



NEXTGEN PUBLIC ADVANCEMENT (NPA)

(Non-Governmental Organization, Reg. No OONGO/R/9509)

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POLICY OF MISCONDUCT

ABSTRACT

The NPA policy of misconduct is the set of regulations and agreed rules by the organization, which defines the limitations of its members, leaders or partners. It is used to protect the NPA's integrity, ensures accountability and builds trust with stakeholders. It empowers people to report unethical behavior safely and helps prevent abuse, fraud and reputational damage of the NextGen Public Advancement as an institution.

PURPOSE

This policy aims to uphold the highest standards of integrity, safety, and accountability within NPA which dedicated to enabling children and young people through education, upbringing, and counselling so they can achieve their full potential based on justice and social well-being with good mental and physical health. The policy ensures that misconduct is identified, reported, and addressed swiftly and fairly. It provides a clear framework for identifying, reporting, and addressing misconduct to protect and safeguarding our beneficiaries, staff, stakeholders, and the communities we serve.

SCOPE

This policy applies to all individuals associated with the NextGen Public Advancement (NPA), including:

- Members
- Leaders/the management
- Employees
- Interns
- Contractors and consultants
- Partner organizations
- Community collaborators

DEFINITION OF MISCONDUCT

Misconduct refers to any behavior that violates the law, organizational policies, or ethical standards. It is unacceptable or improper behavior, especially by an employee or professional persons specified in this NPA misconduct policy.

Minor misconduct implies the act of working inefficiently or not delivering work on time.

Gross misconduct: NextGen Public Advancement considers the following as gross misconducts:

- Child abuse or neglect (physical, emotional, or sexual)
- Sexual exploitation and abuse.
- All forms of exploitation of beneficiaries and abuse especially to children and youth.

- Fraud, bribery and corruption, including falsification of records, expense claims, plagiarizing documents, nepotism among others.
- Theft, willful damage or misappropriation of funds/resources or other NPA's property.
- Fighting or physical assault on staff members, volunteers, Board members, members of the public, whether on business or on your own private time.
- Serious negligence which causes NextGen Public Advancement unacceptable loss or injury, including negligence in delivering and promoting organizational goals and mission.
- Harassment or discrimination based on gender, age, disability, ethnicity, or religion.
- Breach of confidentiality, especially regarding sensitive health or personal data.
- Substance abuse or inappropriate behavior while on duty.

If after an investigation and hearing is undertaken, and NextGen Public Advancement is satisfied that gross misconduct has occurred then the result will normally be summary dismissal without notice or payment in lieu of notice.

CHILD PROTECTION COMMITMENT

Provided that the NPA goals align on children and youth, enforces a ***zero-tolerance policy*** towards any child abuse or exploitation. All staff and volunteers must:

- Undergo background checks.
- Receive child safeguarding training.
- Report any suspicion or evidence of abuse immediately.

REPORTING MECHANISMS

- Reports can be made to the Chief Executive Officer, General secretary, Chairperson or via our confidential email: info@npatanzania.or.tz
- Anonymous reporting is permitted.
- All reports will be treated with strict confidentiality and urgency.

INVESTIGATION AND RESPONSE

- All allegations will be investigated promptly, fairly, and impartially.
- Investigations will involve interviews, evidence review, and collaboration with relevant authorities if needed.

- Outcomes may include disciplinary action, termination/dismissal, or legal referral to higher legal authorities.

1. Principles

- i. All instances of alleged gross misconduct will be investigated and a decision made as soon as possible.
- ii. No member/individual will be dismissed for a first breach of discipline except in the case of gross misconduct where the penalty will be dismissal without notice or payment in lieu of notice.
- iii. In a period of 72 hours prior to formal hearings and an investigation, individuals will be informed about the nature of the complaint against them in writing. They will be invited to a meeting and will be given the opportunity to state their case before any decision is made.
- iv. At all stages of the formal procedure an alleged personnel or member will have the right to be accompanied by a work colleague.
- v. During the formal disciplinary hearing, the disciplinary committee appointed by the chairperson will be the main prosecutors.

2. Informal Stage

For all minor problems, informal discussions between the alleged and the Chairperson/vice-chairperson, or CEO will take place. During this stage, the prosecutor will develop a work plan with the respondent/suspect to work towards improving their performance. This work plan shall include clear deliverables and expectations so that progress can be tracked. The prosecutors can seek the support and advice of the other board member if they are unsure how to address the issue. In some circumstances, where after the informal stage has been completed, and the required improvement has not been achieved or sustained, a suspect/respondent may be informed that the formal procedure will be initiated.

3. Formal Disciplinary Procedure

A full and thorough investigation into allegations of gross misconduct will be carried out. The purpose of the investigation is to establish facts and to decide if it is appropriate to establish a disciplinary procedure. If a disciplinary procedure is conducted then it will be arranged without undue delay and the respondent will be notified in writing. Such notification will include a clear statement of the allegations/complaints which have been investigated and copies of any

relevant information. If the process involves actions regarded as gross misconduct, then the respondent must be notified that the process may result in his/her dismissal. Suspect must be informed of the date and place of their hearing at least 72 hours in advance.

4. Formal disciplinary hearing

In all cases a formal hearing should be held within seven days where possible and concluded within one month. The purpose of the hearing is to establish the facts of the case, to give the suspect the opportunity to state their case and to reach a decision on the basis of the information that is available. When the evidence has been presented, the hearing will be adjourned and the decision will be made whether or not the allegations have been substantiated. A decision will be made on the basis of the evidence, the seriousness of the misconduct, and any current warnings.

Courses of action include: no action, or to issue a disciplinary sanction, including immediate dismissal or suspension. If there is an incident that is regarded as gross misconduct, dismissal/termination and/or legal referral will normally be the result. Only the General Assembly's agreement can ratify members termination, where the Board meetings can ratify the decision to break/end contracts, partnerships or employment. The suspect/member will be provided in writing the reason for dismissal/termination and the date on which their status will be ceased.

PROTECTION FROM RETALIATION

Whistleblowers and those who report misconduct in good faith are protected from retaliation. Any retaliatory behavior will itself be treated as misconduct.

TRAINING AND AWARENESS

- All personnel must complete mandatory training on this policy and child safeguarding.
- Refresher sessions will be held annually or as needed.

POLICY REVIEW

This policy will be reviewed annually to ensure it remains aligned with legal requirements, best practices, and the evolving needs of the communities we serve.