

## Contents

STATEMENTS .....	2
INTRODUCTION .....	4
CHAPTER I: NON-DISCRIMINATION AND GENDER POLICY .....	5
CHAPTER II: DRUG-FREE WORKPLACE POLICY .....	10
CHAPTER III: HIV/AIDS IN THE WORKPLACE .....	12
CHAPTER VI: OFFICE FACILITIES & EQUIPMENT POLICY .....	13
CHAPER V:CHILD PROTECTION POLICY.....	16
CHAPER VI:ANTI-FRAUD POLICY.....	19
CHAPTER VII: CONFLICT OF INTEREST.....	21
ANNEXES .....	23

## STATEMENTS

### Statement of Management Committee

This Organizational policy and guideline is the results of joint effort in discussion and development of the Management Committee, staff member and Board of Directors of BSDA. BSDA recognizes that increasing the demand of good practice, transparency and accountability in organizational management in NGO sector from NGO community, donors, government and other stakeholders requires a clear statement of policies.

BSDA recognize that the best way to improve good governance is to produce the organizational policies and guideline based on current situation and good practice requirement to ensure organizational policies to meet the standard in Code Ethical Principle and Minimum Standard for NGOs in Cambodia.

This organizational manual is to be revised and updated every year, if necessary, in order to keep the manual respond the real situation order BSDA. This manual will play a vital role in fulfilling the obligation and obvious need of BSDA, as well as donors, and to ensure the accountability, transparency and effectiveness of organizational operation.

This personnel policy is accepted and in effect from the date of signature

Date:.....28/January/2014.....

Representative of Management Committee

Mr. THORN Vandong

Executive Director of BSDA

## Statement of Board of Director

Laws or policies are necessary for any organization to guide their practice. It is worthwhile only if it can fulfill the obvious need of the organization.

BSDA is growing. It is natural that some things must be changed to fit its growth, especially its policies. These organizational policies and guidelines are the key tools to drive for good operational practices and it has been developed and updated in order to promote good governance and professionalism within BSDA.

This manual goes into effect from now on and it can be update when it is necessary to do so.

Date:.....28/January/2014.....

Acting Chairman of the Board of Directors

Mr. Say Savuth

# INTRODUCTION

## BSDA Background

Buddhism for Society Development Action (BSDA) is a local NGO established on the 5<sup>th</sup> of January 2005 by seven monks at Wat Nokor Bachey. The Ministry of Interior acknowledged BSDA: Number 162 on July 05, 2005. BSDA does not work for any political party or promotes the religion of its members. It only focuses on social development and helps the poorest living in the poor communities.

## Our Values

The BSDA board, management and staff members shall consistently adhere to and promote the following values:

- Saving the poorest of the poor
- Social solidarity and unity
- Democratic approach to development
- Integrity and accountability

## Our Vision

BSDA envisions a society where people are empowered to fully exercise their potential to live in dignity, peace and be free of poverty.

## Our Mission

BSDA's mission is to work to empower and support women, children and marginalized people in social development processes especially health, education and livelihood promotion.

## Our Goals

- To improve and support education for the communities by providing technical skills, vocational training, life skills, scholarships and social morality activities.
- To enhance community health through partnership with the government to strengthen the community health care service and sustainable livelihoods of vulnerable people.
- To improve social accountability and transparency to achieve democratic at the sub-national level.
- To participate in climate change programs and to promote agricultural practices which support community livelihoods and adaptation to environmental change.

## **CHAPTER I: NON-DISCRIMINATION AND GENDER POLICY**

### **Article\_1 Non-Discrimination Policy**

BSDA is an equal opportunity employer welcoming diversity in all human personalities and look for hard working individuals with relevant experience.

When making decisions on hiring, defining and assigning work, training opportunities, promotions, salary and benefits or discipline and termination of contracts, BSDA will not take any consideration on account of:

- Race
- Skin color
- Sex
- Creed
- Religion
- Political opinion
- Place of birth
- Social origin
- Membership of workers' union or the exercise of union activities.

### **Article\_2 Gender Policy**

The Gender Policy of the organization always respects equal rights between men and women to implement tasks and responsibilities of the organization. BSDA does not discriminate or give more or different responsibilities to either men or women in any role, task or position. Our organization encourages women and facilitates them throughout.

BSDA will not discriminate based on gender when identifying target groups and beneficiaries or in the design and implementation of programs and projects. There may be project cases where there is a specific target beneficiary gender group. In these cases the aim of the project will be to strengthen gender equality in Cambodia.

### **Article\_3 Sexual Harassment in the Work Place**

Sexual abuse of staff or candidates is categorized into the 6 cases as below:

1. Sexual desire without agreement.
2. Request for sexual acts as an opportunity for employment.
3. Words usage, gesture impact to sexual abuse.
4. Speaking about tricked ways/story of sexual force.
5. Body or dress, gesture of sexual force attribute.
6. Calendar, pictures or documents of sexual content.

Sexual harassment in the office is illegal. Staff must provide information about any sexual abuse and/or collaborate with any investigation or lawsuit. If the Director of the organization is implicated, then the Board Members or Advisor and Management Team must meet to resolve the situation and manage any investigation into the accusation. If any of the organization's staff are victims of sexual abuse, they have to report this to their own supervisor or Executive Director.

# **GENDER POLICY**

## **1. RATIONALE**

BSDA is committed in creating, with our Partners, a better world for all, a world where any inequality of any grounds, be it gender, class, race or ethnicity is finally overcome.

## **2. GOAL**

Through this Policy, BSDA commits itself to ensure that gender equality is fully incorporated in all BSDA work both as an end in itself as well as a means to overcome poverty more effectively, through education. BSDA seeks to promote equal realization of dignity and human rights for girls, women, boys and men, and the elimination of poverty and injustice.

The accompanying implementation guideline sets out mechanisms and minimum common standards for all BSDA members. This policy statement therefore strives to make our collective programming efforts more effective, builds on commitments made in the existing Policy Statements and reflects subsequent developments in gender equality policies of development organizations working to end poverty and social injustice. It thereby, sets the stage for increased accountability.

## **3. OBJECTIVES**

The Policy has been developed for internal staff establishing minimum standards to be assimilated and applied in BSDA processes at all levels. Common to a majority of Senior Managers and staff of BSDA is the sincere belief in women's rights and gender equality. Although a gender mainstreaming approach of BSDA programs and interventions has begun, and there is a real commitment within the organization to implement this work, challenges remains in strengthening the capacity to mainstream a gender perspective. This policy aims to articulate the main areas of the gender mainstreaming strategy of BSDA.

The objectives of this policy are:

- To advance women's equal participation with men as decision makers in shaping a sustainable development in Cambodia's society
- To support women and girl in the realization of their full human rights
- To reduce gender inequity in the Cambodia society in the projects and in work environment
- To guarantee a gender sensitive environment in all BSDA interventions and organization
- To taking steps to ensure that a gender perspective is integrated in all BSDA's actions, including programs, advocacy, reporting and policy documents
- To promote equal opportunities for men and women at all staff levels within the organization
- To prevent and respond to sexual exploitation and abuse in the framework of BSDA operations

## **4. GOOD PRACTICES TO PROMOTE GENDER EQUALITY**

The policy is accompanied by proposed implementation arrangements, common standards and supporting definitions.

### **4.1 At the corporate level**

- Senior managers conscious on gender issues
- Accountability frameworks that guarantee the application of the gender policies
- Gender is an objective itself

### **4.2 In the planning process**

- Gender equality is recognized as essential in all programs activities
- Gender analysis is carried out before any intervention definition
- Gender-sensitive indicators are present and monitored in the programs (baselines recollection data divides for sex, as well as socio-economic and ethnic groups are collected

### **4.3 During implementation**

- Performance measurement
- Gender equality results are explicitly expressed and highlighted and reported through qualitative and quantitative indicators
- Data, desegregated by sex, age as socio-economic and ethnic groups are collected
- Participatory approaches are used, where women and men participate in any decision making process, and implementation activity

## **5. COMMON STANDARD IN SUPPORT OF GENDER EQUALITY BETWEEN BSDA MEMBERS**

BSDA has developed a general Gender Policy that seeks to promote gender equity, meaning equal opportunities for individuals regardless of their gender, and gender equality, which refers to behaviors and attitudes within the agency that should respect the basic human rights of all individuals, regardless of gender. All official actions within the agency in the area of hiring, advancement and general interaction between staff members should conform to the basic principles of equality outlined in the agency's Gender Policy. In order to ensure enforcement of Gender Policy, a Gender Resource Person (GRP) will be appointed by the agency to monitor compliance with Gender Policy.

### **5.1. Enforcement and Communication of Gender Policy**

- The Management Group within BSDA will appoint a single individual to act as a Gender Resource Person. The GRP will be responsible for attending gender capacity building meetings held at national level and disseminating information to all staff members upon their return to BSDA.
- The Gender Resource Person is not intended to be a full time position. The GRP may hold another position within the agency but from time to time will be responsible for adjudicating conflicts relating to gender or report instances of non-compliance with the Gender Policy to the Management Group for appropriate action.

## 5.2. Hiring

- All advertisements for vacant positions should include a statement that hiring decisions will be made without prejudice relating to gender. For example, all advertisements should encourage both men and women to apply, except in cases where one's gender may interfere in carrying out a particular duty (e.g., counseling young girls; counseling young boys, etc.)
- Interview committees should contain members of both sexes.
- Hiring decisions should be free of any prejudicial treatment based on gender.
- Employment contracts should contain an annex document requiring staff members to read and comply with the agency's Gender Policy (see attached declaration at the end of this section). This declaration must be signed before a contract can be considered to be valid.

## 5.3. Advancement

- Decisions relating to the advancement of individuals within the agency should be free of gender bias.
- Decisions to advance individuals within the agency should promote a balance between men and women at management level.

# 6. STAFF CONDUCT AND GENDER POLICY

BSDA adheres to a policy of 'zero' tolerance for harassment of individuals due to their gender. Individuals engaging in sexual harassment will be subject to disciplinary action and possibly dismissal.

## 6.1 GUIDELINES

- 6.1.1 Individuals who feel that they have been harassed based on their gender should report any such incidences to the Gender Resource Person.
- 6.1.2 The GRP will make a preliminary investigation of the complaint to assess its validity.
- 6.1.3 If they GRP should determine that the complaint is valid, he/she will report the matter to Human Resources for the appropriate action.
- 6.1.4 Based on the recommendation of the GRP, Human Resources will review the complaint and take appropriate disciplinary action against the offending individual, as necessary.

# 7. POLICY REVIEW

A gender focal group will be created and will work collaboratively to undertake a review of this common gender policy. This will take place after 2 years.

# 8. GENDER DEFINITIONS FOR BSDA GENDER POLICY

## Gender



Refers to the social differences between females and males throughout the life cycle that are learned, and though deeply rooted in every culture, are changeable over time, and have wide variations both within and between cultures. "Gender," along with class and race, determines the roles, power and resources for females and males in any culture. Historically, attention to gender relations has been driven by the need to address women's needs and circumstances, as they are typically more disadvantaged than men. Increasingly, however, the humanitarian community is recognizing the need to know more about what men and boys face in crisis situations.

**Gender equality**

Or equality between women and men, refers to the equal enjoyment by women, girls, boys and men of rights, opportunities, resources and rewards. Equality does not mean that women and men are the same but that their enjoyment of rights, opportunities and life chances are not governed or limited by whether they were born female or male.

**Sex**

Identifies the biological differences between men and women, such as women can give birth, and men provide sperm. Sex roles are universal.

**Gender Equality Programming** is an umbrella term encompassing all strategies to achieve gender equality. Important examples include gender mainstreaming, gender analysis, promotion and protection of human rights, empowerment of women and girls, and gender balance in the workplace.

**Gender equity**

Justice in the distribution of resources, benefits and responsibilities are between women and men, boys and girls. The concept recognizes that power relations between girls and boys, men and women are unequal, and that such inequalities should be addressed.

**Gender mainstreaming**

Is a globally recognized strategy for achieving gender equality. The Economic and Social Council of the United Nations defined gender mainstreaming as the process of assessing the implications for women and men of any planned action, including legislation, policies or programs, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programs in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. For BSDA, mainstreaming gender means applying gender analysis to all aspects of our work, including advocacy and communications. Gender is not a separate issue; it crosscuts all issues and sectors.

**Gender-based violence**

Is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (gender) differences between females and males. The nature and extent of specific types of GBV vary across cultures, countries and regions. Examples include sexual violence, including sexual exploitation/abuse and forced prostitution; domestic violence; trafficking; forced/early marriage; harmful traditional practices such as female genital mutilation; honor killings; and widow inheritance.

**Sexual Exploitation**

The abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another. (UN SGB Definition)

**Sexual abuse**

The actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions.

**Women's Empowerment**

Involves awareness raising, building of self-confidence, expansion of choices, increased access to and control over resources and actions to transform the structures and institutions, which reinforce and perpetuate gender discrimination and inequality. Empowerment comes from within; women empower themselves. Increase women's power through power to work together without one dominating the other using each individual ability.

## **CHAPTER II: DRUG-FREE WORKPLACE POLICY**

BSDA is a drug-free workplace.

Therefore, within the BSDA workplace, the unlawful manufacturing, distribution, dispensing, possession, or use of a controlled substance is prohibited.

While BSDA understands that employees and applicants under a physician's care are required to use prescription drugs, abuse of prescribed medications will be dealt with in the same manner as the abuse of illegal substances.

BSDA policy is to employ a work force free from use of illegal drugs and abuse of alcohol, either on or off the job. Any employee determined to be in violation of this policy is subject to disciplinary action, which may include termination, even for the first offense.

### **Article\_4 Substances Applicable to this Statement**

It is a standard code of conduct of BSDA that employees shall not use illegal drugs or abuse alcohol. In order to maintain this code, BSDA shall establish and maintain the programs and rules set forth below.

#### **a. Illegal Drugs.**

An employee bringing onto BSDA's premises or property, having possession of; being under the influence of; possessing in the employee's body, blood or urine in any detectable amount; or using, consuming, transferring, selling, or attempting to sell or transfer any form of illegal drug while on BSDA business or at any time during the hours between the beginning and ending of the employee's workday, whether on duty or not and whether on BSDA business or on BSDA property or not, is guilty of misconduct and is subject to discipline, including immediate termination or immediate suspension without pay from employment, even for the first offense.

#### **b. Alcohol**

An employee who is under the influence of alcohol at any time while on BSDA business or at any time during the hours between the beginning and ending of the employee's workday,

whether on duty or not and whether on BSDA business or on BSDA property or not, is guilty of misconduct and is subject to discipline, including immediate termination or immediate suspension without pay from employment, even for the first offense.

#### **Article\_5      General Procedures**

BSDA will notify in writing any employee who is convicted for a violation of a criminal drug statute occurring in the workplace as described below.

An employee reporting for work visibly impaired or unable to properly perform required duties because of alcohol or illegal drug use will not be allowed to work. In each case, the employee will be requested to allow a search and/or attend a drug and/or alcohol test.

#### **Article\_6      Failure to Submit to Required Drug/Alcohol Testing**

Refusal to submit to a search or go for a drug or alcohol test will be deemed a disciplinary offence and the staff will be issued a first warning letter. Refusing a second time will be considered a voluntary resignation, and the staff will be assisted with collecting his/her personal belongings and escorted from the office or fieldwork.

##### **a.    Receipt of Positive Drug/Alcohol Testing**

An employee who tests positive for drug or alcohol use is in violation of BSDA policy. The employee will be issued a written disciplinary warning from the Human Resource and Administration Manager and required to seek treatment in an approved program for alcohol and drug rehabilitation.

Employees who refuse to participate in, or who do not satisfactorily complete a rehabilitation program, or who subsequently violate this policy will be terminated from BSDA.

An employee who provides written confirmation of enrollment in a counseling program will be placed on probationary status for a period of 90 days. .

If an employee tests positive for drug or alcohol use during the 90 days probationary period, he/she will be requested to leave immediately and notified of such termination in writing by Human Resources.

##### **b.    Possession, Use, or Distribution of Illegal Drugs**

The manufacture, sale, purchase, transfer, use, or possession of illegal drugs by employees on BSDA premises, in BSDA vehicles, or while on BSDA business is prohibited and will result in immediate termination. BSDA will also contact the local law enforcement to notify of illegal manufacture, sale, purchase, transfer, use or possession of drugs by the employee on BSDA premises.

#### **Article\_7      Employee Assistance and Alcohol/Drug Rehabilitation Programs**

BSDA maintains information on local employee assistance programs and local alcohol/drug rehabilitation programs, which could provide help to employees who suffer from alcohol or drug abuse and their families.

However, it is the responsibility of each employee to seek assistance from one of these programs before alcohol and drug problems lead to disciplinary actions.

The employee's decision to seek previous assistance from the programs will not be used as the basis for disciplinary action and will not be used against the employee in any disciplinary proceeding and BSDA strongly encourages employees who suspect they may have a problem to seek assistance. On the other hand, using the programs will not prevent disciplinary action when facts showing a violation of this policy are obtained outside of the programs.

As a condition of employment under a Donor award, each employee must abide by the terms of this statement.

## **CHAPTER III: HIV/AIDS IN THE WORKPLACE**

As an organization working in the field of HIV/AIDS prevention and control, we are reminded every day that HIV/AIDS can affect anyone. We are not only service providers, but also directly and individually affected. We are duty bound to practice compassion and tolerance towards all people with HIV/AIDS, including our colleagues.

### **Article\_8      Commitments**

8.1.BSDA is fully committed to providing a supportive working environment for dealing with HIV/AIDS in the workplace.

8.2.BSDA does not discriminate against staff on the basis of their HIV/AIDS status in any personnel decision nor does it tolerate discrimination by staff and management of those who may be HIV-positive.

8.3.BSDA views confidentiality as imperative when dealing with HIV/AIDS and ensures confidentiality about HIV/AIDS status is not infringed upon.

8.4.BSDA treats HIV infection and AIDS as any other chronic illness and reasonably accommodates HIV-positive staff to enable them to continue working.

46.1 BSDA provides education to its staff to promote prevention and ensure sensitivity and lack of stigma in its own workplace.

### **Article\_9      HIV Screening, Recruitment and Employment**

9.1.The only medical criterion for recruitment is fitness to work. HIV infection does not, in itself, constitute a lack of fitness to work.

9.2.There is no obligation on applicants or staff to inform BSDA of their HIV status.

9.3.HIV screening will not be required either as a condition of recruitment or for continuation of employment, unless required by law (e.g. for duty travel).

### **Article\_10      Confidentiality**

10.1.HIV-related information relating to applicants for employment, staff or dependents will be kept strictly confidential, and be kept only on medical files.

10.2.Staff and volunteers working for BSDA are expected to uphold confidentiality.

10.3.Unauthorized disclosure of HIV-related information learned in the course of performing one's job duties is a disciplinary offence.

10.4.With the voluntary and informed consent of the person concerned, HIV-related information may be disclosed strictly as necessary for the purposes of recruitment or assignment of staff living with HIV where the job description or task identifies this qualification.

### **Article\_11 HIV Prevention**

11.1.BSDA will have available for staff with sensitive, accurate and up-to-date information to enable employees to protect themselves from HIV and other sexually transmitted or blood borne infections.

11.2.Referrals to free, voluntary and confidential HIV testing and counseling will be made available to staff.

11.3.Referrals to free STI diagnosis and treatment will be made available to staff

### **Article\_12 Occupational Exposure**

12.1.In the case of accidents involving the risk of exposure to human blood, universal precautions will be used to ensure there is no risk of transmission of HIV or other blood borne infections

12.2.BSDA will develop procedures for the immediate referral for counseling, assessment and medical treatment (with post-exposure prophylaxis, where appropriate) for staff exposed to the risk of HIV infection (e.g. through accident or sexual assault), whether in the work place or elsewhere.

12.3.Reasonable paid time off will be provided for counseling following occupational or other exposure.

### **Article\_13 Gender Dimensions**

13.1.BSDA acknowledges that HIV/AIDS impacts on male and female staff differently. This includes the recognition that women normally undertake the major part of caring for those with AIDS-related illnesses, and that pregnant woman with HIV have additional special needs.

Any staff and family assistance arrangements will be designed to accommodate these differing impacts, and as appropriate to redress gender inequalities, for example by encouraging and supporting men as caregivers.

## **CHAPTER VI: OFFICE FACILITIES & EQUIPMENT POLICIES**

### **Article\_14 Use of BSDA's Office**

The office is for BSDA's staff to work in only.

### **Article\_15 Office Cleanliness**

To improve the professional appearance and effectiveness of the office and to enhance BSDA's reputation, BSDA's staff must keep themselves and their work places clean, hygienic and tidy at all times. If staff work during holidays or over time, when the cleaner is not working, they

must keep the office clean. BSDA must use clean water for the staff and the bathroom must be regularly cleaned up. Take actions to keep the surrounding environment clean in order not to affect health and safety.

### **Article\_16 Use of BSDA Communication Equipment.**

BSDA makes communications through phone, radio, email, letter and by the use of motorbikes, motorcars etc. Staff may use the radio for personal tasks, but they must pay for their own phone and calls. Project staff with phone card allowance should not use the administration phone except in the case of emergency. Staff must ask Finance Administration for permission to use the phone.

Office Equipment: Only proficiently trained staff can use equipment as such as computers, scanners, printers etc. The printer or other equipment may not be used by staff for personal use. Where necessary, they will need to pay money to use the equipment.

### **Article\_17 Use of BSDA Motorbikes**

Motorbikes are provided to staff to legally use for relevant work. Motorbikes will only be given if there is a genuine organizational need.

#### **17.1.Motorbike provided for Temporary and General use:**

Staff may be asked to drive a motorbike for general BSDA work. Staff must sign the Motorbike Usage Contract and use it for BSDA's project activities only. The bike must not be used for personal tasks. The staff must return it after the project is finished or if the project's requirements change. Staff that fill out a Motorbike Usage Contract are responsible for BSDA's asset and must comply with the terms and conditions below:

- Motorbikes have to be locked and kept in a house or safe place overnight or when parked during the day.
- Only the staff member can use the motorbike.
- Only a driver and one passenger are permitted. (2 persons per motorbike)
- Helmets must be worn by the driver.
- The driver must respect the traffic laws.
- If the motorbike has a problem, staff must take responsibility for fixing the motor as per the donor policy. If no budget is available for the maintenance the Finance Department must be consulted before the repair.
- The motorbikes showing the BSDA logo or donor logo are not allowed to be used in drug user places, entertainment worker houses, nightclubs and wine/palm wine stores unless it is for work reasons.
- Staff must not drive BSDA's motorbikes after drinking alcohol.
- Staff must always wash and maintain motor cleanliness.
- In case of an accident, staff must take responsibility for paying for others' damage caused by the accident, except where there is Insurance provided by the donor.
- If the motorbike is lost because of staff' carelessness, the staff are responsible for replacing the motorbike with an equivalent agreed by the Executive Director and Administration Department.
- If the motorbike is stolen, staff must inform the police and Administrative Officer immediately.

#### **17.2. Use of Personal Motorbikes for BSDA Business**

BSDA is not responsible for any loss or accident involving a Personal motorbike, bicycle, car or any other vehicle owned by staff during working hours or on BSDA property or business.

#### **Article\_56    Energy Efficiency Policy**

All staff must try and reduce consumption of electricity. Lights and fans must be turned on/off appropriately during working hours. When staff leave the office for more than half an hour, they have to switch off lights, computers and fans.

#### **Article\_18    Document Handling Policy**

Staff must take good care of documents. All documents have to be named and kept in BSDA's filing shelf. Confidential and important documents must be locked in the shelf. If staff wish to remove other documents they must get permission from the document owner. Documents are not allowed to be shared with people outside the BSDA organization staff.

### **BSDA ASSET PROTECTION AND MANAGEMENT**

All staff have to take good care to protect the equipment provided by BSDA. All the equipment has to be managed and locked safely after use. Before leaving the office; windows, doors, water, electricity and other electrical equipment should be turned off.

#### **Article\_19    Asset List**

BSDA has an asset list and code to record all assets. BSDA assets are not to be sold, borrowed or rented by BSDA staff unless agreed by the Management Team.

#### **Article\_20    Computer Usage**

Staff are responsible for their own computer, assigned to their desk. Do not eat or put anything on keyboards. Computers should be covered and switched off when not in use. If there is any problem or break-down with a computer staff must inform the Administration Department immediately.

#### **Article\_21    Portable Assets on Loan**

Cameras or other items should be used by staff in the field for specific tasks only. The staff must ask Human Resources for borrowing the camera and must sign for it. When the staff return the item, the HR & Administrative staff will first check the status of the equipment. If the asset is still in normal condition, the HR staff will sign that it was returned safely.

#### **Article\_22    Motorbikes Assets on Loan**

Motorbikes are provided to staff to legally use for relevant work. Motorbikes will only be given if there is a genuine organizational need. All staff must follow the motorbike policy described in Article 55.

#### **Article\_23    Loss and Damage of Assets**

In the case of loss, damage or relevant cases of accidents, staff must inform the organization in writing. The letter has to clarify what happened and the reason why with an attached letter or

report from the local authority/police. This policy applies to all assets, including motorbikes. Staff may need to replace any broken or lost asset or equipment with an equivalent agreed by the Executive Director and Administration Department or pay BSDA back the current equivalent price of the lost equipment.

## TRAINING

### Article\_24 Training Staff

Training is necessary for raising the achievement of BSDA and development of BSDA's staff capability.

The training strengthens staff's capacity by:

- Training with NGOs, governmental institutions, national/international partners, workshops overseas. The trainings are supported by donors from BSDA's staff development plan, therefore, staff have to share their knowledge and provide on-going support to BSDA's staff and communities too.
- For each workshop or course with partner organizations, donors or foreigners, staff need to copy documents involved in the course and give a copy to the Administration officer. The copy will be kept in the Administration files and other staff who have not attended can look through and benefit from the course as well.
- If BSDA staff give an Education or training course, they must take responsibility for preparations such as posters and agenda for each relevant part in order to make sure that the students achieve good progress. They must discuss especially both the practices and theories. Presenters must avoid being careless or unreasonably playful, which causes the audiences to evaluate and measure the ability of the trainer as not professional and which causes them to not believe in learning or broadcasting or that the mediator is really in charge of their job.

## CHAPTER V: CHILD PROTECTION POLICY

Children constitute a special group of persons who face great challenges due to the social issues such as the HIV/AIDS pandemic and lack of recognition of child's rights. Loss of parental care, or living with infected parents or caregivers, increases child vulnerability. Children may become involved in activities such as transactional sex and child labor, or be coerced into illicit activities like drug trafficking. People with power and influential positions in communities - including aid and NGO workers - can abuse and exploit children. This calls for action to protect children against abuse and exploitation.

### Definitions

**A child** means every human being below the age of eighteen years.

Child Abuse means sexual abuse or other physical or mental harm deliberately caused to a child. Child abuse can be physical abuse, emotional abuse, neglect or sexual abuse:

- **Physical abuse** Physical abuse occurs when a person purposefully injures or threatens to injure a child or young person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures.



- **Emotional abuse**

Emotional abuse is a chronic attack on a child or young person's self esteem. It can take the form of name calling, threatening, ridiculing, intimidating or isolating the child or young person.

- **Neglect**

Neglect is the failure to provide the child with the basic necessities of life (where such necessities are available), such as food, clothing, shelter and supervision to the extent that the child's health and development are at risk.

- **Child Sexual Abuse**

Sexual abuse is when a child or young person is used by an older or bigger child, adolescent or adult for his or her own sexual stimulation or gratification, or economic gain

A Child Protection Policy is a statement of intent that demonstrates a commitment to safeguard children from harm and makes clear to all what is required in relation to the protection of children. It helps to create a safe and positive environment for children and to show that the organization is taking its duty of care seriously.

## 1 Staff Recruitment for Positions that Work with Children

- 1.1 Current and potential employees with direct or regular contact with children will undergo a screening procedure to check for any child abuse-related criminal record.
- 1.2 If possible, criminal record checks can be requested should any suspicions arise or a member of staff moves into a new area involving first involvement with children. In this case, BSDA will request the potential employee to sign an authorization form to check his/her criminal records

(See Annex 8 for Criminal Record Check Authorization Form)

- 1.3 Volunteers and interns will be subject to criminal record checks by their agency or organization, if they will do work that brings them into regular contact with children. BSDA will confirm with the agency that this has been done.
- 1.4 During applicant interviews, the interview panel will identify any gaps in the applicant's employment history and clarify reasons for these to their satisfaction. If the panel is not satisfied with the explanation for the gaps in the employment record this will be sufficient reason for rejection of the applicant at that stage of the recruitment process.
- 1.5 Candidates who will be working with children will be asked specific questions during the interview which probe the applicant's attitude, experience and approach to working with children relevant to the post applied for.
- 1.6 Where a candidate who is considered appointment has disclosed a criminal conviction during interview, there should be a follow up interview to deal with specific questions to obtain information about the background and circumstances. Where an applicant is known to have been subject to a disciplinary process with a previous employer, the circumstances should be explored with him/her and the previous employer.
- 1.7 Candidates should not be rejected solely on the basis of a criminal conviction or disciplinary record, without examination of the circumstances.

## 2 Communications About Children

In its communication and fundraising strategy BSDA staff may at times use images and recordings of children and field texts. Staff have a responsibility towards the children who are portrayed and should ensure that children are treated with dignity as humans with rights by avoiding the following:

- Inaccurate representation of children through words and images.
- Communications that shame, degrade or victimize children.
- Taking pictures or statements from children without informed consent.
- Depicting children in a sexually provocative manner.

The informed consent of the child and his/her parents or guardians should always be obtained before a recording, photograph, or image is taken of him/her, and its intended use explained. BSDA introduces a format for the schools directors to sign, in order to ask annually the authorization to take and use pictures of the school and group of children (3 or more). Where possible, the child and family should be shown the final product before it is published. **(See Annexes 9 and 10 for Authorization Formats Parents and School Director).**

## 3 Networking and Advocacy

- 3.1 There should be ongoing efforts to identify and document best practices on child protection.
- 3.2 The MKK project team will facilitate ongoing child protection awareness-raising among staff and partners. The organization encourages ongoing involvement of staff members in child rights advocacy work at various levels.

## 4 Child Protection Code of Conduct

- 4.1 BSDA developed a Code of Conduct on Child Protection that each staff will be asked to sign once starting to work with the Organization. An orientation to understand the document content is provided, in order to assure that the new staff understands it clearly. **(See Annex 11 for Code of Conduct)**
- 4.2 The Code of Conduct includes:
  - Behaviors allowed while working with children
  - How to manage sensitive information about children (photographs/videos/DVD/etc)
  - Forbidden behaviors that can damage the child as BSDA image

## 5 Procedure applied in the Organization in case of suspected abuse

BSDA has defined a procedure to follow in case any of the staff receives information over a possible abuse:

**Step 1:** Inform the direct supervisor

**Step 2:** The direct supervisor will be responsible to contact local Authorities. In case it is impossible to contact the direct supervisor, the staff will start to inform the competent authority. The staff will then be responsible to communicate with the direct supervisor as soon as possible.

**Step 3:** The direct supervisor or the staff will provide the information to the relevant NGO (Ex. LICHADO/ILO/ADHOC) working in the area, so that they can follow up the case with the local authorities in charge

**Step 4:** Refer the information to the relevant Provincial Department

All the information regarding the possible abuse case will be kept secret. The communication mechanism between BSDA and relevant local authorities and relevant NGOs will respect confidentiality and rights of the child as a priority.

## **CHAPTER VI: ANTI-FRAUD POLICY**

### **1 RATIONALE**

To ensure the highest standards of legal and ethical behavior throughout Buddhism and Society Development association (BSDA)

### **2 GENERAL PROVISIONS**

- The Buddhism for Social Development Action (BSDA) has a commitment to high legal and ethical standards. All members of staff as well as volunteers, consultants, contractors, partner organizations and any other parties with a financial or fiduciary relationship with the BSDA are expected to share this commitment. The purpose of this Statement is to set out the policy of the BSDA towards the prevention and detection of fraud and the procedures to be followed if fraud is detected or suspected.
- No precise legal definition of fraud exists. In the public and charitable sector, the term is used to describe such acts as deception, bribery, forgery, extortion, corruption, theft, conspiracy, misappropriation and concealment of material facts. For practical purposes fraud may be defined as the use of deception with the intention of obtaining an unjust or illegal financial gain or other unfair advantage.
- Fraud of any type represents a threat to the good name of BSDA and to the funds for which it is responsible. BSDA is therefore committed to the elimination of any fraud within the organization and its partners, and to the thorough investigation of any such cases.
- The policy of BSDA is to promote awareness among staff of the risk of fraud, to establish and maintain controls aimed at preventing and detecting fraud and to take effective action whenever fraud is discovered or suspected.
- BSDA considers it the duty of all employees to act honestly and with integrity at all times and to report any suspected irregularity without delay.
- It is also BSDA's policy that no employee will suffer in any way as a result of reporting reasonably held suspicions.

### **3 RESPONSIBILITIES**

- The Board of Directors and Executive Director of BSDA are responsible for identifying the major risks to which BSDA is exposed, and for ensuring that appropriate systems, procedures and controls are in place to reduce the likelihood of fraud occurring. They are also responsible for outlining BSDA's response to a suspected or actual fraud.
- The Executive Director with the support of the Program Manager, Program Coordinator and Project Officer, is responsible for the day-to-day management of BSDA, and therefore for the maintenance of the systems and controls designed to minimize the incidence of fraud within the organization.
- All Managers are responsible for ensuring that employees are aware of the risks of fraud, familiar with the types of impropriety that might be expected to occur within their areas of responsibility, and alert for any indications of irregularity. Managers are also responsible for ensuring that employees comply with systems established to prevent and detect fraudulent activity.
- The Manager of Finance of BSDA is specifically responsible for the design, implementation, development and maintenance of systems to prevent and detect fraudulent activity. Compliance with systems is confirmed by both internal and external audits. It is also the responsibility of the Manager of Finance of BSDA to maintain a register of reported cases of suspected fraud.
- All employees have a duty to act honestly and with integrity at all times, and to report any suspected irregularity without delay.
- Staff must not engage in any of the following activities:
  - Negotiate prices with sellers or contractors for goods and services in the name of BSDA, for personal use.
  - Receive tips, gifts or sponsorship from sellers or service providers for BSDA.
  - Receive gifts, sponsorship or money from beneficiaries for services provided or to increase the services received from the staff of BSDA.
  - Rent or purchase goods for relatives,
  - Keep any discount amount from seller or service providers, for their own profit.

#### **4 PROCEDURE FOR REPORTING SUSPECTED FRAUD**

- An employee who is concerned about the actions of a colleague or colleagues and suspects that a fraud has been committed or planned should not give the suspect any idea of their suspicions, as this would jeopardize any investigation. The details should be reported immediately by the employee to his or her line manager, or to the Human Resource and Administration Manager, or the Executive Director, or placed in the feedback box. If for any reason the employee feels unable to discuss the matter with the managers or use the feedback box, they should contact the Board of Directors.
- The manager to whom the suspected fraud has been reported should *not* carry out an investigation in to the allegation, but should report the matter immediately to the Executive Director. If for any reason the manager feels unable to discuss the matter with the Executive Director, they should contact the Board of Directors.

#### **5 PROCEDURE FOR RESPONDING TO REPORTS OF FRAUD**

- If the Finance Manager concludes that the allegations have substance, an investigation should be initiated. The Finance Manager and Executive Director are responsible for determining the nature of any such investigation.
- Such an investigation will aim to establish the extent of the fraud, identify the perpetrator, and determine whether other individuals are involved. It will also consider whether a lack of adequate systems and internal controls allowed the fraud to be perpetrated, or whether the problem arose due to a failure to ensure compliance with existing systems.
- Non-compliance with existing systems may be evidence of negligence on the part of management, and those responsible will be subject to due disciplinary process. Serious negligence on the part of any manager or employee will be considered grounds for dismissal.

## **6 DISCIPLINARY ACTION**

- It is the policy of BSDA to report all cases of suspected fraud to the Police, who may then wish to take criminal proceedings. Whether or not the matter is referred to the Police, disciplinary action, which may result in dismissal, will be taken against the employee concerned.
- An allegation, which proves to be unfounded and of malicious intent could be considered an act of gross misconduct on the part of the employee concerned. Disciplinary action, which may result in dismissal, will be taken against any employee making such an allegation.

## **CHAPTER VII: CONFLICT OF INTEREST**

### **1. RATIONALE**

Public confidence in the integrity of BSDA is vital to its proper operation. Confidence may be jeopardized if the public or stakeholders perceive a conflict of interest. BSDA staff, which includes employees, volunteers and long-term consultants, needs to be aware that their private interests, both financial and personal, could conflict with their work duties. This policy ensures that BSDA stays apolitical, performing its functions in an impartial and professional manner, with the highest ethical standards.

### **2. GENERAL PROVISIONS**

- a. All staff who sign to abide by the principles in this policy are agreeing to abide by the conflict of interest policy.
- b. A staff person should perform the duties of his or her position impartially, uninfluenced by fear or favor.

### **3. DISCLOSURE OF A CONFLICT OF INTEREST**

- a. All staff members have a duty to disclose:
  - The existence of any conflict of interest (possible, apparent or potential)
  - The nature of that conflict of interest, whenever he or she becomes aware that a conflict actually exists or that it is reasonably likely to occur.

- b. Staff should talk to their direct supervisor if there is a conflict of interest. If the supervisor is him/herself part of the conflict of interest, the staff member should talk to the Executive Director or a member of the Board.
- c. The supervisor will decide how to deal with the conflict of interest in the particular circumstances of the conflict. Where a conflict of interest exists, the affected staff member will not participate in the discussion of the matter that has given rise to the conflict.

#### **4. CONFLICTS WHEN OFFERED GIFTS, COMMISSIONS OR BRIBES**

BSDA staff are strictly prohibited from soliciting or accepting gratuities, favors or anything of monetary value over \$10 from suppliers, contractors, beneficiaries or parties to sub-agreements. It is permissible to accept gifts that are not of significant monetary value such as calendars, inexpensive handicraft products or foods. These gifts will be considered to be the property of BSDA.

#### **5. CONFLICTS WITH FINANCIAL INTERESTS**

Financial interests may cover such things as directorships, shareholdings, real estate or trusts which have the potential to conflict with their position. Examples of this type of conflict include:

- An employee who owns a building that BSDA is considering renting.
- A staff member who supports a specific grant because she/he will benefit by either receiving the funds or by participating in the implementation of the project.

#### **6. CONFLICTS WITH PERSONAL INTERESTS**

Personal and other interests may include family, romantic or other relationships. Examples of conflicts between personal or other interests and employment duties include:

- A BSDA employee in a selection panel who has a personal relationship with an applicant for the position.
- A consultant who is asked to be on a committee to review bids, but is married to one of the bidders.

#### **7. NON-DISCLOSURE OF A CONFLICT OF INTEREST**

There is nothing wrong with having a conflict of interest and staff will in no way suffer for reporting one. The problem arises when a staff member does not report an actual, potential or apparent conflict of interest and participates in a decision where the conflict could influence that person's judgment. In cases where an employee has failed to report a conflict of interest:

- If a decision has been made when a participant had a conflict of interest, the supervisor or Executive Director can declare the decision null and void and re-do the decision or vote without the affected member.
- An employee's failure to disclose a conflict of interest or to otherwise comply with this policy may constitute serious misconduct and lead to appropriate disciplinary action being taken against the employee, up to and including dismissal.

## **ANNEXES**

**Annex 1: Criminal Record Check Authorization Form**

**Annex 2: Authorization Forms Parents and School Director**

**Annex 3: Code of Conduct**