

University Grants Commission

Sanothimi, Bhaktapur

Nurturing Excellence in Higher Education Program (NEHEP) (2021-2026)

Action Plan for Minimizing the Risks of and Response to Gender Based Violence, Sexual Exploitation and Abuse, and Sexual Harassment (SEA/SH) In the Higher Education Institution of Nepal

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ACRONYMS

COC	CODE OF CONDUCT
E&S	ENVIRONMENTAL AND SOCIAL
ESCP	ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN
ESF	ENVIRONMENTAL AND SOCIAL FRAMEWORK
ESSA	ENVIRONMENTAL AND SOCIAL ASSESSMENT
GBV	GENDER BASED VIOLENCE
GON	GOVERNMENT OF NEPAL
GRM	GRIEVANCE REDRESSAL MECHANISM
HEI	HIGHER EDUCATION INSTITUTION
IDA	INTERNATIONAL DEVELOPMENT ASSOCIATION
IPF	INVESTMENT PROJECT FINANCING
IPV	INTIMATE PARTNER VIOLENCE
LMP	LABOUR MANAGEMENT PROCEDURES
NEHEP	NURTURING EXCELLENCE IN HIGHER EDUCATION PROGRAM
OHS	OCCUPATIONAL HEALTH AND SAFETY
PAD	PROGRAM APPRAISAL DOCUMENT
P FOR R	PROGRAM FOR RESULTS
QAA	QUALITY ASSURANCE AND ACCREDITATION
SEA	SEXUAL EXPLOITATION AND ABUSE
SH	SEXUAL HARRASSMENT
UGC	UNIVERSITY GRANTS COMMISSION
VAW	VIOLENCE AGAINST WOMEN
WB	WORLD BANK

SEA/SH ACTION PLAN FOR NEHEP

I. Introduction

1. This Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH) Prevention and Response Action Plan is prepared by the University Grants Commission (UGC) as part of Nurturing Excellence in Higher Education Program (NEHEP), which is funded by IDA/WB (International Development Association/World Bank) with both the IPF(Investment Project Financing) and P for R (Program for Results) as its funding modalities. It details the operational measures to assess and mitigate the risks of gender-based violence, most notably sexual exploitation and abuse (SEA) and sexual harassment (SH), and how they will be integrated over the life of the project. This also includes procedures for reporting, responding and managing grievances related to such incidences.

II. Contextualizing GBV and SEA/SH for NEHEP

1. The Environmental and Social Assessment (ESSA) undertaken to ensure consistency with core principles outlined in the WB Operational Policy document identified some key measures to strengthen system performance for E&S (Environmental and Social) management in the beneficiary HEIs. These key measures included: (i) plans to develop and implement guidelines to cover E&S aspects including gender and social inclusion, stakeholder engagement, GRM, labor standards, OHS etc.; and (ii) to establish dedicated E&S unit with adequate staffing and budget; and to develop a strategy for strengthening capacity of beneficiary HEIs for mainstreaming E&S aspects in Higher Education. The Environmental and Social Commitment Plan (ESCP) also highlights these needs and sets out various measures and actions for the purpose.
2. The WB assessment has placed the risk of GBV/SEA/SH incurred by NEHEP in the low category. Accordingly, this action plan includes minimum measures to prevent and minimize the potential associated risks and propose some concrete steps for doing so.
3. The Program Appraisal Document (PAD) for NEHEP includes mitigation measures for GBV including SEA/SH and Violence Against Women (VAW) as being of high priority and has outlined the need to manage the risks related with GBV and SEA/SH by developing a strategic plan and its implementation mechanism, which includes, among others, (i) sensitization and awareness; (ii) Code of Conducts for UGC/ HEIs; (iii) grievance redressal mechanism; and (iv) implementation report.

III. Operational Definition of Gender Based Violence (GBV), Sexual Exploitation Abuse/Sexual Harassment) SEA/SH

Gender Based Violence: The Inter-Agency Standing Committee Gender-based Violence Guidelines (2015) defines gender-based violence as “an umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed gender differences.”¹ It can thereby occur in a variety of different ways, including through the infliction of physical, mental, and sexual harm or suffering, threats of such acts, as well as coercion and other deprivations of liberty, such as early or forced marriage, economic abuse and denial of resources, services and opportunities, trafficking and abduction for exploitation, and Intimate Partner Violence (IPV) perpetrated by a former or current partner.

The same document further goes on to distinguish between sexual exploitation, sexual abuse and sexual harassment. While GBV manifests in multiple types of violence, project-related risks of GBV are most likely to include:

- **Sexual exploitation and abuse (SEA):** SEA refers primarily to
 - **Sexual exploitation:** 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:** actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions
- **Sexual harassment (SH):** any unwanted sexual advances; requests for sexual favors, sexual physical contact, sexual verbal or non-verbal harassment, such as phone calls, emails and text messages with sexual content or the display of unwanted sexual material.

IV. Potential Project-Related GBV, SEA/SH

➤ **Possible GBV, SEA/SH issues for NEHEP / HEIs**

As mentioned above, GBV 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. GBV includes acts that inflict physical, mental, sexual harm or suffering; threats of such acts; and coercion and other deprivations of liberty, whether occurring in public or in private life. By and large, GBV disproportionately affects women and girls across their lifespan and takes many forms, including sexual, physical, and psychological abuse. It can occur at home, on the streets, in colleges and schools, workplaces, etc. at different circumstances.

¹ 2015 Inter-Agency Standing Committee Gender-based Violence Guidelines.

Since the beneficiary organizations of NEHEP are HEIs across the country, it becomes important to contextualize GVB and SEA/SH as per the nature and work place environment of the concerned HEIs.

➤ **Potential Project Related SEA/SH Risks and Scenario**

- Abuse of power and discrimination by senior staff and academicians or project related professional staff/consultants.
- Abuse of power, including sexual exploitation, abuse and bullying, in hiring, employment, and retention practices (i.e. Faculty-Student, Student-Student and Student – Faculty)
- Abuse of power in dissemination of accurate information on available services and avenues for grievance redress
- Absence of a mechanism in the beneficiary HEIs where grievances can be heard and addressed
- Absence of dedicated focal points within HEI structures to administer SEA/SH issues and allegations.

V. Key Mitigation Measures to Address GBV & SEA/SH Risks

- i. The UGC is committed to facilitating the creation and maintenance of a safe and dignified working environment where all persons who are engaged in HE programs and activities can work and learn together in an atmosphere free of all forms of harassment, exploitation, or intimidation.
- ii. Every member of the HEI and UGC should be aware that sexual harassment and sexual violence are totally unacceptable, and that such behavior violates both prevailing laws and UGC policy. It is essential to sensitize staff of both UGC and HEIs regarding SEA/SH risks and the project mitigation measures. The concerned HEI shall be responsible to set up a system in place that has specific procedures to respond promptly and effectively (the GRM is the response mechanism that has a separate focal point to manage SEA/SH cases)
- iii. Equally important is the existence of a system, should any SEA/SH incidence occur in a HEI, that allows people (including survivors, witnesses to an incident) with appropriate consent from survivors to submit a complaint to the concerned authority within the HEI without any fear of intimidation or backlash. UGC will facilitate in creating a Grievance Redressal Mechanism (GRM) at the beneficiary HEIs as per

their need, context and characteristics. Also, the existing GRM of UGC will be strengthened by embedding SEA/SH components in it and ensuring that project related SEA/SH procedures are addressed.

- iv. Establishment and or strengthening of GRM mechanism at all HEIs and their linkage with the main project GRM at UGC.
 - The HEI GBV focal points will report and share GBV data, issues and cases addressed at HEI level, to the UGC Focal Point within the GRM Committee. (A GRM coordination committee is planned within the UGC GRM system where the HEI Focal Points will participate in committee meetings regularly)
 - Create a standard operating protocol on receiving, registering, referring and responding to SEA/SH cases
- v. Preparation of pamphlet/booklet/poster on specific locations with contact details.

VI. Key Components of SEA/SH Prevention and Response Action Plan

Where relevant, the Action Plan will build on the existing mechanisms within the beneficiary HEIs, as they are most likely to be grounded in their own unique experiences and characteristics.

In addition to building on existing GBV prevention and response systems operating on the ground, UGC will facilitate in implementing additional GBV/SEA/SH risk mitigation measures in alignment with requirements articulated within the WB Good Practice Note on Addressing Sexual Exploitation and Abuse and Sexual Harassment. These measures include:

- Forming an expert group of professional service providers² at UGC for ensuring effective implementation of GBV/SEA/SH risk management requirements;

² Professional service providers are members of the project Environmental and Social team that includes Prof. Dr. Bhim Prasad Subedi, Prof. Dr. Sagar Raj Sharma, Prof. Dr. Rejina Maskey, Prof. Dr. Madan Koirala, Prof. Dr. Iswar Maskey and Kapil Risal. The SEA/SH Focal Point is Kapil Risal until a new UGC staff is appointed. (Hiring of new staff is in the process)

- Designating a GBV Focal Point (personnel) from within the UGC who will refer GBV cases and take necessary steps for the case at hand;
- Raising awareness of different members of HEIs, including those in leadership positions, on WB's GBV requirements and SEA/SH issues;
- Organizing SEA/SH sensitization programs for academicians, administrative staff and professional service providers employed by the HEIs (as part of the stakeholder engagement activities), to hear from them on potential project risks and inform them about SEA/SH and reporting options;
- Embedding SEA/SH components in already existing Code of Conducts at UGC and HEIs
- Developing a Code of Conduct for HEIs (where necessary) on GBV and SEA/SH related issues;
- Strengthening the Grievance Redressal Mechanism (GRM) at UGC by embedding the SEA/SH issues in it;
- Strengthening the existing system of Monitoring GBV/SEA/SH risks and mitigation measures regularly throughout the project period;
- Reporting in every six months to WB.
- In case of an occurrence of an incidence, reporting to WB within 24 hours from the time, UGC focal point is informed about the incident.

SEA/SH Implementation Plan

	Purpose	Key Actions	Responsible Unit	Timeline	Budget (NRs)	Indicators	Ongoing Risk Mgmt	Remarks
Project Preparation								
1	An advisory/ guiding expert group of professional service providers ³ to provide information to the HEIs focal points	Formation of a core group	UGC	August 2021	20,00,000			UGC has formed an expert group as part of HERP. This group will continue for this program also.
2	Creating a focal point at UGC	Assigning a dedicated personnel/staff of UGC Orientation and regular update on SEA/SH issues to UGC and HEIs Focal Points	UGC		10,00,000	SEA/SH Focal Point on board the project	Regular training and support from the task team	Core group including professional service providers already formed and working on various project related tasks. Focal person to work as the main communication point with HEIs and WB

³ Professional service providers are members of the project Environmental and Social team that includes Prof. Dr. Bhim Prasad Subedi, Prof. Dr. Sagar Raj Sharma, Prof. Dr. Rejina Maskey, Prof. Dr. Madan Koirala, Prof. Dr. Iswar Maskey and Kapil Risal. The SEA/SH Focal Point is Kapil Risal until a new UGC staff is appointed. (Hiring of new staff is in the process)

	Purpose	Key Actions	Responsible Unit	Timeline	Budget (NRs)	Indicators	Ongoing Risk Mgmt	Remarks
3	Awareness raising of different members of HEIs, including those in leadership positions.	Organize interaction events with: A) the authorities of QAA certified HEIs B) the staff, academicians and professional service providers	UGC + Professional Service Providers + WB Professionals	During Project period – two events per year (June and December)	15,00,000	Minutes of the interaction events	Regular monitoring from the task team	The awareness raising activity is necessary before the project moves on to capacity building activity Depending on the number of HEIs more than one event may be necessary
4	Supporting HEIs in developing SEA misconduct response procedures	• Prepare Checklist • Provide information on the GBV services available in the area/ GBV service directory • Orientation on the GBV case management and reporting in line with survivor centred approach	UGC	April 2022	15,00,000	No. of HEIs using the checklist and following the procedures set by UGC	Regular monitoring and support to HEIs from UGC Support and guidance from task team	
5	Building capacities of HEIs to minimize risks of and respond appropriately to GBV and SEA/SH related issues	• Organizing Training for faculties and staff on handling and responding to SEA/SH issues • Preparing a guideline for development of	UGC+ Professional Service Providers + WB	(June and December) April 2022	10,00,000 2,00,000	No. of staff trained Training reports Feedback survey	Support for modules and presentations from the task team	To be conducted for individuals as well as institutions This may vary as per the characteristic of the HEIs

	Purpose	Key Actions	Responsible Unit	Timeline	Budget (NRs)	Indicators	Ongoing Risk Mgmt	Remarks
		Code of Conduct for HEIs	Professionals UGC+ Professional Service Providers+ HEIs					
6	Mapping of GBV service providers for prevention and response in project area	- Field Consultation with the local stakeholders to assess and identify existing GBV service providers - Assess the capacity of the local service providers to provide survivor centric approach including a proper GBV case management system, linkage with the other GBV service providers - Linkage and coordination with the	UGC/SEA/SH Focal Point	Preparation Implementation		Directory of organizations Quality assessment of service provider	Update mapping as appropriate Task Team guidance/support as necessary	

	Purpose	Key Actions	Responsible Unit	Timeline	Budget (NRs)	Indicators	Ongoing Risk Mgmt	Remarks
		toll-free 24-hour helpline “Khabar-Garau 1145” and National GBV service directory ⁴						
7	Develop Codes of Conduct for UGC and a model CoC for HEIs to adopt from		UGC, SEA/SH Focal Point Technical support by Task Team	Preparation		UGC has its own CoC as well as a separate CoC for HEIs Code of conduct incorporated into contracts, job descriptions, terms of reference and performance appraisal system	Support from task team as required	•
Project Implementation								
9	Strengthening Grievance Redressal Mechanism (GRM) at UGC and the beneficiary HEIs	- Operationalizing the existing GRM at UGC - Information dissemination on GRM procedure - Outreach of the GRM re: GBV and	UGC/ Focal Point HEIs	August 2021 Within first two years of project inception	- - 1,00,000	- No. of personnel associated with GRM trained - No. of service providers informed about and linked with GRM	Ongoing monitoring and reporting	

⁴ <https://nwchelpeline.gov.np/service-mapping>

	Purpose	Key Actions	Responsible Unit	Timeline	Budget (NRs)	Indicators	Ongoing Risk Mgmt	Remarks
		SEA/SH while informing about GRM to wider mass Approving COCs for implementation • Provide appropriate referral to complainants • At project level, select one woman member as first point of contact for SEA/SH survivors and provide appropriate training to them • Proper documentation is maintained for complaint registration and management	UGC/ HEIs			• No. of SEA/SH cases reported to GRM • No. of SEA/SH cases outcome/ results		
10	Establishing GRM mechanisms at HEIs that also address SEA/SH within the GRM procedures	Input SEA/SH components in GRM at HEIs that don't already have GRMs in place Information dissemination on	UGC/ HEIs	Within first two years of project inception	4,50,000			

	Purpose	Key Actions	Responsible Unit	Timeline	Budget (NRs)	Indicators	Ongoing Risk Mgmt	Remarks
		SEA/SH while informing about the overall GRM mechanism to wider mass						
11	Implement appropriate project-level activities to reduce SEA/SH risks prior to civil works (the project will have minor civil works)	- Have separate, safe and easily accessible facilities for women and men working on the HEIs and UGC - Visibly display signs around UGC and the HEIs (if applicable) to prohibit GBV/SEA/SH in the area. - As appropriate, public spaces around the HEIs and UGC grounds should be well-lit.	UGC/ Gender Focal Point	During implementation –		Documentation of measures taken to reduce SEA/SH risks		
12	Monitoring of GBV/SEA/SH mitigation measures at HEIs	Develop checklist with SEA/SH components - Desk monitoring (reviewing relevant documents, communications, etc. from HEIs) - Site visits	UGC and Universities	June 2022 In a periodic manner As and when required	30,00,000	Monitoring reports	Backstopping support from the task team	

	Purpose	Key Actions	Responsible Unit	Timeline	Budget (NRs)	Indicators	Ongoing Risk Mgmt	Remarks
		Interaction with stakeholders						
13	Reporting and communicating		UGC/ Focal Point	Every six months to WB Within 24 hours from the time UGC focal point is informed about the incident		Reports		UGC will communicate and report to WB in the agreed format and timeline

VII. Monitoring and Evaluation

Monitoring

The overall activities will be monitored by the UGC throughout the program implementation period. For this, a dedicated unit of UGC supported by an expert group of professional service providers will be responsible. This unit will collect information related to the SEA/SH components through the developed checklist and other monitoring methods mentioned below.

The major approaches for the monitoring may be:

- a) Compliance monitoring: to ensure that the beneficiary Universities/HEIs are complying with the norms, standards, provisions and procedures defined by SEA/SH code of conducts prepared by UGC, and
- b) Results Monitoring: to ensure that the program activities are well aligned with the predefined targets.

Monitoring methods: UGC will follow the following monitoring methods:

a) Desk Monitoring

The desk monitoring will be performed through designing of the data collection indicators and relevant tools, identifying verification testimonials for data validity, developing data processing system, defining data collection methodologies, defining data collection and reporting timeframe etc. as initial activities. These activities will be make SEA/SH specific that would define the master framework for monitoring. The collection of data and documents will be followed by verification for validity on the basis of the preset protocol. The verified data will then be processed to extract the relevant information.

b) Field Observation

The collected information will be periodically verified through physical observations by conducting field visits to the beneficiary Universities/HEIs to see if SEA/SH protocols and code of conducts have been properly followed. Technical facilitations will also be an integral part of the field based monitoring. The monitoring team assigned by UGC will among others, physically observe the relevant SEA/SH aspects of the beneficiary HEIs at the time of the monitoring visits. The team will conduct interactions, interviews, and other approaches to collect information as per the need.

Evaluation

The UGC, as the primary implementing agency will conduct and coordinate evaluation activities of the program. It will conduct various observation visits, surveys, evaluation studies, and needs assessments for the effective implementation and evaluation of the SEA/SH related actions as explained in the Program Action Plan (PAP) and as per the need.

VIII. Communication and Reporting

The UGC will communicate to the WB as and when required in the agreed format and timeline. The World Bank will be informed by the UGC focal point within 24 hours from the time of getting information about any occurrence of SEA/SH related incident.