



Hekima University College

A CONSTITUENT COLLEGE OF THE CATHOLIC UNIVERSITY OF EASTERN AFRICA



Safeguarding
Policy Manual

2019



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Safeguarding Policy Manual

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1.0 PREAMBLE

Hekima University College (HUC), a Jesuit center of excellence in formation, research and intellectual scholarship, cherishing, offering high quality integral and contextual education as well as a spiritual formation based on the Ignatian pedagogy and the finest tradition of Jesuit humanistic heritage, recognizes the Universal Church's endeavor to make the Church a safe place for all.

HUC acknowledges the need to take into account the protection of children and vulnerable adults as part of its core aim of forming responsible leadership for our countries, the African continent and the world.

HUC shall also integrate the protection of children and vulnerable adults in its integral formation program. All staff and students of HUC will abide by this Policy.

INTRODUCTION

STANDARD I:

The Policy statement

Hekima University College (HUC) has developed this policy to protect from harm any child and vulnerable person entering into its premises and to safeguard the good reputation of the Institution.

The Purpose of this Policy is to:

- i. State the commitment of HUC to the Safeguarding of children and vulnerable adults and the prevention of abuse, exploitation and neglect.
- ii. Set out common values and principles and provide guidance on safeguarding and protection issues and good practices.
- iii. Set out procedures that must be followed by HUC representatives.
- iv. Ensure that all members of HUC know their responsibility in safeguarding children and vulnerable adults from any harm.

SCOPE

This policy provides guidance and procedures that must be followed by HUC representatives, wherever in the world they are working. The present policy covers the safety of all children and vulnerable adults.

STANDARD 2:

Definitions

The *Formula of the Institute* states that the professed Jesuit commits himself to the formation and education of children and the ignorant (vulnerable persons) - Fl 6. In other words, the Society of Jesus and its Institutions have to protect children and vulnerable adults.

A *Child* is a person under 18 years old, as recognized by Canon Law (1983) and the UN convention on the Rights of the Child (1989).

An *adult* is a person over 18 years old.

A *Vulnerable adult*, in its broad sense, is someone in need of community care or of special services by reason of mental health or other disability, age or illness, and who is or may be unable to take care of him/herself, or unable to protect him/herself against significant harm or exploitation.

Harm is ill-treatment (including sexual abuse and physical or non-physical forms of ill-treatment) or the impairment of health (physical or mental) or development (physical, intellectual, emotional, social or behavioral), as defined in the Children Act 1989. Neglect or inaction, particularly in the context of a relationship of responsibility or trust, can be forms of harm.

Physical abuse is an actual or potential physical harm perpetrated by another person. It may involve hitting, shoving, poisoning, drowning and burning.

Sexual abuse is making (forcing or enticing) a child or vulnerable adult to take part in sexual activities that s/he does not fully understand and has little choice in consenting to. It may include, but is not limited to rape, oral sex, penetration, or non-penetrative acts such as masturbation, kissing, rubbing and touching, or involving children in sexual images, watching sexual activities

and encouraging children to behave in a sexually inappropriate way.

Emotional abuse is a persistent emotional maltreatment that impacts on a child's emotional development. Emotionally abusive acts include restriction of movement, degrading, humiliating, bullying (including cyber bullying), and threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile treatment.

Neglect and negligent treatment refers to a persistent failure to meet a child's basic physical and/or psychological needs, which is likely to result in serious impairment of a child's healthy physical, spiritual, moral and mental development. It includes the failure to properly supervise and protect children or vulnerable adults from harm, as well as failure to provide nutrition, shelter and safe living/working conditions.

Safeguarding is the process by which an institution attempts to protect children and vulnerable adults in terms of health, wellbeing and human rights, enabling them to be free from harm.

Responsibility

It is the responsibility of the HUC Administration and Management Staff to create an organizational culture that promotes safeguarding of children and vulnerable adults by upholding principles of transparency and accountability on such matters.

All representatives of HUC are expected to follow the guidelines and procedures of this Safeguarding policy, including the reading and signing of the code of conduct and reporting procedures for suspected protection violations.

Principles

- i. All Children and vulnerable adults have equal rights to protection. We are aware that people with power and influential positions in communities, including workers, can abuse or exploit children and vulnerable adults. This calls for preventive action to protect them against abuse and appropriate responses to alleged abuses and

- violence done to them.
- ii. Hekima University College uses a rights-based approach when working with children, promoting the four broad areas of the UN convention on the Rights of the Child (1989): Promote the child's right to survival, development, participation and protection.
 - iii. Hekima University College strives to ensure that measures and systems are in place to protect children and vulnerable adults from all forms of abuse and maltreatments by a member of HUC or its representative. The College's policy recognizes that children and vulnerable adults have differing levels of capacity depending on age and development that can affect the ability to protect themselves and make decisions about their own lives.
 - iv. The policy, including the code of conduct, is supported by quality programming standard for children that contains a standard around the rights of children and vulnerable adults and the protection of children from abuse, exploitation and neglect.
 - v. The HUC Safeguarding policy including the code of conduct are made easily accessible for all staff and other representatives. Staff should promote the code of conduct in all situations where the college is responsible for bringing children into contact with adults.

Specific Occasions to be addressed:

Hekima University College is visited by children for catechism, recollection, liturgical celebrations (Masses for various occasions, including Christmas and Holy week), and visits with their parents at some occasions. HUC wants them to be safe during such occasions and at any other times.

STANDARD 3

I. Staff recruitment procedure

All staff to be recruited have to be screened, assessed about any criminal behavior regarding children and vulnerable adults, and must accept to apply the policy, protocols and other guidelines of Hekima university College safeguarding policy.

2. Code of conduct

This code of conduct constitutes a set of standards for appropriate behavior. It also gives guidance to avoid situations that increase chances of behavior that may be classified as inappropriate when in the company of children and vulnerable adults. The code of conduct should be interpreted in a spirit of transparency and common sense, with the best interests of the child or vulnerable adult as the primary consideration.

This code is applicable to anyone acting as a representative of HUC, such as lecturers, trustees, other staff, students, volunteers, consultants, journalists, and other visitors whose work requires him/her to be in contact with children and vulnerable adults or may bring children and vulnerable adults into contact with other adults.

Therefore adults, as defined above, are expected not to:

- i. Spend time alone with a child or vulnerable adult, either at the adult's or child's home, overnight, in a car or any other secluded place
- ii. Carry out personal activities on a child or vulnerable adult like bathing and dressing
- iii. Engage in inappropriate touch or physical contact with a child or vulnerable adult
- iv. Make sexually provocative gestures towards a child or vulnerable adult
- v. Have a sexual relationship with a child or vulnerable adult
- vi. Physically assault or abuse a child or vulnerable adult
- vii. Make use of language that causes mental or emotional harm to a child or vulnerable adult
- viii. Exploit children or vulnerable adults in any way or form
- ix. Discriminate based on race, colour, sex, language, national, ethnic or social origin, property, disability, birth or other status, gender, sexuality, religion, or political or other opinions
- x. Act in any other way that may suggest abuse or exploitation of children or vulnerable adults.

In order to avoid the above from happening, it is encouraged that people take proactive action on risk minimization by making efforts to try and:

- i. Avoid compromising situations that increase vulnerability
- ii. Meet in public places as much as possible
- iii. Have parent/ care-takers present when visiting, being visited or meeting children or vulnerable adults
- iv. Avoid actions that can be subject to misinterpretation by a third party
- v. Get informed written consent from the parent or person with primary responsibility over the child or vulnerable adult before taking photographs or a statement from a child

3. Working with partners

Hekima University College expects all partners and other groups working with the College to uphold best practice guidance on protection in all activities involving children and vulnerable adults. All written agreements between other partners or agencies should reflect a strong commitment to the protection of children and vulnerable adults.

STANDARD 4

Communication about children and vulnerable adults

In its communication and fundraising strategy, the College may at times use images and recordings of children and field texts. The College has a responsibility towards the children and vulnerable adults that are portrayed and should ensure that they are treated with dignity as humans with rights by avoiding the following:

- i. Inaccurate representation of children and vulnerable adults through words and images
- ii. Communication that shames degrades or victimizes.
- iii. Taking pictures or statements from children and vulnerable adults without informed consent of care-givers

- iv. Depicting children or vulnerable adults in sexually provocative poses
- v. Personal and physical information identifying the location of a child or vulnerable adult that could put them at risk should not be used in communications, including websites.

Identifying and reporting suspected abuse

This section identifies signs of abuse of children and vulnerable adults and how to manage any disclosure of abuse. It also sets out the responsibility to report any suspected signs of abuse.

Signs of abuse

Before any form of behavior or act is reported as abuse, it is important that people get familiar with basic signs of abuse. However, it is crucial to note that abuse of children and vulnerable adults is not an easy act to identify and care should be taken to put facts together and understand the context, as well as talk to the child or vulnerable adult where possible before drawing conclusions.

Possible signs of sexual abuse

- i. Physical indicators on genital areas
- ii. Sexualised behavior inappropriate to a child's age or vulnerable adult's stage of development
- iii. Sexually transmitted infections
- iv. Pregnancy (depending on age)

Possible signs of physical abuse

- i. Bruises, burns, bites, cuts and dislocations
- ii. Excuses given to explain injuries
- iii. Refusal to discuss injuries
- iv. Aggressive behavior towards others
- v. Withdrawal from physical contact
- vi. Fear of returning home or of having parents contacted
- vii. Self-destructive tendencies

Possible signs of emotional abuse

- i. Delayed physical, mental & emotional development
- ii. Increased anxiety
- iii. Low self esteem
- iv. Inappropriate emotional response to painful situations
- v. Drug or alcohol abuse
- vi. Fear of new situations

Possible signs of neglect

- i. Poor social relations
- ii. Low self esteem
- iii. Frequent hunger
- iv. Non-attendance at school
- v. Poor personal hygiene

STANDARD 5

Listening to a Child's disclosure of Abuse

When a young child or vulnerable adult makes comments or statements that relate to possible abuse, it is important to listen to what they are saying. Many children and vulnerable adults mistakenly believe they deserve the abuse. Generally, it should be assumed that children do not make up stories about this issue. Do not try to force words or images on a child or vulnerable adult in an effort to get more information. If you report suspected abuse, you do not need to prove that it occurred. A report is a request for an investigation. Child protection workers are trained to assess abusive situations, identify potential problems, and ensure the individual's safety.

What to do

- i. Accept what the child or vulnerable adult says
- ii. Keep calm
- iii. Don't panic
- iv. Do not appear shocked

- v. Don't seek help while the individual is talking to you
- vi. Be honest
- vii. Look at the child or vulnerable adult directly
- viii. Assure them that they are not to blame for the abuse
- ix. Never ask leading questions
- x. Try not to repeat the same questions
- xi. Never push for information
- xii. Do not fill in words, finish their sentences, or make assumptions
- xiii. Be aware that the child or vulnerable adult may have been threatened.
- xiv. Make certain you distinguish between what the individual has actually said and the inferences you may have made. Accuracy is paramount in this stage of the process.
- xv. Do not permit personal doubt to prevent you from reporting the allegation
- xvi. Let the child or vulnerable adult know what you are going to do next and that you will let them know what happens.
- xvii. Let them know that you need to tell someone else

At the end of the Disclosure

- i. Reassure them that it was right to tell you. Where appropriate, to the capacity of the child or vulnerable adult, ask them what they would like to see happen next
- ii. Let them know what you are going to do next
- iii. Immediately seek help from your line manager or other responsible senior manager
- iv. Write down accurately what the person has told you. Sign and date your notes. Keep all notes in a secure place for an indefinite period. These are essential in helping your institution/social services/the police decide what is best for the child or vulnerable adult
- v. Seek help for yourself if you feel you need support.

7. REPORTING SUSPECTED CHILD ABUSE

If you suspect abuse or if a child or vulnerable adult has made a disclosure of abuse to you, you should report concerns immediately on the *Incident Reporting Form (Appendix 2)*. Reports should be made within 24 hours. Reports will be treated in strict confidence in the interest of all parties involved and in line with the HUC Policy.

Such reporting includes a concern relating to:

- i. Staff or representatives of HUC
- ii. Staff of HUC-affiliated Organisation or any other HUC partner
- iii. Anyone within the HUC premises

Child abuse in the community should be reported immediately to your Child protection officer (CPO), or to another senior management staff. If you feel unable to discuss the matter with your CPO or another senior manager, you should contact the Principal, President, Rector or Deputy Principal Administration of HUC.

The CPO to whom the report has been made should not carry out an investigation into the allegation, but should report the matter immediately to the Head of Human Resources or the Deputy Principal Administration – who must keep the Principal updated.

STANDARD 6:

8. RESPONDING TO REPORTS OF SUSPECTED ABUSE

This section sets out the responsibilities in responding to and managing cases of suspected abuse.

Investigation procedures

The CPO and Deputy Principal Administration will convene a team to obtain further information, assess the concern, decide next steps and inform the authorities as necessary. The team may include two other persons knowledgeable about child protection.

Based on the evidence and careful deliberation on the case, the team will decide on whether the matter should be dropped, further handled internally or referred to the police depending on the level of assessed gravity and complexity. Where the case concerns a Jesuit, the president of JCAM must be informed through the appropriate channels and the process will follow the prescriptions of the Jesuit General Curia and the Congregation for the Doctrine of the Faith (CDF) as well as informing the local ordinary, namely, of the Catholic Archdiocese of Nairobi.

Where the allegation relates to an affiliated Organization of HUC, the team will liaise with the affiliate institution to ensure appropriate steps are taken.

The process leading to decision making should be well documented and all facts or written allegations and responses stored securely by the resource person (CPO) and the HUC Administration.

When a case is immediately dropped, the reasons for doing so shall be communicated to the person who reported the matter.

Thorough investigations will be carried out before such a decision or action is taken.

Arrangements will be made to provide supervision and support to those affected during and following an allegation.

The team will liaise with the Head of Communications or public relations officer (or whoever is so designated by the Principal) to manage the risk of any negative press or unnecessary disclosures.

The team will be responsible for reporting to the authority of the College and external bodies including the police and the Charity Commission in line with the HUC Serious Incident Reporting Policy.

9. DISCIPLINARY ACTION

Following the completion of the investigation, the line manager, advised by CPO, will decide on the appropriate action to take based on available evidence. This will ultimately follow the HUC disciplinary procedure.

Reports that are made maliciously or not in good faith, could be considered

an act of gross misconduct. Disciplinary action, which may result in dismissal, will be taken against any employee making such an allegation.

STANDARD 7:

Implementation and Monitoring

This section sets out how the policy will be shared with all Hekima University College representatives, how to form and put it into practice.

10. IMPLEMENTATION

All staff and other representatives will be made aware of the HUC Child and Vulnerable Adult Protection policy and requested to read it and sign the code of conduct.

It is the relevant manager's responsibility to ensure safeguarding measures are put in place. Where necessary, training will be provided for specific staff, e.g. those having direct contact with children or vulnerable adults; or researchers who would need training on children's participation and the sharing of information on children.

Training resources will be stored. They will be regularly reviewed and updated.

Performance development reviews should include a question about staff members' training needs on safeguarding and protection. All members of HUC will be trained in child protection.

A review of protection policy implementation will be included in relevant external program reviews.

The Child protection officers will coordinate training on policy and implementation, with the assistance of the Principal or President of the College. The safeguarding policy will be reviewed every three years but can be adjusted before then to reflect global or local changes and developments.

REPRESENTATIVE'S COMMITMENT TO CHILD PROTECTION POLICY AND CODE OF CONDUCT

The following persons should sign a statement of commitment to the Hekima University College Child Protection Policy and Code of Conduct (see Appendix I):

- i. All Hekima College staff
- ii. Any representative/consultant of the Hekima who is expected to come into contact with children and vulnerable adults during the course of their work.

ADVANTAGES OF IMPLEMENTING THE STANDARDS

- i. Children are protected.
- ii. Even if no standards can offer complete protection for children, following these Standards minimises the risk of harming children and vulnerable adults.
- iii. The institution, its staff and associates, are protected
- iv. By implementing these Standards, all staff and associates will be clear about how they are expected to behave with children and what to do if there are concerns about the safety of a child or vulnerable adult.
- v. The organisation and its reputation are protected
- vi. By implementing these Standards, HUC makes clear its commitment to keeping children and vulnerable adults safe.
- vii. The Standards will help all move towards best practices in this matter.

APPENDICES

APPENDIX I

Statement of commitment to child and vulnerable adult protection policy and code of conduct form

I have read and understood Hekima University College’s child protection policy, including the code of conduct on protection.

I agree to abide by the policy and principles therein. I understand that I must raise in a confidential manner with the CPO (or other responsible person) any concerns that I may have about the protection of children and vulnerable adults whilst working for or with Hekima University College manner.

Name:
Position:
Signature:
Date:.....

APPENDIX 2

Incident Reporting Form

Please complete this form if you believe that a child or vulnerable adult's safety is in danger. All protection concerns should be reported directly to an appropriate line manager immediately. The form may be filled in before or after contacting the line manager. The information in this form should be kept strictly confidential.

A: Personal information

Your name:
Job Title:
Place of work:
Relationship to child or vulnerable adult:
Contact details:

B: Child/ Vulnerable Adult's information

Name of individual:
Gender:
Address:
Guardians:

C: Abuse concern

Is concern based on observation or suspicion?
If concern is based on secondary source, give name of information source
.....
Did the child or vulnerable adult report the incident to you?
.....
Give the nature of alleged abuse:
.....
Date of alleged incident:
Time and place of incident:
Name of alleged perpetrator:
Job title:
Describe your personal observations (factually):
.....
Give actual record of what the source said to you:
.....
Provide names of witnesses if applicable:
Any other comments:
.....
Action taken:
.....
Signed: Date:

APPENDIX 3

Resources

1. Convention on the rights of the child, United Nations, 1989, <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
2. Child protection policies and procedures toolkit: How to create a child-safe organization, CHILDHOPE, <https://resourcecentre.savethechildren.net/library/child-protection-policies-and-procedures-toolkit-how-create-child-safe-organization>; <https://www.unicef.org/violencestudy/pdf/CP%20Manual%20-%20Introduction.pdf>
3. Keeping Children Safe Coalition, www.keepingchildrensafe.org.uk
4. Setting the Standards: A common approach to child protection for international NGOs, 2003 Tearfund & NSPCC, <https://resourcecentre.savethechildren.net/sites/default/files/documents/1603.pdf>

APPENDIX 4:

HUC POLICY ON USE OF VISUAL IMAGES

General

In our use of visual images, both photographic stills and video, our overriding principle is to maintain respect and dignity in our portrayal of children and vulnerable adults, families and communities.

Background

HUC strongly supports the United Nations Convention on the Rights of the Child, which makes the best interests of the child a primary consideration (Art. 3). It states that every child has the right to privacy (Art. 16) and protection from all forms of exploitation (Art. 36). Whilst we acknowledge that images are an essential element in portraying our work to the general public and other constituencies and for raising funds, we strive to maintain the dignity of everyone with whom we work and will not use images that are disrespectful or demeaning.

Policy

In our use of visual images we adhere to the following principles:

i. We respect the dignity of the subject

We will always seek to ask permission when taking photographs or

video footage of individuals. Consent for taking and using photographs and case studies will be sought from parents and those with parental responsibility or from the children directly when they are of sufficient age and understanding. Special consideration will be given to photographs depicting children with disabilities, refugees and those in situations of conflict and disasters to accurately portray context and maintain dignity. Wherever possible, we will explain to the subject the likely use of the images. We will never take pictures of people who say they don't want to be photographed.

ii. We do not exploit the subject

We do not manipulate the subject in a way which distorts the reality of the situation (e.g., we do not ask them to cry for the camera). If necessary to protect confidentiality, the names of children and families will be changed. Never would a child's full name and contact details be published.

iii. We aim to provide a balanced portrayal of reality in the developing world

We show people helping and working for themselves, not as victims.

iv. We use images truthfully

Case histories/descriptions are not fabricated, although they may be adapted or edited to preserve the dignity and confidentiality of the subject. Where possible, we use a balance of images (e.g., positive and negative) to reflect the reality of a situation. We do not use an image in a way which deliberately misinterprets the true situation.

v. We maintain standards of taste and decency consistent with our values and those of our supporters

We do not use images which are erotic, pornographic or obscene. We do not make gratuitous use of images of extreme suffering.

Practice guidance

During the process of seeking consent the purpose of photographs and case studies should be explained and, if possible, samples of publications in which the photograph or case study may appear shown to parents and children, preferably by a local staff member known to the family. The process of

explanation and seeking of consent described should apply to photographs and also case studies used for the website.

Consent : I hereby agree to the above conditions and guidelines set out by HUC.

Signed: _____

Date: _____

APPENDIX 5:

Self-Declaration Form (Confidential)

The UN Convention on the Rights of the Child (1989) states that a child is under 18 years of age. The convention, which takes due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child, states that a child has a right to be protected from physical and mental violence, injury, abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse. **Kenya** has ratified the UN Convention on the Rights of the Child, thereby incorporating it into National Law. In accordance with this convention we ask that all persons working or volunteering with us abide by good practice and agree to keep **children and vulnerable adults safe** from harm when relating and dealing with children. In addition we ask that all persons declare the following:

Have you ever been convicted of a criminal offence? YES NO. _____

If yes, please state below the nature and date(s) of the offence(s)

FULL NAME (PRINT): _____

Any surname previously known by: _____

ADDRESS: _____

DATE OF BIRTH: _____ PLACE OF BIRTH: _____

DECLARATION I understand that if it is found that I have withheld information, or included any false or misleading information above, I will be removed from my post whether paid or voluntary, without notice. I understand that the information will be kept securely by HUC.

I hereby declare that the information I have provided is accurate.

Signed: _____ Date: _____

APPENDIX 6:

Useful Contacts

Hekima University College, Joseph Kangethe Road; off Ngong Road, P.O. Box 21215-00505 Nairobi Kenya; [Tel:254-203876608/9](tel:254-203876608/9) -203999000.

Child protection contact persons:

Rev. Dr. Joachim Zoundi, SJ, Co-Chair of JCAM Child Protection Commission, CPO of Hekima University College: +254 721501203; joachim.zoundi@hekima.ac.ke

Rev. Dr. Kifle Wansamo, SJ, CPO of HUC: +254 726218837; kifle.wansamo@hekima.ac.ke

Structures to contact where necessary:

Organisations Responsible For And Dealing With Children's Concerns:

- Child Welfare Society of Kenya – CWSK; Child Welfare Building, Madaraka Estate, Langata Road, Next to Bible Society of Kenya; P.O. Box 43982-00100, Nairobi ; Telephone: +254 20 603 301 ; +254 (020) 606 391 ; Mobile number: +254 726 298 921 ; E-mail addresses: cws_ktoto@yahoo.com; cwsktoto@childwelfaremail.co.ke; childwelfaresocietyofkenya@gmail.com
- Save the Children International - Kenya Programme, Matundu Close, Off School Lane, Westlands; P.O. Box 27679-00506, Nairobi, Kenya. Office Switchboard: +254 20 424 6000
- Girl Child Network Valley View Office Park, 5th Floor Parklands, Nairobi, Off Limuru Road Mobile: +254-708-406-671 gcn@girlchildnetwork.org
- Police Contacts: Kilimani Police Station; [Tel:+25420722222](tel:+25420722222); Mobile: +254721368 999.

Signed and approved by:

Principal: Rev. Dr. John-Okoria Ibhakewanlan SJ

Date: This Policy was created on the 31/12/2018 and will be revised every three years



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