



# **WWCA SAFEGUARDING POLICY FOR PREVENTION AGAINST SEXUAL HARASSMENT, EXPLOITATION, ABUSE AND CHILD ABUSE (PSEA POLICY)**

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## FOREWORD

Western Wildlife Conservancies Association (WWCA) is the regional umbrella membership body for community and private conservancies. Our role is to help catalyze the conservancy movement by connecting, informing, convening and representing conservancies to ensure conservancies are effective and thriving, benefitting both people and wildlife.

As the regional representative body and voice for 64 conservancies and with majority of them being our members, much is expected from its communication. WWCA is the central hub for information gathering and sharing on conservancies. Because of this, we hold the unique position to connect national and international actors to local-level conservancies and vice versa. These connections – from funding opportunities to technical support to investor interests to policy demands – are making the conservancy landscape much richer and stronger as a whole.

WWCA is represented at the regional level through landscape conservancy associations who serve as a link between WWCA and its conservancy members, providing hands-on, technical, and capacity-building support to the conservancies including information sharing. This is critical in supporting WWCA share conservancy perspectives, best practices, concerns, and issues to national level discussions.

This advocacy policy seeks to generate fundamental decisions and actions that guide and shape a course for challenges and issues related to wildlife conservation and conservancies. The policy shall guide WWCA staff, National Conservancies Council, Conservancy Committee Members and Managers, Regional landscape Associations and Partner NGOs to effectively focus their advocacy messaging and interventions for better outcomes.

The policy has been developed through participatory means, following literature review and consultations with representatives from various stakeholder groups that WWCA depends on for mutual benefit.

This advocacy policy is a dynamic document to be updated to reflect the continually evolving nature of wildlife conservation and to take advantage of emerging wildlife conservation dynamics.

**Charles Ambunya**  
**Chief Executive Officer**

## ACRONYMS AND ABBREVIATIONS

<b>ASALs</b>	Arid and Semi-Arid Land
<b>CBNRM</b>	Community-Based Natural Resource Management
<b>CBOs</b>	Community-Based Organisations
<b>CoG</b>	Council of Governors Constitution of Kenya
<b>CoK</b>	County Wildlife Conservation Compensation
<b>CWCCC</b>	Committee
<b>EMCA</b>	Environmental Management and Coordination
<b>ENRM</b>	Act
<b>GoK</b>	Environment & Natural Resources
<b>ICCF</b>	Management
<b>KHRC</b>	Government of Kenya
<b>WWC</b>	International Conservation Caucus Foundation
<b>AKWS</b>	Kenya Human Rights Commission
<b>LCC</b>	Kenya Wildlife Conservancies Association
<b>NLC</b>	Kenya Wildlife Service
<b>NGOs</b>	National Conservancies Council
<b>PAs</b>	National Land Commission
<b>RAs</b>	Non-Governmental Organisations
<b>SOPs</b>	Protected Areas
<b>SWOT</b>	Regional Associations
<b>TNC</b>	Standard Operating Procedures
<b>USAID</b>	Strengths, Weaknesses, Opportunities and
<b>WWF</b>	Threats
	The Nature Conservancy
	United States Agency for International Aid
	World Wildlife Fund

## Western Wildlife Conservancies Association (WWCA)

The Western Wildlife Conservancies Association (WWCA) is the regional representative body and voice for conservancies in Western Kenya. Our role is to help catalyse the conservancy movement by connecting, informing, convening and representing conservancies and other key stakeholders in a shared effort to make wildlife conservancies thrive in Western Kenya.



### Mission:

To build and promote wildlife conservation in an efficient, reliable, effective safe and environmentally friendly through enhanced conservation mouth piece for socioeconomic development besides, application of innovative best practices in the region.



### Our Plan:

Communities derive multiple benefits from the management of land and natural resources under sustainable wildlife conservancies



### Our Long-Term Vision:

To be a leading wildlife Association in Kenya that promotes peaceful co-existence, a secure environment and development for sustainable livelihoods in the Western Landscape.

### Value Proposition:

We draw our mandate from the wide membership of grassroots communities and private landowners with the influence to determine the future of wildlife outside national parks and reserves. We are the central hub for information gathering and sharing on conservancies. Because of this, we hold the unique position to connect national and international actors to local-level conservancies and vice versa. These connections – from funding opportunities to technical support to investor interests to policy demands – are making the conservancy landscape much richer and stronger as a whole.

### Our core values

**Community Engagement:** Involving local communities in conservation efforts and decision-making processes.

Enhancing livelihoods through education, training, and sustainable development programs.

**Commitment:** Dedication to the preservation and protection of wildlife and natural habitats. Implementing best practices in wildlife management and habitat restoration.

**Collaboration:** Building strong partnerships with government agencies, NGOs, local communities, and the private sector.

Creating a platform for sharing ideas, resources, and best practices



### Partnerships:

We recognize the value of strong long-term partnerships to accomplish our goals.

## Our Approach

**Convene:** We bring key stakeholders together to ensure inclusive and informed processes, decisions and actions.

**Connect:** We link key stakeholders, partners and supporters together in an effort to build stronger, more effective conservancies.

**Inform:** We collect and distribute information about and for conservancies in order to positively influence decisions, policies and practices.

**Represent:** We serve as the voice of conservancies and ensure their interests, needs and stories are heard by key decision makers and other stakeholders.

## Definitions

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### Abuse:

- a. **Emotional abuse:** Inappropriate verbal or symbolic acts toward an adult or child or a pattern of failure over time to provide an individual with adequate non-physical nurture and emotional availability.
- b. **Physical abuse:** An act or incidence that purposefully injures or threatens to injure an adult or a child. This may, for instance, take the form of slapping, hitting, punching, shaking, kicking, beating, burning, shoving or grabbing. Physical abuse can be a single or repeated act.
- c. **Neglect:** Neglect is the failure to provide an adult or a child (where they are in a position to do so with the conditions that are culturally accepted as being essential for their physical and emotional development and well-being).
- d. **Sexual Abuse:** Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- e. **Sexual Misconduct with a Child:** Any form of sexual activity with a child. It is evidenced by an activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person.

### Adults experiencing vulnerability:

Anyone 18 years or over who:

- a. is unable to take care of themselves/ protect themselves from harm or exploitation.
- b. due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, or as a result of disasters and conflicts, are deemed to be at risk.
- c. is in a situation of subordination and therefore experiencing a power differential putting them at risk.

### Child:

Any individual under the age of 18 years.

### Grooming

Grooming generally refers to behavior that makes it easier for an offender to procure a child or vulnerable adult for sexual activity. It often involves the act of building the trust of children

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and/or their carers or a vulnerable adult, to gain access to them in order to sexually abuse them. For example, grooming includes the provision of, or attention paid to a specific child or adult, providing

gifts, money, drugs or alcohol to them, encouraging romantic feelings or exposing them to sexual concepts through conversation or exposure to pornography. Online grooming is the act of sending an electronic message, series of messages or engaging over an online platform with content that may be of an indecent nature, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender. Both children and vulnerable adults can be victims of grooming and online grooming, with children being particularly targeted by online groomers.

### Safeguarding

The responsibility that organizations have to make sure their staff, operations, and programs do no harm to children and vulnerable adults, and that they do not expose them to the risk of harm and abuse. Generally, the term does not include sexual harassment of staff by staff, which is usually covered by the human resource policy.

### Sexual Harassment

Sexual harassment is any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture 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 creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behavior, it can take the form of a single incident or a promise of intended exchange of services for sexual favors.

### Sexual Exploitation

Sexual exploitation means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another

## Introduction

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WWCA strives to advance programs and build strong partnerships that reflect local, national and international adherence to laws and policies that promote strong program implementation and governance. To achieve this, WWCA considers the Protection from Sexual Harassment Exploitation and Abuse (PSEA) policy significant in improving its institutional capacity, partnership relations and overall service delivery to its stakeholders.

WWCA commits to promoting zero tolerance to sexual harassment, exploitation and abuse and child abuse as guided by Secretary General's Bulletin on Special Measures for protection from sexual exploitation and sexual abuse (ST/ SGB/2003/13). At the national level, WWCA is guided by the Kenyan constitution and corresponding national laws. They include the Sexual Offences Act (2006), the Child's Act (2010), The Employment Act (2007) and other related laws. WWCA recognizes the rights of all beneficiaries to be protected from sexual exploitation and abuse. In its strategic plan, WWCA aims at contributing to SDG 5 on gender equality and women's empowerment. This is both in its programs and operations. WWCA commits to ensuring that all its personnel and partners are sensitized to the policy. WWCA commits to embedding safeguarding against sexual harassment, exploitation and abuse in all its operational and programmatic work. WWCA also commits to building the capacity of its personnel and members in order to effectively promote the execution of this policy.

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## 2. Scope and Purpose of the policy

The purpose of the policy is to provide guidance on WWCA's commitment to delivering services, creating partnerships and implementing its mandate while committing to zero tolerance to sexual exploitation and different kinds of abuse. It provides guidance on mechanisms of protection, prevention, reporting sexual exploitation and abuse issues.

This policy applies to:

- a. all personnel and related personnel of WWCA both within and outside their working hours. Related personnel include the Landscape Conservancies Council (LCC), volunteers, interns, visitors and consultants.
- b. social safeguarding of all programs and operations of WWCA and its members to ensure that they protect beneficiaries and communities against sexual harassment, exploitation and abuse.
- c. community members, beneficiaries and partners of WWCA to ensure that they are protected from sexual harassment, exploitation and abuse in the course of serving communities and beneficiaries.

## 3. Standards of behavior

All WWCA personnel and partners while working with WWCA will be expected to:

- I. Avoid actions or behavior which may constitute poor practice, poor judgment, and/or may place a child or vulnerable adult at risk of sexual exploitation and abuse.
- II. Seek consent before taking pictures and videos of both children and adults.
- III. Never engage in any sexual activities with children despite the local age of consent.
- IV. Never visit premises where minors and vulnerable adults are exposed sexually.
- V. Never exploit the vulnerability of any target group, especially women and children or allow persons to be put in compromising situations.
- VI. Never abuse a position to withhold support, service delivery or give preferential treatment; in order to solicit sexual favors, gifts, payments of any kind, or advantage.
- VII. Never accept, solicit or engage in the buying of or profiting from sexual services.
- VIII. Never be involved in bullying, discrimination, unwelcome comments or behaviors that are offensive, demeaning, humiliating, or derogatory, or any other inappropriate behavior that fails to respect the beliefs and values of an individual.
- IX. Inform their supervisor when engaging in a relationship with a member of the community who is benefitting from a program of the organization and/or with other personnel of WWCA.
- X. Report all PSEA issues and accorded confidence that the issues will be addressed fairly and confidentially

## 4. Responsibilities:

### a. The Landscape Conservancies Council

- Adopt the PSEA policy as one to guide the operations and programs of WWCA and its relationship with different partners.
- Handle sexual exploitation and abuse complaints of members through the Ethics and Complaints Committee.

### b. The Chief Executive Officer

- Has the final overall responsibility of the policy.

- Appoint the focal person for the policy in writing.
- Report the progress of its implementation to the National Conservancies Council (LCC) on an annual basis.
- Report arising issues from member associations to the Ethics and Complaints Committee for further action.

### c. The Officer in Charge of Human Resource and Administration

- Serve as the focal person responsible for the implementation of the PSEA policy.
- Ensure that implementation of the policy is monitored on an annual basis and he/she will prepare an annual report for submission to the board.
- Include PSEA commitment requirements in job descriptions and include this in referral checks for prospective personnel.

### d. The Gender Officer

- Support in building the capacity of different personnel and members to understand and adhere to the PSEA policy.
- Support assessments and incorporating mitigation measures to promote safeguarding in different programs of WWCA

### e. All personnel

- Sign their commitment to the PSEA policy by signing the staff code of conduct and hence the PSEA.
- Refrain from violent, harassment, discriminatory behavior of any kind directed to another person taking into consideration the culture, morals and norms of the people WWCA with.
- Report any breaches to the policy.

## 5. Sensitization

### i) Personnel

The PSEA will form part of the induction for all personnel working at WWCA. WWCA considers a breach in the PSEA policy to be gross misconduct that can lead to termination of employment or services. All personnel will be re-inducted on the policy during the annual planning and review.

### ii) Community and partners

All program personnel have a responsibility to inform WWCA beneficiaries, contractors and other partners of the PSEA policy and how they can report any breaches to the policy. In doing this, the program personnel must ensure that they assess possible risk areas and explore mechanisms of preventing breaches to the policy. Clauses of the policy will be included in all formal contracts that WWCA gets into.

## 6. Safeguarding in programs

All programs undertaken by WWCA will be subjected to a safeguarding risk assessment as part of the implementation preliminaries in order to establish areas of potential risks that may exist in the implementation of the programs. This assessment will vary dependent on the nature of the programs. During the induction of programs, both communities and personnel will be sensitized on the PSEA policy and made conscious of potential vulnerabilities in order to increase their awareness and caution during the implementation of programs.

## 7. WWCA and member associations

WWCA member associations will commit to adhere to the PSEA by signing it alongside the memorandums of the association. Member associations may also adopt and customize the WWCA PSEA policy for use in their organizations. This commitment will be confirmed annually, during the Annual General Meeting. WWCA will take responsibility for building the capacity of the

member associations to use and monitor the PSEA policy.

## 8. Complaints reporting and handling mechanisms

All complaints received must be seriously investigated. Complaints may be done anonymously or without anonymity to the email [complaints@WWCAkenya.com](mailto:complaints@WWCAkenya.com). This email will be displayed publicly

in WWCA communication media like the website, print outs and other relevant communications. It will be handled by the personnel appointed to be the PSEA focal person in order to promote confidentiality. Commencement of investigations on all complaints will be initiated within one week from the time the complaint is received and completed within the shortest time possible. These will be done professionally while giving the personnel involved a fair hearing to avoid reports being used to victimize personnel. Confidentiality of the highest level must be maintained when handling PSEA issues.

- A breach of the PSEA will be handled through the personnel appointed to handle PSEA issues.
- Personnel undergoing investigation will be sent on compulsory leave immediately to allow the matter to be investigated. During this time, the personnel will be entitled to half pay.
- Investigations should be completed within a month.
- Where the personnel is found to have committed an offence, WWCA will consider this to be mis-conduct and initiate disciplinary measures in line with the Human Resource policy.
- All personnel undergoing investigation must be given a fair hearing.
- Personnel who undergo investigation will be required to be re-sensitized on the policy before resuming duty and will re-sign a fresh commitment to the PSEA policy.
- Where personnel are dismissed as a result of violating the PSEA, WWCA will encourage individuals who are aggrieved by the personnel to report the matter to relevant Kenyan authorities. WWCA will not take the liability of the process. It may however support by giving evidence where applicable to enable an aggrieved party to pursue justice through the police, courts of law or other authorities.
- For every case handled, WWCA must consider possible remedies of preventing similar cases from recurring and take necessary measures in preventing it.

A matter concerning membership of an association will be referred to the Ethics and Complaints Committee of the LCC for investigation. The committee will investigate the issue and may consider measures such as deregistering a member from the association. All Sexual Exploitation and Abuse issues must be reported to the full LCC after investigation for the LCC to approve the decision of the committee.

## 9. Monitoring and Evaluation

The PSEA policy will be reviewed every three years to align it with emerging issues, trends and experiences of using it. Monitoring and evaluation of the execution of the policy will be done on an annual basis. It will consider a review on:

Whether or not there is evidence that the policy is being used, if new personnel have been sensitized on the policy and the existence of cases that have been reported as a result of the policy. Budgetary allocations for sensitization, monitoring and evaluation will be factored in different program costs.

## 10. Associated Policies

The following policies will be used hand in hand with the PSEA policy.

- Human resource policy: To guide hiring and reference checking, performance reviews and

to handle disciplinary issues as well as guide the code of conduct for personnel.

- Risk management policy: To guide safeguarding in programs and operations in prevention, protection and addressing PSEA issues.
- ICT policy: To provide guidance on the use of ICT software and hardware to support the execution of the PSEA policy.

## 11. Liability

As a membership organization, WWCA will not take responsibility and liability for the PSEA issues in member associations. It will however require that all members commit to promoting zero tolerance to all forms of sexual abuse and violence by signing the PSEA policy of WWCA. This will be considered a shared organizational culture and value.

## Annex 1: PSEA Safeguarding commitment form

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I/We .....commit that I have read and understood the WWCA PSEA policy while relating with WWCA

in my capacity as .....

I/We will:

- Avoid actions or behavior which may constitute poor practice, poor judgment, and/or may place a child or vulnerable adult at risk of sexual exploitation and abuse.
- Never engage in any sexual activities with children despite the local age of consent.
- Never visit premises where minors and vulnerable adults are exposed sexually.
- Never exploit the vulnerability of any target group, especially women and children or allow persons to be put in compromising situations.
- Never abuse a position to withhold support, service delivery or give preferential treatment; in order to solicit sexual favors, gifts, payments of any kind, or advantage.
- Never accept, solicit or engage in the buying of or profiting from sexual services.
- Never be involved in bullying, discrimination, unwelcome comments or behaviors that are offensive, demeaning, humiliating, or derogatory, or any other inappropriate behavior that fails to respect the beliefs and values of an individual.
- Inform my supervisor when engaging in a relationship with a member of the community who is benefitting from a program of the organization and/or with personnel of WWCA.
- Cooperate in any investigations involving a breach of the PSEA policy.
- Handle all PSEA issues with utmost confidentiality.
- Report all PSEA issues for possible action to be taken.

Sign .....

Date.....

Witness: (Individual responsible for human resource)

Name.....

Designation.....

Sign.....

Date.....