

CHILD PROTECTION POLICY (CPP)



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Section A

Introduction:

Social Awareness for Mutual Upliftment through Guidance and Motivation (SAMUGAM) is a registered NGO under Indian Trust Act, established in 1991 is committed to the cause of rehabilitation of Leprosy patients and the physically challenged, development of the underprivileged children, the economic development of the oppressed community, the empowerment of the disabled and marginalized.

SAMUGAM during the process of providing welfare and development measures for the underprivileged children established JALY home in the year 2006 in Puducherry. Children living in difficult situations are identified and were provided required shelter, education support for their integral development. The home has been recognized and provided license by the Govt. of puducherry in the year 2016. With an objective to provide child friendly environment in spite of present limitations, SAMUGAM brought out Child protection policy for ensuring the better interest of the children sheltered in JALY Home.

Registration Details:

Registration No : 13/1991

PAN NO: AACTS720H

Income tax act : 80 G & 12 A of Inc

FCRA No. : 076040327

Board of Trustees:

Sl.No	Name	Designation
1	C. Jesudhasan Savio	Founder Trustee
2	J.Bruno	Managing Trustee
3	M. Aloysius	Trustee
4	Mrs. J.Haripriya	Trustee
5	Mr. B. Monsingh	Trustee

Child Protection Policy (CPP)

Principles:

- Respect for dignity, liberty, and freedom of the child
- Recognition of the best interests of the child
- Belief that a child is entitled to express his/her opinion and can take decisions for him/herself
- Respect for the child's right to privacy and confidentiality
- Zero tolerance of any form of abuse whether direct or indirect
- Belief that child protection is the responsibility of all

Objectives:

- To ensure the practice of the highest levels of child protection standards in SAMUGAM.
- To ensure a well defined and practiced reporting mechanism for child protection violations and time bound redressal system
- To ensure that there are basic minimum standards of child protection adhered
- To create consciousness and awareness about child protection

Scope:

Stakeholders who come in contact with children:

Donors: Any individual(s)/agencies that provide/contribute help to the organization in cash or kind for a specific period

Visitors: Child parents/guardian/employer or any other individual who visits the organization for a short span of time to understand SAMUGAM work/for other purposes including interacting with a particular child or other children. Visitors can include guests like a government officer(s), police personnel, etc.

Interns: Those who come from different institutions/schools/colleges to the organization to learn and work as part of their academic curriculum for a short course of time i.e. typically one week to two months.

Volunteers: Those who perform/ give service out of his/her own free will to the organization without any form of payment

Staff: Those who formally employed with the organization on a full/part time basis.

SAMUGAM Policy Statement

Definition of child

According to Article 1 of the United Nations Convention on the Rights of Children (UNCRC), an individual within the age range of 0-18 years is a child.

Definition of child protection

According to Integrated Child protection Scheme(ICPS) 'Child Protection' is about protecting children from or against any perceived or real danger or risk to their life, their personhood and childhood. It is about reducing their vulnerability to any kind of harm and protecting them in harmful situations. It is about ensuring that no child falls out of the social security and safety net and, those who do, receive necessary care, protection and support so as to bring them back into the safety net. While protection is a right of every child, some children are more vulnerable than others and need special attention.

Definition of child abuse

General Definition

Child abuse or maltreatment constitutes all forms of physical and/or emotional ill- treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

Physical abuse

Physical abuse of a child is that which results in actual or potential physical harm from an interaction or lack of an interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents.

Emotional abuse

Emotional abuse includes the failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure, so that the child can develop a stable and full range of emotional and social competencies commensurate with her or his personal potentials and in the context of the society in which the child dwells. There may also be acts towards the child that cause or have a high probability of causing harm to the child's health or physical, mental, spiritual, moral or social development. These acts must be reasonably within the control of the parent or person in a relationship of responsibility, trust or power. Acts include restriction of movement, patterns of belittling, denigrating, scapegoating, threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment.

Neglect and negligent treatment

Neglect is the failure to provide for the development of the child in all spheres: health, education, emotional development, nutrition, shelter, and safe living conditions, in the context of resources reasonably available to the family or caretakers and causes or has a high probability of causing harm to the child's health or physical, mental, spiritual, moral or social development. This includes the failure to properly supervise and protect children from harm as much as is feasible. Neglect is the failure to provide for the development of the child in all spheres: health, education, emotional development, nutrition, shelter, and safe living conditions, in the context of resources reasonably available to the family or caretakers and

causes or has a high probability of causing harm to the child's health or physical, mental, spiritual, moral or social development. This includes the failure to properly supervise and protect children from harm as much as is feasible.

Sexual abuse:

Child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws or social taboos of society. Child sexual abuse is evidenced by this 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. This may include but is not limited to:

- The inducement or coercion of a child to engage in any unlawful sexual activity.
- The exploitative use of child in prostitution or other unlawful sexual practices.
- The exploitative use of children in pornographic performances and materials.

Exploitation

Commercial or other exploitation of a child refers to use of the child in work or other activities for the benefit of others. This includes, but is not limited to, child labour and child prostitution. These activities are to the detriment of the child's physical or mental health, education, or spiritual, moral or social-emotional development.

Definition Child Protection Violation: Child Protection Violation in context of the policy amounts to:

- Any act or behavior that puts a child at risk of abuse
- Any act of behaviour that could potentially increase the risk of abuse
- A failure to act in a situation where a child is being abused
- Failure to follow the code of conduct or any other prescribed protocol without suitable justification

This policy calls for mandatory reporting of all child protection violations. All members within the scope of this policy should report as they witness, suspect or come to know of any form of child protection violation.

Section B

Recruitment and capacity building of staff:

Interview Process:

- The interviewing board/panel will carefully examine all the documents submitted by the candidates
- Questions related to child protection issues shall be asked(as relevant to the post). These questions would facilitate assessment of the candidate's perception and attitudes related to children, including those from disadvantaged backgrounds.
- Adequate background verification of the candidates should be done especially by communicating with the references cited by the candidates. Any suspicious gaps in service/other such incidents should be probed.
- Any candidate expressing, whether explicit, or implicit, disrespect for children or having limited notions of their abilities (which may not be overcome through capacity building measures) shall not be considered for appointment.

Procedure for appointment and orientation on child protection

- After the candidate is selected, he/she will be required to sign a statement of commitment to the organization's CPP. This is will be mentioned in the appointment letter for all the recruits.
- New staff will undergo an orientation on child protection. This orientation includes an overview of the organization, explaining key concepts related to child rights and child protection, highlighting relevant legislative measures and discussing the CPP.
- The induction will be held at the head office of the organization within one week from the date of joining.
- New staff will be encouraged to ask questions or seek any further information on the policy during the induction. They can share any subsequent queries with their superiors.

Periodic capacity building on child protection

- A one day refresher training on essentials of child protection and the CPP will be held after one year joining for all the staff.
- Other need based trainings on child protection aligned to the staff roles should be organized as required.
- Trainings and other capacity building initiatives should be used to ensure that all levels of staff in the organization have a certain minimum level of understanding regarding key terms linked to child protection, SAMUGAM's approach to child protection and the policy.
- Assessment of staff understanding and practices in line with the CPP, should be linked with the annual appraisal process. Thus, related questions should be asked during the appraisal and the responses considered when evaluating performance.
- There should be a conscious attempt to address gaps and other identified learning areas related to child protections during the year through various means(discussion during team meetings, facilitating interaction with more knowledgeable staff on the issue, structured trainings, visits to other sites, etc

For interns and Volunteers

1. He/she is required to submit a letter of reference from concerned institution/other significant stakeholders as agreed mutually (for volunteers not associated with any academic institution).
2. He/she should submit a letter outlining purpose and duration of engagement as well as expected outputs/deliverables. The roles/activities that he/she can undertake as well as expectations from the organization should be outlined.
3. He/she would be allowed to initiate work and engage with the children only after a formal agreement is reached. This also includes a preliminary orientation on the CPP with him/her indicating adherence by signing a copy of the same. Any doubts or clarifications sought by him/her about the CPP would be addressed.
4. Interns and volunteers should be oriented on the organization, key child protection issues and other aspects as relevant.

Section C

Code of Conduct:

For Children at the Children's Home

- Children should treat each other with respect, valuing each other as their brothers and sisters.
- They should not tease, ill treat or discriminate against another child because of colour, caste, community, ability or any other such factor.
- They should not rag or bully or abuse other children in any way, particularly those who are younger or have joined recently. Instead, they should make conscious efforts to reach out and involve younger and new children who have recently joined.
- They should not spread rumors about other children.
- They should not use slang or abusive language.
- They should not steal other children belongings.
- They should treat the staff, teachers and guests with respect and behave cordially.
- They should have the right to refuse to share their personal stories with guests and visitors.
- They should not consume any addictive and harmful substances (tobacco, alcohol, etc). They should also discourage their peers who do so.
- They should not use/carry personal handset.
- They should not damage any property.
- Children have the right to revisit this code and make changes/modifications in consultation with the relevant staff.

Staff should

- Respect the privacy and dignity of each and every child
- Be visible while working with children at the work place
- Ensure that a culture of openness exists and facilitates children to interact and express their issues and concerns with staff.
- Respect and encourage children's voices and views.
- Make efforts to ensure children's participation in decisions that effect their lives
- Inform children about steps of interventions being taken in his/ her context.
- Uphold privacy of the child by not disclosing identity of child to anyone who may put the child at risk
- Uphold the privacy of the child by not disclosing the identity of the child to the media.
- Educate children about their rights, issues of abuse, neglect and exploitation
- Ensure that there are same sex chaperons/escorts for children
- Recorded movement of children while sending them to schools, hospitals or referral service centres or even in repatriation/ restoration

Staff should not

- Not touch, hug, or caress a child
- Spend time with children alone
- Stay in a room alone with a child for an extended period
- Allow interaction with a child in a closed environment without supervision of the person in-charge
- Sleep alone with any child
- Take children to the residence of the team members/coordinators/directors for the night

- Do things for children of a personal nature that they can do themselves
- Engage children in personal work or employ children at work or at home.
- Use language or expressions that is found inappropriate to a child
- Use corporal punishment or tolerate corporal punishment by the staff
- Make any physical gestures in a manner that appears to be inappropriate or sexually provocative
- Develop any relationship with children which could be assumed as exploitative or abusive
- Discriminate against children on the basis of colour, language, disabilities, or physical feature leading to differential treatment
- Stigmatize or humiliate a child
- Act in any manner that put children at risk
- Give gifts directly to children
- Patronize any services that employs children
- Take any photograph that would violate the child's dignity, or privacy in anyway

For Donors and other visitors (including parents/guardians, NGO partners, consultants, systemic functionaries)

- Prior information should be given to the appropriate authority before visiting the shelter home or interacting with children in the communities as well. The purpose of the visit, expected duration and nature of engagement with the children sought should be communicated.
- They should be open to receiving inputs on local culture and other contextual aspects which would guide their interactions with the children.
- They should wear appropriate clothes during visits at the shelter home or in the communities.
- They should interact with children only in the presence of a staff and would be accompanied by staff during field visits and interactions at the shelter home or field locations.
- Parents/guardians should meet with their child on the particular days and during the specified time period. The same is publicly displayed. They will follow the guidelines of donors/visitors when visiting SAMUGAM.
- They should respect the children and treat with equality.
- They should not ask repeated questions about a child past or force the child to share any information that he/she is unwilling to do. A child cannot be forced to share information about his past circumstances or any other issue that he/she does not want to talk about.
- They should not hug or touch the child in any manner that makes the child uncomfortable.
- They should not use abusive, slang or other inappropriate language in the presence of the children.
- They should not give any gifts/money directly to the children without the permission from the concerned staff.
- They should not allow children indiscriminate use of their personal computers, mobile phones and cameras or any other valuables. Only when necessary, they should allow children to use/ operate equipment only in their presence.
- Contacting, visiting children in their home/community or directly keeping in touch with children via phone/internet/meeting without the knowledge of the staff is not permitted.

- Police personnel should visit the shelter home in **civilian clothes**.
- Consultants undertaking assignments for the organization and requiring contact with children should indicate adherence to the CPP by signing a copy of same. They should conduct themselves accordingly. The organization should provide the necessary orientation on its work and the CPP in the initial stage itself after selection of the consultant.

For Volunteers and Interns

- They should wear appropriate clothes when interacting with children.
- They should interact with the children in the presence of the concerned staff and only after due permission has been given.
- They cannot talk to any child alone in a secluded spot or take him/her to any location without prior permission.
- They should not ask repeated questions about a child's past or force the child to share any information that he/she is unwilling to do. They should also not lure the child to divulge any information.
- They should not give any gifts directly to the children without permission of the concerned staff.
- They should not allow children indiscriminate use of their personal computers, mobile phones and cameras or any other valuables. They should allow children to use/operate only in their presence.
- They should take their meals with the children only after obtaining permission to do so.
- They should treat all the children equally and with respect.
- They should not use slang or abusive language before children or speak to them in such manner.
- They should not use corporal punishment.
- Contacting, visiting children in their home/community or directly keeping in touch with children via phone/ internet/meeting without the knowledge of the staff is not permitted.

Children in the children's home may also come in contact with helpers in kitchen, electricians, plumbers and other such service personnel. The concerned staff should be aware of any such interactions and also ensure that potential situations of abuse can be averted. Any suspicious behavior by such persons, when in contact with children or having such implications, should immediately be reported to the designated authority.

Section D

Reporting and Response Procedure for child protection violations

Reporting

- Any suspected or observed violation involving one or more dimensions of abuse for child/children should be immediately reported Director or Administrator of SAMUGAM
- A verbal complaint must be made no later than 12 hours of the suspected incident to the Home incharge or the Director. This can be done either in person or phone.
- A written complaint, using the format given in the Annexure 1, should be submitted within 24 hours.
- Such complaints can also be made where no specific incident has occurred but suspicious behavior with negative implications for children have been noted.
- The complaint can be made by any staff of SAMUGAM.
- The complaint can be about any SAMUGAM staff, donors, visitors, or any other stakeholder coming in contact with children.
- The name of the complainant would not be disclosed in subsequent processes.
- A child seeking to report any incident can approach the Director/ Administrator. If the child so wishes, any staff he/she is comfortable can be involved during the reporting and the following processes.

Response to Reported child protection violations

- The Director/ Administrator shall treat all complaints with equal attention and seriousness irrespective of who makes the complaint and against whom.
- The Director/ Administrator shall conduct an investigation for every complaint made.
- They undertake separate interactions (interviews) with the complainant, suspected abuser(s) and the concerned child/children.
- Immediate medical help, counseling and any other measure as needed for child/children would be arranged on a priority basis.
- The complainant would be encouraged to share details. He/she would be assured that the complainant will not bring any negative repercussions for him/her.
- The interaction with child/children would be conducted in a sensitive manner giving necessary time for him/her/them/to feel comfortable and share about the incident. He/she/they would not be rushed or expected to answer uncomfortable questions directly.
- The child/children would be assured of support as needed. He/she/they would be told not to fear negative consequences for speaking out.
- Both the Director/ Administrator shall be present during the interaction with the child/children. Additionally, any other person whose presence is requested by the child/children (i.e. someone the child feels comfortable with and can help create a conducive environment) shall be allowed.
- If the allegation is found to be true, the Director and the Administrator would determine the actions to be taken.
- Warnings will be issued to the concerned staff if the incident involves disrespectful treatment of child/children without any serious injury (i.e. scolding a child in derogatory manner and/or slapping a child.)Two such warning may be issued.

- For such transgressions, the organization would engage with the concerned staff to influence change in his/her attitudes in dealing with children. However, a third transgression would lead to dismissal with the option of legal action as well.
- In case of proven transgressions leading to physical, sexual and psychological harm, the concerned staff would be dismissed and legal action taken.
- Allegations against external stakeholders (i.e any visitor) would also be followed up with due diligence. Legal support would be sought as needed.
- The Director/ Administrator should ensure that updated records of all complaints made and the resultant actions are maintained. Confidentiality aspects would be factored in this record keeping.

The Director/ Administrator can also initiate an investigation on their own if they suspect any case of violations which remains unreported. In such cases, they would write the formal complaints as well for ensuring records.

Section E

Communication Procedure

Sharing of information about children with External Stakeholders including media.

- Primarily, all information about children staying in the shelter home shall be considered confidential.
- Information about specific children, as requested by donors, other visitors/media, shall be shared after the permission of the Director.
- The names and other identifying characteristics should be disclosed in case studies of the children. For instances, names should be changed.
- Case studies and other documentation on children should not dwell only on the exploitative circumstances but also on SAMUGAM positive efforts to address the issue/situation.
- In any interaction involving children and external stakeholders, the latter should be informed about allowing children to share their stories as they deem fit. The children should not be forced to disclose any information that they are not willing to do so.
- Media personnel should clearly indicate the purpose of seeking information about children and its intended use. Moreover, specific instructions on the above mentioned points should be provided to the media. It should be stressed that sensationalizing or manipulating information to present a particular picture is unethical and not in keeping with SAMUGAM beliefs. SAMUGAM may choose to take legal action in such cases.
- Children shall be informed when information regarding them is shared with external stakeholders. Their consent should be taken if any such content is being considered for publication.

Sharing of children's image with External stakeholders including media

- Children cannot be photographed without their consent.
- They cannot be photographed while taking baths or changing clothes. They must be fully dressed.
- Photographs of children, who have faced abusive situations, are infected/affected by HIV/AIDS or in other vulnerable contexts, should not be published in organizational or external documents. If such photographs must be used, then they should be taken in a manner where in the children faces are not visible. Exceptions if needed can be made only with prior permission of the Director.
- The aspects of confidentiality, respectful and dignified presentation remain valid for drawings and other forms of visual representation of children.
- No financial inducement to be given to the child/parents/guardians to secure their consent.

Review of the Policy

The CCP will be reviewed / amended on need basis. Additions/ changes will be incorporated.

Annexure 1:

Format for reporting child protection violations

1. Incident: Suspected/ Reported/ Observed/
2. Details of the incident
3. Date..... Period of violation:
4. Place of incident:
5. Reported by:
6. Name of the informant:
7. Nature of incident : Abuse/ Neglect/Others
8. Description of the incident
9. Informer's observation

10. Immediate action taken:
11. Details of the child: Name/ age/ sex/ condition of the child and if aware of violation:

12. Details of the alleged person : Name/age/ Gender
Designation : staff/ child/victim/parent/other
13. Any other information about the alleged person

Reported submitted by..... Signature.....
Designation..... Date..... Place.....

To be filled in by the Director/ Administrator

Report submitted to
Signature.....
Designation..... Date..... Place.....

Actions advised by the Director/ Administrator

Child protection policy commitment form

To
The Director
SAMUGAM

Sub: Child protection policy commitment letter

I,.....(Name),.....(Designation),
a.....(staff,volunteer/intern/others) of SAMUGAM, a resident
of(address).....
.....
.....
.....have carefully read SAMUGAM Child Protection Policy(CPP) and I hereby declare that
I will accept all the components of this policy and would abide by its code of conduct. I am
also fully aware that if I failed to abide by this policy, the concerned organization can take
necessary steps:

- 1. Strict action by the Director of the organization
- 2. Termination from the Job
- 3. Legal action as per the severity of the incident.

Signature:

Signature of the Director:

Date:

Date: