

THE GOOD SAM FOUNDATION

POLICY FOR CHILD PROTECTION

GSEF

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Need for Child Protection Policy

Scope of Policy

The scope of this policy covers the responsibility of;

A. The Good Sam Foundation (GSF) management, interns, volunteers and ad-hoc staff towards the safety and protection of children;

1. Within the centre's premises during office hours and on non-working days, if any are applicable.
2. In relation to transportation organized and private transport service provider to the extent possible.
3. Events organized by management at locations other than centre premises.
4. At locations such as schools, centres, communities and institutions of Partner(s)/ Partner Organisations, etc.

B. The vendors, partners, sponsors, funding agencies, suppliers who directly or indirectly associate with the children.

C. Any person visiting the centre and accessing the premises.

Guiding Principles

The Child Protection Policy espouses the principles enshrined in the United Nations Convention on the Rights of Children (UNCRC) and the Constitution of India.

“All children and young people, regardless of their class, caste, race, creed, parentage, lineage, religion, faith, sex, disability, ethnic origin and sexual orientation have a right to protection from harm and maltreatment.”

GSF shall;

1. Treat children and young people with special needs, with care, respect and dignity.
2. Leave no child out and will adopt an attitude of inclusiveness at all times.
3. Recognise that those working for the organization shall be perceived by children as trusted persons.
4. Ensure that the communication with children and young people with special needs is open, clear and interactive, where children wish to share their thoughts.
5. Assess the risks posed to children when undertaking activities and identify preventive ways to manage the same.
6. Ensure that all communication regarding children and their families or caregivers portrays them with dignity and respect.
7. Respond to any allegations raised, appropriately and timely. Institute an appropriate inquiry and disciplinary process.
8. Involve students/ children with special needs, wherever necessary, to take their opinions into consideration.
9. Review and update the policy once in two years.
10. Zero tolerance to any form of child abuse whether directly or indirectly.

The staff of GSF shall;

1. Get themselves thoroughly familiarized with the Policy and sign a copy as a proof of familiarization. Ignorance of the policy on any grounds shall not be acceptable as an excuse for inappropriate / unacceptable behaviour/ actions.
2. Ensure all important stakeholders are aware of the policy.
3. Protect the child's welfare as a priority.
4. A Master Copy and the aforementioned signed copy of the Child Protection Policy shall be available with the organisation at all times – both soft copy as well as printed copy.

Legal Framework

To ensure delivery of the constitutional safeguards and the commitment to the United Nations Convention on the Rights of the Child (UNCRC), the Government of India has enacted several legislative measures for protection of children in general. While all of them encompass provisions for protection or safeguards from some form of violence or abuse, the key child legislations in the context of protection of children are the following;

1. The Juvenile Justice (Care & Protection) of Children Act 2000 and Amendment Act 2006 (JJA)
2. The Commission for Protection of Child Rights Act 2005
3. The Right to Free and Compulsory Education Act 2009 (RTE)
4. The Protection of Children from Sexual Offences Act 2012 (POSCO)
5. The Criminal Law Amendment Act 2013

Children with disabilities are specially covered under the Persons with Disabilities (Equal Protection of Rights and Full Participation) Act 1995.

Objectives

1. To promote a safe and positive environment in the centre, transportation vehicles, programs and field projects, conducive for learning and development for children with special needs at its main centre as well as franchisees.
2. To provide clear aspects on safety and protection of children and the measures taken for ensuring the same.
3. To encourage children's participation wherever possible and appropriate.
4. To enable staff and others to recognize signs of abuse or situation when a child may require protection and help; and importantly enable them to report or bring to the notice of the concerned authority for immediate action.
5. Promote the best interests of children at all times: In case of any conflict of interest between the various stakeholders involved either directly or indirectly with the children, the interest of the organization will be committed to protect the best interests of the children.

Definitions

1. Child: Any person, male or female, below the age of 18, as evidenced by a relevant birth certificate or in cases where the birth certificate is not available, medically ascertained by competent authorities.

2. **Special Needs:** Special needs children include those with movement, speech, visual, hearing, learning/ intellectual, hidden and multiple impairment who are made disabled by being discriminated against and excluded. Children with mild impairments can be severely disabled by lack of access to their basic needs and rights.
3. **Staff:** Any member, part-time, full-time or consultant who is functioning in full capacity, for a salary, honorarium, remuneration, fees, contract amount, or any other financial consideration.
4. **Beneficiaries:** Those persons, especially with special needs who avail of the services offered by GSF either directly or indirectly. They also can be persons who are affected by the programs, projects and interventions carried out by the organisation, both directly and indirectly.
5. **Volunteer:** Any person, who has chosen out of his/her own willingness, to extend help in any programmatic or non-programmatic areas of the organisation's operations, with/without any remuneration whatsoever.
6. **Intern:** Any person (including non-Indians) who is studying (college/university), extending help to the organization, with an aim to complete an internship and achieve academic grades for the same, with/without any remuneration whatsoever.
7. **Partners:** Organisations or individuals who associate with GSF towards achievement of the common vision/goal, based on a clear MOU or contract, such undersigned by both/all parties involved.
8. **Resource Person:** Any person who has been hired, to facilitate any educational or other activities for children.
9. **Sponsor/ Donor:** Any person (individual or representative) supporting the structure, activities or programs of the organization either monetarily or non-monetarily.
10. **Stakeholders:** Refer to all internal and external individuals, agencies, institutions, etc who are directly associated with GSF and impact the services and social change of the organization.
11. **Corporal Punishment:** The use of physical force with the intention of causing a child pain for the purpose of correction of behavior.
12. **Visitor:** Any member visiting, either independently or accompanied by a staff or member associated with the organization, for purposes of interacting with children, donations, understanding of organisation's work during the working hours.
13. **Session:** A session is a period starting from the time the children enter the centre for the program until handing over to the parent/guardian on completion of the program.
14. **Direct Contact with Children:** Being with and in the physical presence of a child or children as part of their professional work, be it regular, occasional, temporary or long term

15. Indirect Contact with Children: Those whose work does not require them to be in the physical presence of a child but encompasses access to personal details and information, data on children including photographs, case files etc.
16. Child Right to Protection: Includes freedom from all forms of exploitation, abused, inhuman or degrading treatment and neglect. The following four will be categorized as child abuse;
 - a. Emotional Abuse: Is also known as verbal abuse, mental abuse or psychological maltreatment. It includes acts or failure to act by parents or caregivers, that have caused or could cause serious emotional harm, behavioural problems or mental trauma. It also includes – rejection, belittling, labelling children with derogatory terms, and habitually blaming children.
 - b. Sexual Abuse: Sexual Abuse as defined under Sections 3,5,7,9 and 11 under the Protection of Children from Sexual Offences Act 2012
 - c. Physical Abuse: When someone abuses or neglects children by inflicting harm, or by failing to act to prevent harm on children with disabilities. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to children.
 - d. Negligence: Breach of duty of care during the time of working with children, which results in injury or harm to children.
17. Technologically safe: Protecting children from all harm that maybe caused due to use of technology – telephone, mobile phones, computers, tables, laptops and internet or any other form of information or communication devices.

Policy statement

A Child Protection Policy is implemented throughout the organization. Other aspects of child safety such as health and safety, anti-bullying and photography are given due consideration. Standards are applied throughout the organization and Partner organisations are encouraged to adhere to these to ensure safe environments for children when working collaboratively with other organisations. GSF will take necessary action to ensure disclosure of details about a person or child in any of its written, printed or social media with prior permission taken from the individual and if need be, reserves the right to change the name of the individual in the interest and welfare of the beneficiaries.

Committee for Child Protection

Each complaint of Harassment shall be dealt with utmost confidentiality and urgency by a Governing Body consisting of:

1. Presiding Officer: Managing Trustee – Mr. David Istacky
2. 1 Board Member: Trustee – Ms. Nelly Prichard
3. 1 Lady Member: Executive - Ms. Eden Istacky
4. External Member: Psychologist – Ms. Alphonsa Joseph

They shall be given the responsibility of ensuring implementation of the Child Protection Policy within the organization.

Reporting Format

The following process shall be followed for reporting under the Child Protection Policy;

1. Report the matter in writing on the Complaint Reporting Form to the Child Protection Committee within the organization.
2. The Child Protection Committee shall investigate the matter and take appropriate action in line with the Policy.
3. Statement shall be taken from the victim, if possible and documented appropriately.
4. During investigation period, the individual under suspicion must be removed from direct contact with children or young adults with special needs.
5. The issue is to be addressed and brought to closure within one month of reporting.
6. The matter shall be treated in strict confidentiality in the interest of the victim, accused and the informer.
7. The process leading to decision making will be well documented and all facts, written allegations, responses and follow-ups shall be carefully filed.
8. If the abuse falls under IPC or any other relevant law, an FIR (First Information Report) must be filed with the local police.

Recruitment and Orientation of staff

1. New Recruitments: Every member who is recruited by the organization shall be given a copy of the Child Protection Policy manual and inducted into the organization once they confirm that he/she is willing to abide by the policies thus mentioned in the manual and has also duly submitted a signed copy of the same.
2. The staff shall be consulted for feedback on the policy, if there may be valuable inputs to be incorporated. Such changes shall be incorporated after due diligence has been done by the GSF Core Committee / Management
3. Employees should observe their team member's behavior and attitude towards the children and report any incidences, if any to the Managing Trustee.
4. Feedback will be taken from children about the staff and opinion of children will be counted in staff review.

General Confidentiality for Media and Photographs

All stakeholders of GSF are mandated to maintain complete confidentiality in relation to use of children's data and photographs for external communication as per the following rules;

1. GSF will ensure that all possible communication and publication material in all formats about children with special needs in the form of pictures/ captions are required to be decent, dignified and respectful.
2. Images (printed or scanned), testimonials or videos of the children/ students with special needs if required by the management shall be obtained with the permission and consent of the family/ caregivers/ guardians/ concerned organisations.

3. The management shall be required to safeguard all records and documents pertaining to children with special needs within their projects/ work spaces and maintain their confidentiality.
4. All stakeholders will refrain from unauthorized use of photos/data/ videos of beneficiaries of GSF on their personal blogs, social media pages, etc. In case the stakeholder(s) requires to use them, prior approval for the same from the management of GSF is a must.

Review of policy

The policy will be reviewed every two years by the GSF Core Committee. Upon review, the necessary changes in the policy will be incorporated. The updated policy will be intimated to all members of the organization and other stakeholders who come within the scope of the policy and compliance.



GSF

Annexures

ANNEXURE I

REPORTING FORM

Every instance of violation of a child's Right to Protection must be registered in writing and brought to the attention of the Child Protection Committee within the organization.

COMPLAINT REPORTING FORM

To file a formal complaint, please fill out this form completely in writing and submit it to the Committee. If you may need help in completing the form, or want to discuss the issue before completion of the form, you can approach any person in the Committee.

PART I

PERSON(S) SUBMITTING THE COMPLAINT

A. Name of the Person completing the form

B. Tick the appropriate option below;

- a. I am the child making the complaint
- b. I am the child's parent/guardian
- c. I am the staff of GSF making the complaint
- d. Others

C. Address of the complainant:

D. Contact number of the complainant:

E. If you would like to have the parent(s), guardian (s), or another person attend a meeting with the committee please provide the following information:

- a. Name of the person(s):
- b. Address:
- c. Contact:
- d. Relationship with the child:

PART II

COMPLAINT

A. Please describe the situation that has caused you to complain:

B. Date/ Time Period of the incident

C. Location of the incident

D. Description of the incident

E. Person/s who witnessed the incident

F. Please share with us how this incident has affected you so that we can know best how we can be of help

G. Please describe any efforts you have made personally to resolve the issue informally, and the results of your efforts. Provide details of the date and location for the same.

H. With whom did you share your experience?

I. Describe the outcome or remedy you seek for this complaint. (OPTIONAL)

Signature of person submitting the complaint: _____

Signature of member of Child Protection Committee: _____

Date filed: _____

ANNEXURE II
DECLARATION OF ACCEPTANCE

This form is to be completed and returned to the senior management and will be stored in the official files for future reference.

Kindly tick the relevant items below.

Sl No.	I confirm that:	
1.	I understand the main principles, purpose and intentions of the policy	
2.	I am clear on the responsibilities the policy places, to be aware and to protect children from abuse	
3.	I am clear that there is a mandatory requirement to report any concerns I may have about possible child abuse or risks to children	
4.	If working in a management capacity, I understand I must ensure that the policy is operating effectively and respond positively to any concerns raised	
5.	I understand that any breach or failure to comply with the policy may result in disciplinary action	

I have discussed the contents of the policy in detail with my senior management/ Child Protection Committee and I agree to be bound by them.

Name:

Designation: