

ADSE REPRESENTATIVES AND PARTNERS' CODE OF CONDUCT

1.0. Introduction and Purpose

Anglican Development Services Eastern (ADSE) is the development arm of the Anglican Church of Kenya (ACK) Dioceses of Machakos, Kitui, Makueni and Garissa. It is registered under the Company's Act as a Company Limited by guarantee and covers the six counties of the Larger Lower Eastern Kenya: Machakos, Makueni, Kitui, Garissa, Wajir and Mandera. The organisation embraces his autonomy from the church and is mandated with social transformation/general community development to improve on their livelihoods. ADSE operates in and has played a distinctive role in addressing the needs of the marginalized and vulnerable households as the regions fall within the arid and semi-arid lands of Kenya.

The ADSE Representatives and Partners Code of Conduct applies to ADSE Board of Trustees and Board of Directors, member from partner organizations, project visitors, contractors and suppliers. The Code summarizes both the standards of conduct which reflect our values and the types of unacceptable conduct that are incompatible with our values as an Organization. The purpose of this Code of Conduct is to ensure that those working with ADSE behave in ways which:

- Promote mutual trust and respect between ADSE Representatives, Partners and the people we work with,
- Enable ADSE Representatives and Partners to perform their duties effectively,
- Protect all ADSE Representatives and Partners and those we work with, and
- Protect ADSE's, Representatives' s and Partner's reputation and representation.

Thus, all Representatives and Partners are expected to act in accordance with the law for all matters related to the exercise of activities related to ADSE and comply with ADSE requirements stated in this code regarding:

- protection of children and vulnerable adults in securing their rights, ▪ elimination of sexual exploitation, abuse and harassment,
- respect of workers rights, ▪ ethical behavior, and ▪ environmental protection.

The breach of this ADSE Behavior Protocols is grounds for termination of the contract or the engagement. This code should be interpreted in a spirit of transparency and common sense, with the best interests of the child and vulnerable adults and compliance with the other mentioned requirements as the primary consideration.

Representatives refer to the BOT and board of directors, and partners refer to partner organizations, project visitors, contractors and suppliers.

I, _____ ID No _____,
agree that whilst engaged or representing Anglican Development Services Eastern, must adhere to the
laid down behavior standards as contained in sections 2,3,4,5&6, that:

2.0. Child and Vulnerable Adults Protection I

Must:

- a) Recognize and endorse the principles contained in applicable national and international laws and instruments, guidelines, and best practices aimed at preventing human rights violations, including the United Nations Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises, and the ILO Declaration on Fundamental Principles and Rights at Work.
- b) Understand that child and vulnerable adults 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;
- c) Treat all children and adults 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;
- d) 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.);
- e) 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;
- f) Refrain from physical contact with all project beneficiaries, especially children, unless it is to avert danger to the child;
- g) Wherever possible, respect a child's right to privacy;
- h) Immediately report concerns or allegations of child and vulnerable adults exploitation and abuse and report matters of a criminal nature to local authorities;
- i) 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;
- j) 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.

3.2 I Must not;

- i. Use language or behaviour that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- ii. Engage children in any form of sexual intercourse or sexual activity, including paying for, or exchanging goods or services for, sexual services or acts;
- iii. Engage in any form of harassment, discrimination, physical or verbal abuse, intimidation, or favoritism in my interaction with the local stakeholders;
- iv. In the course of their work with ADS Eastern, use alcohol or other recreational drugs or supply alcohol or recreational drugs to children;
- v. 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;
- vi. 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;
- vii. 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;
- viii. 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;
- ix. Use any computers, mobile phones, video cameras, cameras or social media to produce or access material with discriminatory, harassment or exploitation content.
- x. 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;

3.0. Sexual Exploitation, Abuse and Harassment (SEAH)

I must:

- i. Understand that sexual exploitation, abuse by Staff, Representatives and Partners constitute acts of gross misconduct and are therefore grounds for termination of engagement;
- ii. Take reasonable action to protect others from harm and to challenge infringements of the rights of others;
- iii. Immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during their association with ADS Eastern that relate to sexual exploitation, abuse or harassment;
- iv. Immediately report concerns or allegations of SEAH and policy non-compliance in accordance with appropriate procedures. Immediately report any matters of a criminal nature to the local authorities, unless this is contrary to the wishes of the victim/survivor;

- v. Understand that the exchange of money, engagement, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is totally unacceptable and is prohibited;
- vi. Understand what constitutes sexual harassment, which includes but is not limited to:
 - a. Engaging in sexually suggestive behaviour, such as leering or staring; brushing up against someone, touching, fondling or hugging;
 - b. Making sexually suggestive comments or jokes;
 - c. Displaying sexually suggestive screen savers, photos, calendars or objects;
 - d. Making repeated unwanted requests to go out
 - e. Making requests for sex;
 - f. Making sexually explicit posts on social networking sites;
 - g. Making insults or taunts of a sexual nature;
 - h. Sending sexually explicit emails or text messages;
 - i. Making inappropriate advances on social networking sites;
 - j. Accessing sexually explicit internet sites;
 - k. Displaying behaviour that may also be considered an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.
- vii.

I Must not:

- i. 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.
- ii. Fraternize with project beneficiaries.
- iii. Take advantage of a position of power to enter into a relationship with a project beneficiary or staff working in the project.
- iv. Identify survivors of sexual exploitation, gender-based violence, or abuse as such.
- v. Abuse a position to withhold development assistance, or give preferential treatment, in order to solicit sexual favours, gifts, payments of any kind, or advantage;
- vi. Engage in a sexual relationship with members of staff of ADS Eastern, or project beneficiaries;
- vii. Reveal an individual's status as a person living with HIV, TB or any other serious health conditions without written consent.
- viii. Identify an individual's engagement in what may be culturally unacceptable activities (such as promotion of child rights or challenging gender norms); **ix. Engage in any form of sexual harassment (as defined previously in the document)**

4.0 Fraud, Corruption And Unethical Business Practices

I must:

- i. Follow transparent, accountable and honest practices
- ii. Be transparent in all work-related financial transactions;
 - iii. Ensure that financial and other resources are used solely for the intended purposes;
 - iv. iv. Declare any known or potential conflicts of interest to the person of reference at ADSE
- v. Always strive for compliance the highest health, safety and environmental standards.
- vi. Conduct all business in accordance with internationally accepted practices and procedures and uphold the highest standards of accountability and transparency in relations to finances, management and governance, where relevant.
- vii. Ensure, where possible, that goods and services purchased are produced and delivered under conditions that do not involve the abuse or exploitation of any persons and have the least negative impact on the environment.
- viii. Foster a work environment where communities and staff can safely and confidentially raise and report all serious concerns about suspected fraud and corruption;
- ix. Pay compulsory government taxes
- x. Promptly report any observed financial, legal or ethical wrong-doing, either to person of reference at ADSE or via whistleblowing mechanisms (see ADS Eastern's Whistleblower Policy);

I must NOT:

- i. Commit any financial wrongdoing, including theft, misuse or misappropriation of funds or property, false accounting, forgery or unauthorized alteration of documents, avoiding creating an unauthorized liability or wrongfully using information or intellectual property;
- ii. Engage in document or cheque forgery, money laundering, taking of commissions or influencing tender processes for improper benefit and theft;
- iii. Knowingly support individuals or entities involved in illegal or terrorist activities; iv. Deliberately destroy, falsify, alter or conceal evidence material to an investigation or make false statements to investigators in order to materially influence or impede investigations into corrupt, fraudulent, coercive or collusive allegations;
- v. Accept a bribe in the form of money, goods or services to secure a contract for services when dealing with suppliers in any development or humanitarian work;
- vi. Accept any gifts or other favours that may influence the performance of their functions or duties. Gifts are defined as, but not limited to: services, travel, entertainment and material goods. In order to respect national and local traditions and conventional hospitality, minor token gifts such as pens, calendars, desk diaries, etc. can be accepted.
- vii. Share in the profits or surpluses as kickbacks, cuts or discounts for personal or organisational benefits;

- viii. Launder money, take commissions, or influence tender processes for improper benefit or theft;
- ix. Take part in activities that generate personal, organizational or collective profit such as buying or selling when such activities may affect, or appear to affect, the ACT Alliance's credibility or integrity.

5.0 Environmental Protection I

must:

- i. Comply to Environmental Management and Coordination Act No.8, of 1999, other relevant national environmental regulations, and applicable international agreements.
- ii. Recognize the importance of protecting the natural environment and promoting biodiversity conservation in all activities, with a focus on minimizing negative impacts on ecosystems, habitats, and wildlife.
- iii. When applicable to the activity developed, service or product supplied: strive to minimize consumption of natural resources, including water, energy, and raw materials, through efficient practices and conservation measures, implement waste reduction, recycling, and proper disposal, use renewable energy sources and energy-efficient technologies whenever feasible.
- iv. Educate others on environmental protection

6.0 Respect of Workers' Rights

Partner organizations, contractors and suppliers engaging workers in the project activities, provision of services or products must:

- i. Adhere to Kenya Employment Act (2007) and international standards for the respect of workers right, including, but not limited to, clear contractual conditions, adequate remuneration, protection from discrimination and harassment, entitlement to maternity and sick leave.
- ii. Ensure safe working environment and working conditions for all employees in compliance with the Occupational Safety and Health Act (2007). Personal Protective Equipment (PPE) must be provided to employees where necessary to ensure their health and safety.

I have read and understood behavior protocols and agree to abide to the content stated. I understand that, Non-compliance with these protocols will be taken seriously. ADSE reserves the right to refer criminal offences to the police and/or social services.

Name: _____ Organization: _____

Signature: _____ Date: _____

ADSE COC002: ADSE Representatives and Partners Code of Conduct	
Description & Responsibility	Date & Responsibility
Person Responsible	Chief Executive Officer
Date Created: Version 1	
Date of Review: Version 2	May 2018: Done to include Child protection conduct and Fraud mitigation
Date of Review: Version 3	June 2021: Done to include PSEAH standards
Date of Review: Version 4	June 2024
Signed off By Chief Executive officer	June 2024
Approved By Board	June 2024
Next review	May 2027