



**PROTECTION FROM SEXUAL
EXPLOITATION AND ABUSE (PSEA)
PROTOCOL**
CoELIB, Egerton University



Purpose of the PSHEA Protocol

CoELIB strives to offer everyone a safe and supportive learning and working environment. It has established the **Protection from Sexual Exploitation and Abuse (PSEA)** Protocol for its employees and volunteers to promote the safety and security of fellow staff and direct and indirect beneficiaries, including youths and children (under 18). CoELIB recognizes that children and other programme participants may be vulnerable and at greater risk of violence due to their intersecting identities, such as age, gender, sexual orientation, ethnic origin, disability, or illness. Our Protocol, explained below, helps us ensure we do all we can to ensure they stay safe and protected when they engage with us and with those who represent us.

1. Legal Framework on Sexual Exploitation and Abuse Prevention

This Protocol should be read together with **Egerton University's Code Of Conduct And Ethics Policy** (<http://bit.ly/3YPEssX>), which draws its power from the Constitution of Kenya 2010. The policy mirrors the following legal frameworks.

- a) The Constitution of Kenya 2010
- b) The Kenya National Children's Policy (2010)
- c) The Children's Act (2001)
- d) Kenya National Guidelines on Management of Sexual Violence (2014)

2. Applicability

This Protocol applies to all partners and collaborators performing services for/with CoELIB. CoELIB has a special obligation to ensure the safety and dignity of all beneficiaries. CoELIB staff and collaborators will uphold the highest standards of timely and appropriate misconduct identification, reporting, and addressing.

3. CoELIB Commitment

CoELIB commits to complying with the legal frameworks under **section 1** above by promoting the complete protection for all staff and beneficiaries following the law, participation of, and equalization of opportunities for individuals with disabilities in its strategies, activity designs, and implementation. Accommodations for persons with disabilities —youth participants or adults — may be requested by contacting the CoELIB staff at least 48 hours before any CoELIB event. Requests received after that time will be honoured whenever possible.

4. Definitions

Child abuse, exploitation, or neglect constitutes any form of physical abuse; emotional abuse or ill-treatment; sexual abuse; neglect or insufficient supervision; trafficking; or commercial, transactional, labour, or other exploitation resulting in actual or potential harm to the child's health, well-being, survival, development, or dignity. It includes but is not limited to any act or failure to act which results in death, serious physical or emotional harm to a child, or an act or failure to act which presents an imminent risk of serious harm to a child.



Physical abuse: Constitutes acts or failures to act resulting in injury (not necessarily visible), unnecessary or unjustified pain or suffering without causing injury, harm, or risk of harm to a staff or beneficiaries' health or welfare, or death. Such acts may include but are not limited to punching, beating, kicking, biting, shaking, throwing, stabbing, choking, or hitting (regardless of the object used) or burning. These acts are considered abuse regardless of whether they were intended to hurt the child.

Sexual abuse: Constitutes fondling a staff, youth or child's genitals, penetration, rape, sodomy, indecent exposure, and exploitation through prostitution or the production of pornographic materials.

Emotional abuse or ill-treatment: Constitutes injury to the psychological capacity or emotional stability of the staff or beneficiary caused by acts, threats of acts, or coercive tactics. Emotional abuse may include but is not limited to humiliation, control, isolation, withholding of information, or any other deliberate activity that makes the staff or beneficiary feel diminished or embarrassed.

Exploitation: Constitutes the abuse of staff or beneficiaries where some form of remuneration is involved or whereby the perpetrators benefit in some manner. Exploitation represents coercion and violence detrimental to the beneficiary's physical or mental health, development, education, or well-being.

Neglect: Constitutes failure to provide basic care for beneficiaries by designated individuals that are responsible for care in the absence of caregivers.

5. Vulnerable Populations

CoELIB acknowledges that some children and youths may be at an increased risk of abuse. Many factors can contribute to this, including prejudice and discrimination, disability, isolation, social exclusion, communication issues, and reluctance on the part of some adults to accept that abuse can occur. Youth and children with disabilities may be more vulnerable to abuse, exploitation, or neglect and have less access to or capacity to communicate with others who can help. Youth and children with disabilities are also significantly more likely to experience sexual violence than non-disabled ones.

To ensure that they receive equal protection, CoELIB staff will give special consideration to those who are exposed to the following, among other vulnerabilities:

- Living in a domestic abuse situation
- Living with a disability
- Out of school
- Teenage mother
- Involved in child labour
- Involved directly or indirectly in sexual exploitation.
- Affected by parental substance misuse.



6. Procedures

The following process should be implemented to ensure compliance with these guidelines:

1. Annual team member training on sexual exploitation, abuse, and personal responsibilities under this Protocol, including identifying staff and beneficiary abuse and proper reporting procedures. All team members certify that they have understood this policy and agree to abide by it.
2. Where appropriate, and when in direct contact with children, consultants, experts, contractors, agents, representatives, grantees, and visitors (including researchers) will be informed of the requirements of this policy.
3. CoELIB will identify the potential risk of harm to youths and children and incorporate reasonable risk mitigation measures into the design and operations of the project to ensure the threat of harm is minimized to every extent reasonably possible.
4. Contractual agreements or memoranda of understanding with partners will include obligations to adhere to this policy and any additional donor-required provisions relating to child safeguarding. Partners will also be able to ensure compliance with this protocol, including, if necessary, retraining and additional monitoring.
5. Images, interviews, and videos of children are only taken after parental consent has been obtained and guarantees that these will not have adverse effects on the child's safety, dignity, and well-being and that there is respect for the children's privacy as provided in Kenyan laws.
6. Identifying beneficiaries' information will not be disclosed without their and their caregiver's written permission unless the sole reason for such disclosure affects the well-being or protection of the child.
7. Personal identifying information will be stored confidentially and securely.
8. CoELIB activity computers, cameras, telephones, videos recorded, network systems, or other electronic devices will not be used to view or share sexually explicit images of beneficiaries.
9. Beneficiaries will be informed about CoELIB activity's commitments under this policy and how to report any suspected abuse or exploitation by CoELIB staff, partner, or visitor.
10. All reports will be confidentially, independently, and thoroughly investigated in a manner that ensures the child's protection and well-being to the extent possible.
11. All reports will be disclosed to the donor as and when the donor requires. If reports include allegations of criminal misconduct, they also will be disclosed to local authorities unless doing so would put a child at risk of harm.



7. Reporting Protocols

Harm to a Beneficiary: Any individual who may be working for or acting on behalf of, CoELIB, whether on a voluntary or paid basis, must act immediately when, in the context of their role in the project if they observe, suspect, or receive an allegation of harm to a child. They must:

- a) Dial **999, 112 or 911** to connect to the National Police Service if they believe immediate emergency assistance is needed, a crime is in progress, or a beneficiary or staff is in immediate danger.
- b) Contact the local, county, or provincial Administrative Office through community social workers for a non-emergency situation.
- c) Report the incident to a CoELIB office by calling +254 71 1082443/4 or emailing info@coelib.org.

Child Abuse or Neglect: Any individuals who may be working for or acting on behalf of CoELIB, whether on a voluntary or paid basis, who suspect child abuse or neglect must:

- a) Make a report to the County Child Protection Services or Provincial Administrative Office within 48 hours.
- b) Contact Childline Kenya on their emergency number, **116**.
- c) Report the incident to a CoELIB office by calling +254 71 1082443/4 or emailing info@coelib.org.

Sexual Misconduct and Violence: Any individuals who may be working for, or acting on behalf of, the CoELIB, whether on a voluntary or paid basis, must:

- a) Report incidents that include domestic violence, sexual misconduct (including sexual assault, sexual contact, sexual exploitation, sexual harassment, or statutory rape).
- b) Report the use of inappropriate language or behaviour towards a staff or beneficiary, including speech that is considered offensive, abusive, sexually provocative, demeaning or culturally inappropriate.
- c) Report incidents of fondling, holding, kissing, hugging, or touching of staff or beneficiaries that are inappropriate or culturally insensitive way.
- d) Not sleeping in the same room or bed as a child with whom they are in contact under the project context.
- e) Avoid engaging in activities of a personal nature for children with whom they are in contact within the project context (e.g., taking a child/young person to the toilet/bathroom; helping them get un/dressed).
- f) Ensure that they are not alone with a child in any setting, that another adult is present, and that the child is in an open public place where others are around and in plain view.
- g) Not provide transportation such as car or motorbike rides to individual children for any reason.

Note that any individual under the age of 18 is a child under the laws of Kenya and, therefore, cannot legally give informed consent to any sexual activity and that any



sexual activity with a child will be treated as a serious infraction and result in disciplinary action, including termination and the pursuit of any other available legal remedy.

Beneficiary Sexually Abusive Material: Any individuals who may be working for or acting on behalf of the CoELIB, whether on a voluntary or paid basis, must:

- a) Report incidents or cases where they suspect or become aware of a beneficiary's exposure to sexually abusive material.
- b) Not use computers, mobile phones, video/digital cameras or other electronic devices to access, view, create, download, or distribute child sex abuse material, including abusive images of children or young people.

8. Media Best Practices

Any individuals who may be working for or acting on behalf of the CoELIB, whether on a voluntary or paid basis, must:

- a) Ensure that, before obtaining and using identifiable images and stories of children, informed consent is gathered from their caregiver in writing and inform the family of how such images or the story will be used.
- b) Ensure images, interviews and videos of children are only taken after understanding their potential impact on their safety, dignity, and well-being in a manner that ensures respect for children's privacy and compliance with applicable laws.
- c) Obscure the visual identity of any child if dissemination of the image could make the child vulnerable to stigma, discrimination, abuse, violence, or exploitation.
- d) Store all content and data (names, photos, case studies) securely, and restrict access to those needing knowledge.
- e) Consider how stories and images can convey dignity and respect before sharing them and avoid sensationalism and stereotypes. Consider how the entity's words and images reflect upon the children, families, and communities.
- f) Prohibit the exchange of contact information directly with children. Parents/guardians should mediate all contact.
- g) Limit information sharing on social media, or otherwise that could expose or endanger children and families. De-identify all stories and images, remove geotagging, distinguishable landmarks, and names, and change any personal details where necessary.

9. Violations of Rules: Consequences and Procedures

Any individuals working for or acting on behalf of CoELIB, whether voluntary or paid, who fail to report suspected abuse, neglect, child sexually abusive material, or other harm to a beneficiary may be subject to disciplinary or corrective action. CoELIB partners and collaborators may also be subject to civil and criminal penalties for failure to report suspected abuse or neglect. In the event of infractions, the procedures described below will be applicable:



1. Violations of the law should be reported to law enforcement by those with knowledge of them and will be reported by staff when known.
2. A report may be filed by any one or more of the following methods if any individual (youth or adult) associated with any CoELIB activity is believed to have violated this Protocol or the conduct rules of a specific program:
 - a. Calling the 24hr Childline Kenya Hotline at **116, 999, 112 or 911** to connect to the National Police Service to report the worst form of abuse.
 - b. Calling the CoELIB office at +254 71 1082443/4 or emailing info@CoELIB.org.
3. CoELIB staff will typically consult with county and local officials regarding alleged infractions, due process, incident and disposition record-making and retention, and age-appropriate aspects of dealing with an alleged crime under applicable Kenyan law and CoELIB policies and procedures.
4. Independent reports will **always** be filed by CoELIB staff, with law enforcement and public health, when such reporting is mandated by applicable laws or government regulations or is judged by site personnel to be appropriate considering immediate danger or protracted risk.

10. Notification of Early Adjournments or Participant Dismissals

1. Early adjournments or participant dismissals will be communicated with parents or guardians face-to-face at parent-chaperoned events.
2. For CoELIB staff-chaperoned events, the prior completion and signature by a parent or guardian of an emergency contact information form is a prerequisite to youth participation. Information on that form will be used to ensure notification to a parent or guardian.
3. In all cases, at least two (2) CoELIB adult chaperones will remain with child participants until all child participants have departed.