



ADSE'S PROTECTION OF CHILDREN AND PREVENTION OF SEAH POLICY

ANGLICAN DEVELOPEMNT SERVICES EASTERN

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SIGNATURE PAGE

ANGLICAN DEVELOPMENT SERVICES EASTERN
PROTECTION OF CHILDREN AND PREVENTION OF SEAH POLICY
REVIEWED BY THE BOARD



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Board Chairman

21st June 2024

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Date



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Chief Executive Officer

21st June 2024

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Date

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1. Introduction

Anglican Development Services Eastern (ADSE) is the development agency of the Anglican Church of Kenya (ACK) in the Eastern Region. It works in the ACK Dioceses of Machakos; Kitui; Makueni and Garissa. Administratively the four (4) Dioceses cover six (6) Counties; Machakos; Kitui; Makueni; Garissa; Mandera and Wajir. It is mandated to proclaim the good news of Jesus Christ through the Social Ministry of the Anglican Church of Kenya. Guided by the vision of being a vibrant organization that transforms communities to thrive and enjoy secure and sustainable livelihoods, it builds on its core strengths which are focused on capacity building and supporting communities so that they can become self-reliant through various income generating activities, holistic people development, and facilitating the development of essential infrastructure.

In our delivery of services, we are equipped with resources which we make use of and support the achievement of community priorities. Thus, we acknowledge that this creates power differential in the communities we serve, increasing the risk of staff, volunteers, contractors, and service providers creating harm in different forms, such as exploitation, abuse, and harassment. In addition to the imbalance of power between staff and beneficiaries, we also acknowledge the imbalance in power between men and women, ability and disability, ethnic and Indigenous status, religion, gender identity and sexual orientation, age, health and poverty.

As a faith-based Organization, we work with the local communities and community members, through our community development and hazard mitigation strategies, and it is our responsibility and mandate to ensure they are protected from all forms of harm, exploitation, and abuse and that they are able to live a life with dignity, respect, and security.

ADSE Personnel, Representatives and Partners must ensure that their conduct and behavior towards all stakeholders (external and internal) of ADSE live free from:

- Harm and Abuse, (Physical, sexual (including sexual harassment) and emotional (including the abuse of power / trust and coercion)
- Exploitation - (physical & sexual)
- Neglect
- Discrimination
- Human Trafficking
- Child labor

All ADSE Personnel, Representatives and Partners located anywhere in Kenya have the responsibility to understand the importance of protection children and adults and behavior accordingly by:

- Upholding the dignity and respect of children and adults.
- Taking preventative steps to ensure a safe environment for children and adults.
- Responding quickly and appropriately to concerns raised.

Anglican Development Services Eastern (ADSE) will proactively encourage a culture where:

- Issues and concerns about safeguarding are raised and discussed.
- A sense of accountability between staff, representatives and partners can and must challenge potential poor or abusive behavior.
- It is mandatory to report abusive allegations or concerns that directly relate to a breach of this policy.

The formulation/Review of this Protection of Children and Prevention of Sexual Exploitation, Abuse and Harassment (SEAH) results from the combination of previous policies: Child Safeguarding & Protection Policy, Prevention of Sexual Exploitation Abuse Harassment Policy and Safeguarding Policy. Those were developed in consultation within ADSE development team, Community Members, the Board of Directors and the Anglican Church of Kenya, Dioceses of Makueni, Kitui, Machakos and Garissa.

2. Purpose and scope

This Policy aims to reduce and eliminate risks, harm, and dangers faced by all stakeholders involved in the activities implemented by the organization, ensuring their welfare and protection through adherence to international, regional, and local legal frameworks. Special attention is given to the protection of children and vulnerable adults, including the physically challenged, expectant mothers, the elderly, the sick, and those with limited resources.

The Policy emphasizes creating a safe, secure environment guided by Christian principles of love, recognizing every child and adult as a right holder with fundamental, non-negotiable rights. ADSE is dedicated to raising awareness among all stakeholders about safeguarding needs and maintaining a caring, protective environment that prevents and addresses abuse, exploitation, injury, discrimination, and other harms. This commitment includes comprehensive measures for prevention, reporting, and response, encompassing training, counselling, and, when necessary, disciplinary, and legal actions.

It is important to ensure the Policy applies to the entire organization's staff, interns, volunteers, partners, visitors, and all those who are given access to projects and target communities. This is paramount for ADSE, so that in the case of an incident, immediate and appropriate action is taken in the best interests of the child to treat the child with dignity and protect the child from harm. Therefore, this Policy applies to all ADSE's Personnel (employees, volunteers, and interns), Representatives (board members, supporters) and Partners (donors, ambassadors, guests, visitors, Church Groups, Supporters, contractors, and suppliers) who work for or with Anglican Development Services Eastern:

3. Principles

3.1 Protection of Children

As ADSE, our mandate and development approach involve working with children, either directly or indirectly, therefore, it is our responsibility to protect children from both intentional and unintentional harm. We cannot as an organization ignore the broader child protection issues faced by the children like the domestic violence, abuse by their guardians, commercial sex exploitation etc. It is our responsibility to do our best to protect and empower the children who we are in contact with, whether harm is taking place either inside or outside the organization. Thus, child protection and child rights are paramount for ADS Eastern. ADSE upholds the Convention on the Rights of the Child that states that all children, without any exception whatsoever, have equal rights to survival, health, education, protection and participation. It is therefore the desire of ADSE to contribute towards building a society where the rights of children are respected towards giving them hope and social justice.

This Policy outlines the guidelines on child safeguarding and procedures within ADSE, such as the Personnel Recruitment, Training, Management, behavior protocol, Communication guidelines, Reporting and Reaction Protocols and Ramification of Misconduct for ADSE stakeholders she works and has direct contact/engagement with, the physical environment of facilities, etc. This Policy also guides in addressing issues of child protection outside the contexts of ADSE such as the violence against children in the family, school, streets and community which are addressed by the ADSE program design and project work. Thus, ADSE and/or an individual working within ADSE also has a responsibility towards children they work with who may be experiencing specific forms of maltreatment external to the organization.

ADSE is committed to a child-centered approach to work with children. Guided by our statement of faith and the Christian principles of care and Love, we undertake to provide a safe environment and experience, where the welfare of the child is paramount. We adhere to the recommendations of the UN Convention on the Rights of the Child (UNCRC), the Children's Act (2001) and any other International and National laws and guidelines that contributes towards the realization of the rights of the children.

The following codes of conduct provide guidelines on appropriate behavior of personnel towards children and adults. It explains what staff and others should and should not do when working with or in with beneficiaries, including activities which are not child-centered. It guides the staff in knowing what to expect of their colleagues and to understand what kind of behavior should be reported.

3.1.1 Code of Conduct for Children Protection:

ADSE staff, representatives and partners MUST:

- a) Understand that child abuse by ADS Eastern Representative and Partners constitutes an act of gross misconduct and are therefore is grounds for termination of engagement and may lead to criminal prosecution;
- b) Treat all children with respect regardless of race, ethnicity, indigeneity, colour, disability, displacement, caste, religion, gender, gender identity, sexual orientation,

- age, marital status, poverty, national origin, political affiliation or socio-economic status;
- c) Wherever possible, ensure that another adult is present when working in the proximity of children and allow the child to select their chaperone (parent, teacher, agency staff etc.);
- d) Ensure contact with children, young people, vulnerable adults (whether by phone, online or via direct contact) is supervised, accompanied, or is at least in sight and hearing or with knowledge (in case of online communication) of other adults;
- e) Refrain from physical contact with all project beneficiaries, especially children, unless it is to avert danger to the child;
- f) Wherever possible, respect a child's right to privacy;
- g) Immediately report concerns or allegations of child and vulnerable adults exploitation and abuse and report matters of a criminal nature to local authorities;
- h) Before photographing or filming a child, obtain consent from the child or a parent or guardian of the child. *While it is not always possible to obtain written consent, employees should Endeavour to do so, recognizing that it provides them with protection, should a subsequent complaint arise, in this case the parent or guardian will sign an written consent, the ADSE will provide a copy to the person signing the consent and will keep a copy of it to be stored in the organization. As part of obtaining the consent an explanation must be given as to how the photograph or film will be used; Ensure that images are honest representations of the context and the facts;*
- i) Listen to the people you are interacting with. Be sensitive to the signals they send you about how comfortable they are with you (their language, conversation and physical intimacy) and respond accordingly.

ADSE staff, representatives and partners MUST NOT;

- a) Use language or behavior that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- b) Engage children in any form of sexual intercourse or sexual activity, including paying for, or exchanging goods or services for, sexual services or acts;
- c) Engage in any form of harassment, discrimination, physical or verbal abuse, intimidation, or favoritism in my interaction with the local stakeholders;
- d) In the course of their work with ADS Eastern, use alcohol or other recreational drugs or supply alcohol or recreational drugs to children;
- e) In the course of their work with ADS Eastern, give gifts to local stakeholders, in the case of children, unless with the full knowledge and permission of the child's parent or guardian;
- f) In the course of their work with ADS Eastern, invite unaccompanied children (who are not their own) into their place of residence, unless they are at immediate risk of injury or in physical danger;
- g) In the course of their work with ADS Eastern, sleep close to unsupervised children (who are not their own) unless absolutely necessary, in which case they must obtain the supervisor's permission, and ensure that another adult is present where possible;

- h) In the course of their work with ADS Eastern, engage in activities of an intimate nature with children (who are not their own), such as toileting or bathing;
- i) Use any computers, mobile phones, video cameras, cameras or social media to produce or access material with discriminatory, harassment or exploitation content.
- j) Hire children for domestic or other labour which is inappropriate to their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;

3.2 Prevention of Sexual Exploitation, Abuse and Harassment (SEAH)

ADSE believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, including those relating to Sexual Exploitation, Abuse and Harassment (*referred collectively as SEAH*).

ADSE seeks to contribute to the creation of an environment where *SEAH* does not happen at all levels. Consequently, ADSE is committed to ensuring that safeguarding measures are embedded, accessible and clearly communicated to all the key stakeholders we work with. As an organization we respect the privacy of people who may be impacted by this Policy and will endeavor to uphold confidentiality, unless a person is at risk of harm to themselves or others.

Definitions:

Sexual Exploitation: refers to any actual or attempted abuse of the child's or adult's position of vulnerability, lack of power or blind trust in relation to the perpetrator for gaining sex or sexual benefits.

Sexual Abuse: the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Sexual abuse usually involves a child or adult that does not fully comprehend; does not give informed consent to, or is not developmentally prepared to give consent to; and where the relationship is imbalanced because of differential power, money and status.

Sexual Harassment: in the workplace and otherwise, refers to any unwelcome sexual advances, requests for sexual favours, verbal or physical conduct or gestures of a sexual nature, or any behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another.

Furthermore, we are committed to complying to Kenyan Constitution Chapter 4; Article 28; ADSE receives funding from the Australian Government, Department of Foreign Affairs and Trade (DFAT), through her Australian Partners (Transform Aid International & Anglican Board Of Mission) and is committed to complying with all policies in relation to acceptance of such funding, including their *Prevention of Sexual Exploitation, Abuse and Harassment [SEAH] Policy*; Inter Agency Steering Committee Minimum Operating Standards for Protection from Sexual Exploitation and Abuse (IASC)

MOS-PSEA); the Core Humanitarian Standard (CHS), the Organization for Economic Co-operation and Development's Development Assistance Committee's (OECD DAC) Recommendation on Ending Sexual Exploitation, Abuse, and Harassment in Development Co-operation and Humanitarian Assistance: Key Pillars of Prevention and Response.

ADSE affirms its commitment to the Core Humanitarian Standard (<https://corehumanitarianstandard.org/the-standard>) and its Guidance Notes and Indicators and The Inter Agency Steering Committee Minimum Operating Standards for Protection from Sexual Exploitation and Abuse (IASC MOS-PSEA) and the UN Secretary-General's Bulletin on Special measures for Protection from Sexual Exploitation and Sexual Abuse (ST/SGB/2003/13).

Additionally, ADSE recognizes that *SEAH* are deeply rooted in gender inequality, discrimination, and power imbalances, and is therefore committed to promoting gender equality within ADSE, and with the communities we work with.

The Policy states the commitments made by ADSE, and informs ADSE Personnel, Representatives and Partners of their responsibilities in relation to safeguarding as it:

- i) Creates and maintains an environment which is free from workplace *SEAH* and promotes the implementation of relevant codes of conduct and behavioral protocols.
- ii) Promotes appropriate standards of conduct with respect to *SEAH* through consistent and intentional awareness raising and training.
- iii) Promotes increased and ongoing capacity and awareness raising strategies to ensure that all ADSE Personnel, Representatives and Partners know their rights and responsibilities regarding PSEAH alongside other key policies which must work in tandem with this.
- iv) Prevents the *SEAH* of adults who interact/engage with ADSE Personnel, Representatives and Partners during the course of our work.
- v) Encourages the reporting of behaviors which breach this Policy and related policies.
- vi) Continuously socializes and train ADSE Personnel on complaints handling and whistleblowing policies and procedures based on the principles of procedural fairness, ensuring all complaints are managed in a sensitive, fair, timely and confidential manner as appropriate.
- vii) Ensures protection from any victimization or reprisals for the complainant and the whistle blowers.
- viii) Provides a guideline to ADSE Personnel, Representatives and Partners on how to work respectfully and effectively with vulnerable adults and on how to respond to concerns and allegations of sexual exploitation, abuse and harassment.

ADSE expects commitment of all staff, representatives and partners with the following Code of Conduct in order to prevent *SEAH*. The Code aims to explain what staff and others should and should not do when working with or in with beneficiaries. It guides the staff in knowing what to expect of their colleagues and to understand what kind of behavior should be reported.

3.2.1 Code of conduct for Prevention of Sexual Exploitation, Abuse and Harassment (SEAH)

ADSE staff, representatives and partners MUST:

- a) Understand that Sexual Exploitation and Abuse by ADSE Personnel, Representatives and Partners constitute acts of gross misconduct and substantiated allegations are grounds for disciplinary action. ADSE seeks to promote a culture of zero tolerance of SEAH within ADSE and the community/ies we serve, and zero tolerance of the cultures which enable SEAH.
- b) Create and maintain an environment that prevents SEAH and promotes the implementation of this Policy. ADSE managers at all levels have responsibilities to support and develop systems which maintain this environment.
- c) Immediately disclose concerns or suspicions regarding SEAH by a fellow worker, whether in ADSE or a partner organization/community via the reporting mechanisms as outlined within this Policy. As this applies to ADSE Personnel and Representatives who have concerns regarding alleged perpetrators of SEAH, in cases where a victim or a survivor has a concern, they support the victim/survivor to file a complaint through the ADSE External Grievance Mechanism Procedure.
- d) report any matters of a criminal nature to the local authorities, unless this is contrary to the wishes of the victim/survivor;

ADSE staff, representatives and partners MUST NOT:

- a) Exchange money, engagement goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This includes the exchange of sexual favours for assistance that is due to communities we assist, or partners ADS Eastern works with. This measure applies even if commercial sex work is legalized in that country. This kind of conduct goes against our organizational values as per the ADSE Code of Conduct and any such conduct, as substantiated, will constitute grounds for disciplinary measures including summary dismissal, under ADSE's relevant policies.
- b) Engage in sexual relationships between ADSE Personnel/Representatives and program participants. The reason for this prohibition is that sexual relationships between ADSE Personnel, Representatives and Partners and program participants, are based on inherently unequal power dynamics, undermine the credibility and integrity of the work of ADSE.
- c) Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of the majority or the locally recognized age of consent. Mistaken belief in the age of the child is not a defence.
- d) Fraternize with project beneficiaries.
- e) Engage in a sexual relationship with members of staff of ADS Eastern.
- f) Identify survivors of sexual exploitation, gender-based violence, harassment or abuse as such.
- g) Reveal an individual's status as a person living with HIV, TB or any other serious health conditions without written consent.
- h) Identify an individual's engagement in what may be culturally unacceptable activities (such as promotion of child rights or challenging gender norms);

4. Procedures

4.1 Safe programming

While it is not possible to entirely eliminate risks of child and adults' exploitation and abuse, careful management can identify, mitigate, manage or reduce the risks that may be associated ADSE Programs, projects and functions.

Even in programs which are not child-focused, there can be inherent risks to children. This includes physical harm from inadequate consideration of the particular needs and vulnerabilities of children. ADSE will consider risks to affected populations when designing new program and interventions which will include consideration of the potential risks to children. ADSE will regularly commit to undertaking a review of their current programs to assess any risks to children and develop mitigation strategies for any new or emerging child protection risks.

ADSE shall carry out project level risk assessments for each project, analyse the risks of *SEAH* in the given context as per the risk assessment guidelines that meets the minimum standards recognized internationally and work with partners to manage these risks. Risk management for PSEAH will be monitored by ADSE staff and the Safeguards Committee, and regularly reported to ADSE governance bodies.

ADSE shall work with the communities to increase accountability by strengthening community-based feedback, complaints and response mechanisms to ensure the communities with whom ADSE works with, are aware of their rights, the expected behavior of all ADSE Personnel, Representatives and Partners and that of its Partners, so that communities are empowered to report violations of child protection and PSEAH. This includes the development of context-appropriate materials in local languages.

ADSE will continue to integrate awareness creation and training among the community members and ADSE Representatives and Partners of the lack of Gender Equity and power imbalances, as the major causes of *SEAH*.

4.2 Recruitment and Engagement

Recruitment practices are a critical component of the Safeguarding Policy. ADSE will take all steps necessary to ensure that all employees, contractors, trustees, Board of Directors, officers, interns and volunteers, whether paid or unpaid, full time or part time, temporary or long-term, having direct or indirect contact with children should undergo a thorough and standardized recruitment process. This is to ensure that the organization hires the best possible staff who are best suited to the specific role they are undertaking and to ensure that unsuitable candidates/child abusers are deterred from applying and are not recruited into the organization.

ADSE will employ the best of its effort to implement the following measures:

- Advertisements for job vacancies refer to the Safeguarding Policy and screening.
- Undertakes background checks during recruitment. A Minimum of 2 references (not family, more than 2 years relationship with candidate) and check that the two referees are genuine as well as asking them to provide a reference.

- Police check for information of previous convictions or investigations relating to child and vulnerable adults' protection for the candidates.
- Applicants will be requested to disclose whether they have had a substantiated SEAH claim made against them in the Job Application Form or Consultant Agreement. Successful candidate must sign personal declaration of criminal convictions where police checks are not available.
- Standardized interview process is in place so that the staff are recruited according to a pre-determined specific essential and desirable skills.
- Attentiveness to suspicious gaps in employment history and use of references to clarify concern; so as to explore suspicious activity on period of absence from employment.
- During the interview, one member of the recruitment panel has undergone training on or is familiar with issues of child protection. The responsible member of the panel might conduct behavioral interview questions pertaining to sexual harassment and abuse may be used to determine the full history of past behaviors, beliefs, attitudes, motivations, and values of applicants regarding working with vulnerable adults.
- Commitment to the organization code of conduct must be a condition of employment. Candidates who wish to become trustees and volunteers of the organization are equally bound to sign a statement of commitment to the organization's Safeguarding Policy and undergo training.
- All ADSE's consultancy and employment contracts must contain provisions for disciplinary actions up to and including dismissal for any person who breaches our PSEAH policies and procedures

4.3 Training

To ensure the understanding and skill development among the staff, there shall be opportunities within ADSE to develop and maintain the necessary skills in child protection and prevention of SEAH. ADSE Human Resources and the Safeguards Committee will develop a detailed induction and training program highlighting but not be limited to, identifying, reporting, investigating, documenting and managing safeguards, including *SEAH*, incidents. The training will also include scenario-based discussions on power imbalances, status and workplace cultures that can impact on work and personal relationships. This is to ensure that all Personnel understand the importance of safeguarding children and vulnerable adults, how to implement policies and procedures and work to the same high standards.

The Safeguards Committee will provide receive child protection and PSEAH training as part of orientation and induction, refresher training, and job-specific training as required. Each department will ensure the requirements are both understood and met by their stakeholders (ADSE Representative and target community) during the yearly cycle and provide the necessary training and support so that those requirements are met.

Additionally orientation should be given to project beneficiaries, including children, on all relevant aspects of the organization's Safeguards Policy and procedures so as to open up opportunities for children to input into ongoing implementation and review of Safeguards Policy and procedures.

ADSE will also aim to ensure there is available emotional/counselling support for individuals (including children) participating in training/orientation in the case of an emotional reaction to the topics.

4.4 Communication

To ensure effective communication guidelines are adhered to protect and respect the beneficiaries dignity and privacy so as to safeguard them from being identified by those who may wish to harm them

ADSE will ensure the following applies:

- Always ask permission before taking photos of children except in exceptional circumstances.
- Acquire permission of all project beneficiaries to use images for publicity/fundraising/awareness (informed consent) as much as possible. Specially regarding children, to obtain the consent from parent/guardian.
- Establish system of signed consent for use of organization's visual materials by outside individuals, partners, organizations with ramifications for misconduct.
- Accurate and balanced portrayal of beneficiaries, with emphasis on dignity and as much reference as possible to their social, cultural and economic environment (*Balanced portrayal even in cases of 'victimhood' (recommended use of 'before' and 'after' images/stories).*)
- Emphases on child dignity by ensuring accurate representation of children by avoiding manipulation or sensationalizing text and images.
- Avoid, degrading, victimizing or shaming language and images; making inaccurate generalizations, discrimination of any kind.
- All project beneficiaries and children must be appropriately clothed in images and not in sexually provocative poses.
- No personal and physical information to identify the location of a child that could put them at risk, to be put on website or in communications.

4.5 Reporting of cases and concerns

Any allegation or concern regarding the abuse of a child or vulnerable adult/adult at risk must be treated seriously. Reporting concerns regarding the abuse of children or vulnerable adults/adults at risk is mandatory and can arise when abusive behavior is observed or suspected; or when an allegation is made or disclosed or there are indicators (signs and symptoms) of suspected abuse on the victim.

ADSE will ensure that no form of intimidation, reprisal, or retaliation against any employee who makes a report regarding a possible violation of this policy or who provides information or assistance in an investigation.

All ADSE Personnel, Representatives and Partners must report/notify any concerns, incidents, either suspected, alleged or proven they have for the safety or wellbeing of children and adults in relation to safeguards within two days.

ADSE Personnel, Representatives and Partners have three channel available to report cases or concerns:

- Directly to the ADSE's Safeguards Focal Person.
- Through the ADSE's Internal Grievance Redress Mechanism.
- Whistleblowing procedure - In case of high severity situations involving ADSE Personnel, Representatives and Partners.

The dedicated channel for communities to raise safety concerns is the ADSE's External Grievance Redress Mechanism. Communities shall be informed on how to raise a concern using the mechanism and how the complaints will be handled by organization.

ADSE takes a *victim/survivor-centered approach* to preventing sexual exploitation, abuse and harassment and to all stages in the *Complaints-handling* process, including any ongoing needs for protection and counseling/support.

There are three types of concerns that can be reported:

- Category 1 - This concern relates directly to a staff member or representative. Anglican Development Services Eastern (ADSE) has a duty of care and will respond by initiating an investigation.
- Category 2 - This concern relates to an Anglican Development Services Eastern Partner staff member. Anglican Development Services Eastern has an obligation to notify and require the Partner to initiate an investigation in line with this policy if the partner does not have its own Safeguarding policy. ADSE would expect the Partner to share the final report with ADSE.
- Category 3 - This concern relates to abuse in a community in which ADSE is working. While ADSE will not have a formal responsibility to investigate it may have some influence in the community and will pass on information to the relevant local authorities. In each case an assessment should be made of what is in the best interest of the child or vulnerable adult/adult at risk in relation to reporting the allegation to the authorities.

Regarding the categories 1 and 2, ADSE will apply procedural fairness when decisions and responding to concerns or allegations of child exploitation and abuse by considering its effects to person's rights or interests.

Regarding the category 3, ADSE is committed to reporting any incidents to the appropriate regulatory bodies (including the Children's department) and government departments, as required. Where there is evidence that criminal activity may have taken place, we will report to the relevant police and/or child protection authorities of the county where the incident occurred if it is in the best interests of the child or vulnerable adult/adult at risk concerned to do so.

Additionally, ADSE will develop and make available a standardized reporting form, relevant contact details for child protection services, social services department, police, emergency medical help and help lines readily available and easily accessible to representatives and partner, guidance to all representatives and partners on confidentiality and information sharing.

4.C Survivor/Victim Assistance

On hearing of an allegation or concern, the first action is to ensure that the alleged survivor/victim is safe and has access to appropriate care. The safety and care of the alleged survivor/victim is critical within the first 24 hours immediately following an incident.

As deemed appropriate and availability of resources, ADSE shall provide appropriate assistance for Survivors/ Victims, such as access to legal and medical, social and financial services. ADSE acknowledges that such support may need to continue after a Victim/Survivor has left the organization

ADSE shall ensure there are Safe, confidential and accessible reporting processes which have a *Survivor/Victim-centered Approach*, where all allegations of *SEAH* are pursued rigorously, where concerns are heard and acted upon and where *Survivors* are fully supported and are protected from retaliation.

ADSE shall treat victims/survivors with dignity and respect, and ensure that their needs are prioritized in the actions that the organization takes to handle the incident. This may include involving them in decision making, providing them with comprehensive information, protecting their privacy and confidentiality, not discriminating, and considering needs for counseling.

4.7 Investigation and disciplinary measures

The type of investigation will depend on the nature of the incident. The Safeguards Officer, with the support of the Safeguards Committee, will decide if the Subject of Complaint, if a staff member, should be suspended based on the suspension guidelines.

Whilst any ADSE Personnel is being investigated for allegedly perpetrating an act of *SEAH*, that person will be suspended from their work for the duration of the investigation. As with all investigations of ADSE Personnel the alleged perpetrator will be treated with fairness, but the safety and needs of the Victim/Survivor are always paramount. The internal investigation will happen alongside any criminal investigation where relevant.

During the course of project implementation of the policy and reporting made on an individual/staff, ADSE can ask to remove individuals/Staff from working on an activity when an individual has been accused, charged, arrested or convicted of a criminal offence relating to child exploitation and abuse, or when ADSE considers that an individual/Staff poses a risk to a child's safety or well-being. ADSE also requires anyone under formal investigation for offences relating to child exploitation and abuse to be suspended from duty or transferred to other duties during an investigation.

4.8 Compliance and Monitoring

All safeguarding reported issues must be handled with the confidentiality the matter requires to protect the victim (s). It is under responsibility of the Safeguards Focal Person to record the complaint on ADSE's Notifiable Risk Register, which is reviewed quarterly by ADSE's senior management, Board of Directors and Board of Trustees. This is to ensure that safeguarding measures and processes are reviewed and effective.

ADSE will monitor compliance with policy requirements through progress reviews, and a program evaluation. A progress report on application and compliance to minimum standards to demonstrate evidence on how ADSE is meeting the standards will be developed.

5. Responsibilities

To effectively manage safeguards risk, ADSE will require the commitment, support and cooperation of individuals and key stakeholders/partners who help in supporting the child centred programs, implementation, and administration. The adoption of the management process will be critical in rolling out the Policy procedures. Without effective management support, staff working on child and vulnerable adults protection may feel isolated and be unaware of where responsibilities lie, and policies and procedures may fall through the gaps and not be taken seriously or be acted upon to be fully implemented or not run smoothly.

ADSE shall set up a Safeguards Committee led by the Safeguards Focal Person. The Safeguards Committee will look after all the policies and procedures related to environmental and social potential impacts, including the safety of children and vulnerable adults.

Regarding safeguarding of children and vulnerable adults, the Committee should strive to ensure:

- Open lines of communication, an atmosphere of support and encouragement for reporting and a positive environment for giving and receiving feedback.
- Ongoing supervision, monitoring and support for all Personnel so that child safeguarding and protection policies and procedures are understood and being implemented and that any problems or queries are dealt with as soon as they arise.
- Incorporation of safeguarding and protection issues in regular, formal staff evaluations and appraisals.
- Incorporation of child safeguarding and protection into regular internal and external programme and organizational evaluations/assessments.
- That the management demonstrates leadership, reflect core principles and values, uphold professional approach and demonstrate awareness of abuse. Active role and a collective responsibility for the Board of Directors to provide oversight and ensure effective implementation so that the ultimate Coordination responsibility does not just rest to the Chief Executive Officer.

It is the responsibility of ADSE Board of Directors in ensuring policy compliance. ADSE Management team shall ensure that staff is made aware of the policy and that the systems and procedures required to operate the policy effectively are in place. It is the responsibility of all staff to fulfil their part in implementing this policy, particularly by raising awareness if they suspect abuse is taking place. Ensure child protection risk assessment and managements are done in accordance with set principles and minimum standards.

6. Related documents, references

This Policy should be read and implemented in conjunction with the following:

- i. ADSE Personnel Code of Conduct and ADSE Representatives and Partners Code of Conduct
- ii. Human Resources Policy and Procedures Manual
- iii. Gender and Disability Inclusion Policy
- iv. Security Policy
- v. Whistleblowing Procedure
- vi. External Grievance Redress Mechanism Procedure

Relevant international standards and national laws for the implementation of this Policy includes:

- UN Convention on the Rights of the Child (UNCRC)
- UN Secretary-General's Bulletin on Special measures for Protection from Sexual Exploitation and Sexual Abuse (ST/SGB/2003/13).
- Kenya Children's Act (2001)
- Kenyan Constitution Chapter 4; Article 28
- Inter Agency Steering Committee Minimum Operating Standards for Protection from Sexual Exploitation and Abuse (IASC MOS-PSEA);
- Core Humanitarian Standard (CHS) (<https://corehumanitarianstandard.org/the-standard>)
- Organization for Economic Co-operation and Development's Development Assistance Committee's (OECD DAC) Recommendation on Ending Sexual Exploitation, Abuse, and Harassment in Development Co-operation and Humanitarian Assistance: Key Pillars of Prevention and Response.

Additional definitions

Child or children	In accordance with the United Nations Convention on the Rights of the Child, 'child' means every human being under the age of 18 unless under the law applicable to the child, majority is attained earlier. For
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	the purposes of this policy, ADSE considers a child to be a person under the age of 18 years.
Child abuse material	Material that depicts (expressly or implicitly) a child under 18 years of age as a victim of torture, cruelty or physical abuse
Child exploitation	One or more of the following: committing or coercing another person to commit an act or acts of abuse against a child possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material committing or coercing another person to commit an act or acts of grooming or online grooming using a minor for profit, labor, sexual gratification, or some other personal or financial advantage
Child exploitation material	Material, irrespective of its form, which is classified as child abuse material or child pornography material
Child pornography	In accordance with the Optional Protocol to the Convention on the Rights of the Child, 'child pornography' means 'any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.' For further information about child pornography offences, refer to the Criminal Code Act 1995
Child pornography material	Material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in, or appears to be engaged in, a sexual pose or activity, and does this in a way that a reasonable person would regard as being, in all the circumstances
Child protection	An activity or initiative designed to protect children from any form of harm, particularly that arising from child exploitation and abuse
Child Safeguarding and Protection policy	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 and responsibility of care seriously
Child safeguarding	The broad obligation on staff and partners to ensure that the design and delivery of ADSE programs and organizational operations do not expose children to adverse impacts, including the risk of abuse and exploitation, and that any concerns about children's safety within the communities where they work are appropriately reported

Contact with children

Working on an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment (also see Working with children definition)

Contractor	The individuals engaged to perform specific services under a contract and includes: Specified personnel nominated in a head agreement with an intermediary company (the contractor) to which payment is made; or if the person performing the service is the service provider, he/she is an individual contractor
Grooming	Generally, refers to behavior that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualize that relationship (for example by encouraging romantic feelings, or exposing the child to sexual concepts through pornography)
Harm	Any detrimental effect on a child's physical, psychological or emotional wellbeing. Harm may be caused by financial, physical or emotional abuse, neglect, and/or sexual abuse or exploitation whether intended or unintended
Impact	The overall long-term effect produced by an investment. This includes positive and negative changes produced by an investment (directly or indirectly, intended or unintended)
Informed consent	Ensures the child and the parent or guardian understand the implications, purpose and potential uses of photographs or videos
Online grooming	The act of sending an electronic message to a child, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender; or of sending an electronic message with indecent content to a recipient who the sender believes to be a child.
Personnel	Personnel are either employed by an organization, engaged by an organization on a subcontract basis, or engaged by an organization on a voluntary or unpaid basis. Personnel can include paid staff, volunteers, interns, trustees, board members
Police clearance certificate	The certificate showing the results of a criminal record check, which is issued by the police or other authority responsible for conducting such checks
Policy non-compliance	The failure to abide by ADSE's policy
Statutory Declaration	A written statement which you sign and declare to be true before an authorised witness
Unacceptable risk	The portion of identified risk that cannot be tolerated, and that must be either eliminated or controlled. For people deemed an unacceptable risk, control mechanisms are not considered appropriate

Working with children

Working with children means being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes volunteering or other unpaid works

7. Date of effect and review

The policy is effective from July 2024.

This policy will be reviewed every three years, and lessons will be incorporated into subsequent versions.

ADSE Children Protection and Prevention of SEAH Policy	
Description & Responsibility	Date & Responsibility
Person Responsible	Chief Executive Officer
Date of Review: Version 1	June 2024
	Policy combines the content of the previous:
Signed off By Chief Executive officer	June 2024
Approved By Board	June 2024
	(Approved by the board under the title of Safeguarding of Children and Vulnerable Adults – title was changed to emphasize the aspect of SEAH Prevention)
Next review	May 2027

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