KIKWETU FOUNDATION

COMPREHENSIVE SAFEGUARDING & ORGANIZATIONAL INTEGRITY POLICY

Effective Date: October 2026

Approved By: Board of Directors & Executive Management, Kikwetu Foundation

Review Cycle: Annual or following significant statutory changes / operational reviews

Target Audience: Board Members, Executive Leadership, Staff, Trainers, Volunteers, Consultants, Service Providers, Implementing Partners, Learners and Program Participants

SECTION 1: POLICY STATEMENT, PURPOSE & LEGAL FRAMEWORK

1.1 Executive Policy Statement

Kikwetu Foundation is dedicated to empowering communities, enhancing youth capacity, and fostering dignified learning environments across Africa. We affirm our absolute commitment to maintaining an environment that guarantees the safety, dignity, and fundamental human rights of all learners, youth, women, and vulnerable program participants, while simultaneously safeguarding the operational integrity, professional reputation, and personnel of the Foundation.

We enforce a strict **Zero-Tolerance Policy** against all forms of harm, including Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), physical abuse, emotional abuse, cyberbullying, financial exploitation, and unauthorized data exposure.

1.2 Purpose of the Policy

This document establishes a binding operational and governance framework designed to:

1. **Protect Learners & Beneficiaries:** Prevent, detect, and respond to any risk of harm, abuse, neglect, or exploitation arising from contact with Kikwetu Foundation's personnel, digital assets, or physical venues.
2. **Protect Personnel & Facilitators:** Safeguard staff, trainers, and volunteers against unfair, unsubstantiated, or malicious allegations through clear professional boundaries, objective investigation procedures, and strict adherence to due process.
3. **Protect the Foundation:** Indemnify and protect Kikwetu Foundation from institutional liability, financial exposure, and reputational damage caused by unauthorized or non-compliant acts of individual personnel or external actors.
4. **Ensure Regulatory & Legal Alignment:** Maintain full compliance with national statutory mandates and international human rights frameworks.

1.3 Statutory & Regulatory Framework

This Policy is framed in alignment with the laws of the Republic of Kenya and international conventions, including:

- **The Constitution of Kenya (2010):** Article 10 (National Values), Article 28 (Human Dignity), Article 29 (Freedom & Security of the Person), and Article 53 (Rights of the Child).
- **The Children Act (2022):** Frameworks governing child protection, best interests, and mandatory duty of care.
- **The Data Protection Act (2019):** Statutory requirements for handling, processing, storing, and obtaining consent for personal and sensitive learner/staff data.

- **The Employment Act (2007) & Amendment Acts:** Principles governing fair hearing, disciplinary procedures, and prevention of workplace harassment.
- **The Computer Misuse and Cybercrimes Act (2018):** Protection against digital harassment, unauthorized system access, identity theft, and online exploitation.
- **International Standards:** UN Convention on the Rights of the Child (UNCRC) and the Inter-Agency Standing Committee (IASC) Six Core Principles on Protection from Sexual Exploitation and Abuse.

SECTION 2: SCOPE OF APPLICATION & DEFINITIONS

2.1 Scope

This Policy applies universally and without exception to:

- All members of the Board of Directors, executive officers, full-time and part-time staff, consultants, and technical advisors.
- All volunteers, interns, community facilitators, trainers, and guest tutors.
- All external contractors, vendors, sub-grantees, institutional partners, and service providers.
- All operations conducted at physical training hubs (e.g., K-Hubs), remote/online learning environments, official field trips, corporate events and digital media channels.

2.2 Key Operational Definitions

- **Learner / Beneficiary:** Any child (under 18), youth (15–35 years) or adult enrolled in or participating in Kikwetu Foundation's educational, technical, or community empowerment programs.
- **Vulnerable Adult:** Any person over 18 years of age who, by reason of physical or mental disability, socio-economic marginalization, age, or displacement, is at heightened risk of harm or coercion.
- **Safeguarding:** The collective, proactive, and reactive measures taken to protect individuals from abuse, exploitation, neglect, and harm resulting from association with the Foundation.
- **Sexual Exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes, including profiting monetarily, socially, or politically.

- **Sexual Abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal, coercive, or non-consensual conditions.
- **Power Dynamics:** The inherent status, authority or influence that Foundation personnel hold over learners and beneficiaries. The abuse of this differential power for personal, sexual, or material gain is strictly prohibited.

SECTION 3: BOUNDARIES & CODE OF CONDUCT (DO'S AND DON'TS)

All representatives of Kikwetu Foundation must adhere to clear, unambiguous rules governing professional conduct across physical, digital, and interpersonal environments.

3.1 Interpersonal & Physical Boundaries

- **DO** maintain professional, transparent, and respectful relationships with all learners and colleagues.
- **DO** ensure that all one-on-one sessions, tutorials, or meetings occur in open, visible, and accessible environments.
- **DON'T** meet learners in isolated, private, or closed settings without prior administrative approval and institutional visibility.
- **DON'T** engage in physical punishment, aggressive physical contact, inappropriate touching, or degrading discipline.
- **DON'T** form romantic, sexual, or transactional relationships with learners or beneficiaries.

3.2 Digital, Online & Remote Learning Boundaries

- **DO** conduct all online training, tutorials and communications through official, monitored channels such as designated Kikwetu Foundation learning management portals or supervised official WhatsApp/Zoom groups.
- **DO** obtain prior written consent before capturing, storing, or publishing photos, video footage or personal stories of learners or beneficiaries.
- **DON'T** engage in private, unmonitored direct messaging (DM), personal text conversations or private social media interactions with learners or minor participants.
- **DON'T** share, upload or transmit offensive, explicit, politically sensitive, or unapproved digital content on platform groups or official forums.

3.3 Financial, Gift & Material Integrity

- **DO** record and declare any official donations, gifts or materials distributed to learners in accordance with Kikwetu Foundation's financial policy.
- **DON'T** solicit, accept, or offer personal cash, loans, expensive gifts, or unauthorized favors to learners or their families, as this creates inappropriate dependency and compromises professional objectivity.

SECTION 4: DATA PROTECTION, PRIVACY & BRAND INTEGRITY

4.1 Data Protection Compliance

In strict adherence to the **Kenya Data Protection Act (2019)**:

- Personal data belonging to learners, guardians, staff or partners shall be collected lawfully, processed fairly and stored securely.
- Data collected for educational or monitoring purposes must never be disclosed to unauthorized third parties without explicit written consent.
- Learners and guardians retain the right to request access to, correction of, or deletion of their personal data in accordance with statutory rights.

4.2 Protection of Foundation Brand & Intellectual Property

- The Kikwetu Foundation name, logo, administrative stamps, seals, letterheads, and training materials remain the exclusive intellectual property of the organization.
- No employee, volunteer, or partner may use the Foundation's brand assets, official documentation, or digital credentials for personal gain, unauthorized commercial ventures, or external endorsements without formal written authorization from the Executive Office.
- Unauthorized use of brand assets or publication of defamatory content regarding the Foundation on digital media constitutes gross misconduct and grounds for legal prosecution under the **Computer Misuse and Cybercrimes Act (2018)**.

SECTION 5: REPORTING MECHANISMS & WHISTLEBLOWER PROTECTION

5.1 Duty to Report

Every representative of Kikwetu Foundation who witnesses, receives, or suspects a safeguarding violation, data breach, or code of conduct violation has a mandatory duty to report the matter **within 24 hours**.

5.2 Designated Reporting Channels

Reports can be submitted through the following confidential channels:

- **Human Resources & Safeguarding Officer:** hro@kikwetufoundation.org
- **Direct Office Phone / Official Line:** +254 742 604 083
- **Physical Office Address:** Kikwetu Foundation Office, Buruburu Mumias Rd, East University Complex, P.O. Box 729-00516, Nairobi, Kenya.
- **Escalation Channel:** If a report involves senior executive leadership or the Safeguarding Officer, the complainant may submit the report directly to the **Chairperson of the Board of Directors**.

5.3 Whistleblower Safeguards

Kikwetu Foundation guarantees robust protection for whistleblowers:

- No person who reports a concern or participates in an investigation in good faith shall face victimization, demotion, termination, or harassment.
- Breaching the confidentiality of a whistleblower or retaliating against a complainant constitutes a severe disciplinary offense leading to immediate dismissal.

SECTION 6: INCIDENT MANAGEMENT, DUE PROCESS & FAIR HEARING

To ensure justice, prevent abuse of the reporting process and protect both the victim and the accused, Kikwetu Foundation follows a strict, impartial investigation framework:

1. **Triage & Acknowledgment (within 48 Hours):** The Safeguarding Officer logs the report, conducts an immediate risk assessment, and ensures necessary medical, psychological, or protective support is provided to the survivor.
2. **Administrative Measures:** If an allegation involves potential physical harm, sexual abuse, or serious financial fraud, the accused individual may be placed on administrative leave/suspension pending investigation to ensure safety and prevent evidence tampering.
3. **Investigation & Right to Response:** An independent panel reviews physical, digital, and testimonial evidence. The accused person will receive written notice of the allegations and be granted a formal opportunity to respond and present defense witnesses.
4. **Protection Against Malicious Allegations:** To protect personnel from bad-faith or fabricated reports, any individual found to have deliberately filed a false, malicious, or retaliatory report will be subjected to strict disciplinary action, including termination and potential civil litigation.

SECTION 7: SANCTIONS, INDEMNIFICATION & LEGAL EXCLUSIONS

7.1 Disciplinary Sanctions

Proven non-compliance with this Policy will result in immediate, proportionate administrative sanctions, including:

- Formal written warning and mandatory retraining.
- Immediate termination of employment, volunteer contract, or partnership agreement.
- Permanent blacklisting and revoking of access to all Kikwetu Foundation facilities and digital systems.

7.2 Statutory Referral

Where an act constitutes a criminal offense under Kenyan law such as sexual abuse of a minor, physical assault, cybercrime, or extortion, the Foundation will immediately refer the case to the **Directorate of Criminal Investigations (DCI)** and relevant statutory authorities (such as the Children's Department).

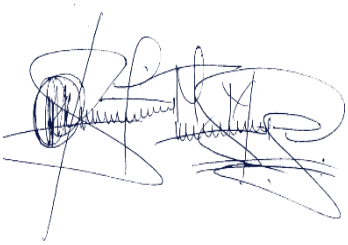
7.3 Organizational Indemnification

Kikwetu Foundation explicitly disclaims liability for unauthorized, illegal, or criminal acts committed by staff, volunteers, or contractors acting outside the scope of their designated duties or in wilful violation of this Policy. Individuals who breach this Policy do so in their personal capacity and shall bear sole legal, civil, and criminal liability.

SECTION 8: EXECUTIVE ADOPTION & INSTITUTIONAL SIGN-OFF

This Safeguarding & Organizational Integrity Policy (Version 2.0) has been formally reviewed, approved and officially adopted by the Executive Leadership and Board of Directors of Kikwetu Foundation. It is binding across all operations, physical locations, digital portals and personnel engagements globally.

OFFICIAL EXECUTIVE ADOPTION SIGN-OFF



Kendy Mbugua
Chairman and Executive Director.