

Child Protection Policy



VISION & MISSION STATEMENT:

The vision of Shaishav is to create a safe, supportive and responsive society that upholds the protection rights and dignity of every child in India (as defined by the law). This is to be achieved by establishing effective prevention and early intervention measures, strengthening treatment support services and building partnerships. We do this by engaging with all sectors of society upon whom the well being of children depends, in initiatives that will bring about these changes.

1. STATEMENT OF COMMITMENT:

1.1. Shaishav is committed to the rights and welfare of children in India and opposes all forms of child abuse, especially child sexual abuse and exploitation.

1.2. Shaishav is committed to upholding the law on child rights and welfare, as outlined by the UN Convention on the Rights of the Child and various legal statutes of the prevailing law in India

UN Article 19

“No one should hurt you in any way. Adults should make sure that you are protected from abuse, violence and neglect. Even your parents have no right to hurt you. “

UN Article 34

“You have the right to be protected from sexual abuse. This means that nobody can do anything to your body that you do not want them to do, such as touching you or taking pictures of you or making you say things that you don't want to say.”

1.3. Shaishav believes that all children have a right to protection from abuse irrespective of race, social background, age, gender, skin color, disability, religion, caste or beliefs.

1.4. Shaishav believes that child abuse and exploitation is not acceptable in any form. Keeping silent and inaction is also wrong, if it is known that a child is being abused or exploited.

1.5. Shaishav believes in the importance of child protection, so that not only are children protected from abuse by Shaishav committee (or board of directors) members, staff, donors, and volunteers, but also that preventative measures can be made to protect the Shaishav staff, and the Shaishav's own integrity.

1.6. Shaishav believes that children have the right to participation through any form of expression (in accordance with their evolving capacities) and be heard. Therefore where possible children will also be included as stakeholders and in research and other relevant reports/evaluations

1.7. All committee (or board of directors) members, staff, and volunteers agree to this policy. It will be evaluated and reviewed every year by Shaishav and TDH Germany based on experience and evolving circumstances and law.

2. THE DIFFERENT FORMS OF CHILD ABUSE ARE DESCRIBED BY:

2.1.1. **Physical Abuse:** Actual or likely physical injury to a child, or failure to prevent physical injury, or suffering, to a child, including deliberate or non-accidental hitting, beating, shaking, throwing, burning, drowning, suffocating or poisoning.

- Reports indicate that --% of Indian children experience some form of physical abuse
- Indicators include, but are not limited to unusual bruises, burns, broken bones, etc.

2.1.2. **Mental/Emotional Abuse:** Actual or likely severe adverse effect on the emotional and behavioral development of a child caused by persistent or severe emotional ill treatment or rejection. May involve conveying to the child that they are worthless, unloved or inadequate and cause children to feel frightened, in danger and corrupted.

- Reports indicate that --% of Indian children experience some form of emotional abuse.
- Indicators include, but are not limited to lack of affect, poor concentration, lack or bonding, etc.

2.1.3. **Neglect:** The persistent or severe neglect of a child or the failure to protect a child from exposure to any kind of danger, including severe weather conditions and starvation, or extreme failure to carry out important aspects of care, resulting in the significant impairment of the child's health or development, including non-organic failure to thrive.

- Reports indicate that --% of Indian children experience some form of neglect.
- Indicators include, but are not limited to underweight, lack of schooling, chronic health problems, etc.

The various aspects of neglect can be further detailed as below: The failure to provide for the child's basic needs. Neglect can be physical, educational, or emotional. Physical neglect can include not providing adequate food or clothing, appropriate medical care, supervision, or proper weather protection (heat or coats). It may include abandonment. Educational neglect includes failure to provide appropriate schooling or special educational needs, allowing excessive truancies. Psychological neglect includes the lack of any emotional support and love, never attending to the child, spousal abuse, drugs and alcohol abuse including allowing the child to participate in drug and alcohol use.

2.1.4. **Sexual Abuse:** Actual or likely exploitation of a child, representing the involvement of dependent, developmentally immature children in sexual activities they do not truly comprehend, to which they are unable to give informed consent or that violate social taboos or family rules, such as but not limited to touching a child's genitals, forcing a child to watch or take part in pornography or coercing the child to have sex. It is considered abuse whether or not the child consents. Sexual exploitation is the exchanging of money or other economic favors in return for sex.

- Reports indicate that --% of Indian children experience some form of sexual abuse and/or exploitation.
- Indicators include, but are not limited to pregnancy at an early age, STI, unusual bleeding, sexualized behavior above age appropriateness, unusual fear of people or places.

Child Sexual Abuse Includes:

- An adult exposing his/her genitals to a child or persuading the child to do the same
- An adult touching/ fondling a child's genitals or making the child touch the adult's genitalia.
- An adult involving a child in pornography which includes exposing a child to pornographic material
- An adult having oral, vaginal or anal intercourse with a child
- Any verbal or other sexual suggestion made to a child by adult
- An adult persuading children to engage in sexual activity

Above points are some examples but sexual abuse is not limited to these points. To be considered child abuse these acts have to be committed by a person responsible for the care of a child or related to the child. If a stranger commits these acts, it would be considered sexual assault. It is considered abuse whether or not the child consents. Sexual exploitation is the exchanging of money or other economic favors in return for sex.

3. BEHAVIOURAL PROTOCOLS:

3.1. Shaishav expects all its partner organizations (committee members, staff, volunteers, patrons, and visitors) to give respect and dignity to all children associated with the work of Shaishav, as well as children within the personal lives of those individuals connected to Shaishav.

3.2. Shaishav's committee members, staff, volunteers and visitors with direct contact with projects and children must sign a statement to say that they have read the policy, will respect and abide by it and understand that action will be taken in cases where behavior is not in accordance to the policy. This will lead to disciplinary action and possible job loss for staff or dismissal of committee members or volunteers who break these protocols.

- 3.3. It will not be permissible for Shaishav, volunteers and visitors to take photographs or video footage of children. Authorization should be sought from the Director/Committee and strict regulations will be implemented on the nature of how photographs are taken. These photographs and/or video will not be used for any other purpose outside Shaishav without prior permission.
- 3.4. Committee members, staff, volunteers and visitors must never be alone with children who are not their own offspring in a private place that cannot be readily seen by other responsible adults.
- 3.5. Where possible and practical, the 'two - adult' rule, wherein two or more adults supervise all activities where minors or children are involved and are present at all times, should be followed. If this is not possible, Shaishav staff members are encouraged to look for alternatives such as being accompanied by community members on visits to children.
- 3.6. Shaishav's committee members, staff, volunteers and visitors will not discipline a child in a way that is against the Convention on the Rights of the Child. This effectively means no tolerance to any form of violence against the child.

Shaishav's committee members, staff, volunteers and visitors need to be aware that they may work with children who, because of the circumstances and abuses they have experienced, may use a relationship to obtain "special attention". The adult is always considered responsible even if a child behaves seductively. Adults should avoid being placed in a compromising or vulnerable position.

- 3.7. Inappropriate behavior toward children, including failure to follow Shaishav's Behavior Protocols or sexual abuse of a child is grounds for discipline, up to and including dismissal from employment, volunteer/internship or board /advisory council membership.
- 3.8. Shaishav's committee members, staff, volunteers and visitors must be concerned about perception and appearance in their language, actions and relationships with minors and children. Shaishav's committee members, staff, volunteers and visitors should maintain a high standard of behavior/character in presence of children. (Example: should not use any unacceptable language in the presence of a child)
- 3.9. Shaishav's committee members, staff, volunteers and visitors dress appropriately and culturally sensitive when they visit children, families, communities and programs or work with children. .
- 3.10. Inexperienced Shaishav staff and volunteers should not try to handle children with complicating problems. (Example: children who have been sexually abused). These children should be directed to Shaishav's team or professionals with the consultation of the responsible officers.
- 3.11. Shaishav's committee members, staff and volunteers should seek to live up to the Shaishav's Mission Statement and Core Values in all relationship with others in any circumstances.

4. RECRUITMENT AND SCREENING

- 4.1. Shaishav's committee members, staff, volunteers and visitors will be carefully and properly screened during their recruitment period, including obtaining a police check where possible or necessary.
- 4.2. Shaishav's committee members, staff and volunteers will be carefully and properly screened during their recruitment period which includes signing to agree to the Child Protection Policy and stating that there have been no previous convictions for abuse against children, violent behavior or improper and unlawful conduct.
- 4.3. Shaishav's will ensure that all the references of approved local candidates for work are checked, preferably by telephone, and recorded in the staff files before the new staff member is invited to take the position. This will include a verbal and written request to the referee of whether they have any concerns as to why the candidate should be employed to work with children.
- 4.4. Shaishav's staff, volunteers and visitors agree to **inform the Director/Committee Member** immediately if new information arises that casts doubt on the team member's trustworthiness with children. Such information would be treated as confidential and disclosed to the individual team member for appropriate action.
- 4.5. Individuals who are hired as independent contractors are notified of Shaishav's Policy and Required Standards for Child Protection and are made aware that they are expected to follow behavior protocols set out below.
- 4.6. In the best interests of children, organizations must not hire anyone with a prior conviction for child abuse, paedophilia or related offences. In the event that local law prohibits this broad a hiring rule, no person with a conviction for child abuse, paedophilia or related offences may be hired into any position which includes direct access to children. Shaishav's reserves the right not to hire an applicant if the background check reveals that the person is not suitable to work with children.

5. RESPONSES TO ALLEGATIONS OF STAFF OFFENCES

- 5.1. Shaishav's committee members, staff, volunteers and visitors will be encouraged to be open in discussing the potential of abuse within the organization, including during the mandatory annual three-day child protection training.
- 5.2. Where an allegation has been made that any of Shaishav's committee member, staff, volunteer or visitors has abused a child, Shaishav will take the appropriate action to deal with the situation.
 - 5.2.1. Where there is an allegation, first inform the Director. If the Director is the subject of the allegation, a Committee (or board of directors) member must be informed.
 - 5.2.2. The allegation will be kept confidential, with only those directly involved having the appropriate information.

- 5.2.3. All details will be entered on the Shaishav's Allegation form and filed confidentially.
- 5.2.4. Shaishav's committee members, staff, volunteers and visitors found to be widening the circle of confidentiality will have disciplinary action taken against them according to the rules of the sending agency. Committee members and staff will receive a written warning.
- 5.2.5. Any investigations will be kept confidential and take place under external advice and counsel.
- 5.2.6. Relationships with child welfare and legal organizations should be encouraged for accountability and support in times following an allegation.
- 5.2.7. Both child and alleged perpetrator will be treated with respect from the start of the process to the end.
- 5.2.8. Shaishav will not dismiss a child's accusation of abuse without appropriate investigation, no matter who the alleged perpetrator is.
- 5.2.9. Shaishav will confer with other organizations in a case where the child involved requires extra protection.
- 5.2.10. Records will be made of all facts related to the investigation and allegation, and these will be carefully and confidentially filed by the Committee. **(Refer to allegation forms)**
- 5.2.11. If a foreigner is involved, the relevant Embassy will be informed.
- 5.2.12. Shaishav will designate someone to deal with the media and the police if necessary. Consideration will be made beforehand by the Committee about how the police and media will be informed/involved.

6. RESPONSES TO ALLEGATIONS OF NON-STAFF, COMMUNITY MEMBERS, FAMILY, ETC. OFFENCES

- 6.1.1 In order to facilitate the reporting, investigation and follow-through of all cases, Shaishav will set up formal or informal support systems of related professionals and authority within their community. That is, relationships will be maintained with local police, government or non-government social services, doctors, lawyers, social workers, and teachers. All individuals should be encouraged to attend the Shaishav's annual three-day child protection training sessions, as both participants as well as providers of information related to their community and particular service.
- 6.1.2 Whenever a staff of Shaishav has a reasonable cause to believe that a child, regardless of whether served by Shaishav, is being abused, that staff must report within 48 hours to the Director, who will report immediately to local authority utilizing the same Allegation form of 5.2.10.
- 6.2 Procedures from all points of 5.2 will be followed, assuring the safety of the alleged victim and all children within the community.

7. COMMUNICATION ABOUT/TO CHILDREN

7.1 Shaishav recognizes that the world-wide web is increasingly being used by those seeking to abuse children, and that photographs are doctored to create further abuse of children. Therefore, Shaishav will only post pictures of groups of children on its website, and not individuals. It will never display pictures of children in brothels or in vulnerable situations. Neither will it use pictures of children for fund raising

7.2 Where photographs of children are used, Shaishav will take special care to protect children's identities and specific geographic location in all materials.

7.3 Disclosure of information about past or present abuse of children and any of the persons involved should be limited to only the people who need to know.

7.4 Communications about children should use pictures that are decent and respectful, not presenting them as victims. Children should be adequately clothed and poses that could be interpreted as sexually suggestive should be avoided. Language that implies a relationship of power should also be avoided.

7.5 Individuals or organizations requesting the use of Shaishav's resources such as videos or photographs should be required to sign an agreement with the appropriate Shaishav's entity as to the proper use of such materials. The agreement should include a statement that any use of such materials for purposes other than what is agreed upon could subject the borrowing individual or organization to legal action. Furthermore, failure to adhere to the agreed upon use of the material will result in the immediate termination of Shaishav's permission to use the subject materials and/or require immediate return of all materials provided by Shaishav as well as any copies of such materials.

7.6 All correspondence with a child by the Shaishav's volunteers is reviewed for inappropriate or suggestive comments, requests or obscenities. In the event of inappropriate correspondence being discovered, Shaishav reserves the right to sever the volunteer relationship.

8. TRAINING, EVALUATION & MONITORING

8.1. Shaishav will implement training to ensure that all committee members, staff, volunteers and visitors understand the content of this Child Protection Policy before signing their commitment. This training will be provided as mandatory participation by all new member and staff, a three-day session led by Shaishav, local experts and local support team members. The scope of the training will include but not limit itself to Definitions of child abuse, characteristics, causes, handling of disclosure, reporting systems, laws, local multi-disciplinary specific measures open to Shaishav.

8.2. Shaishav will be committed to the ongoing monitoring and evaluation of child protection procedures and behavior protocols. Annual staff evaluations will include the items of active listening, activities and behavior that empower clients, assertiveness when advocating for a client, and basic knowledge on child protection issues

8.3. Once a year there will be an opportunity for all members, staff and volunteers to partake in a self appraisal and peer appraisal to monitor the behaviour of each.

8.4. Should there be any concerns, these should be raised with the Director/ Committee.

9. DECLARATION OF COMMITMENT

To be signed by all Shaishav's committee (board of directors) members, staff, volunteer visitors and partner organizations. A copy will be kept on file in the Shaishav's office.

I declare that:

1. I have read and understand the Shaishav's Child Protection Policy and have attended/will attend the [date] child protection training.
2. I will work within the procedure as laid out in the Shaishav's Child Protection Policy.
3. I have not been accused or convicted of any offence involving physical or sexual abuse of children or young people.
4. I understand that if a complaint is brought against me regarding the abuse of children while engaged in Shaishav's activities, the allegation will be thoroughly investigated in cooperation with the appropriate authorities.

Signature: _____

Date: _____

Allegation Form

REQUEST FOR AN INVESTIGATION INTO SUSPECTED CHILD ABUSE

Name of child _____ age _____ [M] [F]

Address _____

Name of parents _____ phone _____

Address _____

Employment address _____

Nature and extent of suspected abuse:

Previous injuries, events, and symptoms of note

Identity and address of alleged offender (if known)

Date and signature of staff _____