

Child Protection Policy of Kailash Satyarthi Children's Foundation (KSCF)

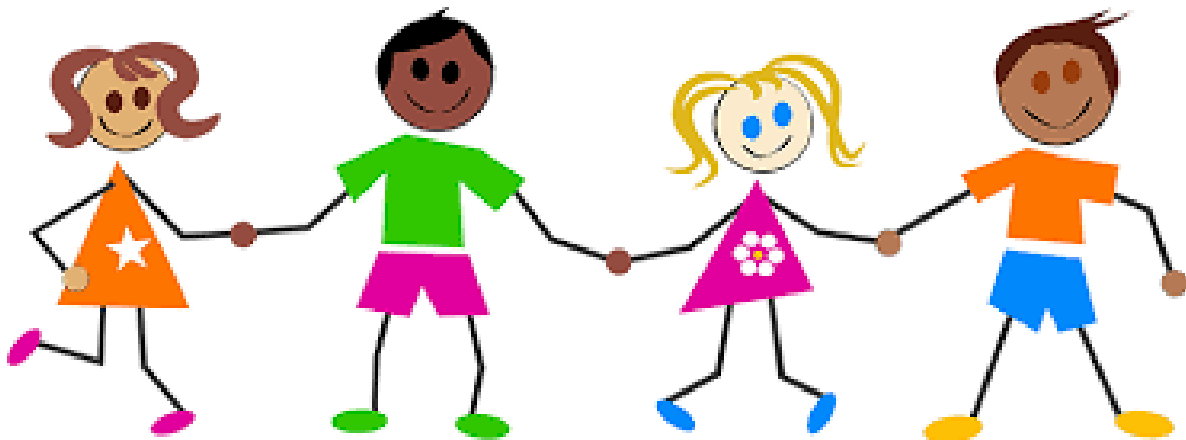


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Introduction

1. All employees and collaborators of the KSCF (hereinafter referred as KSCF) as outlined in the vision, mission and core values of the KSCF are actively involved in promoting child safety specifically in the context of protecting children against any kind of abuse as well as safeguarding and facilitating children's rights. Best interests and benefits of the child have always been the beacon for KSCF's work. KSCF considers children to be its partners in its mission to build a friendly and safe environment for children founded on mutual respect.

KSCF ensures that the goal of minimizing the risk of children being abused is met through preventive activities, interventions and psycho-social support.

The preventive strategies detailed below are addressed to the employees and other adults associated with KSCF in some capacity or the other who work along with the children as a part of their duties.

2. The Child Protection Policy of KSCF is rooted in the Indian legal framework, Convention on the Rights of the Child, Universal Declaration of Human Rights and good practices prevalent in other countries and aims at creating clear guidelines for employees on what constitutes a child-friendly conduct.

Purpose of this Document

3. This document lays down a code of conduct and a list of rules for all associates and employees of KSCF which they must follow while dealing with children of both sexes.

There is a felt need to lay down these do's and don'ts because the nature of work of all those associated with KSCF is such that they are likely to come in regular contact with children who are vulnerable and are victims of assault, sexual abuse, slavery and have been in bondage.

4. This policy aims to define as to how these children in distress are to be dealt with so that they feel safe, comforted and reassured. Only when a child victim has such a sense of reassurance and comfort that he is likely to confide in our people and it is only with such conduct that he/she can help the victim to get over the trauma that he/she has probably gone through.
5. Such an internal Child Protection Policy is also necessary because KSCF and its entire team profess to be protectors of children especially children who are in distress, who are disadvantaged and victims of various kinds of abuse. It is therefore absolutely essential that the employees of KSCF themselves adhere to the highest standards of morality and personal conduct.
6. This Child Protection Policy is a framework of rules, standards and guidelines intended to:
 - i. To create safe environment for children internally, where children are respected, protected, and empowered.
 - ii. To educate and train associates regarding the core values pertaining to child protection and safety and sensitise them on child-appropriate behavior and intervention methods.
 - iii. To ensure that KSCF Staff have the necessary skills, are competent and are supported in meeting their child protection responsibilities
 - iv. To define the scope of responsibility of specific individuals who work in the organisation directly with children along with clear guidelines pertaining to the safety of children;
 - v. Develop within the organization a work culture based on children's rights and constant learning.

Being familiar with Child Protection Policy and implementing it in practice is the moral and professional obligation of all employees and collaborators of KSCF.

7. Definitions under the Child Protection Policy

- i. A *child* is a person below the age of 18
- ii. The *best interests of children* must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to all staff members of KSCF.
- iii. *Child Abuse* is defined as all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, negligent treatment, commercial or other exploitation of a child and includes actions that result in actual or potential harm to a child. It may be a deliberate act or it may be an omission to prevent harm. Child abuse consists of anything which individuals, institutions or processes do or fail to do, intentionally or unintentionally, which harms a child or damage their prospect of safe and healthy development into adulthood.
- iv. Child Protection within the scope of this policy is defined as the responsibilities, measures and activities which KSCF employees must undertake or completely refrain from as that the children coming in their contact are protected from both intentional and unintentional harm.

8. Scope of the Child Protection Policy

The Child Protection Policy applies to the following:

- i. Staff at all levels-in office, in field or elsewhere.
- ii. KSCF Associates which includes Board Members (International and National Boards), volunteers, community volunteers, sponsors, consultants and contractors, as also the staff and/or representatives of partner organizations and local governments who are likely to come in contact with children or are privy to KSCF's child sensitive data while working for or with KSCF.
- iii. KSCF Visitors (e.g. donors, journalists, media, researchers, celebrities etc.) who may come in contact with children through KSCF are also bound by this policy.

9. Code of Conduct

KSCF Staff, Associates and Visitors must (Do's):

- i. Contribute to an environment where children are respected and encouraged to discuss their concerns and rights.
- ii. Cooperate fully and confidentially in any investigation of concerns and allegations.
- iii. Always ask permission from children (or, in the case of young children, their parent or guardian) before taking images (e.g. photographs, videos) of them. Respect their decision to say no to an image being taken. Ensure that images taken of children are respectful (For example: children should have adequate clothing that covers up the sexual organs. Images of children in sexually suggestive poses or that in any way impact negatively on their dignity or privacy are not acceptable). Stories and images of children should be based only in the child's best interest.
- iv. Ensure that parents/caregivers of the child are entitled to receive information regarding the support provided to the child in question, unless such information may threaten the child's interest. Employees and collaborators of the KSCF who offer direct and indirect help are prohibited from releasing any information about the child gained in the course of their professional activity. Exceptions to this rule are precisely outlined in the law and internal procedures of KSCF.
- v. Ensure that particular provisions and laid down safeguards must be observed while using the images of children such as blurring of the face of a child victim of abuse

KSCF Staff, Associates and Visitors must not (Don'ts):

- i. Abuse and/or exploit a child or act/ behave in any way that places a child at risk of harm. Report any child abuse and protection concerns they have in accordance with applicable office procedures.
- ii. Embarrass, humiliate, belittle or demean children or display any behavior bearing signs of emotional, physical or sexual abuse;

- iii. Come into inappropriate physical contact with the child, violating the child's dignity; permissible physical contact is naturally associated with play, hygiene assistance, ensuring safety or the need to soothe the child;
 - iv. Serve children alcohol, medications or other psychoactive substances;
 - v. Condone or participate in illegal activities involving a child;
 - vi. Establish or intend to establish any kind of sexual relationship with the child;
 - vii. Exhibit sexually provoking behavior;
 - viii. Host the child in his own private home;
 - ix. Accompany the child during travel in the absence of a caregiver without prior approval from the caregiver (except when such approval is in direct contravention to the best interests of the child) ;
 - x. Sleep in the same room with children during any field excursion, rescue-operation or otherwise;
 - xi. Disclose information that identifies sponsored children or makes available information about such a child to the general public unless that disclosure is done after following the laid down procedure.
10. Where concerns exist about the conduct of Staff or Associates in relation to child protection and/or where there is an allegation of breach of the Child Protection Policy, the same will be investigated under this policy either by referral of such alleged breach to statutory authorities for criminal investigation under laws of the country and/or internally by KSCF in accordance with disciplinary procedures. This may result in disciplinary action followed by punitive action including the dismissal of erring employee/associate.
- If a legitimate concern about suspected child abuses is raised, which is subsequently proved to be unfounded on investigation, no action will be taken against the complainant or the person who had reported the matter. However, an employee who makes false accusations with a malicious intent will face disciplinary action. KSCF will take appropriate legal or other action against KSCF Associates and Visitors who make false and malicious accusations of child abuse against their colleagues.

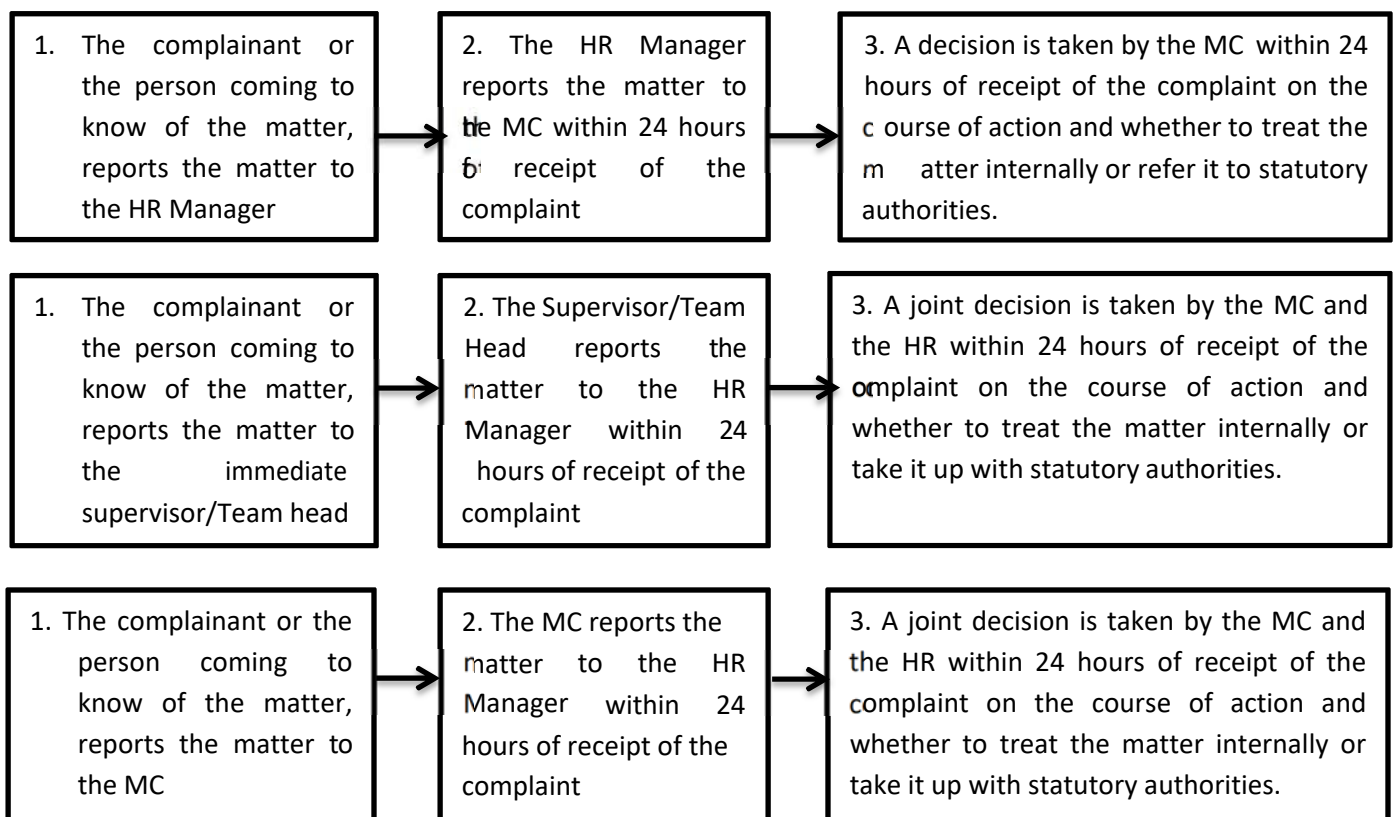
KSCF will sever all relations with any KSCF Associate or Visitor who is proven to have committed child abuse.

11. All Directors, Senior Program Managers, State Managers and Program Managers must ensure that each office of KSCF has in place documented local procedures that are consistent with the Child Protection Policy. They shall also ensure that the procedures are made available in local languages at various places.

Rules for Reporting/Responding to Misconduct of Employees/Associates

The three likely approaches to complaints of child abuse and/or a violation of this policy are presented below diagrammatically.

3 approaches of reporting child abuse/maltreatment:



12. Whoever the matter is reported to will inform the Manager HR who will then place the information before the Management Committee (MC) within 24 hours which shall meet before 24 hours of the matter being reported. MC will decide within 24 hours whether the matter should be dealt with internally in KSCF or whether the incident should be reported to the statutory authorities like local police.

Needless to say, the MC shall be guided by the gravity of the alleged offences against the KSCF employee/associate. MC while taking a decision will ensure that the decision it takes must not give the slightest impression that an attempt has been made to cover up the delinquency of an associate or that there has been an attempt to minimize the action against the employee/associate complained against.

13. In case it is decided to deal with such a misconduct internally, the internal enquiry shall be completed within 15 days of the ordering of the same and any person (such as a team member of the employee/associate complained against) who has some conflict of interest shall be kept away from being a part of MC's decision making process in the matter.

14. Protection of Image Rights and Personal Information of the Child and the Caregivers

Support provided by KSCF to any child and/or his/her family is documented. However, KSCF shall abide by the laws regulating data protection, of sensitive data in particular, by:

- Obtaining written consent from clients regarding personal data processing;
- Appointing an individual responsible for data protection;
- Training employees;
- Securing documentation, both in electronic format and in hard copy;
- Defining clear rules for releasing information from documentation to third parties (courts, Prosecutor's Office, interdisciplinary teams).

KSCF does not release client information to the media, nor does it use client images in its information and educational materials without prior client consent, or in the case of children – without the consent of a caregiver. Such protection of the personal information of either the child or his/her caregiver, is ensured at all times.

15. Personal Conduct Outside Work

KSCF's staff and associates must adhere to highest standards of behavior towards children in their private space as well.

While, KSCF does in no way intend to dictate the beliefs and value systems by which KSCF employees conduct their personal lives, however, its image and credibility as a child-focused community development organization can only be safeguarded if its employees and associates display highest standards of conduct towards children in their private space as well. Unlawful or unsavoury conduct by KSCF employees in private which jeopardizes KSCF's reputation or position even after business hours is not acceptable. Such conduct includes, but is not limited to any form of child maltreatment; any unlawful activity related to child sexual abuse; any other unlawful activity; sexual harassment; physically/verbally abusive behavior; and public disorderly conduct.

16. The Policy once approved shall be hosted on the KSCF Website for the information of all the associates and others having links and association with KSCF.