

Herein contained is the Code of Conduct and EFAC Child Safeguarding Policy. Every staff and anyone engaging with EFAC shall append their signature as an agreement to abide by these policies.

## 1.0 Code of Conduct

All EFAC staff, board, volunteers, mentors, interns, visitors, media, contact teachers, donors, Sponsors, partners and with personalities who get into contact with children in any EFAC program shall sign this code of conduct in agreement to adhere to the protection of EFAC Scholars.

I, \_\_\_\_\_  
agree that in the course of my association with Education for All Children, I will adhere to the Child Safeguarding Policy as outlined in this policy. I will endeavor to handle all the scholars and the young people that I will be in contact with, with the utmost respect.

*(if you represent an organization, provide a signed list of all members that will engage with EFAC scholars with their identification numbers and contact information as an appendix to this policy)*

1. I/we shall:
  - a. Instantly report any allegations and incidences of child abuse to the Country Director or Program Manager.
  - b. Never provide children with other personal needs or items (apart from Tuition, boarding fees and recommended expenses by the school) without authorization from EFAC.
  - c. Treat all EFAC scholars fairly without favoritism or discrimination.
  - d. Under no circumstances offer to provide medical expenses, family needs, pocket money and personal items unless recommended by EFAC.
  - e. Adhere to all local, national and international child protection laws.
  
2. Before photographing and filming a child or a young person for work-related purposes, I/we shall:
  - a. Evaluate and adhere to local traditions and prohibitions about reproducing an individual's images
  - b. Acquire and document spoken consent from children or their parent or guardian and explain the purpose of the photograph or film. Try to get written consent whenever possible
  - c. Make sure that images presenting children portray their dignity and are respectful
  - d. Make sure that all the children are adequately clothed
  - e. Make sure images are an honest representation of the circumstances and the facts
  - f. Make sure that the identities of children and young people in all photographic and electronic images are not in any way disclosed
  - g. Secure all the documents containing children's images and only avail when needed.
  
3. I/we have read and understood the Education for All Children (EFAC) Child Safeguarding Policy and Code of Conduct:
  - a. I/we am in agreement with the Policy and Code of Conduct.
  - b. I/we understand that contravention of the Policy or Code of Conduct necessitates termination of my employment/contract/visits/mentorship/internship and contact with Education for All Children.
  - c. I/we also understand that failure to comply with the Policy or Code could result in a criminal prosecution

- d. I/we understand that it is entirely my responsibility, to use common sense and avoid actions or behaviors that are abusive and exploitative to children and young people or could be interpreted as such.
- e. I/we authorize Education for All Children (EFAC) to undertake any necessary investigations, including criminal record checks and reference checks, during my appointment/recruitment/offer of service contract/internship/donation/ or visit the EFAC Program and for any other official purpose in relation to my engagement.

By signing below, I consent to abide by the Child Safeguarding Policy and Code of Conduct.

**Name:** \_\_\_\_\_

**ID#:** \_\_\_\_\_ **Tel:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Profession:** \_\_\_\_\_

**Position:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Contact Person in the organization:** \_\_\_\_\_

**Organization email:** \_\_\_\_\_

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Witnessed by:** \_\_\_\_\_

On behalf of EFAC, this date: \_\_\_\_\_

*(for an organization, appendix a list of staff/members that will have direct contact with the EFAC scholars)*

## CHILD SAFEGUARDING POLICY

### Introduction

This policy will act as a guideline for all our EFAC staff, volunteers, interns, guests, consultants, service providers, donors, and all the people that partner with us will abide by the provisions of this policy to ensure the protection of all scholars in Kenya.

### Definition of terms

**Child:** As used in this document, a “child” is well-defined as anyone who is 18 years and below, which is in line with the UN Convention on the Rights of the Child. It includes all the scholars of EFAC in high school and all those that are below 18 years.

**Child Abuse:** ‘Any forms of physical and/or emotional abuse, sexual abuse, neglect or negligent treatment or money-making or other exploitation, subsequent in actual or potential harm to the child’s health, survival, development or self-esteem in the context of a relationship of responsibility, trust or power.’

**Child Safeguarding Policy:** ‘This is a statement that demonstrates Education for All Children’s commitment to safeguarding children from harm and ensuring the safety of children. It assists in creating a safe and positive environment for children and indicates that the organization is taking its duty and responsibility of care totally.

**Child Protection:** All measures put in place to prevent and respond to abuse, neglect, manipulation and all other forms of violence against children.

**Child Participation:** Anyone below the age of 18 taking part in a process or playing a role in a process at his/her level, according to their evolving capacities - children and young people being able to think for themselves, articulating their views effectively, and interacting in a positive way with other people; involving children in the decisions which affect their lives, the lives of the community and the larger society in which they live.

**Direct Contact With Children:** Being in the physical presence of a child or children in the context of the Education for All Children’s work, irrespective if contact is occasional or regular, short or long term.

**Indirect Contact With Children:** When having access to information on children in the context of the organization’s work, such as children’s names, locations (addresses of individuals or projects), photographs and case studies and/or providing funding for organizations that work ‘directly’ with children as this has an impact on children, and therefore confers upon the donor organization responsibility for child protection issues.

**Informed Consent:** Capacity to freely give consent grounded on all available information, according to the age and progressing capacities of the child.

**Country Director’s designee:** Any senior member and staff of Education for All Children as expressly delegated by the Country Director in written documentation.

**Visitors:** Technical support staff from across the world, Donors, consultants or any other person visiting any EFAC program for official purposes.

**Social Media and Digital Communications Technology:** includes but is not limited to social networking and Internet sites, online discussion forums, email, podcast/video casts, microblogging, regular blogging, RSS, wiki, instant messaging, shared/distributed photographs, videos, audio clips, virtual gaming and communities, social media use of mobile phones, and any other electronic media or digital communications of any kind.

**Partners:** All those who implement any program tasks on behalf of EFAC

## **Preface**

EFAC Kenya is a Charitable Trust registered in Kenya and affiliated with EFAC USA. EFAC recognizes the right of all children to be protected from all forms of abuse and exploitation and that neither abuse nor exploitation of children is ever acceptable. EFAC has a mandate to protect children under its care from harm.

EFAC Kenya recruits and places its scholars in selected schools in the country with the consent of their guardians/parents. In this sense, the parent/guardian hands the responsibility of protecting their child to EFAC and EFAC entrusts the child to the school. All Staff and those that Partner with EFAC, the donors and visitors shall therefore respect the rules of the School. EFAC shall respect the wishes of the parents/guardian but shall also ensure the protection of the Child against any abuse as defined by the Kenyan Law/Constitution.

All EFAC staff, visitors, volunteers/interns, donors, partners, mentors, trainers, contact teachers and other parties allied to EFAC and all those who come into contact with children directly or indirectly as they carry out their work with EFAC will respect and abide by the provisions of this policy to ensure that all the children are under protection.

## **1.0 PURPOSE**

The purpose of this Policy is to ensure that EFAC is an organization that is safe for all children who are in contact with our staff and partners directly and or indirectly. The policy aims to prevent abuse as well as exploitation of children and to put in place mechanisms to report and respond to abuse and exploitation in a well-timed and appropriate manner.

## **2.0 THE CHILD SAFEGUARDING POLICY AND RESPONSIBILITY**

1. EFAC recognizes that:
  - a. All child abuse includes the abuse of children's rights
  - b. All children possess equal rights to protection from abuse and exploitation.
  - c. The situation of all children must be improved through the promotion of their rights as set out in the UN Convention on the Rights of the Child. This includes the right to freedom from abuse and exploitation
  - d. All forms of child abuse are never acceptable
  - e. EFAC has a commitment to protecting children with/for whom we work
  - f. Whenever we work with our partners, they all have a responsibility to meet minimum standards of protection for children in their tasks.
2. EFAC will meet the commitment to protect children from abuse through:
  - a. Awareness to ensure that all staff and others are aware of the problem of child abuse and the risks it exposes to children.
  - b. Prevention, which will ensure, through awareness and good practice, that staff and others curtail the risks to children.

- c. Reporting to ensure that staff and others are clear on what steps to take where concerns arise regarding the safety of children.
  - d. Responding to ensure that action is taken to support and protect children where concerns arise regarding possible abuse.
3. Improvement of EFAC Child Safeguarding Policies:  
EFAC shall be responsible for the development, implementation and continuous review of this Child Safeguarding Policy in accordance with the Constitution of Kenya that is consistent with the provisions of the UN CRC.

### **3.0 AWARENESS:**

1. EFAC Kenya will ensure all staff, volunteers, Interns, visitors, consultants, mentors, donors, partners, contact teachers and others affiliated with EFAC understand and perform their child protection responsibilities and obligations.
2. EFAC Executive Director and the Country Director shall provide leadership in the issues of child protection.

### **4.0 BEHAVIOUR PROTOCOLS**

These rules of behavior are aimed at protecting children and are based on local and culturally appropriate interactions with children and in compliance with the following EFAC Behavior Protocols:

#### **1. EFAC Tolerable Behavior**

- a. All EFAC Staff, volunteers, interns, mentors, contact teachers, consultants, donors and partners must:
  - i. Under no circumstances beat or otherwise physically assault or physically abuse children
  - ii. Never have relationships with children which is in any way thought of as exploitative or abusive
  - iii. Not insult or place a child at risk of abuse.
  - iv. Not use language that makes suggestions or gives advice that is inappropriate, offensive or abusive.
  - v. Not behave physically inappropriately or sexually provocatively.
  - vi. Never sleep in the same bedroom as a child with whom they are working.
  - vii. Not do anything personal for children that they are capable of doing on their own.
  - viii. Never participate in any behavior that is illegal, unsafe or abusive to children.
  - ix. Under no circumstances act in ways aimed at shaming, humiliating, belittling or degrading children, or otherwise advance any form of emotional abuse
  - x. Never discriminate against or show favoritism to any particular child/children to the exclusion of others.
- b. All EFAC Staff, volunteers, mentors, interns, contact teachers, donors and partners should never:
  - i. Conduct oneself in an unsuitable physical manner, or have a sexual relationship with a child in accordance with Kenyan law.
  - ii. Fondle, hold, kiss, hug or touch children in an unsuitable or culturally unacceptable way
  - iii. Use language, make suggestions or offer advice which is inappropriate or abusive, including language that causes shame or humiliation or is belittling or degrading

- iv. Spend excessive or unnecessary time alone with a child, away from others or behind closed doors or in a secluded area
- v. Condone or participate in behavior with children which is illegal, unsafe or abusive, including harmful traditional practices, spiritual or ritualistic abuse
- vi. Hire children as workers unless it is in the best interest of the child and in alignment with Kenya law and international standards.

The above are not the only limited unacceptable behaviors. EFAC Staff must avoid actions or behavior which may constitute depraved practice or potentially abusive behavior.

- c. It is imperative for all staff and others in contact with children to:
  - i. Be cognizant of situations that may exhibit risks and manage these
  - ii. Plan and consolidate the workplace and activities in a way that minimizes risks
  - iii. Develop a culture of openness to enable any issues or concerns to be raised and discussed
  - iv. Ensure that there is accountability between staff so that poor practice or potentially abusive behavior does not go unchallenged.
  - v. Ensure children have a clear and comfortable way of raising their concerns.
  - vi. Empower children by deliberating with them their rights, what is acceptable and not acceptable, and what their responsibilities.

## **2. Tolerable Behaviors**

EFAC staff, interns, volunteers, mentors, contact teachers, consultants, donors, partners and visitors:

- a. Remain careful about children's perception, appearance, language, actions and relationships, therefore demonstrating respect for children and their rights
- b. Ensure that all physical contact with children is locally appropriate.
- c. Ensure constructive, non-violent ways of managing children's behavior
- d. Take responsibility for personal behavior and issues as a representative of the organization
- e. Act in a sexually appropriate manner; avoid placing adults in compromising and vulnerable situations with children
- f. Conform with the child protection linked investigations, both internal and external and make available any documentary and information necessary for all-inclusive investigation

## **3. Contravention Action:**

In the event that the EFAC Behavior Protocols are not followed, or any other inappropriate behavior towards children, warrants a disciplinary action, and including termination of the working links or sacking from employment, internship and Board membership. EFAC will possibly take legal action like reporting to local authorities based on local legal obligations and the best interests of the child.

## **4. Recruitment**

1. All EFAC staff appointed will sign and abide by the EFAC code of conduct
2. All EFAC partners have to sign and abide by the code of conduct
3. All staff and volunteers who engage with EFAC will be provided with a copy of the EFAC child protection policy
4. All organizations partnering with EFAC shall sign a copy of this policy

5. The recruitment process will include checking on suitability for working with youth and children.
6. The induction will involve briefing on child protection matters
7. Contacts for reporting child abuse will be availed.
8. Systems will be established by every High school/institution of higher education where our scholars are to investigate possible abuse once reported and to deal with it
9. Orientation, learning and support to all staff will be provided by the EFAC Country Director
10. The Country Director will ensure all the EFAC staff are privy to this policy.
11. The Program Manager will update a list of staff with orientation on EFAC child policy

EFAC recruitment policies will include a statement that if an employee is discharged for sexual abuse or other child maltreatment, EFAC may disclose such information if requested by a prospective employer. Such disclosures are made in accordance with applicable laws and/or customs.

## 5. Visitors

### Preparation of visits to EFAC:

1. EFAC Kenya will plan donor and sponsor visits to the Schools and/or scholars' homes in liaison with the EFAC US. All visitors will be given a copy of the EFAC Child Safeguarding Policy along with other visitor materials.
2. All visits to the schools shall be in accordance with the guidelines set by the school and the government and in prior arrangements with the school.
3. Unexpected visits to the schools/beneficiaries' homes on behalf of EFAC shall not be permitted.
4. **Visitor Orientation to Child Protection:** Each EFAC High school/institutions of higher education where our scholars are in Kenya will be diligent to ensure that visitors uphold the relevant child protection standards. The following requirements apply to visitors who visit and have direct contact with children in relation to:
5. **Information Communications, digital technology and social media:**
  - a. In all means of communication, children are treated and represented with dignity, not as with sexually indicative poses.
  - b. EFAC shall take photos of the beneficiaries which shall be used only for the purpose of reporting EFAC's progress to the donors and identification of its scholars in their annual magazine.
  - c. Any photos, stories, videos and communications activities or materials will consider the best interests of children giving them maximum priority.
  - d. All children issues, identity and medical conditions like HIV status should not get exposed.
  - e. All media visits and interviews must be approved by EFAC and attended by an EFAC staff member.
  - f. Consent for text, video, and photo gathering must be sought from the school, parent/guardian or child so that the intention of the reporting is known by all concerned. The permission must be written.
  - g. EFAC will ensure that the empowerment of children, guardians or parents and donors so that they understand how to safely and properly utilize social media and digital technology.
  - h. EFAC commits to helping children understand the need to be protected from potential social media and digital harm. All materials by contacts of EFAC in the media must not give full details of the child and his relations.



- i. Violations of these standards must be reported to the EFAC Country Director or the Program Manager. A follow-up and investigation must commence immediately and action taken without any delay.
- j. If a legal action is taken, disciplinary action will be effected by means of termination of employment, termination of engagement, scholarship and disengaging with partners, contact teachers and donors.

## **6. Reporting Abuse**

EFAC parents or guardians and the school community has a responsibility to ensure that the children under our care are protected from abuse. In the event a child has been subjected to abuse of any kind capable of interfering with any aspect of the child's development, all parties have an obligation to report without delay and ensure that the best interest of the child is given priority.

## **7. Responding to Child Protection Incidents**

### **1. Category I: Child Protection Incidence**

This category involves incidents of child abuse not committed by EFAC partners, staff, interns, contact teachers, donors or anyone affiliated with EFAC (board members, alumni, work-study students and partners). Such incidents must be reported according to Kenyan laws within 24 hours of being noticed. The response will be implemented by the EFAC leadership in collaboration with EFAC Country Director.

EFAC will consider any case of serious harm that threatens the safety, survival and development of an individual child as a protection incident. These include:-

- a) Any harmful traditional practices or rituals;
- b) Any harm committed at a community level;
- c) Any harm committed within the family circles or at school

### **2. Category II: Child Protection Incidence**

It entails any violation of the Child Protection Policy, which could subject a child directly to any kind of harm. The incident will be reported to the relevant authorities according to Kenyan laws and the EFAC Country Director within 24 hours when the incident is first noticed.

### **3. Category III; Child Protection Incidence**

This type of incidence entails any allegations or incidence that involves:-

- a) The EFAC staff, donors, Board members, alumni, partners, contact teachers, interns, work-study students or anyone affiliated to EFAC.
- b) Any serious injury or death of a child while engaging in EFAC activities caused directly by an EFAC-related individual by means of negligence or any other actions.

The EFAC Kenya Office will ensure that child protection incidents and cases are reported according to Kenyan laws within 24 hours when first noticed. The response will be implemented by EFAC leadership in collaboration with EFAC Country Director.

Further, EFAC Country Director will take the following actions:-

- a) Alleviate further harm to the child from the perpetrator
- b) Facilitate the child under attack to access a place of safety away from the perpetrator, medical and psychological help



- c) Seek, offer or refer the child to get facilitation a legal procedure towards the perpetrator(s)
- d) Ensure a detachment, cancellation, suspension of services and contracts with the partner or the perpetrator pending investigations. Once guilty, the contract will be terminated or canceled and the perpetrator subjected to disciplinary action as deemed appropriate.

All EFAC-related individuals have an obligation and responsibility to report any child abuse incidence or concerns involving EFAC staff, partners, donors, contact teachers, Board members or any other person who has worked with EFAC.

### **7.1 Responding to child protection**

All child protection incidents can be reported by EFAC people to:

1. EFAC Nairobi Office. Report to the Country Director and/or Trustee.
2. In schools that we partner with, report to the EFAC contact teacher or the school management. The report should be made to the relevant authorities, the parents or guardians of the child and to EFAC office.
3. At home, the parents/guardians should be informed. Efforts should be made to report to the relevant authorities. Contact teachers can be informed, who in turn should report to EFAC about the incidents.