confirmation that their complaint has been received and is being reviewed within 5 working days of receiving the complaint. Where it is practical and safe to do so, this confirmation will be provided in writing in a manner that is clear and discreet.

8.3 Relevant Managers and Supervisors Relevant managers and supervisors may be informed that an investigation has been initiated on a need to-know basis, i.e. it is necessary to facilitate investigators' access to evidence, premises, and witnesses. In the event that it is necessary, they shall be made aware only that an investigation is underway and that they are obliged to cooperate with the investigators and grant them access as needed. Managers and supervisors who have been made aware that an investigation is underway will be obliged to keep the existence of the investigation and all other details confidential (see Annex D Sample Confidentiality Reminder Note). If it is not necessary to facilitate this access, managers and supervisors shall not be made aware of the investigation

9. Steps in the Investigation

Under the oversight of the Investigation Manager, the investigators will be responsible for conducting the investigation in a manner that is consistent with established standards on SEA investigations. At a minimum, they will be required to:

184. Plan the investigation
185. At the outset of the investigation, the investigators will produce an Investigation Plan that describes the steps they will take to gather evidence, the plan for maintaining confidentiality throughout the investigation, and the witnesses they intend to interview. This plan will be reviewed by the Investigation Manager, and will be revised as needed during the course of the investigation.
186. Manage risks
187. At the outset of the investigation, the investigators will complete a Risk Management Plan that assesses the risks to each party to the investigation and identifies mitigating actions for these risks (see Tool 21 Template for Risk Assessment and Management during SEA investigations). This plan will be reviewed by the Investigation Manager, and will be revised as needed during the course of the investigation.
188. Gather evidence
189. A SEA investigation is a fact-finding exercise in which investigators will gather evidence that is relevant to deciding if an allegation is true or not. Investigators may be required to gather multiple types of evidence, including documentary, electronic, physical, or testimonial evidence.

190. Investigators will gather information only to the extent that it relates to the elements of the case. They will not gather character evidence regarding the victim or Alleged perpetrator or any other witness. In particular, investigators will not gather nor consider relevant evidence pertaining to previous sexual activity by the victim.
191. Due to their specific vulnerability, investigators will avoid interviewing children as victims or witnesses unless it is strictly necessary and will instead seek to gain sufficient evidence from other sources. If it is deemed necessary, investigators shall ensure that the interview is conducted by an interviewer with expertise in interviewing child victims or witnesses. Children should be accompanied by a support person before, during and after the interview and the consent of the parent/guardian should be obtained prior to the interview. • Facilitate access to victim assistance based on referral pathways as needed
192. The responsibility to ensure that assistance has been offered/provided in accordance with the needs and wishes of the victim lies primarily with the PSEA Focal Point. Although victim assistance is distinct from the investigation, investigators must be familiar with the available assistance and support options and able to facilitate referral pathways as needed, and such support should never be made dependent on an investigation or its outcome.
193. Ensure a victim-centered approach is upheld throughout the investigation: this include ensuring the well-being, protection and security of the victim are also prioritized and safety measures are taken to ensure to avoid re-traumatization of the victim. This also includes offering the victim to be accompanied by a support person during the interview. This also includes explaining to the victim the procedures, consent requirements and due process requirements for the alleged perpetrator, allowing the victim to understand how the investigation may affect them. This also include notifying the victim before the subject is informed and interviewed as well as informing of the outcome of the investigation.
194. Ensure due process for the alleged perpetrator: The alleged perpetrator is treated fairly and in accordance with established rules and procedures, in a way that maintains the rights of all stakeholders involved. The alleged perpetrator shall be informed of the alleged misconduct and provided the opportunity to respond to the allegations. The alleged perpetrator shall be notified on expectations around confidentiality.
195. Make a finding
196. Investigators are obliged to make a finding on the allegation. This finding will be based on review of the available evidence, after all relevant evidence has been gathered or reasonable efforts have been made to gather all relevant evidence.
197. There are three possible findings: 1) the allegations are substantiated on the basis of the evidence; 2) the allegations are not substantiated on the basis of the evidence, or; 3) the allegations are not substantiated due to insufficient evidence. The last finding shall only be made when reasonable efforts have been made to gather sufficient evidence to make a finding.
198. Submit reports on their findings

199. Investigators will submit a draft Investigation Report to the Investigation Manager for review and a final Investigation Report to the [Ethics Committee / Disciplinary Committee / Senior Management Team]. This report will detail the allegation, how and to whom it was reported, steps taken during the investigation, a summary of the evidence gathered, and the investigators' findings based on the evidence. This report must be submitted within 21 days of beginning the investigation.
200. The Investigation Report is strictly confidential and will be shared only with the [Ethics Committee / Disciplinary Committee / Senior Management Team].
201. Investigators shall be mindful that the Alleged perpetrator has the right to access the Investigation Report and therefore not include the name or identity of the complainant in the report.
202. The report will be password protected, and the password shared to the Investigation Manager and other members of the [Ethics Committee / Disciplinary Committee / Senior Management Team] in a separate email;
203. • If requested, investigators can also submit a Management Observation Report. The purpose of the Management Observation Report is to provide feedback to *The Nazhoen Lamtoen* on workplace processes, procedures, and practices that contributed to the SEA incident, and make recommendations to mitigate future incidents. As this report may be shared with a wider audience, investigators will take care to provide an anonymized executive summary of the investigation that does not include names or identifying information regarding any of the parties to the investigation or details of the evidence gathered.

record that disciplinary action was taken against them following an investigation into allegations of SEA.

The note shall not include any confidential details. Relevant information shall be shared with potential employers as part of their background checks to the extent legally possible, the full report should be kept in the Subject of Complaint's personnel file alongside all details of disciplinary action taken against them. Where the investigation has uncovered misconduct by personnel from another organization, Nazhoen Lamtoen will report to the other organization.

11. Appeal

It shall be as per the labour law.

12. Informing Stakeholders of the Outcome of the Investigation

The Nazhoen Lamtoen shall inform relevant stakeholders about the outcome of the investigation in accordance with the principle of confidentiality. As UNICEF 's Implementing Partner, as per the project agreement, Nazhoen Lamtoen will keep UNICEF informed during the conduct of the investigation, without violating due process rights of any persons involved. Upon completion of the investigation, *The Nazhoen Lamtoen* will also promptly provide reports on the outcome of the investigations and if requested; share any relevant details and evidence for examination and further use by UNICEF, to the extent legally possible.

12.2 Victim *the Nazhoen Lamtoen* will inform the victim that the investigation has been completed and provide details on the outcome of the investigation.

12.3 Alleged perpetrator The Alleged perpetrator will be informed of the outcome of the investigation in writing. If the complaint is not substantiated, the clearance letter must not disclose the name of any witness, informant or complainant. If the allegation has been

substantiated, the Alleged perpetrator should be given an opportunity to review the factual findings of the Investigation Report (with the possibility to anonymize the statements to ensure the safety of the victim) and provide comments.

13. Follow-Up

13.1 Victim assistance Every child and adult complainant or victim of sexual exploitation and abuse has the right to receive services irrespective of whether the victim cooperates with the investigation, regardless of the decisions by the organization to investigate the case and regardless of the outcome of an investigation.

13.2 Support to the Alleged perpetrator: *The Nazhoen Lamtoen* recognizes that being the subject of a complaint is emotionally taxing and difficult. If the allegation has not been substantiated, *The Nazhoen Lamtoen* shall facilitate psychosocial support for the Alleged perpetrator and provide assistance to ameliorate any damage to their reputation that may have occurred as a consequence of the investigation.

14. Case Management System

The Nazhoen Lamtoen shall maintain a case management system to ensure that all complaints are properly managed. This system will track allegations from receipt of the complaint to closure of the case. The system should be handled in accordance with *The Nazhoen Lamtoen* case management process. At a minimum, the tracking system will include:

- 204. Complaint number
- 205. Date of complaint
- 206. Nature of complaint
- 207. Decision regarding investigation
- 208. Investigation case number (for administrative investigations)
- 209. Finding
- 210. Actions taken

211. Victim assistance provided directly or through referral

15.Data Protection

Information collected at any point in the process from receiving a complaint, reviewing the complaint, during the investigation, to closing the investigation will be handled in accordance with *The Nazhoen Lamtoens* case management system. If emails are shared about the allegation or investigation, all shared documents must be encrypted and password-protected, while the number of people copied must be limited to the people working directly on the case.

Annex 1: Terms of Reference: Investigator of SEA Allegations

The SEA (Sexual Exploitation and Abuse) allegation involves claims of individuals in positions of power exploiting vulnerable people for sexual purposes. These allegations often arise in contexts like humanitarian missions, peacekeeping operations, or corporate environments. Relevant information for the investigation includes the identities of the alleged perpetrators, the victims involved, the timing and setting of the incident, and any evidence or testimonies supporting the claim. It is also important to consider any previous complaints or patterns of misconduct and the actions taken by organizations or authorities in response to the allegation.

Objectives

The purpose of this investigation is to conduct a thorough, objective and effective investigation of the above-mentioned reported SEA allegations and other related incidents, in accordance with professional standards and best international practice.

Specific objectives are to:

1. Assess whether the allegations reasonably amount to SEA, and possibly, an offence under National law;
2. Review evidence presented and gather further evidence that might support or undermine the allegations;
3. Present a summary of the evidence and conclusions

Scope of Work

Key deliverables are:

- ☐ Work plan, including detailed methodology of investigation (e.g. review of relevant documents, site visit(s), interviews with relevant stakeholders)
- ☐ Recommended plan of actions for protecting victims, witnesses, alleged perpetrators and the organization during investigation process
- ☐ Investigation report, including
 1. Executive Summary
 2. Introduction
 3. Allegations (i.e. listing all allegations; names of the organization's policies/code of conduct and laws potentially violated)
 4. Investigative approach (e.g. interviews, review of documents)
 5. Chronology of events
 6. Analysis of evidence
 7. Retaliation and protection risks (and steps taken to address them)
 8. Analysis of adequacy of organization's response to SEA allegation
 9. Conclusions regarding evidence to substantiate or not the allegation(s)
 10. Recommendations (including areas of improvement for the organization's response)

4. Key Required Skills and Experiences

- ☐ Experienced, reliable professional investigator with experience in dealing with highly sensitive cases
- ☐ Trained in conducting interviews, including with children and people who experienced trauma
- ☐ Demonstrated sensitivity and knowledge to cultural diversity and gender issues, including GBV experience if possible
- ☐ Fluent in relevant languages for interviews with personnel and other witnesses, including English and Dzongkha
- ☐ Proven communication and organizational skills

Annex 2: Confidentiality Reminder for SEA Investigations

You have been asked to provide assistance in an investigation of allegations of sexual exploitation or abuse involving personnel that is currently being undertaken. You may be interviewed, asked to provide documents, computer files and other records, or asked to assist in some other way. Internal investigations are a key part of our organization's commitment to preventing and responding to sexual exploitation and abuse.

As a participant in an investigation, there are certain points you need to know:

- **COOPERATE.** You are encouraged to cooperate with the investigations and respond to all questions and requests from investigators honestly and fully.
- **KEEP IT CONFIDENTIAL.** You must keep confidential the fact that an investigation is underway and anything discussed with you as part of the investigation.
- **NO RETALIATION.** Our organization does not tolerate any type or threat of retaliation against anyone who reports a violation or cooperates in an investigation.
- **DON'T PLAY DETECTIVE.** Do not try to carry out your own inquiries or approach witnesses as this may disrupt the ongoing investigation.
- **NO OBSTRUCTION.** Never attempt to interfere with or obstruct an investigation. Your compliance with these requirements is imperative. Violations can potentially result in severe disciplinary measures. Thank you very much for assisting the organization with its investigation. If you learn or remember anything else that might be relevant to the investigation, or if you have any questions, please contact me.

Name: _____

Email: _____

Phone: _____

M o b i l e : _____

Annex 3: Confidentiality Agreement

CONFIDENTIALITY AGREEMENT – INVESTIGATOR (NAME)

It is critical to respond to SEA allegations in a safe and independent manner. To this end, it is important to ensure respect for the privacy/confidentiality of the persons involved in the allegation.

Each investigator having in its possession identifying information must not share this information except with the team in charge of the management of the investigation / and or the decision makers of the requesting organization. Any breach of confidentiality can have serious consequences for: (i) the alleged victim/survivor, (ii) the complainant, witnesses or alleged perpetrator, (iii) and the credibility and safety of the investigation team. In connection with this Agreement, Confidential Information is:

- Direct or indirect information related to an allegation and/or investigation
- Documentary evidence (report form, emails, interview reports, handwritten notes, recording, etc.)
- Information related to priorities and planning in connection with an investigation by the investigation team.

I, _____, have been hired as an investigator to conduct an investigation into an allegation of sexual exploitation and/or abuse on behalf of Nazhoen Lamtoen. I undertake to exercise the tasks entrusted to me with professionalism. I agree to perform fully and faithfully, to the best of my abilities, the required activities.

I understand that all information provided by witnesses and the requesting organization or any other party involved in the investigation is strictly confidential. I will respect the right to privacy of everyone involved in this matter.

I will always seek the consent of the victims to share their personal information with decision-makers in the case and ensure that they are made aware of the requesting organization's case management procedures.

I will not directly or indirectly discuss any information relating to the case outside of those on the requesting organization's case management team, unless I have written permission from the requesting organization.

I also agree to store all documentary evidence securely, in accordance with the instructions of the requesting organization, keeping physical copies in a locked place and electronic copies in a place with restricted access with a password.

I agree not to make copies of evidence unless necessary and to destroy all electronic and physical copies remaining in my possession once my participation in the investigation is complete.

If I am under a duty to provide law enforcement with information relating to an investigation, I will immediately notify the requesting organization in writing.

I understand that this commitment continues to be in effect even after the closure of the investigation and that sharing confidential information at any time may expose me to legal action and disciplinary action from my employer and/or or the requesting organization.

Investigator's signature

Date

Annex 4: Oath of Confidentiality

OATH OF CONFIDENTIALITY

I, the undersigned, shall exercise the utmost discretion with regard to my involvement in the investigation being conducted by _____ Nazhoen Lamtoen. I shall hold confidential all information known to me by reason of me activities on behalf of the investigation team. I shall not use such information for private

gain, or to favor or prejudice a third party. I understand that this declaration will remain in force after the completion of my assignment with the _____ Nazhoen Lamtoen investigation team. I also understand that divulging confidential information to persons who are not authorized to receive it may amount to misconduct and that the signed original of this declaration will be held in the relevant investigation file.

Name:

Title:

Role:

Signature:

Date and place

Section to be filled out by the investigator before whom the oath is taken

Case Number:

Name:

Title:

Signature:

Terms of Reference (TOR) for Investigating Team (Nazhoen Lamtoen)

1. Introduction

This document outlines the Terms of Reference (TOR) for the Investigating Team established to address a complaint of Sexual Exploitation and Abuse (SEA) within Nazhoen Lamtoen .

Nazhoen Lamtoen has a zero-tolerance policy towards sexual harassment, exploitation, and abuse. At Nazhoen Lamtoen we believe all people have a right to live their lives free from sexual violence and any abuse of power regardless of age, gender, sexuality, sexual orientation, disability, religion, or ethnic origin. We recognize that there are unequal power dynamics across the organization and about those we serve and that we face the risk of some people exploiting their position of power for personal gain.

Nazhoen Lamtoen will not tolerate its employees, volunteers, consultants, partners or any other representative associated with the delivery of its work carrying out any form of sexual harassment, sexual exploitation or sexual abuse. Nazhoen Lamtoen commits to supporting survivors, improving safeguarding capacity, reporting, investigating, responding to, and preventing sexual harassment and sexual exploitation and abuse.

Nazhoen Lamtoen is committed to carrying out independent, safe, and discreet investigations recognizing the rights of and duty of care to everyone involved, including the complainant and/or survivor, and witnesses.

2. Objectives

- 212.To investigate SEA allegation thoroughly and impartially.
- 213.To ensure the rights and dignity of all parties involved are respected.
- 214.To provide a detailed report with findings and recommendations.

3. Scope of Work

- 215.Review the complaint and any supporting documents.
- 216.Interview the complainant, the accused, and any witnesses.
- 217.Gather and review relevant evidence.
- 218.Maintain confidentiality and impartiality throughout the investigation.
- 219.Prepare a comprehensive report detailing findings, conclusions, and recommendations.

4. Composition of the Investigating Team

- 220.The team will consist of 3 members, including:
 - 1.A Chairperson: (Thinley Tobgay, Executive Director)
 - 2.Members: (Ugyen Wangchuk Admin Officer)
 - 3.An external expert (if necessary)

5. Roles and Responsibilities

221. Chairperson:

1. Lead the investigation process.
2. Ensure the investigation is conducted fairly and impartially.
 - Compile and submit the final report.

222. Team Members:

- Assist in gathering and reviewing evidence.
- Conduct interviews.
- Provide input and support in drafting the final report.

223. External Expert (if applicable):

- Provide specialized knowledge and expertise.
- Assist in ensuring the investigation adheres to best practices.

224. PSEA Training:

- All members of the investigating team should undergo PSEA training annually.

6. Methodology

- The investigation will follow these steps:
 - Initial review of the complaint.
 - Planning and scheduling interviews.
 - Conducting interviews and gathering evidence.
 - Analyzing findings.
 - Drafting the report.
 - Submitting the report to (relevant authority/committee).

7. Confidentiality

- All information gathered during the investigation will be treated as confidential.
- The identities of the complainant, the accused, and witnesses will be protected.

8. Timeline

- The investigation will be completed within 30 days.
- Regular updates will be provided to (the relevant authority/committee).

9. Reporting

- The final report will be submitted to (the relevant authority/committee) within 10 days upon completion of the investigation.
- The report will include findings, conclusions, and recommendations for action.

10. Review and Amendments

This TOR may be reviewed and amended as necessary with the approval from Executive Director (Chair Person, Investigation Team)