

**Uttaran**

# Data Management and Protection Policy

**Community Mobilization**

**Poverty Eradication**

**Environmental Justice**

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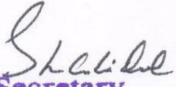
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Date: 02 November, 2020 Approved by on behalf of executive board	Shahidul Islam Sarder MD Rezaul Karim Director Chairman
Recommended by	Zahid Amin Shashoto, Project Coordinator

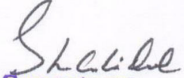
  
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## Definitions

**Anonym station** means the process of modifying data sets, making it permanently impossible to identify individuals.

**Data Breach** means a breach of security leading to the accidental or unlawful destruction, loss or alteration of – or to the unauthorized disclosure of, or access to – Personal Data transmitted, stored or otherwise processed.

**Data Controller** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data.

**Data Processor** means an saturator legal person, public authority, agency or other body which processes personal data on behalf of the Data Controller.

**Data Subject(s)** means a natural person (i.e. an individual) who can be identified, directly or indirectly, in particular by reference to Personal Data.

**Data Transfer** mean any act that makes Personal Data accessible, whether on paper, via electronic means or the internet, or any other method to any Third Party not LinkedIn way or another to UTTARAN.

**International Organization(s)** means an organization and its subordinate bodies governed by public international law, or any other body which is set up by, or on the basis of, an agreement between two or more countries.

**Personal Data** means any information relating to an identified or identifiable natural person. This may include an identifier such as a name or audio-visual materials, an identification number, location data or an online identifier; it may also mean information that is linked specifically to the physical, physiological, genetic, mental, economic, cultural or social identity of a Data Subject. The term also includes data identifying or capable of identifying human remains.

**Processing** means any operation or set of operations—by automated and other means—that is performed upon Personal Data or sets of Personal Data, such as collecting, recording, organizing, structuring, storing, adapting or altering, retrieving, consulting, using, disclosing by transmitting, disseminating or otherwise making available, aligning or combining, or erasing.

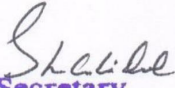
**Recipient** means Third Party, public authority, agency or other body – that is, someone or something other than the Data Subject or Uttaran– to which the Personal Data is disclosed.

**Sensitive Personal Data** means specific Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and genetic Data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

**Third Country** means any other country or jurisdiction outside of Switzerland.

**Third Party** means a natural or legal person, public authority, agency or body other than the Data Subject or Uttaran.

  
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## 1. Introduction

Uttaran is committed to safeguarding and protecting personal data of private individuals. Uttaran is aware of the risks involved, and of the importance of having appropriate data protection standards in place.

Uttaran needs to gather and use certain information about individuals. these can include Uttaran, donors, suppliers, business contacts, visitors to Uttaran building, employees and other people the organization has a relationship with or may need to contact.

Safeguarding the personal data of all these persons is an essential aspect of protecting people's lives, integrity and dignity. the processing of personal data touches all areas of Uttaran's activity, whether operational or administrative.

This policy describes the principles to be followed when processing personal data. it also describes how these principles should be implemented and what needs to be done in case of a data transfer and personal data breach event in order to comply with reporting requirements.

The aim of this policy is to a) comply with national and international data protection laws and regulations, b) protect the rights of data subjects c) protect Uttaran from the risks of data breach, and d) protect Uttaran from undesired legal sanctions which may include hefty fines.

Defined terms appear in Capital letters through out this Policy and are defined in the **Definitions section**.

## 2. Purposes of the Policy

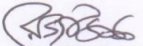
This Policy applies to Personal Data processed by Uttaran. It applies to: staff members of the Uttaran including staff, individuals seconded by other organizations and volunteers regardless of location and office type, other Uttaran stakeholders, anyone Processing Personal Data under the name of Uttaran or using the Uttaran logo or anyone using IT tools or systems provided by the Uttaran, collectively referred to as "Uttaran Personal Data Users".

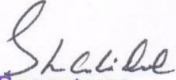
This Policy comprises the inter nationally accepted data protection principles without replacing the existing national laws. It supplements the national data protection laws. The relevant national law will take precedence in the event that it conflicts with this Policy or it has stricter mandatory requirements than this Policy. In particular, the reporting requirements for data Processing under applicable national laws must be observed. The content of this Policy must also be observed in the absence of corresponding national legislation.

## 3. Principles of data processing

### 3.1 Data lawfulness and fair Processing

Uttaran processes Personal Data in a lawful and fair manner in relation to the Data Subject. Uttaran only processes Personal Data wither spectator this Policy and applicable laws. In order to do so Uttaran ensures that a legal basis of Processing Personal Data exists such as the following:

  
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### 3.1.1 Consent of the Data Subject

Uttaran ensures that consent is obtained from the Data Subject prior to Processing Personal Data. This consent is obtained in writing or electronically for the purposes of documentation and is valid only if given voluntarily. If, for any reason, the consent of the Data Subject is not given before Processing Personal Data, it should be secured in writing as soon as possible after the beginning of the Processing. Uttaran takes particular care in Processing Sensitive Personal Data and will only do so with prior written consent of the Data Subject.

### 3.1.2 Legitimate Interest of the Uttaran

Uttaran may process Personal Data without express consent if it is necessary to enforce a legitimate interest of Uttaran or a Third Party provided that interest is not overridden by the interests and rights of the individual. At Uttaran, legitimate interest exists where there is a relevant and appropriate relationship between Uttaran.

### 3.1.1 Contractual obligation

Uttaran may process Personal Data in order to enforce a contract entered into with the Data Subject or to comply with a contractual obligation.

### 3.1.4 Compliance with a legal obligation

In other cases, the Processing of Personal Data may be necessary to comply with applicable law.

### 3.1.5 Public interest

Uttaran may process Personal Data for the performance of a task carried out in the public interest or in the exercise of official authority vested in Uttaran.

## **3.2 Data transparent processing**

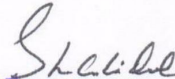
Either before or at the time of collection of any Personal Data, Uttaran is required to.

- inform Data Subjects about what kind of Personal Data Uttaran collects;
- the purposes of the Processing;
- the reason for collecting the Personal Data;
- the legal basis which is being relied upon;
- the Data Subjects' rights in relation to the Personal Data;
- security measures taken in relation to the Personal Data;
- whether Uttaran transfers Personal Data to third parties;
- the retention period and any potential transfers of Personal Data outside of Bangladesh.

## **3.3 Data restriction to a specific purpose**

When collecting Personal Data, Uttaran Personal Data Users determine the specific purpose(s) for which data is processed, and only process it for those purposes. All Personal Data collected should be clearly documented including the purpose for collection.

  
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### 3.4 Adequate and relevant data

The Personal Data handled by Uttaran must be adequate, relevant and limited to what is necessary in relation to the purpose for which its processed. This means that Uttaran Personal Data Users should not process Personal Data unless it is necessary to process it in order to achieve the purpose for which it was obtained.

### 3.5 Data Accuracy

Uttaran Personal Data Users must ensure that Personal Data kept on file is correct and kept up to date. In accurate or incomplete Personal Data should be rectified or deleted. The exception to this principle would be the case when a legitimate interest exists to retain Personal Data. Historical data, accurate at the time of collection can be kept for as long as it is required to be kept. Once historical data is no longer necessary it should be deleted.

### 3.6 Data Integrity and confidentiality

Uttaran Personal Data Users must treat Personal Data in a confidential manner. They must ensure that Personal Data is securely stored with suitable organizational and technical measures to prevent unauthorized or illegal Processing.

### 3.7 Data Retention, destruction and archiving of data

Uttaran keeps Personal Data for as long as it is necessary to perform its activities and as is required by applicable law. Personal data not useful for Uttaran should be deleted unless national legislation requires it to be retained for a certain period of time. Uttaran will also delete personal data if the data subject withdraws his or her consent for processing unless another legal basis of processing the personal data exists which prevents Uttaran from deleting the personal data. Uttaran may store Personal data for archiving purposes for a determined period compatible with applicable laws.

According to government rules Uttaran will preserve data/documents for 7 (seven) years after closing the projects/programs. However, some important cases Uttaran preserves the documents for more than 7 (seven) years. Uttaran practices better documentation process as well the organization preserves many important data/documents from the beginning.

## 4. Rights of the Data Subjects

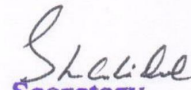
Uttaran respects rights conferred to Data Subjects to ensure protection of Personal Data. These rights include:

### Right to receive information

At a minimum, Uttaran Personal Data Users must provide the Data Subject with the following information when Personal Data is obtained:

- ✓ whether Uttaran is the Data Controller;
- ✓ the purpose of Data Processing;
- ✓ third-parties to whom the data might be transmitted;
- ✓ the existence of this present Policy;
- ✓ the focal point for questions/concerns or complaints.

  
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This information should be communicated to the Data Subject even in cases where the Personal Data was not obtained directly from the Data Subject.

### **Right to access to the data**

The Data Subject may request which Personal Data relating to him or her has been collected and stored, how the Personal Data was collected, and for what purpose. Requests from the Data Subject wishing to verify what Personal Data is held by Uttaran must be submitted in writing using the prescribed form

Disclosure of Personal Data should not be automatic. Uttaran Personal Data Users must consider all the circumstances surrounding the request for access and any restrictions to access that may be applicable. Access to Personal Data will only be given to the Data Subject if his or her identity can be verified.

### **Right to rectification of data**

If Personal Data is incorrect or incomplete, the Data Subject can request that it be corrected or supplemented. This will only be considered if the identity of the Data Subject can be verified. Upon verification of the allegation, Uttaran will make the necessary change(s). In certain circumstances historical data may need to be kept in accordance with **section 3.5 Accuracy**.

### **Right to erasure – “Right to be forgotten”**

The Data Subject may request his or her Personal Data to be deleted if the Processing of such Personal Data has no legal basis, or if the legal basis has ceased to apply. The same applies if the purpose behind the Data Processing has lapsed or has ceased to be applicable for other reasons.

However, the right to erasure does not apply, and Personal Data will continue to be retained:

- ✓ for the implementation of the Mission of Uttaran;
- ✓ if it serves a public interest;
- ✓ for historical, statistical and scientific purposes; or
- ✓ for the establishment, exercise or defense of legal claims;
- ✓ for other legitimate interests (legal and financial).

### **Right to Personal Data portability**

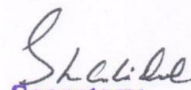
The Data Subject has the right to receive his or her Personal Data in a structured, commonly used and machine-readable format and has the right to transfer such Personal Data to another Data Controller provided the Processing was based on consent or was necessary for the performance of a contract and was carried out by automated means.

Where technically feasible the Data Subject may request Uttaran to transfer his or her Personal Data to another Data Controller.

### **Right to object**

The Data Subject may object at any time, on compelling legitimate grounds relating to their particular situation, to the Processing of Personal Data concerning them. Such objection will

  
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accepted if the fund a mental rights and freedoms of the Data Subject in question out weigh Uttaran's legitimate interests, or the public interest.

An objection to Personal Data Processing does not apply if a legal, contractual or financial provision requires the Personal Data to be processed.

### **Right to restriction of processing**

The Data Subject has the right to restrict the Processing of his or her personal data where there exists a particular reason for the restriction. This means that the Data Subject can limit the way that an organization uses his or her Personal Data. This may be because:

- ✓ the accuracy of the Personal Data is contested by the Data Subject;
- ✓ the Processing is unlawful and the Data Subject opposes the erasure of the Personal Data and requests the restriction of their use instead;
- ✓ Uttaran no longer needs the Personal Data for the purposes of the Processing, but the Personal Data is required by the Data Subject for the establishment, exercise or defense of legal claims;
- ✓ the Data Subject has objected to the Processing pending the verification whether the legitimate grounds of uttaran override those of the Data Subject.

### **Automated individual decision-making, including profiling**

The Data Subject has the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

## **5. Uttaran commitments**

### **Responsibility/Accountability**

It is the responsibility of Uttaran Personal Data Users to ensure that Personal Data processed for or on behalf of Uttaran, is in compliance with this Policy.

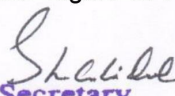
It is the responsibility of Uttaran Personal Data Users tonsure that Data Subjects:

- ✓ understand that Uttaran is bound by this Uttaran data protection policy to protect personal data of data subjects participating in Uttaran work;
- ✓ consent to their personal data being processed in the context of Uttaran work;
- ✓ agree that their personal data could be transferred to countries with laws that may not provide adequate level of protection .

Uttaran Personal Data Users will ensure that Third Parties they allow to process Personal Data:

- ✓ agree to use the personal data they access only in the context of Uttaran work;
- ✓ comply with this policy and applicable laws. this is so even when the Uttaran personal data users provide access to personal data to people within their network, third party or through social media, other online groups, chartrooms or bulletin boards etc.
- ✓ understand that they remain bound by these obligations with regard to Personal Data/work

  
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under taken while they were part of Uttaran even after their contribution to Uttaran work ends.

### **Uttaran Portals and tools**

Uttaran personal data users may have access to personal data in Uttaran portals. Uttaran personal data users undertake to use personal data exclusively for Uttaran work and will ensure that personal data under their responsibility is kept up-to-date, in the Uttaran portal and any other it too line which Uttaran personal data use rise required to enter personal data..

### **Arrangements with our partners (including consultants)**

In particular, when Uttaran collaborates with another entity in processing personal data, Uttaran personal data users should ensure that the responsibilities of all the parties concerned as described in this policy or applicable law are outlined very clearly and set out in a contract or other legally binding arrangement.

### **Data protection by design and by default**

In particular, while designing a database and drafting procedures for collecting Personal Data, the principle so data Processing and the rights of Data Subjects stipulated in the present Policy must be taken into account and incorporated to the greatest extent possible.

### **Data security and storage**

Uttaran personal data users should process personal data in a manner that ensures an appropriate degree of security. This includes prevention of unauthorized access to or use of personal data and the equipment used for data processing. This relates in particular to access rights to databases, physical security, computer security and network security, the duty of discretion and the conduct of all Uttaran personal data users who have access to personal data.

Uttaran personal data user sunder take to store electronic equipment and personal data safely. Uttaran has implemented technical measures to ensure that personal data stored electronically (such as on shared drives, union portal, CRM, HRMS, etc.) Is protected from unauthorized access, accidental deletion and malicious hacking attempts. To the extent possible, personal data should be stored on those systems and Uttaran personal data users should avoid keeping personal data on personal devices ( such as laptops, tablets, smart phones, us drives, DVDs etc.) And should protect by strong pass words access to any system used. In cases where Uttaran personal data users are using external tools not provided by Uttaran to process personal data, they undertake to ensure that appropriate technical and organizational measures to protect personal data are implemented prior to process ignite and should formally document such use and keep the documentation available for auditing purposes.

When personal data is stored physically or when personal data usually stored electronically Has been printed it should be kept in a physically secure place where unauthorized people cannot see it (e.g. In a locked drawer or filing cabinet). Papers and printouts containing personal data should not be left where unauthorized people could access them (e.g. On a printer) and should be shredded and disposed of securely when no longer required.

In any case, when retention of personal data is no longer necessary, all records should be securely destroyed or annoy missed. Annoy misstating of personal data is allowed if it is necessary to

Uttaran's mission.

### **Newsletters**

It is the responsibility of Uttaran Personal Data Users in charge of newsletters to ensure that express consent is obtained from the Data Subjects and recorded.

Where the Data Subject has not given his or her express consent to receive newsletters, his or her Personal Data should be disabled.

### **Close of relationship with Uttaran**

Individuals whose mandate, employment relationship or any other type of relationship with Uttaran has ended, under take to destroy any Personal Data in their possession which this Policy applies to and will certify its destruction in writing (if required). For Uttaran's staff this will be done in accordance with Human Resources instructions.

### **Procedures, CVs, and other supporting documents**

Application forms, CVs and supporting documents should not be printed, shared by email or kept on local drives. Copies temporarily downloaded on the local drives should be deleted (e.g. by clearing the internet browser cache and/or deleting from the "Download" directory or equivalent).

### **Data Breaches**

Any Personal Data breach leading to the accidental or unlawful destruction, loss or alteration of – or to the unauthorized disclosure of, or access to – Personal Data transmitted, stored . In the event of a Data Breach, the Director will ensure there is an appropriate response which means:

Establishing a team to investigate the Data Breach, and develop remedial plan.

Informing the persons affected of the Data Breach without undue delay according to international or local regulations.

Informing the relevant local authorities according to international or local Regulations.

### **No commercial use of Personal Data**

Uttaran does not make commercial use of Personal Data.

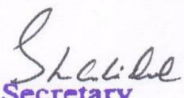
### **Data Transfer**

#### External Data Transfer

Uttaran ensures that Personal Data is only transferred to jurisdictions or International Organizations that ensure adequate level of protection. Should it be necessary to transfer Personal Data to a Third Country or an International Organization that does not provide adequate level of protection, Uttaran will ensure that it maintains appropriate safeguards such as entering in to appropriate contractual clauses in order to safeguard Personal Data.

When transferring Personal Data to a Third-party, Uttaran Personal Data Users must ensure that:

  
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- ✓ the Recipient will apply a protection level equivalent to or higher than this Policy;
- ✓ appropriate safeguards are put in place where a Third Country or an International Organisation does not provide adequate level of protection;
- ✓ Processing by the Recipient is restricted to the purpose authorized by Uttaran and;
- ✓ Data Transfer is compatible with the reasonable expectations of the Data Subject.

#### Data Transfer within Uttaran systems

for the sake of clarification, data transfer within Uttaran systems carried out between Uttaran personal data users in different Uttaran field offices or between different components of Uttaran are permitted and do not necessitate a written agreement provided the principles set out in this policy are respected.

#### **Documentation of Processing**

In order to demonstrate compliance with this Policy, Uttaran maintains record on the categories of Processing activities within its remit. Uttaran personal data users not using its tools and systems provided by the Uttaran should formally document such use and keep the documentation available for auditing purposes.

## **6 Implementation**

#### **Effective implementation**

Effective implementation of these rules is crucial to ensure that individuals are able to benefit from the protection afforded by them.

It is the responsibility of all Uttaran staff and Uttaran Personal Data Users to ensure implementation of the above principles.

#### **Authorized Processing**

Personal data processing should be in accordance with the purposes authorized by Uttaran in the course of executing professional duties.

Uttaran personal data users must not use Uttaran personal data for private or commercial purposes or disclose it to unauthorized persons.

#### **Reporting of non-compliance**

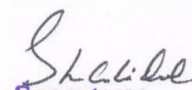
Allegations of non-compliance with this Policy should be reported using whistle blowing policy

#### **Consultation and means of communication**

Uttaran staff may consult with their line managers as applicable if unsure of any aspects of this Policy.

Personal Data requests from Data Subjects (e.g. for access, rectification or deletion of data) should be submitted using a request mail to [uttaran.head.office@uttaran.net](mailto:uttaran.head.office@uttaran.net). Any Personal Data requests received via email on hard copy should be forwarded to [uttaran.head.office@uttaran.net](mailto:uttaran.head.office@uttaran.net). A response email will be sent to the Data Subject with a link to the online form as king the Data Subject

  
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## 7. Research Ethics Policy

### ▪ Purpose

This Research Ethics Policy (REP) outlines the principles and guidelines that govern the conduct of research activities undertaken by or on behalf of Uttaran. The purpose of this REP is to ensure that all research conducted by Uttaran adheres to the highest ethical standards and respects the rights, dignity, and well-being of research participants and communities.

### ▪ Scope

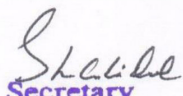
This REP applies to all research activities undertaken by or on behalf of Uttaran, including research conducted by staff, volunteers, consultants, and partners. It applies to all research methodologies, including qualitative, quantitative, and mixed methods research.

### ▪ Principles

Uttaran is committed to conducting research that is:

- **Community Empowerment:** Uttaran commits to involving communities not only in the research process but also in decision-making, ensuring their active participation in identifying research priorities, methodologies, and interpreting findings. Through workshops, training, and capacity-building initiatives, Uttaran equips communities with the necessary skills to leverage research outcomes for their empowerment, advocacy, and informed decision-making.
- **Equity and Inclusivity:** Uttaran prioritizes equitable representation and participation of diverse groups within the community. This includes developing inclusive methodologies that account for different cultural perspectives, languages, and accessibility needs. Maximum priorities are given to ensuring the inclusion of marginalized or underrepresented populations, with efforts made to mitigate any barriers to their participation.
- **Cultural Sensitivity:** Research conducted by Uttaran is culturally sensitive, respecting local customs, traditions, and practices. Collaborating closely with community leaders and cultural experts, researchers will adapt methodologies and communication approaches to align with cultural norms, ensuring respect for participants' cultural backgrounds throughout all stages of the research process.
- **Continuous Monitoring and Evaluation:** Uttaran implemented robust monitoring and evaluation mechanisms throughout research projects to assess their impact on participants and communities. Regular evaluations enable the identification of any ethical concerns, unexpected outcomes, or potential harm, allowing for timely adjustments or interventions to ensure participant well-being and ethical integrity.
- **Capacity Building and Training:** Uttaran provides comprehensive training programs for all personnel involved in research activities. These programs will encompass ethical research practices, cultural competence, sensitivity towards vulnerable populations, data protection,

  
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• **Ethics Review Committee:** Uttaran established an independent Ethics Review Committee responsible for thoroughly evaluating research proposals and ensuring adherence to ethical standards. The committee offered guidance on ethical considerations, monitoring ongoing projects, and provide a platform for addressing ethical dilemmas or emerging concerns during the research lifecycle.

• **Sustainable Research Practices:** Uttaran prioritizes sustainable research methodologies that minimize environmental impact. This includes reducing waste generation, employing eco-friendly data collection methods, and promoting sustainable practices in all aspects of research design and implementation.

• **Collaboration and Partnerships:** Collaborations with external entities or researchers are guided by mutual adherence to ethical standards. Uttaran established clear collaboration agreements outlining ethical responsibilities, data sharing protocols, and commitment to upholding the principles outlined in this Research Ethics Policy.

• **Feedback Mechanisms:** Uttaran is committed to establishing accessible and responsive feedback channels for research participants and communities. These mechanisms enabled individuals to voice concerns, offer suggestions, seek clarifications, or report any ethical issues they encounter during the research process. Uttaran prioritizes timely responses and actions to address feedback received.

#### ▪ Guidelines

To uphold these principles, Uttaran requires that all research activities adhere to the following guidelines:

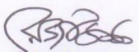
**Informed consent:** Research participants must be provided with adequate and understandable information about the research, including its purpose, methods, potential risks and benefits, and their right to withdraw from the research at any time. Informed consent must be obtained freely and without coercion.

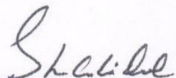
**Confidentiality:** All research data must be protected from unauthorized access and use. Participants' identities and personal information must be kept confidential.

**Vulnerable populations:** Research involving vulnerable populations, such as children, people with disabilities, or those living in poverty, requires additional safeguards to protect their rights and well-being.

**Community engagement:** Research should involve meaningful community engagement throughout the research process, from design to dissemination of findings.

**Data management:** Research data should be managed responsibly and securely, in accordance with relevant data protection regulations.

  
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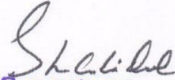
to complete and submitit.

Uttaran will ensure practical communication and training from time to time.

## **8. Amendment of thePolicy**

This Policy may be updated from time to time. Any modifications to this Policy must be in writing and approved by the Director and board.

  
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