

## CHILDREN AND VULNERABLE PERSONS PROTECTION POLICY

Approval and Review	Details
Division	<b>ACADEMIC AND STUDENT AFFAIRS</b>
Department	<b>DEAN OF STUDENTS</b>
Policy Name	<b>CHILD AND VULNERABLE PERSONS PROTECTION POLICY</b>
Policy Number	<b>VERSION 01</b>
Policy Owner	<b>DEAN OF STUDENTS OFFICE</b>
Responsible University Officer	<b>DEAN OF STUDENTS</b>

Approval and Amendment History	Details				
Approval by Committees	<table border="0"> <tr> <td>Management Board</td> <td>Approval Date 03/06/2021</td> </tr> <tr> <td>Committee of Council</td> <td>Approval Date 09/06/2021</td> </tr> </table>	Management Board	Approval Date 03/06/2021	Committee of Council	Approval Date 09/06/2021
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### 1 PURPOSE

Strathmore University is a private University and in achieving its vision to be a leading entrepreneurial University positively impacting society by doing excellent work, it may carry out activities which include children or vulnerable persons. The University in carrying out such activities is committed to the safeguarding of the rights and interests of children or vulnerable persons.

This Policy applies to all University activities in which children or vulnerable persons are involved and binds all persons involved in activities that relate to children or vulnerable persons in the University. (See Acceptance of University Norms form in appendix 2).

## 2 SCOPE

This Policy applies to all members of the University, its clients or customers, consultants, contractors, suppliers, workers and visitors (the Strathmore stakeholders) and governs the relationship between the University and its affiliate entities in the aspects of interacting or dealing with children or vulnerable persons in their official or other University related duties.

## 3 POLICY STATEMENT

This Policy is meant to protect children or vulnerable persons who receive Strathmore University's services from harm and exploitation. It is also meant to provide University members and the Strathmore stakeholders with the overarching principles that guide its approach to child protection and safeguarding of vulnerable persons.

## 4 DEFINITIONS AND ABBREVIATIONS

In this Policy, unless the context otherwise requires:

**“Abuse”** includes harassment, physical, sexual, psychological and mental injury.

**“Alumni”** means former students of Strathmore University, the former Kianda College and Strathmore College, who completed an approved programme of study and qualified for the award of a degree, diploma or certificate.

**“Child/ Children”** any person under the age of eighteen (18) years.

**“Dean”** refers to the Dean of students.

**“The University”** refers to Strathmore University.

**“Community Service Centre”** or CSC means a department in the University that organizes outreach activities in line with the University's pillar on service to society.

**“Harassment”** shall mean any physical or oral abuse, violence or inappropriate action of a sexual nature.

**“University Student”** refers to a student of Strathmore University as stipulated in the University Statutes, Regulations and Guidelines.

**“Volunteers, Tutors or Mentors”** generally refer to University Students, Alumni, Faculty or Staff of the University who dedicate some time to these outreach activities for free out of generosity and interest for the well-being of those we try to help with our activities.

**“Vulnerable person”** means a person with an intellectual disability as protected by Persons with Disability Act No. 14 of 2003 and the Mental Health Act, 1991 which inhibits the person's ability to understand or to resist harassment. Reference to children in this Policy also applies to vulnerable people as may be applicable.

This Policy will be read and interpreted together with the relevant prevailing laws, the University Statutes, regulation, policies and guidelines and their interpretation shall be that which promotes the Mission and Core Values of the University.

## **5 GUIDING PRINCIPLES**

The overriding principle in this Policy is the best interest of a child and where applicable, vulnerable persons.

However, the following principles supplement the overriding principle:

- a) All children or vulnerable persons shall be treated equally and protected from abuse and exploitation.
- b) Every person interacting with the University shall be expected to support the care and protection of children.
- c) The above requirements extend to those individuals or organisations who are associated with the University. Therefore, every person working for or associated with the University's work must be aware of the fact that they are bound by the provisions of this Policy.

## **6 POLICY STANDARDS AND PROCEDURES**

### **6.1 Dealings and interactions with children or vulnerable persons**

- a) Every University student being onboarded onto the any activity or program dealing with children and vulnerable persons shall be subjected to an interview and the selected students shall sign the prescribed form(s) annexed to this Agreement.
- b) The Dean of Students/Director Community Service Centre or other relevant University official in charge of a program that affects children or vulnerable persons will periodically conduct induction and training sessions whose topics will include the protection of children or vulnerable persons especially at the beginning of any new engagement of a member of the University or the Strathmore stakeholders in respect of the activity or program.
- c) Parents are the main educators of their children. The University activities or programs rely on Parents for the accomplishment of the program's formative and academic objectives. Therefore, all mentors or trainers will make an effort to avail themselves for official meetings with the parents of the child or vulnerable person involved in various programs as may be required from time to time.
- d) The University shall endeavour to protect all personal data of the children or vulnerable persons involved in activities or programs in line with the University Statutes, Regulations and Policies on privacy and data protection.

- e) Mentors, volunteers, tutors and staff shall not display symbols, emblems or actions that promote violence, other inappropriate behaviour or degrade the dignity of persons.
- f) In all activities involving children or vulnerable persons, the consumption of drugs, alcohol, tobacco and other substances harmful to health will be avoided. Hygienic standards will be observed in relation to the handling of food in the preparation of meals as required by the University policies on the same.
- g) All activities involving children or vulnerable persons shall comply with the standard safety provisions of the University.
- h) All activities involving children or vulnerable persons will be taken care of by at least two mentors who are adults, one of whom shall be a University staff member.
- i) No activities involving children or vulnerable persons will entail a level of difficulty beyond that which is reasonable. When undertaking certain activities such as sports or trips that may pose a higher risk, express authorization of the parents must be obtained prior to the activity.
- j) The Dean of Students/Director Community Service Centre or other relevant University official involved in an activity will take care of road safety and will carefully designate those who drive the vehicles that are used for the transportation of children or vulnerable persons. An adult will not travel by car alone with a child or vulnerable person, unless he has the explicit consent of the parents and, even so, this will be in exceptional circumstances and will the approval of The Dean of Students/Director Community Service Centre or other relevant University official.
- k) Quick and firm action will be taken in situations of possible misconduct including inappropriate behaviour and harassment or abuse, whether physical or mental, oral or written. Children or vulnerable persons will be encouraged to respect each other and to avoid fighting, insults, or any other action that may lead some to feel offended, even if the facts are presented as a joke. All instances involving allegations against a University member or person who is a stakeholders shall be investigated and acted upon without undue delays.
- l) In dealing with children or vulnerable persons and their families all persons will keep in mind the following practices which are aimed at ensuring respect for persons and the appropriate interaction between children and adults:
  - i. A University member or person who is a stakeholders should not be alone with a child or vulnerable person in an isolated place.
  - ii. The children or vulnerable persons will be encouraged to practise modesty as a sign of respect for others and for themselves.
  - iii. There should be no inappropriate manifestation of affection between the University member or person who is a stakeholders and Children or vulnerable persons or any

manifestation that could be interpreted as favouritism or partiality towards a particular child or vulnerable persons.

- iv. University member or person who is a stakeholders attend to a student alone, they must do it in a place in full view of others. If they use a room, it must have a glass door or, if not, the door will be left open.
- m) In the event of possible harassment, abuse or mistreatment of a child or vulnerable person, prudent, clear, quick and decisive action shall be taken in accordance with the specified procedures.
- n) The University member or person who is a stakeholders should refrain from accepting individual personal gifts from the families of the students and report all such instances to the Dean of Students/Director Community Service Centre or other relevant University official in charge of a program that affects children or vulnerable persons.
- o) This Policy shall be made available to and observed by all those involved in the activities involving children or vulnerable persons. This Policy contains a simplified complaint handling flow chart available as Appendix 3.
- p) It is the responsibility of the CSC Director (for CSC activities) and Dean of Students or relevant Head of Department to ensure that all such persons from the University read this policy and sign a note stating that they have done so and commit themselves to fulfil them prior to any activity involving children or vulnerable persons (see Appendix 1).

## **6.2 Misconduct or inappropriate behaviour**

### **6.2.1 Introduction**

- a) After the preliminary reporting procedures have been completed, all Complaints or information regarding alleged misconduct or inappropriate behaviour or harassment or abuse of children or vulnerable persons by a university member or stakeholders, staff or student will be dealt with in accordance to the Disciplinary and Sexual Harassment Policies and Procedures of the University or any other appropriate policy or procedure as maybe determined by the Management Board
- b) Reporting the incident to the University or investigation by the University into claims that this Policy or the University Statutes, Regulations, Policies and Procedures have been violated does not bar the University or persons concerned from reporting the matter to Government Authorities as required by law. Conversely any legal action taken by Government Authorities does not bar the University from taking action in respect of claims unless the Law prohibits the University from taking action in respect of such claims.

## 6.2.2 Reporting procedures

- a) Any aggrieved child or vulnerable person either directly or through their parent or guardian shall report the matter to the University through Dean of Students/Director Community Service Centre or other relevant University official. Should the child or vulnerable persons report in person, their parents have to be informed about the report as soon as practicably possible. If the abuse has been perpetrated by the through Dean of Students/Director Community Service Centre or other relevant University official in charge of a program involving children or vulnerable persons, the student or parent may report it to the Corporate and Legal Affairs Office (CLA).
- b) Reporting within the University shall be done through the standard form annexed to this policy which should identify the type of abuse and give descriptive statements on the same.
- c) Upon receipt of the complaint, the relevant authority shall conduct its own investigations into the matter and if it is established that:

- **The abuse occurred**

The matter shall be reported to the Police while the university member or stakeholders shall be referred for disciplinary action under the Staff or Students Disciplinary Procedures or other appropriate procedure as determined by the Management Board. Should the perpetrator be another child or vulnerable person, the child or vulnerable person shall be expelled or suspend from the program or be subject to any other punishment that is deemed fit by the relevant committee dealing with the matter. Further to this, the matter shall be reported to the parents and may also be reported to the school or other institution that the child or vulnerable person if from for that institution to take appropriate further action.

- **The abuse did not occur**

The victims and their parents (and alleged perpetrator – if a fellow child or vulnerable person) shall be informed of the findings of the report and the Dean of Students/Director Community Service Centre or other relevant University official shall implement the recommendations of the report.

If the alleged perpetrator who has been cleared or wrongdoing is a member of the University or stakeholders of the University reserves the right to if such a person will continue with the dispensation of their duties under the program, be reshuffled to a different program or duties or be given a break for a period of time or indefinitely or other action as may be deemed fit by the University.

### **6.2.3 Post-reporting procedures**

- a) After the conclusion of such reporting and findings, the Dean of Students/Director Community Service Centre or other relevant University official shall ensure that a register of all harassment issues is kept and is presented to the Strathmore University Management Board on a quarterly basis.
- b) The Dean of Students shall ensure that all victims of the misconduct or unfounded accusation receive counselling and advise after the internal investigation.
- c) Any student who is expelled on an accusation of sexual harassment shall not be issued with any certificate or letter of recognition of having attended any CSC- or other programs of the Unievristy. Similarly, any staff member who has been reprimanded on account of violation of this Policy may be terminated subject to the prevailing laws and disciplinary policies of the Unievristy.

## **7 RELATED LEGISLATION AND DOCUMENTS**

- a) Constitution of Kenya, 2010;
- b) Children Act, 2001;
- c) Mental Health Act, 1991;
- d) Persons with Disability Act No. 14 of 2003;
- e) Any other relevant legislation, regulation or government directives;
- f) Strathmore University Statutes, 2019;
- g) Strathmore University Regulations, 2019; and
- h) Any other relevant Policy, Rules or guidelines duly approved by the University.

## **8 TRAINING AND ASSESSMENT**

All University staff and students shall undergo adequate continuous or preliminary training to enable them comply with this Policy. Periodical assessments will also be conducted to establish the level of compliance and improve on University practice in relation to child protection.

## **9 REVIEW AND UPDATES**

- 9.1** The University may adopt any Guidelines, Procedures or other additional rules to supplement and compliment this Policy.
- 9.2** This Policy shall be reviewed every three (3) years. However, it may be reviewed at any time before the three years subject to the direction of the Strathmore University Management Board.

**10 APPENDIX**

Appendix 1: Confidentiality Commitment

Appendix 2: Acceptance of University Norms

Appendix 3: Complaint Handling Flow Chart

**APPENDIX 1  
CONFIDENTIALITY COMMITMENT**

I, \_\_\_\_\_, with ID/Passport number \_\_\_\_\_, P.O. Box \_\_\_\_\_, as a Mentor/ Volunteer/ Tutor/Staff of Strathmore University in the ..... (e.g Macheo) program commit myself to:

1. Keeping the due professional secret of all the information accessed during the time I exercise the competences given in the present job; except in the case the laws of the country require otherwise.
2. Using the above-referred information according to the professional role performed in the University particularly the ..... program and not with any other purpose.
3. Dealing with any personal data in the most diligent manner and confidentiality
4. Fulfil the above commitments even after the work contract is terminated.

And in order to effect it I sign this undertaking

Signature \_\_\_\_\_

Date \_\_\_\_\_



**APPENDIX 2**

**ACCEPTANCE OF THE UNIVERSITY NORMS**

I, \_\_\_\_\_, with ID/ Passport number \_\_\_\_\_,  
P.O. Box \_\_\_\_\_, as part of the staff and/or volunteer of  
the .....program of Strathmore University, expressly declare:

As a member of the staff and/or a volunteer in the ..... program, I have been informed of and I know the principles and purposes that guide the educational work of Strathmore University, the policy that regulate the relationships between the staff, the families and the students, as well as the other norms of the institution and the laws of Kenya, which I firmly accept and respect, committing myself to observe them in the fulfilment of my professional or volunteer tasks and any other activities related to it, even outside the premises of the University.

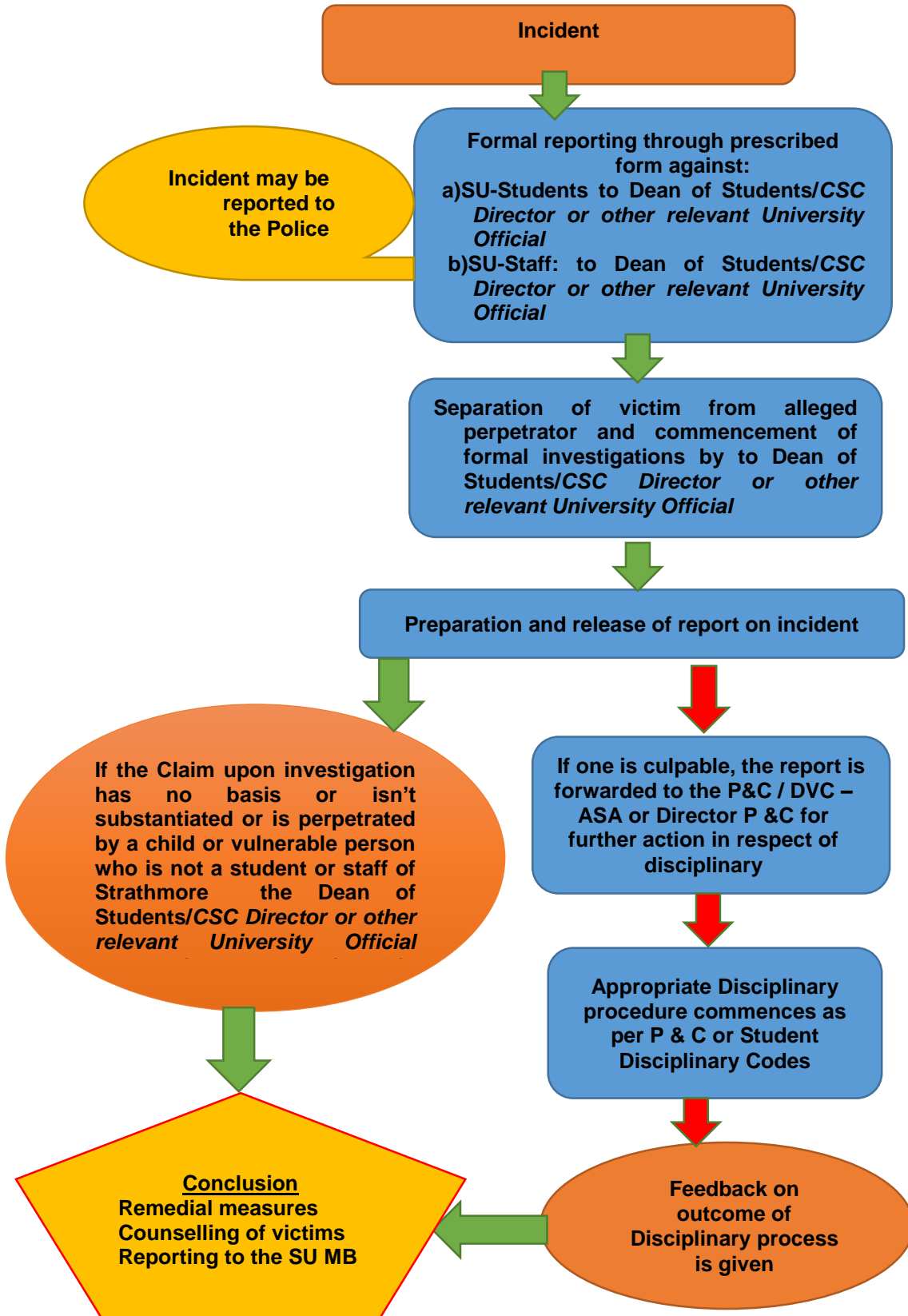
I also affirm that I have received a copy of the Child Protection and Safeguarding Policy, I have read through it and accept to be bound by its provisions

For the record, I sign this declaration and commitment

\_\_\_\_\_

Date \_\_\_\_\_

**APPENDIX 3  
COMPLAINT HANDLING FLOW CHART**



<b>Signing off Policy Document</b>	
Name of Policy Owner	
Signature	
Date	