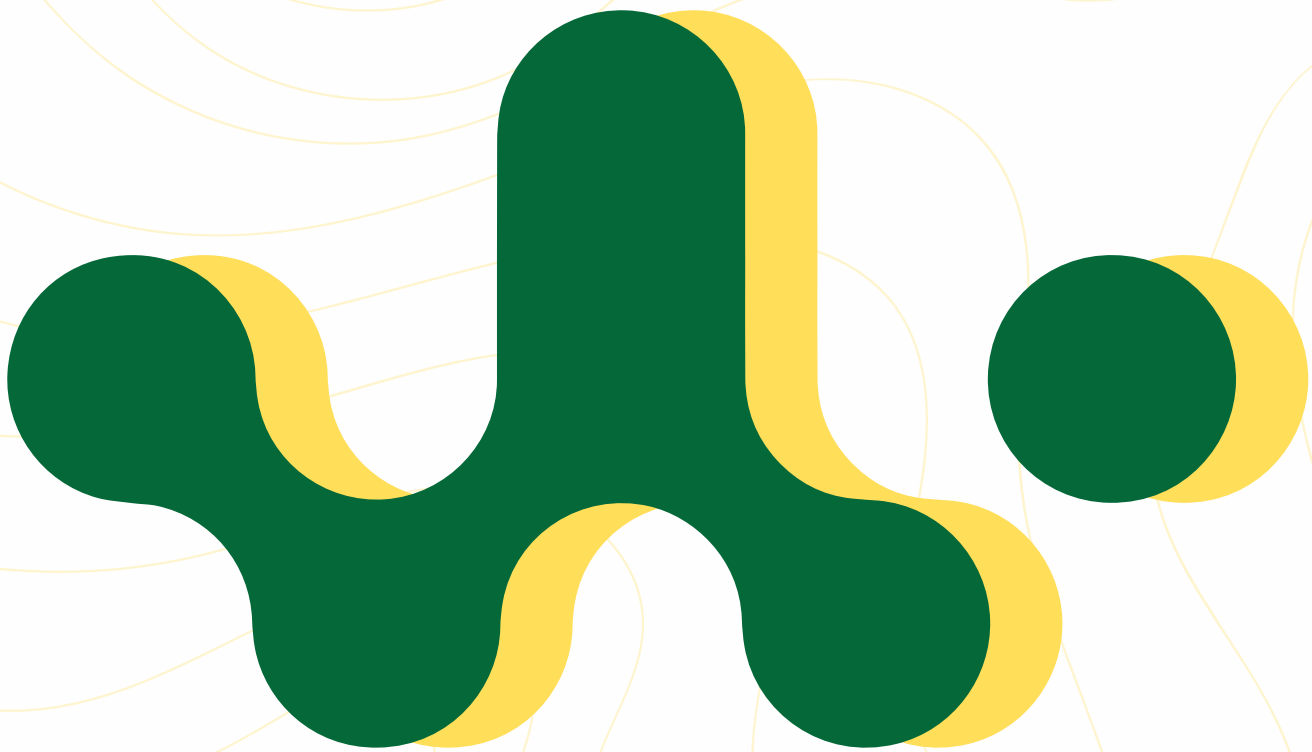


# **SAFEGUARDING AND PREVENTION OF SEXUAL HARASSMENT, EXPLOITATION AND ABUSE (PSHEA) POLICY**

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## List of Abbreviations

ACTS	African Centre for Technology Studies
STI	Science, Technology, and Innovation
SHEA	Sexual Exploitation and Abuse
PSHEA	Prevention of Sexual Harassment, Exploitation and Abuse
HR	Human Resources Officer
SO	Safeguarding Officer
M&E	Monitoring and Evaluation



## Definitions

**Adults at risk or Vulnerable adult** - a person, 18 years and above, who 1) has needs for care and support, 2) is experiencing, or at risk of, abuse or neglect and 3) as a result of those care and support needs, is unable to protect themselves from either the risk of or the experience of, abuse or neglect.

**Abuse** - a violation of an individual's human and civil rights by any other person or persons. It can take the form of physical, psychological, verbal, financial or sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the health, survival, development or dignity of a child, young person or vulnerable adult. Abuse can be a single act or repeated acts and can be unintentional or deliberate. Abuse often involves a criminal act.

**Child** - every human being under the age of 18, unless the laws of a specific country recognise an earlier age of majority in accordance with the UN Convention on the Rights of the Child's definition.

**Child abuse** - different forms of harm or mistreatment of children are categorised under the broader term "child abuse". The most commonly defined types are:

- a) **Physical:** violence towards or deliberate injury of a child
- b) **Neglect:** the persistent failure to meet a child's basic physical and psychological needs
- c) **Sexual:** using a child for sexual stimulation or gratification
- d) **Emotional:** behavior which attacks a child's self-esteem

Discrimination - this is abuse premised on the vulnerable person's age, race, tribe, nationality, sex, sexual orientation, disability, or other personal characteristics.

**Financial or material abuse** - this entails theft, fraud, exploitation, forgery, connivance relating to wills, inheritance or financial transactions, misuse or misappropriation of property or possession.

**Free and informed consent** is the voluntary agreement of an individual who can give consent legally according to the laws of Kenya, and who exercises free and informed choice

**Neglect** - the persistent failure to meet a vulnerable person's basic physical and/or psychological needs, likely to result in the serious impairment of his/her health or development.

Examples include failure to provide adequate food, clothing and shelter, failure to protect them from physical or psychological harm or danger; failure to ensure adequate supervision (including the use of inadequate caregivers); or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a vulnerable person's basic emotional needs.

**Physical abuse** - includes hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm, misuse of medication, restraint, or inappropriate sanctions.

**Psychological abuse** - includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks. Examples include not giving a vulnerable person opportunity to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on a vulnerable person which may include interactions that are beyond a vulnerable person's developmental capability. It may involve serious bullying (including cyber bullying), or the exploitation or corruption of a vulnerable person.

**Sexual abuse** - is a broad term which includes several acts such as forcing, enticing or coercing someone to take part in sexual activities, whether or not the person is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. It also includes indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting. They may also involve a vulnerable person in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). All sexual activity with children (as defined under the UN Convention on the Rights of the Child as any person under the age of 18) is sexual abuse, regardless of the age of maturity or consent locally. A mistaken understanding of the age of a child is not a defense.

**Sexual harassment** is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.

It involves any unwelcome sexual advance; request for sexual favors; verbal or physical conduct or gestures of a sexual nature; or any other behavior of a sexual nature that might reasonably be expected, or be perceived, to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or promotions and other benefits that one is legally and fairly entitled to or creates an intimidating, hostile or offensive work environment. Sexual harassment can be perpetrated against beneficiaries, community members, citizens, as well as staff, personnel, etc.

**Sexual exploitation** constitutes any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including profiting monetarily, socially or politically from the sexual exploitation of another. It includes transactional sex, solicitation of transactional sex and exploitative relationships.

**Survivor or Victim** - the person who has been abused or exploited. The term 'survivor' is often used in preference to 'victim' as it implies strength, resilience and the capacity to survive; however, it is the individual's choice how they wish to identify themselves.

**Third Parties** — refers to any person who benefits, directly or indirectly, from ACTS' mandate (e.g., those individuals who are direct or indirect recipients of ACTS' assistance, work, and activities and those individuals who are in communities where ACTS works and/or operates).

**Vulnerable person** - refers in this policy to all above-mentioned people: children, vulnerable adults, youth and young people.

**Youth or young people** – individuals aged between 18 and 34 years old, as stated in Article 260 of the Kenyan Constitution 2010.

**Zero tolerance** - refers to an approach of not allowing and accepting any form of violations, undesirable behaviours, and acts that are in contravention of the policy, and ensuring all allegations are treated seriously, investigated, and where allegations are confirmed through investigation, disciplinary action is taken as a result, including dismissal.

## 1. Introduction

The African Centre for Technology Studies (ACTS) is a leading intergovernmental policy research think tank established in 1988 to strengthen the capacity of African countries and institutions to harness science, technology, and innovation (STI) for sustainable development. ACTS is committed to upholding the highest standards of safeguarding to ensure that all individuals, staff, partners, grantors, grantees, contractors and consultants are protected from harm, abuse, and exploitation throughout all ACTS programmes, projects, and operations.

At ACTS, our safeguarding vision is to foster a safe, inclusive, and ethical environment across all our research, policy, and capacity-building engagements. This commitment is integral to our mission of promoting science, technology, and innovation for sustainable development in Africa. We strive to ensure that all individuals, particularly vulnerable groups, youth, women, and community participants are treated with dignity and respect, and are free from harm, exploitation, or abuse. Safeguarding is embedded in ACTS's institutional culture, ensuring that research integrity and human dignity go hand in hand.

ACTS is committed to the principles of integrity, professionalism and respect for the dignity of all people. ACTS seeks to ensure a safe working environment free of harassment, including sexual harassment, and free of sexual exploitation and abuse in its activities and operations. Sexual harassment, exploitation and abuse (SHEA) is a grave breach of trust of the people ACTS intends to serve and can have devastating consequences for victims, their families and affected communities. Thus, ACTS deems it central to its core values and mandate to have an effective policy in place to address SHEA in its activities and operations. ACTS has zero tolerance towards acts of sexual exploitation and abuse and takes action to prevent SHEA from occurring in the first place and ensures a prompt and effective response to any allegations.

## 2. ACTS Commitment

ACTS believes that all people have a right to live their lives free from sexual harassment, exploitation and abuse and will not tolerate its staff, personnel, associates, partners or third parties engaging in any sort of behavior that puts beneficiaries or communities at risk. To that end, ACTS commits to:

- a) Creating a safe culture for both those it serves and those who work for and represent the organization.
- b) Following through on any complaints and concerns in a timely manner through its Executive management committee and taking each complaint seriously.

- c) Sensitising staff, associates, partners, and third parties on how to make a complaint.
- d) Ensuring zero tolerance towards sexual exploitation and abuse.
- e) Building a culture of dignity, honor and respect where all those who work with and are served by ACTS feel empowered to report complaints.
- f) Educating staff, associates, partners and third parties that sexual exploitation and abuse constitute gross misconduct and are grounds for termination of employment and possibly legal action.
- g) Providing information on how to report complaints and the investigation procedure.
- h) Ensuring that all staff, associates, partners and third parties have access to the PSHEA policy and procedures as well as all other related safeguarding policies.
- i) Providing training to all staff, associates, and partners on PSHEA.

### **3. Purpose**

This policy sets out ACTS' commitment to creating and maintaining a safe environment free from SHEA, in line with good safeguarding, prevention, and mitigation practices. This includes ensuring SHEA prevention measures are in place, that effective action is taken when problems occur and that survivors receive the support they deserve. ACTS has consulted with a cross-section of the communities we work with, as well as key stakeholders, and good practice guidance, to inform the content of this policy, with the purpose of creating an inclusive, accessible and survivor-centred Preventing and Responding to Sexual Exploitation, Abuse and Harassment (PSHEA) Policy.

### **4. Scope and application**

This policy applies to all ACTS Employees, ACTS Governing Council and ACTS Partners.

- “ACTS employees” refers to all ACTS employees, regardless of position or status, full and part-time staff, interns, casual employees, employees on leave and visiting research fellows.
- “ACTS Governing Council” refers to the body responsible for providing governance oversight and ensuring ACTS operates to the highest standards to achieve its mission.

- “ACTS Partners” refers to individuals and entities who are in receipt of ACTS funding and/or engaged in the delivery of ACTS mandate, including: grant recipients and subgrantees, consultants, service providers, contractors, suppliers, and other external service providers in support of programme and evaluation delivery.

This policy operates in conjunction with ACTS’ HR Policy and Procedures Manual and Whistleblower Policy. This policy outlines the expected behaviour of staff during and outside of working hours (whether in the workplace or not); it also covers the use of personal social media accounts.

## 5. Core Principles

ACTS adopts and abides by the Six Core Principles relating to Sexual Exploitation and Abuse by the Inter-Agency Standing Committee (IASC) Working Group on Prevention and Response to Sexual Exploitation and Abuse that underpin its safeguarding work:

- a) Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
- b) Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.
- c) Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
- d) Any sexual relationship between those affiliated with ACTS and Third Parties involving improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of ACT’s work.
- e) Where a staff, partner, council member or 3<sup>rd</sup> party develops concerns or suspicions regarding sexual abuse or exploitation, he or she must report such concerns via ACTS reporting mechanisms.
- f) ACTS staff, partners and council members are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of ACTS HR Policies and Procedure Manual. ACTS Directors, Programme Leads and Supervisors at all levels have responsibilities to support and develop systems which maintain this environment.

## 6. Policy Positions

The following are mandatory for all those covered by this policy:

- a) Never engage in sexual activity with children (persons under the age of 18 or older if the local law indicates as such) and vulnerable adults in line with international standards. Mistaken belief of age is no defense.
- b) Never engage in a sexual relationship of any kind with individuals directly or indirectly receiving ACTS assistance (and in some situations, the wider community). Such relationships are inherently unequal and undermine the impartiality, integrity and reputation of ACTS's work. Staff engaged by ACTS from an affected community must not exploit their position to enter into a new relationship with other members of their community.
- c) Never exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This prohibition extends to any use of sex trade workers. ACTS does not judge sex trade workers or individuals who participate in selling or exchanging sex (including 'transactional sex') but seeks to mitigate the higher risk that sexual abuse and sexual exploitation will occur in such interactions, which will lead to disciplinary action.
- d) Never produce, procure, distribute or use pornographic material in any of ACTS's working environments, including accessing pornographic material or personal images on websites or through any personal communication medium (including email, text message or social media) using ACTS laptops, phones or networks.
- e) Always report any suspicion, incident or complaint raised to you of sexual misconduct or child abuse through one of ACTS's reporting mechanisms. Where an ACTS staff member is unsure whether a particular behaviour constitutes sexual misconduct, they have an obligation to seek advice from the SO & Safeguarding Committee. ACTS will not tolerate any management who does not follow up appropriately on complaints or incidents raised to them. Individuals are not under any obligation to report their own experiences of sexual misconduct to ACTS.

Breaching any of the above constitutes misconduct and will result in disciplinary action ranging from a written warning to dismissal or termination of partnership or employment.

## **7. Designated safeguarding officers**

ACTS designates the Human Resources Officer (HR) as the primary Safeguarding Officer (SO) and the main point of contact for all safeguarding concerns. The SO is responsible for documenting, monitoring, and addressing safeguarding matters and for escalating issues to senior leadership as necessary. The SO is responsible and accountable for defining safeguarding standards, including developing and maintaining policies and procedures to uphold them.

To strengthen safeguarding oversight, ACTS establishes a standing Safeguarding Committee, composed of representatives from every programme. This Committee supports the SO by reviewing safeguarding cases, advising on prevention measures, and ensuring that safeguarding policies and practices are effectively implemented across the organization. It meets regularly to assess safeguarding risks and recommend improvements.

The Executive Director retains overall accountability for safeguarding across ACTS, including ensuring that robust safeguarding policies, procedures, and systems are in place and adhered to.

## **8. Prevention and Monitoring**

### **8.1 Training**

Training of all ACTS staff and personnel on this policy and the related policies is an essential element in the fight against sexual exploitation and abuse. ACTS will ensure that all new and existing employees are made aware of this policy and the ACTS Code of Conduct during orientation. Additional training and/or learning resources will be provided periodically to ACTS employees, ACTS GC and ACTS partners to facilitate ongoing awareness and understanding of safeguarding good practice guidelines, particularly as the field evolves or when policies or processes are updated.

### **8.2 Outreach and awareness raising**

Public awareness about what is acceptable behaviour by ACTS staff and personnel, and how to report wrongdoing through the existing mechanisms, is conducted by ACTS project staff. Safe, accessible and confidential complaint and reporting mechanisms are being set up in locations where the ACTS has a presence. ACTS shall ensure that SHEA materials are distributed at all levels of the Organisation, and that materials informing staff, personnel and third parties implementing ACTS-funded or -managed activities or operations, and beneficiaries are distributed, and that appropriate tools and channels are used for awareness raising on the issue of SHEA.

### **8.3 Due diligence and background checks for staff, partners, and consultants**

No confirmation of appointment shall be made to any applicant who seeks to work for ACTS before an appropriate background check has been completed. This background check includes questions about criminal convictions, disciplinary measures, sanctions, or investigations related to SHEA.

ACTS reserves the right to withdraw any offer of employment or to terminate any contractual engagement if an applicant is found to have provided untruthful information concerning any condemnation regarding acts of SHEA. ACTS will maintain a record of its staff and other individuals who held work contracts with ACTS who were found to have engaged in acts of SHEA in relation to their work for ACTS. ACTS may disclose information about acts of sexual harassment and/or SHEA on record if so requested by a third party in a selection process.

ACTS will incorporate background checks and disclosure requirements regarding criminal convictions, disciplinary measures, sanctions, and SHEA-related investigations into its due diligence of partners and consultants.

### **8.4 SHEA risk assessment**

An important way to prevent misconduct is to identify risks before it occurs. SHEA risk assessment will be conducted during project design and supervision missions. Risk assessments will be conducted annually at organizational level and for each ACTS project at an early stage of design and during implementation. This risk assessment identifies potential SHEA risks associated with operations and projects and determines relevant mitigation measures to avert them.

Additionally, SHEA-related issues are included in supervision and M&E support missions.

### **8.5 Safe programming**

ACTS projects can exacerbate existing SHEA risks or create new ones, depending on their scope and scale. In order to identify and mitigate or avoid risks of SHEA through programming, ACTS will take the following actions; conduct project SHEA risk assessments during design and during implementation, consult with project beneficiaries and local communities, incorporate general prevention and safety measures for SHEA in projects such as effective recruitment and performance management of staff on SHEA related matters, and help connect survivors to appropriate care.

## **8.6 Media and communication**

The following safeguarding measures will be put in place when handling photographs, producing media and communication regarding children.

- a) The 'two adult rule' should be adhered to when interviewing children. For adults, the option to have a support person of choice should always be open.
- b) Show children and adults in their true social context and reality. Images, stories and messages about boys, girls, women and men will present them in a dignified, respectful manner, portraying them as equal partners in the development process.
- c) Photographs of young children should at least have their bottom half covered. All other children must be clothed top and bottom. The clothing must also be appropriate, with consideration given to the child's local context and the international context in which their image will be used.
- d) Consent should be sought from parents or guardians of children before taking any photographs. The consent should be sought in appropriate forms and will be stored appropriately, preferably also in soft copy.
- e) Pictures, materials and personal information regarding children will be held in a secure, access-restricted database, and applicable data protection laws will be followed.
- f) When publishing the materials, the identity and traceability of the children will be protected, for example, by using only the first name and general location, like country or state.
- g) If a third party requests to use the picture, they must sign an agreement to adhere to the same conditions of use for which the consent was given.

## **8.7 Child Protection and Child Safeguarding Procedures**

ACTS is firmly committed to ensuring that no child is exposed to harm during any of its research, fieldwork, outreach, or programme activities. To uphold this commitment, all individuals working in child-facing roles must undergo a thorough recruitment process. This includes mandatory criminal record checks, obtaining references that confirm the candidate's suitability to work with children, child-specific interview questions, and completion of child safeguarding training before deployment.

The organization will verify the ages of all participants involved in youth programs, children participating in any activities, and peer educators or facilitators to ensure appropriate engagement.

Any suspected child abuse must be reported promptly, with internal notification required within 24 hours and immediate reporting to local child protection authorities. If the abuse is criminal, it must also be reported to the police without delay. ACTS staff are strictly prohibited from mediating, suppressing, or negotiating reports of child abuse.

When involving children in ACTS activities, established child participation protocols will be followed. These protocols include obtaining guardian or parental consent, securing child assent that is appropriate to the child's age, conducting interviews in child-safe spaces, prohibiting unsupervised interactions, and maintaining clear boundaries and behavioral expectations to safeguard the child's wellbeing throughout the engagement process

## 9. Complaints and Reporting Mechanisms

### 9.1 Obligation to report

Any allegation or suspicion of potentially illegal or inappropriate behavior must be reported immediately.

The following persons may file a report:

- Beneficiaries of projects implemented by ACTS & its partners;
- ACTS staff members;
- Persons officially representing an ACTS partner organisation;
- Individual staff members of an ACTS partner organisation;
- Other stakeholders involved in the implementation of ACTS activities, including local leaders, government officials, contractors and representatives of other organisations.

A dedicated email address, accessed only by the SO or the Safeguarding Committee, is available to complainants who wish to express their concerns independently of the hierarchical chain of command and in the strictest confidence: [safeguarding@acts-net.org](mailto:safeguarding@acts-net.org)

ACTS shall provide other diverse, accessible and safe reporting channels, including:

- Safeguarding hotline/telephone number
- SMS/WhatsApp line
- Online anonymous reporting form
- In-person reporting to the SO/Safeguarding Committee
- Reporting through partner organizations

ACTS will ensure reporting channels are accessible to:

- Persons with disabilities (sign-language interpreters; accessible physical spaces)

Low-literacy populations (verbal reporting; pictorial materials)

- Non-English speakers (Swahili and other local languages)
- Remote communities (SMS/phone alternative to email)

Existing reporting channels will be monitored on a regular basis and strengthened where appropriate.

Where a staff member or an individual holding a work contract with ACTS witnesses or otherwise becomes aware of, or has reason to suspect, acts of SHEA, but fails to report this to ACTS in a timely manner, ACTS considers this as misconduct, which may lead to disciplinary measures.

The reporting of false allegations of SHEA made with an intent to harm the reputation of another person or ACTS, or to take undue advantage of ACTS's reporting mechanism for personal benefit, is considered misconduct, which may lead to disciplinary measures.

ACTS staff and individuals holding a work contract with ACTS are required to cooperate unreservedly with the HR and to respond promptly to any requests for information

Reports of SHEA may be done anonymously. "Anonymity" means that reporting parties do not provide their names. Where a report is done anonymously, the reporting party is encouraged to at least provide an email address or phone number for potential follow-up questions.

## **9.2 Confidentiality**

All reports of SHEA are treated with strict confidentiality. "Strict confidentiality" means that the identity of the reporting party will not be disclosed to anybody outside of the Safeguarding team unless the reporting party consents to disclosure or where allegations were made in bad faith or where disclosure is deemed necessary by ACTS to fulfill due process requirements in the investigation process or when there is a clear and imminent danger to the life or health of a person.

## **9.3 Whistle-Blowing**

ACTS recognizes that reporting allegations of SHEA can be difficult. Persons who have in good faith reported allegations of SHEA or cooperated with a SHEA investigation may seek protection under ACTS Whistle-blower Policy. All disclosures will be treated in confidence.

#### **9.4 Prohibited retaliation**

ACTS maintains a zero-tolerance policy for retaliation against anyone for reporting sexual exploitation or abuse, assisting in making a complaint, or participating in an investigation. Any staff, associate, or partner who makes a good-faith complaint of sexual exploitation or abuse, assists, testifies, or participates in any investigation or proceeding or who reasonably opposes such conduct in the workplace, will not be adversely affected in the terms and conditions of his or her employment and will not be discriminated against or discharged for engaging in such activity.

Retaliation not only affects the recipient, but can also spread rapidly throughout ACTS. It destroys faith in ACTS leadership and can damage employee morale. Complaints of retaliation will be promptly investigated. If retaliation is substantiated, appropriate disciplinary action, including possible dismissal, will be taken.

#### **9.5 Investigations**

Investigations shall be confidential, impartial, timely, survivor-centred, and free from conflicts of interest.

ACTS commits to the following timelines:

- Within 24 hours: Acknowledge receipt of a report.
- Within 72 hours: Conduct an initial assessment & safety evaluation.
- Within 10 days: Investigation
- Within 45 days: Complete the investigation (extensions documented).

ACTS ensures a prompt response to all reported SHEA allegations. Upon receipt of an allegation, the SO conducts a preliminary assessment of the allegation.

If this assessment shows prima facie elements of unacceptable behavior including SHEA that merits further proceedings, the SO reports the matter to the Safeguarding Committee and an investigation team is set up.

Investigators must:

- be independent of the concerned programme or individuals
- disclose any conflict of interest
- reflect gender balance where possible
- submit a conflict-of-interest declaration
- recuse themselves if conflict exists
- be replaced immediately where impartiality is compromised

During an initial review, the investigation team may recommend measures to protect a whistle-blower from retaliation. Similarly, upon recommendation from the team, the SO, may take interim measures to protect staff members, individuals holding a work contract with ACTS or beneficiaries.

Cases involving allegations of SHEA are considered high-priority cases. The investigating team conducts its investigations in line with best practices for SHEA investigations and is sensitive to the delicate nature of the allegations. Where appropriate, the team may hire external experts to assist in the investigation and/or liaise with local authorities.

ACTS staff and any individuals holding a work contract with ACTS have a duty to cooperate unreservedly with any review or investigation of allegations of SHEA and shall respond promptly and fully to requests for information.

ACTS staff and other individuals holding a work contract with ACTS are expected to provide any additional relevant information that might be unknown to the investigating team, whether or not requested to do so. A failure to cooperate with an investigation may constitute misconduct.

ACTS staff and individuals who are under investigation for potential SHEA may be temporarily removed from their position, pending the investigation.

Respondents have the right to:

- be informed of allegations (without identifying survivor details)
- respond to allegations
- provide evidence and identify witnesses
- have a support person present during interviews
- confidentiality

Upon closure of an investigation, the investigation team issues a final report to the Safeguarding Committee explaining its findings and conclusions. If any allegations are substantiated, the matter is referred to the Executive Director for review of the matter in accordance with the applicable disciplinary proceedings.

In the event that the alleged conduct may constitute a criminal offence under Kenyan law or there is a reasonable risk to the safety and welfare of the victim or other persons, ACTS shall refer the matter without delay to the relevant external authorities (e.g. the National Police Service and other statutory agencies), in accordance with applicable legal and regulatory requirements and in line with good practice for PSHEA reporting.

## **9.6 Survivor protection**

ACTS will, within the resources available, promote the welfare and safety of the survivor. This may include facilitating or referring to competent service providers for medical, psychosocial, legal, or other support services required by the survivor(s). Survivors will also receive appropriate information regarding the outcomes of any incident management procedures.

ACTS will take immediate measures to ensure the survivor's physical, emotional, and psychological safety.

Information shall be kept strictly confidential and shared only with authorised individuals on a need-to-know basis. Survivor identity will not be disclosed without informed consent unless required by law.

ACTS guarantees protection against retaliation. Any retaliation against survivors, whistleblowers, or witnesses will result in disciplinary action.

## **10. Roles and responsibilities**

### **10.1 ACTS Staff, Governing Council and Partners**

All ACTS Staff, Governing Council and Partners are required to:

- a) Read, understand and comply with the contents of this policy and ACTS's code of conduct as well as attend induction and training as provided by ACTS.
- b) Strive to develop relationships with all stakeholders which are based on equality, trust, respect and honesty.
- c) Report any concerns they may have about the welfare of a child or vulnerable person or report any concerns they may have about the behaviour of an ACTS representative concerning safeguarding.
- d) Exercise their duty to promote a zero-tolerance approach to discrimination, sexual harassment and abuse in all forms and place the safety and welfare of children and vulnerable people above all other considerations.
- e) Not to condone or participate in any prohibited behaviour.

## **10.2 Directors and Programme Leads**

ACTS Directors and Programme Leads must:

- a) Ensure ACTS staff and third parties are inducted into the contents of this policy and are supported to implement work in accordance with this policy.
- b) Create a culture that fosters best practice in safeguarding.
- c) Ensure safeguarding risk is assessed and appropriate procedures that mitigate the risk embedded in day-to-day activities and all ACTS's programming.
- d) Ensure that they respond promptly, confidentially and appropriately towards staff who report concerns.

## **10.3 Safeguarding officer**

The designated Safeguarding Officer has a responsibility to:

- a) Provide support, advice and assistance to any member of ACTS staff who feels they may have been the victim of conduct of a sexual nature that has made that person feel offended, humiliated or intimidated.
- b) Record all incidents relating to safeguarding concerns and will report them to the Safeguarding Committee (in an anonymised form). This report will be confidential, and if any concerns or patterns of abuse emerge, these will be dealt with appropriately.
- c) Document, monitor, and address safeguarding matters and for escalating issues to senior leadership as necessary.
- d) Be responsible and accountable for defining safeguarding standards, including the development and maintenance of policies and procedures required to uphold these standards.

## **10.4 Executive Director**

The Executive Director of ACTS is ultimately responsible for ensuring the effective implementation of this policy and associated procedures and ensuring that everyone associated with ACTS is equipped and supported to meet their responsibilities.

## 10.5 ACTS Partners

ACTS expects its partners to:

- a) Institute similar measures that will prevent sexual harassment, abuse and exploitation of their staff, beneficiaries and third parties who come into contact with ACTS's programmes as well as ensure that their personnel and contractors related to them understand and abide by the contents of this policy and adhere to the third-party code of conduct.
- b) Report safeguarding concerns that relate to ACTS's programmes within 48 hours of realization and to respond promptly and appropriately to reported concerns.
- c) Act without delay to bring concerns of sexual harassment to the attention of relevant national authorities and to cooperate promptly and fully with any enquiry that national authorities may pursue.
- d) Disclose to ACTS whether personnel in contact with ACTS's programmes are or have been the subject of disciplinary proceedings relating to sexual harassment or bullying or an allegation of the same, or questioned by national authorities or convicted for sexual offences.

As appropriate, ACTS will:

- a) Work with the partner to address the issue through an appropriate independent investigation.
- b) Assist the partner in acting within its obligations and referring the matter to the police.
- c) Ensure that all partners are informed, trained and in compliance with our safeguarding standards.
- d) Ensure that partners have signed the third-party code of conduct.

A report made by a partner to ACTS may not necessarily result in termination of the agreement between ACTS and the partner. However, if there is reason to believe that a safeguarding concern has been deliberately dealt with inappropriately by a partner, or if the partner deliberately fails to report a concern to ACTS or deliberately breaches the provisions of this policy, then they risk withdrawal of funding, immediate suspension or termination of the partnership.

Compliance with the policy requirements will form part of the contractual obligations to the partner.

## **11. Independent assurance**

ACTS's safeguarding procedures and processes are subject to the regular internal audit reviews, and where necessary, ACTS may call an external review to assure the integrity, adequacy and effectiveness of the instituted procedures.

## **12. Data retention and protection**

ACTS respects confidentiality and is responsible for protecting sensitive personal data. Information will only be shared on a 'need to know' basis, which means that access to data must be necessary for the conduct of one's official duties. Only individuals with legitimate reasons to access information may receive it. Express written consent will be obtained from an individual or in case of a child, parent or guardian as required.

## **13. Policy Implementation**

For the PSHEA policies and practices to be effective in reducing the risks to beneficiaries and communities, all at ACTS must share the responsibility for implementation and improvement. As such, a failure at one level of the organization constitutes a failure at all levels of the organization.

The Executive Director has ultimate responsibility for this policy and the PSHEA Framework and its proper management, using a systematic approach. All staff, associates, and partners are required to adhere to this policy at all times and are obliged to report any suspicions of sexual exploitation and abuse of others.

## **14. Monitoring Framework**

ACTS is committed to enhancing safeguarding practices by establishing a robust monitoring and learning framework supported by clear indicators and sufficient resources. To ensure effective implementation, ACTS will allocate an annual safeguarding budget to cover essential areas, including safeguarding training, survivor assistance, investigation expenses, partner monitoring, community outreach, and the maintenance of accessible reporting mechanisms.

Key Performance Indicators (KPIs) will be used to measure progress. These include tracking the number of safeguarding reports received, the percentage of reports investigated within established timelines, the proportion of survivors accessing support services, the annual percentage of staff and partners trained on safeguarding, the number of partner audits completed, survivor satisfaction scores, and overall staff awareness levels regarding safeguarding.

An annual safeguarding report will be prepared and submitted to the SMT. This report will detail the number and types of incidents reported, the promptness of responses, actions taken, emerging trends and risks, achievements in capacity building, and provide recommendations aimed at continuous improvement of safeguarding measures.

## **15. Review of this policy**

Recognizing the need to ensure ACTS's prevention, response and mitigation practices are aligned and evolve with international good practice guidelines, ACTS will review and update, as required, this policy and associated processes and procedures on an annual basis, taking into consideration any legal obligations and other external requirements.

## **16. Related policies**

This policy should operate in conjunction with:

- a) ACTS HR Policies and Procedure Manual
- b) ACTS Whistleblower policy
- c) ACTS Code of Conduct



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