



GivitBack Foundation (GBF)

“Unlocking Potential, Transforming Lives”

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**PROTECTION FROM SEXUAL EXPLOITATION, ABUSE AND HARASSMENT
(PSEAH) POLICY**

DOCUMENT CONTROL

Document Information	Details
<i>Document Title</i>	Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy
<i>Organization</i>	GivitBack Foundation (GBF)
<i>Version</i>	1.0
<i>Effective Date</i>	August 2026
<i>Review Date</i>	August 2028
<i>Review Frequency</i>	Every Two (2) Years or earlier where necessary
<i>Policy Owner</i>	Governing Body (Board of Trustees)
<i>Policy Custodian</i>	Chairperson
<i>Applies To</i>	Trustees, Employees, Volunteers, Consultants, Interns, Contractors, Partners, Suppliers and any person representing GBF

POLICY APPROVAL

The Governing Body of GivitBack Foundation adopts this Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy as part of the Foundation's commitment to safeguarding the dignity, rights and wellbeing of all people who interact with the Foundation.

This Policy complements the GBF Child Protection Policy and applies to all beneficiaries, staff, volunteers, partners and other stakeholders, regardless of age, gender, disability, nationality, religion or social status.

All persons representing GBF are required to understand, sign and comply with this Policy.

1. INTRODUCTION

GivitBack Foundation (GBF) is committed to providing a safe, respectful and inclusive environment for everyone who engages with its programmes and operations.

Sexual exploitation, sexual abuse and sexual harassment are serious violations of human rights, professional ethics and organizational values. They undermine trust, harm individuals and communities, and damage the integrity of humanitarian and development work.

GBF recognizes that unequal power relationships can place children, women, persons with disabilities and other vulnerable individuals at increased risk of sexual exploitation and abuse. The Foundation therefore adopts a zero-tolerance approach to all forms of sexual misconduct.

Every representative of GBF has an individual responsibility to prevent, report and respond appropriately to any concern relating to sexual exploitation, abuse or harassment.

2. ABOUT GIVITBACK FOUNDATION

GivitBack Foundation (GBF) is a non-membership Public Benefit Organization established under the Public Benefit Organizations Act, Cap. 134 of the Laws of Kenya. The Foundation works to identify, nurture and develop talent among children and youth through sports, mentorship, education support, nutrition, health promotion and strategic partnerships that create opportunities for personal growth, leadership and socio-economic empowerment.

The Foundation serves children, adolescents, youth and communities while working closely with schools, health facilities, community organizations, government institutions and development partners.

3. POLICY STATEMENT

GivitBack Foundation has zero tolerance for:

- Sexual Exploitation.
- Sexual Abuse.
- Sexual Harassment.
- Grooming.
- Sexual coercion.
- Transactional sex.
- Retaliation against complainants or whistleblowers.

No Trustee, employee, volunteer, consultant, intern, contractor, partner or supplier shall engage in or tolerate any form of sexual exploitation, abuse or harassment.

GBF is committed to:

- Preventing sexual misconduct.
 - Creating safe reporting mechanisms.
 - Responding promptly and fairly to allegations.
 - Supporting survivors through a survivor-centred approach.
 - Holding perpetrators accountable.
 - Cooperating with relevant authorities.
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4. PURPOSE

This Policy establishes the Foundation's framework for preventing, identifying, reporting and responding to sexual exploitation, abuse and harassment.

It seeks to:

- Protect beneficiaries and communities.
 - Protect staff and volunteers.
 - Promote respectful behaviour.
 - Strengthen organizational accountability.
 - Meet donor safeguarding requirements.
 - Promote confidence in GBF's programmes.
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5. OBJECTIVES

The objectives of this Policy are to:

- Prevent sexual exploitation, abuse and harassment.
 - Promote a culture of dignity and respect.
 - Ensure all concerns are reported.
 - Support survivors appropriately.
 - Hold perpetrators accountable.
 - Strengthen safeguarding systems.
 - Integrate PSEAH into organizational policies and programmes.
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6. SCOPE

This Policy applies to:

- Trustees.
- Executive Director.
- Employees.
- Volunteers.
- Consultants.
- Interns.
- Contractors.

- Coaches.
- Mentors.
- Suppliers.
- Partner organizations.
- Visitors.
- Any individual representing GBF.

The Policy applies in:

- Offices.
- Schools.
- Sports facilities.
- Training camps.
- Community outreach.
- Health and nutrition programmes.
- Meetings.
- Workshops.
- Conferences.
- Field visits.
- Official travel.
- Accommodation arranged by GBF.
- Online and digital platforms used for GBF activities.

7. GUIDING PRINCIPLES

Implementation of this Policy shall be guided by the following principles:

- Respect for human dignity.
- Zero tolerance for sexual misconduct.
- Survivor-centred response.
- Accountability.
- Confidentiality.
- Non-discrimination.
- Do No Harm.
- Best interests of the child.
- Fairness and due process.
- Protection from retaliation.

8. LEGAL AND POLICY FRAMEWORK

This Policy is guided by:

- Constitution of Kenya, 2010.
- Public Benefit Organizations Act, Cap. 134.
- Employment Act, 2007.
- Sexual Offences Act, 2006.

- Children Act, 2022.
 - Data Protection Act, 2019.
 - Penal Code.
 - UN Convention on the Rights of the Child.
 - Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).
 - International Labour Organization Convention No. 190 on Violence and Harassment (where applicable as guiding good practice).
 - Other relevant safeguarding standards.
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9. DEFINITIONS

For the purpose of this Policy:

Sexual Exploitation means any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including profiting socially, politically or financially from the sexual exploitation of another person.

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

Sexual Harassment means any unwelcome sexual advance, request for sexual favours, verbal, non-verbal or physical conduct of a sexual nature that creates an intimidating, hostile or offensive environment.

Survivor means a person who has experienced sexual exploitation, abuse or harassment.

Complainant means a person who reports or raises a concern under this Policy.

Retaliation means any adverse action taken against a person because they reported a concern or participated in an investigation.

Consent means a voluntary, informed and freely given agreement. A child cannot legally consent to sexual activity.

10. ROLES AND RESPONSIBILITIES

Governing Body

The Governing Body shall:

- Approve the PSEAH Policy.
- Provide oversight.
- Promote organizational accountability.
- Review serious PSEAH incidents.
- Ensure adequate safeguarding resources.

Executive Director

The Executive Director shall:

- Implement this Policy.
- Designate a PSEAH Focal Person or integrate the role with the Safeguarding Focal Person.

- Ensure prompt reporting and response.
- Promote awareness and training.
- Ensure corrective actions are implemented.

Employees and Volunteers

Every representative shall:

- Treat others with dignity and respect.
- Comply with this Policy.
- Report concerns immediately.
- Cooperate with investigations.
- Complete mandatory training.

Partners and Suppliers

Partners, contractors and suppliers shall:

- Comply with this Policy or equivalent safeguarding standards.
- Ensure their personnel understand PSEAH obligations.
- Report concerns involving GBF programmes or personnel promptly.

11. PREVENTION MEASURES

GivitBack Foundation is committed to preventing Sexual Exploitation, Abuse and Harassment (PSEAH) before it occurs. Prevention shall be integrated into governance, human resource management, programme implementation, partnerships and organizational culture.

To reduce safeguarding risks, GBF shall:

- Promote a culture of dignity, respect and accountability.
- Integrate PSEAH requirements into recruitment, induction and performance management.
- Conduct safeguarding risk assessments for all programmes and activities.
- Screen staff, volunteers and consultants before engagement where appropriate.
- Ensure all representatives sign the GBF Code of Conduct and PSEAH Declaration.
- Display information on reporting mechanisms in accessible formats.
- Encourage open communication without fear of retaliation.
- Promote gender equality, inclusion and respect for diversity.
- Monitor compliance with safeguarding standards.
- Take immediate action where risks are identified.

Safeguarding shall be everyone's responsibility, and all representatives shall actively contribute to preventing sexual misconduct.

12. EXPECTED STANDARDS OF BEHAVIOUR

Every representative of GBF shall conduct themselves professionally and respectfully at all times.

Representatives shall:

- Treat all individuals with dignity, courtesy and respect.
- Maintain appropriate professional boundaries.
- Promote equality and inclusion.
- Avoid situations that could create actual or perceived abuse of power.
- Respect personal privacy and bodily autonomy.
- Obtain informed consent where appropriate.
- Listen respectfully to concerns.
- Report suspected misconduct promptly.
- Cooperate fully with safeguarding investigations.
- Act in a manner that protects the reputation and integrity of GBF.

13. PROHIBITED CONDUCT

The following conduct is strictly prohibited.

Sexual Exploitation

Representatives shall never:

- Exchange money, employment, goods, services or assistance for sexual favours.
- Exploit a person's vulnerability for sexual purposes.
- Use their position or authority to obtain sexual benefits.
- Request or accept sexual favours in exchange for organizational opportunities.

Sexual Abuse

Representatives shall never:

- Engage in any form of sexual activity with a child.
- Commit or attempt sexual assault.
- Use force, coercion, intimidation or threats to obtain sexual activity.
- Engage in sexual activity where genuine consent cannot be freely given.

Sexual Harassment

Representatives shall never:

- Make unwelcome sexual comments.
- Make inappropriate jokes of a sexual nature.
- Display sexually explicit material.
- Send sexually suggestive messages.
- Make repeated unwanted requests for dates or relationships.
- Engage in unwanted physical contact.
- Stare, gesture or behave in a sexually intimidating manner.
- Create an intimidating or hostile working environment through sexual conduct.

Abuse of Authority

Representatives shall never:

- Use supervisory authority to seek intimate relationships.
- Promise promotions, employment or benefits in exchange for sexual relationships.

- Threaten adverse consequences for refusing sexual advances.

Online Misconduct

Representatives shall never:

- Share sexually explicit material using GBF systems.
- Engage in inappropriate online communication with beneficiaries.
- Request intimate photographs.
- Engage in cyber harassment.
- Use social media to exploit or harass others.

Retaliation

No representative shall:

- Threaten a complainant.
- Victimize a witness.
- Punish a person for reporting concerns.
- Interfere with investigations.

14. REPORTING SEXUAL EXPLOITATION, ABUSE AND HARASSMENT

GBF encourages the reporting of all concerns, regardless of whether they involve staff, volunteers, contractors, partners or beneficiaries.

14.1 What Should Be Reported

Reports may include:

- Sexual exploitation.
- Sexual abuse.
- Sexual harassment.
- Grooming.
- Abuse of authority.
- Inappropriate relationships.
- Retaliation.
- Breaches of this Policy.
- Attempts to conceal misconduct.

14.2 Who May Report

Reports may be made by:

- Beneficiaries.
- Children (through appropriate child-sensitive mechanisms).
- Parents or guardians.
- Staff.
- Volunteers.
- Trustees.
- Consultants.
- Contractors.
- Community members.

- Anonymous whistleblowers.

14.3 Reporting Channels

Concerns may be reported to:

- Immediate Supervisor.
- Executive Director.
- Safeguarding or PSEAH Focal Person.
- Chairperson of the Governing Body (where allegations involve senior management).
- Relevant public authorities where required by law.

Reports should be made as soon as reasonably possible after a concern arises.

14.4 Protection of Complainants

GBF shall make every reasonable effort to protect complainants, survivors and witnesses from intimidation, retaliation or discrimination arising from a report made in good faith.

15. RESPONSE AND INVESTIGATION

Every report shall be handled promptly, fairly and confidentially.

Upon receiving a report, GBF shall:

1. Prioritize the safety and wellbeing of the survivor.
2. Assess immediate risks.
3. Preserve confidentiality.
4. Record factual information.
5. Determine whether referral to competent authorities is required.
6. Conduct an impartial internal assessment where appropriate.
7. Cooperate with law enforcement and regulatory agencies.
8. Implement appropriate disciplinary or contractual action where misconduct is established.

Investigations shall be conducted objectively, respecting the rights of all parties involved.

16. SURVIVOR-CENTRED APPROACH

GBF is committed to responding to survivors with compassion, dignity and respect.

Every response shall prioritize:

- Safety.
- Confidentiality.
- Respect.
- Non-discrimination.
- Informed decision-making.
- Access to appropriate support services.

Where appropriate, GBF shall facilitate referrals for:

- Medical care.
- Psychosocial support.

- Counselling.
- Legal assistance.
- Child protection services.
- Other specialized support.

The wishes and wellbeing of the survivor shall remain central throughout the response process, subject to legal obligations to protect children and vulnerable persons.

17. CONFIDENTIALITY

Information relating to PSEAH reports shall be treated confidentially.

GBF shall:

- Limit access to information on a need-to-know basis.
- Secure records appropriately.
- Protect identities where possible.
- Avoid unnecessary disclosure.

Confidentiality shall not prevent disclosure where required by law or necessary to protect a person from harm.

18. TRAINING AND AWARENESS

GBF shall provide regular PSEAH training for:

- Trustees.
- Employees.
- Volunteers.
- Consultants.
- Interns.
- Contractors.
- Partners where appropriate.

Training shall include:

- Understanding PSEAH.
- Professional boundaries.
- Power dynamics.
- Reporting obligations.
- Survivor-centred responses.
- Organizational standards of behaviour.
- Digital safeguarding.
- Consequences of policy breaches.

Refresher training shall be conducted periodically to maintain awareness and strengthen organizational capacity.

19. MONITORING, COMPLIANCE AND POLICY BREACHES

Implementation of this Policy shall be monitored through:

- Programme supervision.
- Internal audits.
- Incident reviews.
- Safeguarding assessments.
- Training records.
- Feedback mechanisms.

Failure to comply with this Policy may result in:

- Verbal or written warnings.
- Mandatory retraining.
- Suspension.
- Termination of employment or engagement.
- Termination of partnership or contractual agreements.
- Removal from the Governing Body where applicable and in accordance with the Constitution.
- Referral to law enforcement or regulatory authorities where appropriate.

20. POLICY REVIEW

This Policy shall be reviewed:

- Every two (2) years.
- Following significant legislative changes.
- Following major safeguarding incidents.
- Where programme or organizational changes require updates.
- At the direction of the Governing Body.

21. POLICY APPROVAL

This Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy was approved by the Governing Body of GivitBack Foundation (GBF) and takes effect from the date of approval.

Item	Details
<i>Organization</i>	GivitBack Foundation (GBF)
<i>Policy</i>	PSEAH Policy
<i>Version</i>	1.0
<i>Effective Date</i>	August 2026
<i>Review Date</i>	August 2028
<i>Approved By</i>	Governing Body (Board of Trustees)

APPENDIX A: PSEAH DECLARATION

I acknowledge that I have received, read and understood the GivitBack Foundation Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy.

I agree to:

- Comply with this Policy and the GBF Code of Conduct.
- Treat all persons with dignity and respect.
- Report any suspected or actual incident of sexual exploitation, abuse or harassment immediately.
- Cooperate fully with safeguarding investigations.
- Uphold the values and reputation of GivitBack Foundation.

I understand that failure to comply with this Policy may result in disciplinary action, termination of my engagement and/or referral to the relevant authorities.

<i>Name</i>	
<i>Position</i>	
<i>Signature</i>	
<i>Date</i>	

APPENDIX B: PSEAH COMPLAINT REPORT FORM

1. Person Reporting (Optional if Anonymous)

- Name:
- Position/Relationship to GBF:
- Contact Information:

2. Survivor (if known)

- Name or Unique Identifier:
- Age (if known):
- Sex:
- Programme/Location:

3. Nature of Complaint

- ☐ Sexual Exploitation
- ☐ Sexual Abuse
- ☐ Sexual Harassment
- ☐ Grooming
- ☐ Abuse of Authority
- ☐ Retaliation
- ☐ Other

4. Description of Incident

Provide a factual account of the incident, including dates, locations, persons involved and any witnesses, avoiding assumptions or opinions.

5. Immediate Actions Taken

6. Person(s) Notified

7. Additional Information

Signature (if applicable): _____

Date: _____

APPENDIX C: PSEAH REPORTING FLOW

