



Guidelines for Accreditation of Service Provider 2017
National Commission for Women and Children
Royal Government of Bhutan

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PART A: PROCEDURAL ASPECTS

CHAPTER1: PRELIMINARY

Short Title

1. This guideline must be called the Guidelines for Accreditation of Service Provider.

Commencement

2. The guidelines must come into force on the 17th Day of the 11th Month of Fire Female Rooster Year of the Bhutanese Calendar corresponding to the 3rd Day of January, 2017.

Statutory Authority

3. This guideline operationalizes the Domestic Violence Prevention Act 2013 (DVPA), the Domestic Violence Prevention Rules and Regulations 2015 herein after referred to as DVPR&R and the Child Care and Protection Rules and Regulations 2015 herein after referred to as CCPR&R.

Purpose

4. The purpose of accreditation of the Civil Society Organizations (CSOs) as service providers is to ensure immediate and effective assistance to victims of domestic violence and women and children in need of protection and care. It is also to ensure that CSOs render quality services to victims of domestic violence, and women and children in need of care and protection and to streamline the procedures to ensure transparency and accountability.

Application

5. This guideline must apply to all matters relating to accreditation of service providers rendering services to victims of domestic violence and women and children in need of care and protection.

CHAPTER 2: Guiding Principles

6. The Service Provider must promote victims of domestic violence, women and children's rights and adopt woman and child centered approach to its practice. The practice must involve:
 - a) Listening to and respecting what victims of domestic violence and women and children in need of care and support have to say;
 - b) Talking with and providing information where necessary, in a way which is appropriate for the child's development, understanding and capacities;
 - c) Focusing on the victims of domestic violence and woman and child's needs and rights;
 - d) Trying to see the world from the perspective of the victim of domestic violence and woman and child in need of care and protection;
 - e) Acknowledging and believing that the victims of domestic violence and woman and child in need of care and protection is the primary client;
 - f) Seeing the victims of domestic violence, woman and child as an individual person as well as a member of a group; and
 - g) Working with the victims of domestic violence, woman and child in a way, which encourages their participation to build on their strengths and own resources, and empower them to make decisions.

7. If any changes are made to any of the aforementioned, the management of the Service Provider must submit a copy of the new document to the Competent Authority.
8. In all decisions and actions taken, the best interests of the victim of domestic violence or woman or child must be of primary consideration, unless to do so would be contrary to the best interests of the victim of domestic violence and woman or child in need of care and protection.
9. The rights of the victims of domestic violence, women and children must be respected at all times.
10. A Service Provider must ensure that victims of domestic violence or woman or child in need of care and protection is not discriminated based on the grounds of race, sex, language, religion, political and other status but not limiting to this.
11. The consent of the victim of domestic violence, if adult or a woman must be sought before any decision or action is taken concerning the victim.
12. If a child, while the consent of the parent/s or legal guardian is sought before any decision or action is taken concerning the child, the child must also be consulted based on the determination of the child's capacity as per Rule 92 of the CCPR&R.
13. The Service Provider must come up with a policy relating to confidentiality. The confidentiality may be breached only when it becomes necessary and is in the best interest of victim of domestic

violence or women and children in need of care and support.

14. The physical, mental and emotional needs of the victims of domestic violence, women and children in need of care and protection must be met based on sex and age.
15. The service provider must ensure to meet the needs of disabled person.

CHAPTER 3: ACCREDITATION

Application for Accreditation by a new Civil Society Organization

16. A service provider seeking for new registration as a Civil Society Organization must submit an application to the Civil Society Organization Authority as per the standard outlined in the Civil Society Organization Act 2007. In addition the service provider must submit all the required documents as per Rules 68 and 69 of the CCPR&R along with application.
17. The Civil Society Organization Authority must on receiving an application forward the application proposal and any additional documents to the Competent Authority for review within ten working days as per Rule 71 of the CCPR&R.
18. The Competent Authority must carry out a thorough review of the application, proposal and any other relevant documents within thirty working days as per Rule 72 of the CCPR&R.
19. The Competent Authority may recommend to the Civil Society Organization Authority to approve such application to provide specified services to victims of domestic violence and women and children in need of care and protection, if determined that criteria as per the CCPR&R and DVPR&R have been fulfilled.
20. In accordance with the Rule 73 of the CCPR&R, the Civil Society Organization Authority may upon receiving recommendation for approval from the Competent Authority, process for registration of the applicant as per Civil Society Organization Act of Bhutan 2007.

Application for Accreditation of Registered Civil Society Organization

21. The registered Civil Society Organization must submit the application for accreditation as service provider to the Competent Authority along with Annexure 1 as per Rule 49 of the DVPR&R and Rule 70 of the CCP R&R.
22. The application must be in writing and bear the seal and sign of the Head of the service provider.
23. The service provider must maintain a written statement of the purpose of the services, which must be reviewed by the management and staff of the service provider annually and a copy of which must be provided to the Competent Authority. This must include the following in accordance with the provisions under the CCPA, DVPA, CCPR&R, DVPR&R and this Guideline:
 - a) Description of policies for the management and operation of the services;
 - b) List of Board members and bye laws for the establishment and functioning of the Board;
 - c) Victims of domestic violence and women and children protection policy;
 - d) Procedures for provision of referral;
 - e) Services offered;
 - f) Eligibility requirements of the staff;
 - g) Staffing pattern;

- h) Financial statements, including source of funding;
- i) Procedures on maintaining confidentiality and disclosure of information;
- j) Internal service rules as per the Labour and Employment Act of Bhutan 2007 and approved by the Chief Labour Administrator, Ministry of Labour and Human Resources;
- k) Detailed protocol on the management of database of all other services available;
- l) Detailed plans for trainings and other vocational skills that will be provided to victim of domestic violence and women and children in need of care and protection;
- m) Detailed outline of the content of the awareness program for general public; and
- n) Participation policy to ensure the involvement of victims of domestic violence and women and children in need of care and protection.

24. The application must be supported by a detailed proposal including the statement of purpose along with the following documents:

- a) Certificate of the service provider issued by the Civil Society Organization Authority;
- b) Letter of recommendation from relevant government agencies, which will not be applicable to new CSOs;

- c) Detailed description of the services the civil society organization intends to provide;
 - d) Background and qualification of the Social Welfare Officer;
 - e) Outline of activities which are consistent with the aims and objective of the DVPA and CCPA; and
 - f) Financial statement or proof of financial sustainability of the Service Provider evidencing its financial capacity.
25. Upon receipt of the application the Competent Authority must examine the validation of the documents and conduct a physical assessment.
26. The Competent Authority must refer the application to the Review Committee for its recommendation within ten working days, if the application is in conformity with the guidelines as per Annexure 2.

Review Committee

27. The review committee must:
- a) Review the detailed proposal submitted to the competent Authority for Accreditation;
 - b) Submit recommendation to Commission for Accreditation; and
 - c) Any other as deemed necessary.

28. The review committee must comprise of the following members:
- a) Head of the Secretariat as the Chairperson;
 - b) A representative of Civil Society Organization Authority as member;
 - c) Representative from relevant agencies; and
 - d) Relevant officers from the Competent Authority as member (one officer as member secretary).
29. The decision of the review committee must be made available to the applicant in not less than twenty one working days as per Rule 53 of the DVPR&R

Conflict of Interest

30. Any member of the Commission or the Committee must declare conflict of interest, if any, as per Annexure 3 of the guidelines.

Award of Certificate of Accreditation

31. The Review Committee after reviewing must thereof submit it before the Commission of the Competent Authority for its consideration and approval.
32. The Commission of the Competent Authority must review the application and award the approval within twenty one working days with regard to services to victims of domestic violence, women and children in need of care and Protection.
33. The Competent Authority must issue the certificate of approval to the approved service provider.

34. The Competent Authority must issue a public notification on the approved service provider through the official website of the Competent Authority and the media.

Review and monitor the accreditation

35. The service provider must submit an annual summary of their programs and activities to the Competent Authority two weeks prior to the review conducted by the review committee.
36. The service provider must submit an annual report to the Competent Authority
37. The Competent Authority must conduct monitoring visit from time to time.
38. The service provider must maintain the feedback received as per Annexer 4 of the guideline.

Renewal of the accreditation

39. The accreditation of the service provider rendering services for victims of domestic violence, women and children in need of care and protection will be awarded with the initial certificate of approval. Thereafter, the service provider must renew the accreditation every three years.
40. The application for renewal must be submitted to the Competent Authority three months prior to the date of expiry.
41. The accredited service provider's certificate may be renewed as per Rule 55 of the DVP&R and Rule 75 of the CCPR&R, if the following criteria are met by the Service Provider:

- a) Proved its efficiency and effectiveness in providing services as per the CCPA and DVPA;
- b) Fulfills the basic requirements as per Rule 54 of the DVPR&R;
- c) Continued institutional capacity as per the required criteria under Rule 75(c) of the CCPR&R; and
- d) Any other requirement that the Competent Authority deems necessary.

The Competent Authority upon renewal of the services of the service provider must issue a notification to the CSOA and relevant stakeholders.

Receive and Review complaint

- 41. The Competent Authority may receive any complaints in writing against the accredited service provider.
- 42. The Competent Authority must, if there is legal basis within fifteen working days review the complaint and may give temporary suspension of the accreditation until the outcome of the review.

Suspension of the accreditation

- 43. The Competent Authority may at any time suspend the accreditation as per Rule 56 of the DVPR&R and Rule 76 of the CCPR&R, if the service provider contravenes any provision or fails to:
 - a) Comply with the detailed proposal which was the basis on

which the accreditation was approved;

- b) Appoint new social welfare officer without registering with the Competent Authority;
- c) Submit annual reports to the Competent Authority;
- d) Maintain record and report all the cases through CMIS;
- e) Maintain book of accounts;
- f) Maintain institutional capacity (including financial) to effectively fulfill its roles and responsibilities; or
- g) Fulfill any other requirements which the Competent Authority deems fit.

Revocation of the accreditation

44. The Competent Authority may at any time revoke the accreditation of the service provider as per Rule 57 of the DVPR&R and Rule 76 of the CCPR&R, if the service provider fails to:

- a) Rectify or make changes as per the suspension order within three months unless the service provider accreditation has been suspended based on force majeure;
- b) Prevent acts of corruption;
- c) Maintain a conducive environment for the safety of beneficiaries;
- d) Maintain confidentiality of the cases; or

- e) Fulfill any other requirements the Competent Authority deems fit.

Notice

- 45. The Competent Authority will serve in writing the notice of suspension or revocation to the service provider with a copy to the Civil Society Organization Authority as per Rule 58(a) of the DVPR&R and Rule 77 of the CCPR&R.
- 46. The Competent Authority upon the final decision must publish such notice of suspension or revocation of the particular service provider through public notification as per Rule 58 (b) of the DVPR&R and Rule 83 of the CCPR&R.

Appeal on temporary suspension

- 47. In the event if the appeal of the service provider is not approved, the Competent Authority must issue a notice of suspension and specify the condition for the repeal of suspension as per Rule 80 of the CCPR&R.
- 48. The service provider must be required to fulfill the conditions of the notice of the interim suspension depending on the condition as set by the Competent Authority from the date of the receipt of notice as per Rule 81 of the CCPR&R.
- 49. If the service provider fails to comply with the conditions on the notice of temporary suspension within the given time period, the Competent Authority must issue the notice of revocation to the service provider as per Rule 82 of the CCPR&R.

Appeal

50. The appeal against the notice of revocation or suspension must be made in writing within ten working days from the date of notice being served to the review committee of the Competent Authority as per Rules 78 of the CCPR&R.
51. Upon the receipt of the appeal, the Competent Authority shall review and pass its decision with ten working days.
52. The service provider may file an appeal to the Commission of the Competent Authority against the decision of the review committee within ten working days from the date of decision issued by the review committee.
53. The Commission of the Competent Authority may dismiss or accept the appeal based on the appeal ground.
54. The decision of the Commission of the Competent Authority must be final.

PART B: TYPE OF SERVICES

CHAPTER 4: HELPLINE SERVICE

55. As per Rule 83 DVPR&R, the service provider providing helpline must have the following requirement.
56. A helpline must be operational 24 hours a day and available to victims of domestic violence, women and children in need of care and protection free of charge, preferably via an easy to remember 3 to 4 digit number.
57. It must be accessible to victims of domestic violence, women and children through any relevant media, which may include:
- a) Telephone-landlines, mobile phones, SMS/text messaging and fax messages;
 - b) Internet-emails, web-posts, bulletin boards, chat rooms and library visits;
 - c) In person-outreach and walk ins;
 - d) Postal service-letters and free post;
 - e) Other-radio counseling, television counseling and other.
58. A helpline must ensure the continuity of care through integrated services and the development of inter-sectoral links between the helpline and other organizations.

Minimum Infrastructure

59. A helpline service must provide adequate space and physical structure as per the requirement, which must include but not

limited to:

- a) Phone with answering machine facilities;
- b) Computer and peripheral;
- c) Internet and server;
- d) Web/Mobile application and Database Management;
- e) Room having adjustable heating or cooling facilities, ventilation and lighting; and
- f) Administration and office space with secured storage facility to keep the files and other important document/evidence safe.

Minimum services

- 60. The helpline must have at least a minimum of two counselors with a supervisor per shift. Each shift should be a maximum of eight hours.
- 61. The helpline must determine the shift lengths with breaks in between the working hours as per the Labour and Employment Act of Bhutan but also taking into consideration the work load of the counselors to enhance the quality of their services.
- 62. The helpline may use a system where the calls are answered by one person who must then transfer the call to an available counselor/service provider to screen and prioritize calls.

63. The helpline must maintain record and data to ensure the continuity that can be provided to long term callers.
64. The helpline must refer cases to the concerned agencies as per the Standard Operating Procedure for Case Management for Women and Children in Difficult Circumstances.
65. The helpline must have detailed protocols to deal with certain types of calls and situations.
66. The helpline must have an outreach service to create awareness amongst victims of domestic violence, women and children in the streets, public areas, schools and other such place, and where necessary, teach children the helpline number and how to use it.
67. The staff answering the helpline must be trained and conversant with issues pertaining to domestic violence, women and children and also on referral procedures.
68. The helpline must promote the telephone number to enhance the number of clients using the helpline services.
69. The helpline must operate twenty-fours a day and the telephone line must only be allocated to serve for helpline purpose.

CHAPTER 5: LEGAL SERVICE

70. As per Rule 84 of the DVPR&R, the service provider providing legal service must have the following requirement.

Minimum Infrastructure

71. A legal service provider must provide adequate space and physical structure as per the requirement, which must include:

- a) Safe, secure and conducive environment with sitting arrangement for lawyer and clients having adjustable heating or cooling facilities, ventilation and lighting; and
- b) Administration and office space with secured storage facility to keep the files and other important document/evidence safe.

Minimum services

72. The lawyers recruited by the service provider must be licensed to practice law by the Bar Council of Bhutan.

73. The legal services provider must provide legal representation or advisory to the clients on the legal rights as per the existing laws of the kingdom, including the possibility of taking legal action or making a claim for compensation.

74. The legal services provider must refer the client to other service provider, if required, as per the Standard Operating Procedure for Case Management for Women and Children in Difficult Circumstances.

75. The legal services provider may provide free legal aid during all stages of legal proceeding on cases related to victims of gender

based violence and child victims of abuse, severe neglect and exploitation.

76. The legal services provider may link the case with the prospective lawyers or paralegal providing pro bono services to the victims of gender based violence and child victims of abuse, severe neglect and exploitation.
77. The representative of the client must meet in person the client in processing for judicial proceeding.
78. The representative must consider the opinion, views and concerns of victims during the appropriate stages of the proceedings.
79. The representative of the client must assist the client in understanding their legal rights and making informed decisions, if the client is a child than the legal guardian of the child must be present during the meeting.
80. The representative must ensure that cases are adequately and diligently investigated, prosecuted and adjudicated.
81. The legal services provider must provide a quality and comprehensive free legal services to victims of cases relating to abuse, sever neglect or exploitation of child or domestic violence.
82. The legal services provider must assist the victims of cases relating to abuse, severe neglect or exploitation of child or domestic violence cases in developing materials/preparing for the cases where the victims want to proceed pro se (on their own).

83. The legal services provider must be in a position to link with other government and non-government agencies to facilitate access to remedies for effective assistance, shelter homes, counseling and protection to the victims.

CHAPTER 6: COUNSELING SERVICES

84. As per Rule 80 of the DVPR&R, the counseling service provider must align with the ethical standards and other codes and procedures maintained by the Bhutan Medical and Health Council (BMHC) and Bhutan Board of Certified Counselors (BBCC).

Minimum Infrastructure

85. A counseling services provider must provide adequate space and physical structure as per the requirement, which must include but not limited to:

- c) Counseling room with adjustable heating or cooling facilities, ventilation and lighting;
- a) Safe, secured and conducive environment with sitting arrangement of counselor and clients; and
- b) Administration and office space with secured storage facility to keep the files and other important document/evidence safe.

Minimum services

86. The counsellor recruited by the service provider must be accredited by the Bhutan Board of Certified Counselors.

87. The service provider must develop an internal protocol which must include and ensure that the counselor has:

- a) Required qualification, experience and training;
- b) Supervisor to supervise the counsellor, if newly appointed in the counseling services;

- c) Access to continued capacity building of the counsellors to meet the needs of the clients; and
- d) Knowledge to provide services in accordance with the best practices, legislative requirement and as per the standards set by the BMHC and BBCC.

CHAPTER 7: REHABILITATION SERVICES

88. Any registered Civil Society Organization working for the rehabilitation of those children who were in conflict with the law as per Rule 66 and 67 of the CCPR&R must focus on assisting the child in making them a productive members of the community by enabling them in carrying out both constructive and productive roles in society.
89. Services for children in conflict with law must be accessible to both post release and also those who have been given alternative measures.

Minimum Infrastructure

90. A Rehabilitation service provider must ensure adequate space and physical structure as per the requirement, which must include:
- a) Safe, secured and conducive environment with sitting arrangement; and
 - f) Administration and office space with secured storage facility to keep the files and other important document/evidence safe.
91. Rehabilitation service provider may have Rehabilitation centers and the standard of the center must be as per the minimum standards of the Guidelines for Accreditation and Management of Shelter Homes for Women and Children in Difficult Circumstances

Minimum services

92. The rehabilitation service provider must focus more towards reintegrating the child back into the society and to prevent future offense.

93. The rehabilitation services for children who have been given alternative sentencing must have the following programs to:

- a) Provide the assistance required to correct the existing offensive/inadmissible behavior of the child;
- b) Monitor the child while doing the community work as an alternative measure;
- c) Focus on reintegrating the child back into the society and to prevent future offences;
- d) Oversee that the child follows orders issued by the court or the competent authority;
- e) Provide counseling to the parents of the child; and
- f) Provide necessary assistance to ensure that children who came in conflict with the law can continue their studies/education.

94. The rehabilitation services for children after post release from prison must have programs to:

- a) Access to livelihood opportunities as per the child's need
- b) Enrolment into formal vocational and technical training center as per the child's abilities. The vocational training

program must be certified by the MoLHR;

- c) Continue education admission as per the child's need and abilities;
- d) Awareness program for general public;
- e) Oversee that the child follows orders issued by the court, if released on conditional discharge;
- f) Provide counseling to the parents of the child; and
- g) Financial assistance aid as per the child's need.

95. The rehabilitation service provider in coordination with the relevant stakeholders may carry out research or assessments on the situation from time to time.

CHAPTER 8: MISCELLANEOUS

96. Any registered civil society organization desiring to provide shelter services must be accredited as per the Guidelines for Accreditation and Management of Shelter Homes for Women and Children in Difficult Circumstances.
97. Any registered civil society organization desiring to provide health services must be accredited as per the procedure set by the Ministry of Health.
98. The Competent Authority must facilitate in mobilizing budget for the service provider.
99. The Competent Authority must provide technical backstopping and support to the service provider.

Definition

‘Accreditation’ means the act of granting recognition, for services provided by Civil Society Organization.

‘Competent Authority’ means the National Commission for Women and Children (NCWC).

‘Civil Society Organization’ (CSO) means an organization registered under the Civil Society Organization Act of Bhutan 2007.

‘Service Provider’ means the civil society organization accredited by the competent authority for the purpose of providing any kind of services to women and children including but not limited to:

- a) Shelter services;
- b) Helpline service;
- c) Counseling services;
- d) Legal services ;
- e) Rehabilitation services;

‘DVR&R’ means the Domestic Violence Prevention Rules and Regulations of Bhutan 2015

‘CCP R&R’ means the Child Care and Protection Rules and Regulations of Bhutan 2015

‘Social Welfare Officer’ means the officers of the Civil Society organization designated under the CCPA and DVPA