

4s India

Child Protection Policy



Sarva Seva Samity Sanstha
(4S India)
(Revised on 30th Sep, 2023)

1. INTRODUCTION & BACKGROUND

a. According to the convention on the rights of the child (CRC), a child is a person who is has not attained the age of 18 years unless under the relevant applicable law to the child, majority is attained earlier.

b. Child protection is a term that describes policies, standards, and practices that seek to protect children from harm- physical, emotional, psychological, and sexual or any other negligence. Harm can be caused by child supervisors, care workers, teachers and volunteers who are directly working with children. It may also include staff who may not be involved directly with childcare but working in the organization; and visitors, outsiders who come in contact with children.

c. The main purpose of the policy is to protect children from all forms of harm and create an enabling environment. It is also a tool to enhance the commitment of the organization to provide a child friendly environment through sensitizing persons associated and enforcing the policy. It is expected that the policy will also work as a tool to protect staff and the organization from risks associated with being in contact with children.

d. Therefore, this policy is meant for all staff members, team members and volunteers who work with or for the children. The above people are expected to show commitment to the policy and follow the guidelines and procedures of the child protection policy.

e. The broad objective of the policy is to set minimum standards and procedures on child protection that seek to maintain a safe environment for children during child-centric project. Specifically the policy seeks to protect children from abuse and exploitation by encouraging good practice among staff members and preventing behavior that may be abusive to children.

2. POLICY GUIDELINES

2.1. Concept:

a. Child abuse is a state of emotional, physical, economic and sexual maltreatment meted out to a person below the age of eighteen and is a globally prevalent phenomenon.

b. Child abuse has serious physical and psycho-social consequences which adversely affect the health and overall well-being of a child.

c. 4S, as part of its objectives, works with the children in need, in terms of providing educational and preventive health care support

d. The “Child Abuse prevention policy” is being adopted by 4S to prevent child abuse and to deal with incidents of child abuse, if any, among the project beneficiary.

In this policy, unless the context otherwise requires: “Child Abuse” (source of reference: Ministry of Women and Child Development, Government of India) means:

- a. **Physical Abuse:** Physical abuse is the inflicting of physical injury upon a child. This may include burning, hitting, punching, shaking, kicking, beating or otherwise harming a child.
- b. **Sexual Abuse:** Sexual abuse is inappropriate sexual behavior with a child. It includes fondling a child's genitals, making the child fondle the adult's genitals, intercourse, incest, rape, sodomy, exhibitionism and sexual exploitation.
- c. **Emotional Abuse:** Emotional abuse is also known as verbal abuse, mental abuse, and psychological maltreatment. It includes acts or the failure to act, by teachers or caretakers that have caused or could cause, serious behavioral, cognitive, emotional, or mental trauma. This can include teachers/caretakers using extreme and/or bizarre forms of punishment, such as confinement in a closet or dark room or being tied to a chair for long periods of time or threatening or terrorizing a child. Less severe acts, but no less damaging, are belittling or rejecting treatment, using derogatory terms to describe the child.

2.2. Staff Recruitment Procedure

- a. Employees with direct or regular contact with children shall undergo a screening procedure to check for any child abuse related or any other heinous crime record.
- b. The job interview should include specific questions at the first stage on child protection issues to probe the applicant’s attitude, experience and approach to working with children relevant to the post applied for.
- c. Two employment references should be taken up for applicants before appointment to post. These include (wherever possible) an employer who can comment on the applicant’s work with children.
- d. During recruitment and induction that the candidate should be clearly told that a child protection policy exists and he/she shall be required to be abiding by it.
- e. Along with the appointment letter a copy of the child protection policy shall be given to the new employee to read and go through it. While signing and executing the Employment Contract the Employee declares and agrees that he/she has read the Child Policy and has understood the same and shall abide by the same at all count. They must be given confidence to make complaints and not to accept punishment as a ‘normal’ activity of the school.

2.3. Guidelines on corporal punishment

- a. Children are not to be subjected to corporal punishment and steps to be ensured that they receive education in an environment of freedom and dignity, free from fear.

- b. Corporal punishment involves, rapping on the knuckles, running on the school ground, kneeling down for hours, standing up for long hours, sitting like a chair, and beaten with a scale, pinched and slapped, child sexual abuse, torture, locking up children alone in classrooms, 'electric shock' and all other acts leading to insult, humiliation, physical and mental injury, and even death.
- c. If 4S is providing support to any school, each such school must have a forum where children can express their views.
- d. A system to be developed in each project areas, where direct/ indirect beneficiaries are children, to lodge a complaint if any such issue.
- g. There has to be a quarterly meeting of the Parent Teacher Associations (PTAs) or any other body to review the complaints and take action.
- h. The PTAs are to be encouraged to act immediately on any complaints made by children without postponement of the issue and wait for a more grave injury to be caused. In other words, the PTAs need not use their discretion to decide on the grievousness of the complaint.
- i. Parents as well as children are to be empowered to speak out against corporal punishment without any fear that it would have adverse effect on children's participation.

2.4. Communication about Children

In its communication and fundraising strategy, 4S may use images and recordings of children and field texts. 4S has a responsibility towards the children that are portrayed and should ensure that children are treated with dignity as human beings with rights, by avoiding the following:

- a. Inaccurate representation of children through words and images
- b. Communication that shames, degrades or victimizes children
- c. Taking pictures or statements from children without informed consent
- d. Depicting children in sexually provocative poses

3. ENQUIRY OF COMPLAINT AND PROCEEDINGS

3.1. Complaint

A complaint can be made by the victim, the child's legal guardian, any employee of 4S or any other authorized person on this behalf on a reasonable cause and belief. In the event any

employee of 4S coming across or overhearing any instance of violation of this policy shall immediately lodge a complaint.

A complaint has to be lodged with your immediate superior in writing (in the event the complainant is not able to write then the immediate superior shall assist the complainant in writing the complaint in the presence of an independent witness) with a copy marked to the Chief Administrative Officer (CAO) or ED when there is no CAO .

A complaint may be against

- a. an employee or
- b. against a person who is not an employee or
- c. against an employee and a person who is not an employee.

In the event the complaint is against a person who is not an employee or against an employee and a person who is not an employee, the CAO shall immediately register or cause to be registered a complaint at the nearest police station to the place where the incident has been alleged to have taken place.

On receiving a complaint against an employee, whether written or verbal, of any instance of child abuse in 4S, the Chief Administrative Officer (CAO) shall

- a. place the concerned employee under suspension (hereinafter known as the “Defendant”) till the Committee (as defined here in below) submits its report, so as to protect the Complainant and witnesses against victimization and discrimination and mental or physical distress. And then
- b. constitute a “Committee of Enquiry” (hereinafter referred to as the “Committee”) to enquire into the complaint within 7 days of receiving the said Complaint.

3.2. Instituting the Committee of Enquiry:

- a. The Committee, comprising of not less than three persons (two of which shall be women and further at least one of the Committee members shall not be an employee of 4S).
- b. The Committee shall be headed by a woman as a Chairperson.
- c. All members of the Committee, whether internal or third parties should be neutral and unbiased.
- d. The Committee once constitute its composition cannot be changed by 4S .

3.3. Procedure to be followed by the Committee in conducting of enquiry:

- a. The Committee shall lay down its own procedure to be followed which shall be based on principles of natural justice and rationality.
 - b. The Committee, within seven days of being constituted, shall peruse the complaint and all records; and shall within fifteen days record a finding
 - That after perusal of records no cause of action exists and that the complaint is frivolous and exonerate the Defendant who then shall be reinstated to his/her job
- or
- That a prima facie case of violation of this policy is made out then it shall draw a formal charge sheet (containing definite charges) against the Defendant. The said charge sheet shall be served on the Defendant within fifteen days of the Committee recording its decision

3.4. In case of violation of policy:

In the event the Committee records a finding that a prima facie case of violation of this policy is made out against the Defendant then

- a. The Committee shall proceed to examine the charges against the Defendant.
- b. In its proceedings the Committee shall examine all relevant records and witnesses.
- c. The Committee shall give the opportunity to the Defendant to be present in all proceedings and have access to all evidence that is produced before the Committee.
- d. The Defendant shall also have the right to submit evidence in his/her favor and cross examine witnesses.
- e. The Defendant shall also have the right to be represented by a representative.
- f. The Committee shall ensure that every reasonable opportunity is extended to the complainant and to the defendant, for putting forward and defending their case.
- g. The proceedings of the Committee shall be in Hindi or English or the local language, whichever is convenient for all the persons involved in the enquiry and decided by the Committee.
- h. The venue of the enquiry shall be the place where the alleged violation of this policy has occurred.

On the conclusion of its proceedings the Committee shall record its findings on whether the complaint is to be dismissed or that the charges against the Defendant stand proven. The Committee shall record its findings under the signature of all or the majority of the members of the Committee and submit its report to the CAO. On receipt of the report of the Committee the CAO shall execute the recommendation made by the Committee.

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