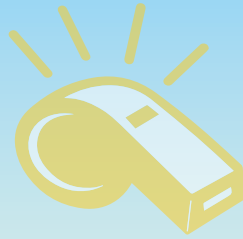


Sexual Harrasment Policy



**POLYCOM
DEVELOPMENT
PROJECT**





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DEVELOPMENT
PROJECT**

Polycom Development Project

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Policy Statement

The school acknowledges that there are potential risks to learners through our work. By formulating this sexual harassment policy, we recognize our statutory and moral obligation to safeguard and protect the welfare of the learners and staff and to protect the image of our school. This Policy also recognizes the existence of other school rules and regulations in which this policy is equally anchored. **We commit to:**

1.



Safeguard learners:

We believe all learners including young girls have a right to live their lives free from sexual harassment and that they should not be subjected to any form of abuse. We commit to minimize the risk of intentional or unintentional sexual abuse of learners within our operations and responding appropriately if abuse occurs.

2.



Safeguard Staff:

By avoiding ambiguous workplace situations and behaviours, which may be misinterpreted and potentially lead to false allegations against them.

3.



Safeguard our school:

By showing our genuine commitment to safeguarding learners and staff preventing cases of abuse from happening which may tarnish the school's reputation and affect work.



Guiding Principles

The following principles guide our commitment to safeguarding:

Zero tolerance of sexual harassment:

The school has a zero-tolerance approach toward sexual harassment, exploitation, and abuse. We will carefully examine and investigate allegations, and take appropriate disciplinary action where this is needed.

Confidentiality:

All matters raised are dealt with in a manner that respects the privacy of the learners and be managed in ways that put the best interests of the learner first. Information will be shared only on a need-to-know basis, to protect individuals.

Non-discrimination:

we commit to safeguard learners in our operations regardless of culture, ethnicity, gender, religious or political belief, socio-economic status, physical or mental health.

Proactiveness response:

The school should have systems to identify potential incidences of sexual harassment and how to prevent and or to handle them when they occur.

Shared responsibility:

All staff must commit to and uphold the principles of our safeguarding policy.



Principles to Safeguarding

Definitions

Safeguarding

Is the responsibility that entities must ensure that their employees do no harm to children in their care and protection whether by their acts of commission or omission.

Sexual harassment

Any unwelcome sexual advance, request for sexual favour, 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.

Sexual Assault

Penetration of the genital organs of another person with any part of the body of another or that person

Abuse

Refers to the violation of a child's rights by any other person or persons. Abuse can take the form of physical, psychological, or sexual abuse, neglect or negligent treatment or other exploitation, that results in actual or potential harm to the health, survival, development, or dignity of a child.

Sexual Abuse

The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Child Protection

Involves the measures put in place as well as the response to incidences of children identified as either suffering or at risk of suffering abuse.



Legal Framework

This policy is premised on applicable legislations. We consulted the following legislations while formulating this policy:



The Constitution of Kenya, 2010



Article 53 of the Constitution of Kenya details the rights of a child which include the right to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment, and hazardous or exploitative behaviour.

The Children's Act, 2022



An Act of Parliament that give effect of article 53 of the Kenyan Constitution 2010, to make provision for children's right.

The Sexual Offences Act 2006

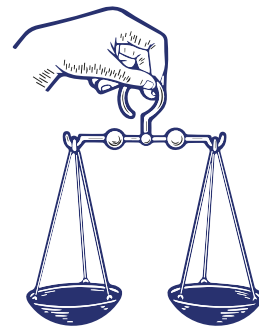


An Act of Parliament to make provision of sexual offences, their definition, prevention, and protection of all persons from harm, from unlawful sexual act and connected purposes.

The Basic Education Act, 2013



Section 36 prohibits torture, inhuman and degrading treatment or punishment against the child, be it physical or psychological.



Core standards



✓ The school shall provide an environment in which learners feel safe, secure, valued, and respected, and feel confident and know how to approach adults if they are in difficulty.

✓ All staff shall behave professionally to minimize possibilities of being accused of misconduct when interacting with learners.

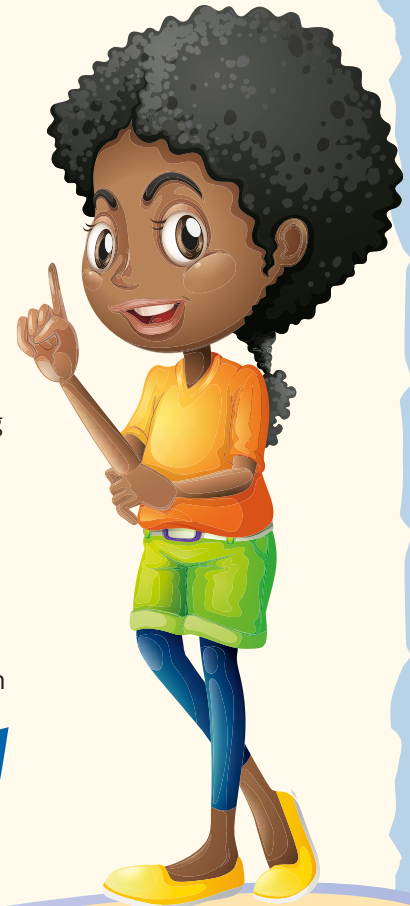
✓ Physical Contact is not prohibited. However, physical contact between members of staff and learners shall be of a non-sexual nature.

✓ Any conversation between a staff member and learners shall be within the school premises and in open place. Staff who

need to talk to a learner privately should do so with both the learner and staff member clearly visible by passers-by and preferably with a door open.

✓ All staff must ask a learner's permission before initiating physical contact such as assisting with dressing, support during PE, demonstrating technique in a music lesson or administering first aid.

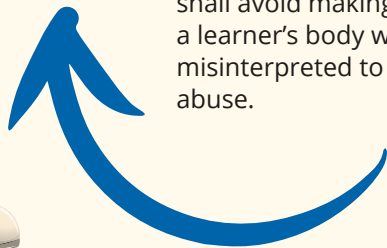
✓ Members of staff shall maintain appropriate standards of conversation and interaction with learners and avoid the use of sexualised language.





✓ Social media sites such as TikTok, Facebook, Twitter, WhatsApp, Snapchat, and Instagram pose risks to teachers' professional integrity and the welfare of learners. Members of staff shall not contact or converse privately with learners on social media sites, without their parent's or guardian's knowledge and consent.

✓ Staff should be very careful that the remarks and comments made to learners could not be construed as suggestive, or inappropriate. Members of staff shall avoid making remarks about a learner's body which may be misinterpreted to mean sexual abuse.



✓ A staff member should share concerns with a member of the school management team if he/she feels that a learner is becoming inappropriately attached to him/her or to another member of staff.

✓ A staff member should also consult a management team member if he/she believes that his/her feelings towards a learner place him/her at risk of unprofessional behaviour.

✓ Any breach of this policy may lead to legal action as outlined in government legal documents such as children's Act, the constitution, and any other applicable law of the land. All costs related to such actions shall be borne by the perpetrator.

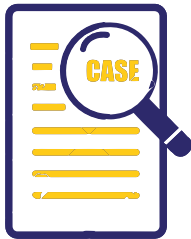
PROCEDURE FOR DEALING WITH SEXUAL HARASSMENT

Case Identification



Learners and staff shall receive training/sensitization on how to identify signs/cases of sexual harassment. These signs may be in form of actions or utterances. Once identified (suspected or a case, learners/ staff are advised to report immediately.

Case Reporting



All potential cases of sexual harassment must be brought to the attention of the designated safeguarding officer, who shall forward the allegations to the head teacher for further advise on the process that will be followed.

Reporting shall be in written form for purposes of proper record keeping. If the learner is reporting in person, the designated officer receiving the report shall cause it to be in writing. Learners can use the talking box to report a suspected case anonymously.

How to Handle Disclosure

Upon receiving a case or suspected case of sexual harassment, the officer receiving the information has a responsibility to observe, record and report, but not to question and test the evidence. **The staff should:**

- ✓ **LISTEN** carefully and avoid interrogation. Questions should be aimed at obtaining basic information only, and they must be open ended and not leading.
- ✓ Reassure the learner that they are not to blame.
- ✓ Not show disbelief, but always take the allegation seriously.
- ✓ Avoid being judgmental about the information disclosed.
- ✓ Avoid an emotive response such as looks of shock etc.
- ✓ **WRITE DOWN** the allegation, sign, date and **REPORT** the matter to the designated safeguarding officer/headteacher for further procedures.



Case Investigations



Once a suspected case is notified, the investigation will follow established **internal procedures**, ensuring the safety, wellbeing, dignity, and best interests of the learner always remain at the centre of the approach.

A crisis management team led by the designated safeguarding officer shall be appointed by the headteacher to follow up on the investigation and a report shall be tabled before the head teacher or the board for decisions. The team shall ensure that all parties are treated fairly, and the procedures are transparent.

The school shall not tolerate any form of coercion, intimidation, retaliation against any learner/staff who reports any form of sexual abuse or provides information or any other assistance in an investigation.

Safeguarding Staff against False Allegations

Learners and/or their parents/guardians may take advantage of the policy to implicate a staff for one reason or the other.



The simplest advice to staff is to try, as far as possible, to **avoid being alone with a learner**. This may however prove difficult, especially in a situation where it may be seen as beneficial for a learner to have some opportunity to talk one-to-one with an adult. Where possible, it is sensible to involve another student or adult in the meeting.

Staff members are urged to observe the core standards as detailed in this policy. Should a case be alleged against a staff, the school will ensure that all parties are treated fairly, and the procedure for handling a suspected case is transparent.

Protecting the Whistle Blower

We will treat concerns that are raised with confidentiality as may be possible. We will not reveal the name of the person reporting a case without permission, unless required to do so by law or an enquiry resulting in a criminal investigation in which one is required as a witness. We will also treat the identity of any person suspected of wrongdoing as confidential to the extent that it is able to do so.



Sanction

Any breach of this policy as detailed will be treated as a disciplinary matter and may result in dismissal, formal warning, and monitoring, and/or reporting to the police, and relevant regulatory authority.



Policy Implementation

The school will gradually implement the policy as outlined. In such an environment of inadequate resources, we shall partner with likeminded organizations such as Polycom to develop and execute a detailed implementation plan. We adopt the following approaches to ensure the policy is implemented.



Training

It is mandatory for all staff to undertake training and refresher sessions as instructed so that they fulfil their role and responsibility of safeguarding learners from sexual harassment. Learners will undertake orientation on the policy and procedures during their mentorship sessions.



Recruitment and Vetting



The school is committed to vetting the staff it hires carefully to ensure learners are not at risk through contact with staff. We therefore adopt child safeguarding recruitment procedures for the selection of Staff, whether full time or on temporary terms.

These procedures include:

- ✓ Asking safeguarding questions in the interviews.
- ✓ Confirming appointment only when satisfactory reference and statutory reference checks have been received e.g., certificate of good conduct.
- ✓ Staff undertaking safeguarding training and signing up the safeguarding policy as their commitment to uphold the policy.

Roles and responsibilities

The following structures will be used to implement this policy.

Structure	Roles and responsibilities
The Board 	• Ensures that the sexual harassment Policy is reviewed annually. • Ensures that the school operates safer recruitment procedures, • Ensures that there is an effective training program for all staff, • Final decision-making organ on safeguarding issues.

Structure	Roles and responsibilities
The Head Teacher 	Ensures that: • The policy is implemented. • Safeguarding officer and class teachers are appointed and properly trained. • Learners are sensitized on safeguarding and procedures for reporting. • All legal and regulatory requirements are complied with. • All staff are aware of the process for reporting a concern. • Ensures that all prospective employees provide relevant compliance documentation (Checks reference, Certificate of Good Conduct etc) • Bears the overall responsibility for safer recruitment. • Maintains a confidential central register of all allegations along with the results of any investigations and management actions.
Safeguarding officer / class teacher 	• Arranging training as necessary and updating staff on safeguarding procedures. • Focal person for receiving and managing sexual harassment/suspected cases. • Keeping separate and secure written records of all concerns • The liaison person with the head teacher on matters safeguarding.
The learners 	• Have the duty to adhere to the core standards to avoid cases of sexual harassment. • Have the duty to report cases or suspected cases of sexual harassment.

Structure	Roles and responsibilities
Staff 	• All staff have a statutory obligation to provide a safe environment in which learners can learn. • They are required to sign that they have read and understood the policy and agreed to comply with the requirements therein. • Have a duty to assist in identifying and reporting cases or suspected cases of sexual harassment.
Parents and guardians 	• Parents and guardians have the obligation to train and sensitize their children on forms of sexual harassment and how to avoid being victims or culprits. • All parents and guardians will sign during pupils' admission to abide by the safeguarding policy. • They will commit not to collude with the pupils or any other person to harass or falsely accuse any staff of a crime not committed. • If a parent raises a concern in good faith and it is not confirmed by investigation, the school will not take any action against you. If however, you make a deliberately false or misleading allegation, we will take appropriate legal action against you. • May be invited from time to time and when necessary to assist in case investigation and execution as may be appropriate.

Review of the Policy: 

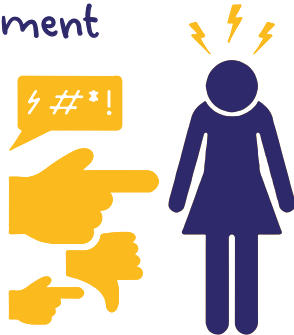
The board shall review this policy on annual basis unless an incident, guidance or new legislation requires an earlier date of review.

FORMS OF SEXUAL HARASSMENT

1. Verbal Sexual Harassment

This involves saying anything of a sexual nature that makes one uncomfortable, that makes the recipient a victim of sexual harassment. Examples of verbal sexual harassment include:

- ✓ Requesting sexual favors
- ✓ Expressing a desire for sexual contact or conduct
- ✓ Using sexually explicit language
- ✓ Telling sexual jokes
- ✓ Commenting on a person's appearance e.g *uko na shape poa*
- ✓ Speaking in a sexual tone
- ✓ Using sexually suggestive nicknames or embarrassing whistles
- ✓ Sexually insulting remarks about race, gender, ability, or class
- ✓ Bragging about sexual prowess for others to hear



2. Non-Verbal Sexual Harassment

Non-verbal sexual harassment is any form of unwanted sexual communication or conduct that involves something other than verbal speech but falls short of physical sexual contact. Examples are.

- ✓ Sending emails and text messages that are sexually explicit or otherwise sexual in nature,
- ✓ Exposing oneself
- ✓ Showing or sending pornographic pictures
- ✓ Blocking a hallway or doorway
- ✓ Blowing kisses or winking
- ✓ Showing sexually explicit videos
- ✓ Staring, following, or stalking





Note: A single act of non-verbal sexual harassment will not necessarily give rise to a legal claim – although it is a possibility, depending on the circumstances involved.

3. Physical Sexual Contact



Unwanted physical contact can be considered as sexual harassment, depending on the severity of the encounter. Examples include any unwanted form of;

- ✓ Touching
- ✓ Patting, grabbing, rubbing, or pinching
- ✓ Hugging or kissing



“A victim of child abuse will never live the same way after their traumatic experience. This is why someone who has abused a child should never be allowed to carry on with their lives like normal either.”



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