



# Safeguarding Policy



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# The Policy Statement

The African Economic Research Consortium (AERC) was established in 1988 as a public not-for-profit organization devoted to the advancement of economic policy research and training. The AERC is incorporated in the State of Delaware, USA, and was established in Kenya under the Host Country Agreement in 1991. This Agreement was reviewed in September 1999 to place the AERC in line with other international organizations in Kenya. Subsequently, AERC's status as an international not-for-profit organization with certain rights and privileges under The Privileges and Immunities Act (Cap. 179) Laws of Kenya was officially gazetted in March 2000. Since January 1992 the AERC has operated according to policies and administrative procedures recommended by its Executive Director and approved by the Board of Directors.

## AERC's Vision



**Sustained development in sub-Saharan Africa grounded in sound economic management and an informed society.**

## AERC's Mission



**To strengthen local capacity for conducting independent, rigorous inquiry into problems pertinent to the management of African economies, through a synergetic programme combining research with postgraduate training in economics.**

At the AERC, we recognize our responsibility to promote human dignity and social justice within our organization. At the heart of the AERC's efforts to attain its vision, we place human dignity at the center of our work. We are aware of the importance of organizational culture and accountability in enabling a safe and supportive environment for programme participants, the communities where we work, our staff, related personnel, and our partners.

We believe all people have a right to safety and to live their lives free from harm. This Safeguarding Policy is a response to the AERC's commitment and recognition of our responsibilities to protect and safeguard people we work with, and who work for the AERC, from any form of abuse, including sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, and child abuse.

AERC recognizes that there is unequal power between the people we work and partner with throughout our programs, and the AERC Employees and Related Personnel. There is also unequal power of differing types within the AERC (with staff at different levels). We are responsible for ensuring that we foster and continuously build an organizational culture of safety, accountability, and maintain a safe and respectful workplace, free from harassment to ensure that power is not used to advantage or cause harm to anyone.

We know that some people are more at risk of abuse due to social inequalities and vulnerabilities, in particular women and other vulnerable adults, and children. We take seriously our responsibility to keep women, and children safe from harm and abuse, recognising the specific risks to children, and that abuse in all its forms

can have significant life-long consequences.

The AERC has a zero-tolerance approach to all forms of abuse and harassment. We make it very clear that any form of abuse, perpetrated by our employees, related personnel, or partners, towards anyone, during or outside of working hours, in-person or online, will not be tolerated. We will take disciplinary action, up to, and including, dismissal for any behaviors that are in breach of this Policy and the Code of Conduct

Gender issues arise due to unequal power relations, and this affects women and in some cases men, at times contributing to sexual exploitation and harassment in tertiary institutions/organizations in Africa. The AERC safeguarding policy aims at protecting all genders against such misconducts.

All the AERC Employees and Related Personnel are required to report concerns of abuse as soon as possible. The AERC wants to know when any of its Employee or Related Personnel is not acting in accordance with our Safeguarding Policy and Code of Conduct. We take seriously all reports of sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, and child abuse, and any other form of abuse or misconduct within the AERC.

The AERC will fully examine and, where necessary, investigate reports of misconduct and act on its findings. Behavior by the AERC Employees and Related Personnel that contradicts this Policy and the Code of Conduct, will be seen as a violation of this Policy. When an AERC Employee or Related Personnel has not acted in accordance with this Policy or the Code of Conduct, following an investigation, we will take disciplinary action up to, and including, dismissal. If required, and following risk assessment, we will also inform law enforcement and relevant authorities.



## Rationale

The AERC has a survivor-centered approach to its safeguarding. This means that the needs and wishes of anyone who has experienced abuse (victims/survivors), by the AERC Employees or Related Personnel, guide our response to reports and investigations, that victims/survivors are treated with dignity and respect, and the rights of victims/survivors to privacy and support are prioritized. Where the victim/survivor is a child, we will take a child-centered approach. We also learn from the experiences of victims/survivors to inform our strategies and practices to prevent abuse from happening.

# Scope of Application

This Safeguarding Policy outlines the critical steps the AERC will take to prevent and respond to sexual exploitation and abuse, and sexual harassment, while simultaneously tackling the power imbalances and harmful social norms at the root of the problem through our wider commitments.

This policy applies to all the AERC Employees and Related-Personnel:

## The AERC Employees



**Includes all employees of the AERC working in the AERC Secretariat office, including full-time staff (on long-term and short-term contracts), Temporary Staff, Consultants, Associates, Interns/Volunteer, Seconded Staff, Cost-Free Experts, and wherever the AERC has any form of engagement/activity.**

## Related Personnel



**Includes the AERC: Board Members, Resource Persons, Researchers, Visiting Lecturers, Sponsored Students, Individual and Corporate Contractors, Partnering Universities and Institutions. Related Personnel also includes non-AERC entities and their employees and individuals who have entered into partnership, sub-grant or sub-recipient agreements with the AERC<sup>1</sup>.**

Collectively, we aim at improving the standards of our operations to ensure people are safe from harm, respected and empowered to speak out, either as victims and survivors or whistle-blowers.

This Policy always applies, in-person and online, and during and outside work hours. Actions taken by the AERC Employees and Related Personnel outside of working hours that are seen to contradict this Policy will be considered a violation of this Policy.

<sup>1</sup>Different considerations will arise regarding the enforcement of some of this policy and the principles for volunteers and casual workers hired from communities with whom we work. While all forms of abuse and the misuse of humanitarian assistance will always be prohibited, as expressly set forth in this policy, discretion may need to be used in the application of the Code of Conduct regarding sexual relationships for this category of worker. See Annex A The AERC's Code of Conduct.

# The AERC's Safeguarding Commitments<sup>2</sup>

The AERC is committed to ensure that all reasonable steps are taken to prevent sexual exploitation and abuse and sexual harassment from occurring; listen to those who are affected; respond sensitively but robustly when harm or allegations of harm occur; and learn from every case.

**3.1 The AERC will create, promote and maintain a safe organizational culture for all people who work for and with the AERC, including our partners, and the communities and program participants we work with.** The AERC is committed to equality, diversity and respect, and works to create an environment where it is safe to raise and address all concerns of abuse.

**3.2 The AERC will develop safeguarding strategies to prevent and respond to all forms of abuse.** We will dedicate capacity, budget and resources in all areas of recognized need (e.g. anti- sexual harassment training seminars; trainings for managers on how to avoid using power to harm those that work for them; Gender sensitization training for those joining the organization; etc).

**3.3 The AERC will ensure high-level oversight and accountability around safeguarding and demonstrate its zero- tolerance approach to all forms of abuse.** The AERC is committed to continuous learning and improvement to prevent and respond to all forms of abuse. We will do this through monitoring and reviewing the effectiveness of our safeguarding strategies and seeking feedback from the AERC Employees and Related Personnel, partners, program participants and communities we work with. We will be transparent about sexual misconduct within the AERC and be accountable and transparent in communicating our safeguarding efforts and learning to internal and external audiences, including our governance bodies, staff, donors, partners, the wider sector, the AERC's programme participants and the communities where we work. All information shared will be informed by our survivor-centered approach and risk assessment.



## People Management

**3.4 The AERC will only recruit and retain Employees, and only engage Related Personnel, who are aligned with our vision, mission, and values.** We will use robust safer recruitment practices for all vacancies, particularly for positions that have direct or indirect contact with children and/or vulnerable adults. In compliance with applicable laws, we will prevent known perpetrators of sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, and child abuse, from being hired or deployed in the AERC. We will include our commitment to zero-tolerance of all forms of abuse, and the responsibilities of all employees to safeguarding, within all vacancy notices, position descriptions and employment contracts/agreements(s), including a termination clause. Our leadership and management roles will have defined specific safeguarding responsibilities.

**3.5 The AERC will ensure all new Employees and Related Personnel are aware of, have signed, and are oriented to our Safeguarding Policy and Code of Conduct.** The Safeguarding Policy, Code of Conduct,

<sup>2</sup>The commitments are based on, and further extend, the commitments defined within the Statement of Commitment Relating to Sexual Exploitation and Abuse by UN and non-UN Personnel, November 2016, [UN Glossary on Sexual Exploitation and Abuse 2nd Edition](#)

and the AERC's expectations on the prevention and reporting of sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, and child abuse, will be incorporated into contracts/agreements and orientations.

**3.6 The AERC will raise awareness with, and provide training for, all Employees and Related Personnel on our Safeguarding Policy, Code of Conduct, and our reporting mechanisms.** Trainings, (on- line or in-person), will be provided to build on knowledge and refresh awareness. Leadership will actively encourage reporting of misconduct to management, human resources and/or the AERC's Board's Executive Committee.<sup>3</sup>

**3.7 The AERC will include safeguarding in performance management/feedback processes.** All employees will demonstrate their commitment towards safeguarding as part of their annual performance review. Leadership and management will demonstrate their efforts in creating and maintaining a safe, respectful, and inclusive environment as part of their performance reviews. Other Employees and Related Personnel may have specific duties relevant to this Policy, which will also be recognized as part of their performance management.



## Partnerships

**3.8 The AERC will promote and require safeguarding with partners.** The AERC will work with partners to provide evidence on good safeguarding practice and will undertake safeguarding assessments as part of due diligence processes when considering new and reviewing existing partnerships. The AERC will seek partners who share a commitment to social justice and equality, have compatible values and a similar approach to safeguarding their staff and program participants, as well as being suitable to fulfil shared programming interests. In addition to due diligence, we will include in our agreements/contracts with partners, and sub-grant/sub-recipients:

- a. our Safeguarding Policy and Code of Conduct.
- b. an outline of reasonable due diligence and monitoring procedures of its sub-grantees/sub-recipients consistent with this Policy.
- c. the appropriate language requiring such contracting entities and individuals, and their employees and volunteers to abide with a Code of Conduct that is pursuant to the standards of this Policy and Code of Conduct (where a partner does not have a policy that is consistent with the AERC's, they may choose to adopt the AERC's, or develop their own which meets the AERC's standards); and
- d. a statement that the failure of those entities or individuals, as appropriate, to take preventive measures against all forms of abuse, including sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, and child abuse, to investigate and report allegations in a timely manner, and to take corrective actions when any form of abuse has occurred, shall constitute grounds for the AERC to terminate such agreements.

**3.9 The AERC will work with partners to co-create and jointly strengthen our shared safeguarding capacity, knowledge and skills to fulfil responsibilities consistent with this Policy.** With partners, we will jointly assess risks and co-create prevention and response strategies and approaches that are culturally and contextually

<sup>3</sup> As per the AERC Whistle Blowing Policy.

appropriate. Capacity support will be included, where necessary, to ensure robust recruitment, safe programme implementation, and response and follow up to reports of abuse. Partners must complete an annual declaration of their commitment to safeguarding policy.

**3.10 The AERC will collaborate and work in partnerships on safeguarding.** We will work with other organizations, donors, governments, networks and local partners, to demonstrate accountability, advance our practices, and contribute to wider efforts to prevent and respond to sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, and child abuse.



## Embedding Safeguarding in our Programmes

**3.11 The AERC will undertake safeguarding assessments to identify risks of sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, and child abuse.** Assessments must reflect local context and national laws and include risks, investigation feasibility and procedures, mitigation plans, and designated responsibilities and timeframes.

**3.12 The AERC will incorporate safeguarding measures into programs and throughout the project cycle.** We will do this through resourcing our strategies, and effective collaboration with our partners and program participants, at all stages of design, implementation, monitoring, and evaluation in our programs. Wherever relevant, we will include child safeguarding in our programmes, recognising children may attend our programmes accompanying their parents, the caregivers, or siblings.

**3.13 The AERC will ensure that multiple mechanisms for reporting sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, and child abuse are accessible and sensitive to the differing needs and capacities of anyone wishing to report.** We will involve program participants in the design, monitoring and evaluation of local language feedback and accountability mechanisms. Where the AERC works with children, we will ensure that child-friendly reporting mechanisms are available. The AERC will raise community awareness on the expected behaviors of our employees and Related Personnel, and how to report misconduct. Anyone responsible for receiving sensitive reports will be trained in how to respond, in a safe and confidential manner. We will be transparent with victims/survivors around any obligations or actions that may need to be taken in response to their report, including referral to third parties. All actions will be informed by our survivor-centered approach and will include an assessment of risk to all those involved.







## Response and Follow Up to Reports

**3.14 The AERC will provide support and assistance to anyone who has experienced sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, or child abuse perpetrated by a the AERC Employee or Related Personnel.** The AERC offices will map support services and referral pathways. Support options may include medical treatment, legal assistance, and psycho-social support. Our support and assistance will be informed by a survivor-centered approach, feasibility, and an assessment of risk to all those involved. Psycho-social support will also be available, if needed, to anyone who reports misconduct.

**3.15 The AERC will take all appropriate actions to protect persons from retaliation where allegations of sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, or child abuse involving the AERC Employees or Related Personnel are reported in good faith.** The AERC will maintain confidentiality to protect anyone reporting in good faith and throughout investigations. The AERC has a zero-tolerance approach to retaliation towards any person who reports misconduct.

**3.16 The AERC will ensure that all allegations of sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, and child abuse by the AERC Employees and Related Personnel are thoroughly examined, risk- assessed, and where needed, investigated and/or referred to another agency for investigation, or reported to law enforcement.**<sup>4</sup> The AERC's investigations will be conducted in a timely, safe, and professional manner by those with appropriate training and experience in sensitive investigations and informed by gender-sensitive, child-centered, and survivor-centered approaches.<sup>5</sup> Investigations will include an assessment of risk to everyone involved. Where children are involved, investigations must only be conducted by a person trained and experienced in conducting child safeguarding investigations.

**3.17 The AERC will take swift and appropriate action with any Employee or Related Personnel who violates this Policy or the Safeguarding Code of Conduct.** Actions may include administrative or disciplinary action, such as suspension, transfer to other duties whilst under investigation, or dismissal. Other actions may include legal action, and/or referral to the relevant authorities for appropriate action, including criminal prosecution in the abuser's country of origin as well as the host country. All actions will be informed by a survivor-centered approach and an assessment of feasibility and risk to all those involved. The AERC office will have procedures for responding to and following up reports of misconduct based on the national employment and criminal laws.

<sup>4</sup> Before reporting to law enforcement, a comprehensive risk assessment must be carried out, based on the principle of 'do no harm' and no action should place the victim/survivor at risk of further harm.

<sup>5</sup> Where the victim/survivor does not consent to participating in the investigation process, the decision to proceed, or not, must be assessed against the risk that the alleged perpetrator/subject of complaint may pose to others within the AERC, our program participants, and the communities where we work. Having assessed the risk and, if concluded that an investigation is required, the victim/survivor must be fully informed of this decision and every effort made to protect their identity. If it is not possible to proceed with an investigation due to risk to the victim/survivor, alternative actions may be also considered, such as monitoring closely the alleged perpetrator, moving them to a role that does not bring them into contact with vulnerable or at-risk individuals, and conducting awareness raising activities to see if any further reports are made. All decisions must be comprehensively risk-assessed, documented and agreed with senior management. This is based on recognized sector-wide good practice, and from guidance in the CHS Foundation Paper '[Victim/survivor-centered approach to protection from sexual exploitation, abuse and harassment](#)' (2023)

# Responsibilities

## 4.1 All the AERC Employees and Related Personnel

All the AERC Employees and Related Personnel share an obligation to prevent, report and respond to sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, and child abuse. It is the responsibility of all the AERC Employees and Related Personnel to uphold the AERC's Safeguarding Policy and Code of Conduct, online and in-person, and during and outside their work hours. All the AERC Employees and Related Personnel<sup>6</sup> must read this Policy, sign the Safeguarding Code of Conduct, and undertake trainings and refresher courses on Safeguarding.

## 4.2 Directors, Managers, Supervisors and Human Resource Manager

Directors, Managers, Supervisors and Human Resource Managers must create a safe and accountable culture to prevent sexual harassment, exploitation and abuse, physical and emotional abuse, neglect, and child abuse. They must ensure that all the AERC Employees and Related Personnel understand and comply with the AERC's Safeguarding Policy and sign the Code of Conduct. Human Resource Manager are also responsible for robust safer recruitment, whilst Directors, Managers and Supervisors are responsible for ensuring employees have a thorough orientation, and ongoing awareness and sensitization to this Policy and Code of Conduct. Anyone in a management role must ensure that employees with specialized duties towards this policy have the appropriate experience, training, resources, and support available to them and that these duties form part of their performance management.

## 4.3 Executive Director

The Executive Director is accountable for safeguarding within the AERC Secretariat Office. S/he manages and must plan and provide clear guidance and resources for implementing and reporting performance on the Safeguarding Policy and Code of Conduct within the office(s), programs and projects. This includes taking swift action following investigations, if it is determined that there was a violation of this Policy and Code of Conduct.

The Executive Director, with support from the respective Secretariate team and the AERC Member Partners, will ensure that safeguarding is sufficiently resourced. The Secretariate team must be trained in safeguarding employees and/or focal points. Where the Office does not have dedicated Safeguarding personnel, the Executive Director will ensure that adequate time by the focal points is dedicated to Safeguarding and the implementation of the commitments within this Policy.

## 4.4 The AERC Board

The AERC Board must have oversight of the AERC Safeguarding Policy. Board Members are responsible for ensuring that adequate measures are in place to meet the commitments articulated in this policy. Boards must require from leadership regular reports on policy implementation and safeguarding risks to enable them to carry out their duties of providing guidance, oversight and accountability.

<sup>6</sup> Employees and individuals that have entered into partnership, sub-grant or sub-recipient agreements with the AERC may instead sign their employer's code of conduct and standards if they are consistent with the commitments within the AERC Safeguarding Policy.

# The Policy Details

Changes to this policy will be approved by the Executive Director and the Board and communicated to staff as well as the AERC network.

# Policy Communication

The Policy will be communicated through mail to all AERC staff and AERC network.

# Penalty

This policy is complementary to the set of standards of behavior that all the AERC employees and related persons are required to adhere to in the:

- The AERC Code of Conduct
- The AERC HR Policy
- The AERC Conflict of Interest guidelines and Disclosure
- The AERC Anti-Fraud and Anti-Corruption policy
- The AERC Whistle Blowing Policy

# Effective Date

This policy is effective from June 2024.



# Safeguarding Policy

