

Annexure-3: CHILD SAFEGUARD POLICY

PRAXIS: CHILD SAFEGUARD POLICY

1. Introduction and background

1.1 Definitions

According to the UN Convention on the Rights of the Child (CRC) a child is a person who is 18 years or under, in India the law differs in defining a child. According to the child Labour (Prohibition and Regulations) Act,1986; a child is defined as a person who is not 14 yet. According to the Plantation Labour Act 1951 has defined a child as person who has not completed his/her fourteenth birthday and adolescent mean a person who has completed his fourteenth year but not completed his/her eighteenth year. The prohibition of Child Marriage Act, 2006 states the marriageable age of male is 21 and female is 18. The protection of Children from Sexual Offences Act 2012 defines a child as any person below the age of 18 years and provides protection to all children under 28 year from offences of sexual assault, sexual harassment and pornography.

Child protection is a term that describes policies, standards, systems, guidelines and procedures that seek to protect children from harm. Harm can be physical, emotional, psychological, sexual, or it may be a form of neglect. Harm can be caused by primary or secondary carers, aid workers and others who come into contact with children in their line of work.

This policy applies to the staff of Praxis India, to Praxis India's partners and to individuals associated with Praxis India. The policy seeks to ensure that Praxis India has procedures in place to protect children against all forms of abuse and exploitation. While the main purpose of the policy is to protect children from harm, it will also work as a tool to protect the organisation and its staff from the risks associated with being in contact with children.

1.2 Definitions under the Child Safeguard Policy

- 1. A child** is defined as any person under the age of 18 years.¹
- 2. Child Abuse** is defined as all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial or other exploitation of a child and includes any action that results in actual or potential harm to a child.
Child abuse may be a deliberate act or it may be failing to act to prevent harm. Child abuse consists of anything which individual, institutions or processes do or fail to do, intentionally or unintentionally, which harms a child or damages their prospect of safe and healthy development into adulthood.
- 3. Child protection** within the scope of this policy is defined as the responsibilities, measures and activities that is undertaken to safeguard

¹ According to the United Nations Convention on the Rights of the Child

children from both intentional and unintentional harm.

1.3 Why Praxis should be concerned about child welfare?

There are 430 million children living in India, nearly every fifth child in the world lives in India.² As per the report on children in an Urban World by UNICEF, 2012, there are 100 million street children globally, an estimated 18 million of these street children live in India, which makes India have the highest number of street children in the world. These children on the street are prone to violence, risk of losing their lives, physical, sexual and mental abuse. They have no access to basic rights like shelter, food and education. One in every 11 children in India is working according to the International Labour Organisation's World Report on Child Labour 2015 and CRY analysis of the Census 2011. A survey conducted by the United Nations International Children Education Fund (UNICEF) on demographic and health in India from 2005 to 2013, reported that ten per cent of Indian girls might have experienced sexual violence when they were 10–14 years of age and 30% during 15–19 years of age. On the whole, nearly 42% of Indian girls have gone through the trauma of sexual violence before they are teenagers.

Children are at risk of abuse and exploitation not only from individuals in their families and communities, but also from development workers. Given the global increase in reports of child abuse by development workers, it is important that Praxis India - as an organisation involved in development work, with staff members and partners who come in contact with children - puts in place mechanisms to protect children from such risk.

The organisation's expanding field programmes further increase risk levels. Therefore it is important to have an organisational culture that takes account of and promotes child safety. This is both a moral and legal responsibility for Praxis India. The policy thus seeks to create an organisational culture of awareness by promoting and upholding principles of transparency and accountability on matters of child protection.

The policy applies to staff members, interns, volunteers, consultants and contractors on missions to field whose positions bring them into contact with children. The above people are expected to show commitment to the policy and to follow the guidelines and procedures of the child protection policy when working with, for and on behalf of Praxis India.

1.3 Principles

Praxis India's guiding principles for work with children emerge from the four main child rights areas of the UN Convention on the Rights of the Child. These are a child's rights to: survival, development, participation and protection.

The right to protection is a core principle that constitutes the foundation of Praxis

² Report of the working group on child rights (for the 12th five year plan 2012-2017), page 8

India's child protection policy. The organisation strives to ensure that measures and systems are in place to protect children from any form of abuse or maltreatment by staff members, or by anyone affiliated to Praxis India or who may be required to work as Praxis India's representative.

1.4 Policy

The broad objective of the policy is to set minimum standards and procedures on child protection, which will ensure that Praxis India and its partners work towards the creation of a safe environment for children. Specifically, the policy seeks to protect children from abuse and exploitation by encouraging good practice among staff members and preventing behaviour that may be abusive to children.

2. Policy guidelines

2.1. Staff recruitment procedure

2.1.1 Current and potential employees with direct or regular contact with children shall undergo a screening procedure to check for any child abuse-related criminal record.

2.1.2 Advertisements for jobs specifically involving direct or indirect contact with children should clearly state that a child protection policy exists and that a screening process is in place. The following wording should be used:

'This post involves regular contact with children and Praxis India operates rigorous recruitment and selection procedures and checks that reflect its commitment to the protection of children from abuse'.

The child protection policy will be made available to job applicants at the point of application.

2.1.3 When a job applicant is invited for interview, the invitation letter will refer to the special recruitment procedures relevant to child protection issues:

'Praxis India has a responsibility to ensure that children are protected and kept safe from harm while they are in contact with our staff. This post involves regular contact with children and the recruitment processes will include specific checks related to child protection issues, which will be implemented for all applicants for this post. These checks and procedures are described in guidance notes which are attached for your information'.

Staff employed in or from the India who have regular contact with children as defined above will go through Criminal Records Bureau's (CRB) standard disclosure process.

2.1.4 Relevant job descriptions will contain specific reference to the responsibilities of the post holder for implementing and safeguarding Praxis India Child Protection

Policy and procedures.

Current and future consultants for children's programmes based in the India or in countries where there is a reciprocal agreement on disclosure should have standard CRB disclosure or any other police checks applicable in countries where the consultant resides. Evidence of checks will be kept on file together with the consultants' other records.

Criminal record checks are considered valid for three years by Praxis India, although irregular checks can be requested should any suspicions arise or a member of staff moves into a new area involving direct involvement with children.

Volunteers and interns will be subject to CRB checks if they will do work that brings them into regular contact with children.

2.1.5 During interview of applicants to posts that require standard CRB disclosure, the interview panel will identify any gaps in the applicant's employment history and clarify reasons for these to their satisfaction. If the panel is not satisfied with the explanation for the gaps in the employment record this will be sufficient reason for rejection of the applicant at that stage of the recruitment process. Ideally the panel should include a person with experience of working with children and knowledge of child protection issues.

The 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.

Where a candidate who is considered appointable has disclosed a criminal conviction during interview, there should be a follow up interview to deal with specific questions to obtain information about the background and circumstances. Where an applicant is known to have been subject to a disciplinary process with a previous employer, the circumstances should be explored with him/her and the previous employer.

Candidates should not be rejected solely on the basis of a criminal conviction or disciplinary record, without examination of the circumstances being formally recorded.

Three employment references should be taken up on applicants where relevant before appointment to post. These should be from the last three employers and include (where possible) an employer who can comment on the applicant's work with children.

It is essential to verify the qualifications required for the post to help detection of false employment histories or backgrounds. Originals of qualification certificates should be viewed by Praxis India staff, copied and kept on file.

Individuals will be required to produce proof of identity at final interview. This must include photo ID, and two documents of proof of place of residence (e.g. bank statement, credit card statement or utility bill).

2.2. Training and capacity building

2.2.1 All staff shall be trained on child protection as part of the ongoing induction programmes at Praxis India. Specialised training for child protection will be conducted on a needs basis.

2.2.2 The capacity of specific programme staff to develop their own child protection policies and conduct training on child protection will be developed, on a needs basis.

2.3. Reporting

2.3.1 The first port of call for all child protection matters is the designated child protection focal person (CEO, Praxis). When the child protection focal person is being implicated, the report should be submitted to the Chairperson, Board of Directors, Praxis. The child protection focal person will work together with the Board of Directors on all child protection cases. This group will assess, analyse and come up with action on all reported child protection cases.

2.3.2 Staff are expected to present all initial reports of any suspected cases of child abuse to the child protection focal person. Reports are to be treated in strict confidence in the interest of the accused, the reporter and the system. Reports that are made maliciously or not in good faith shall warrant strict disciplinary action.

2.3.3 When a case is reported to the child protection focal person, she/he will first look into the matter and conduct a technical assessment of the case and prepare an agenda with initial recommendations for discussion with the Board of Directors. Based on the evidence and careful deliberation on the case, this group will decide on whether the matter should be dropped, further handled internally or referred to the police depending on level of assessed gravity and complexity. The process leading to decision-making should be well documented and all facts or written allegations and responses kept on file. When a case is immediately dropped, the reasons for doing so shall be communicated to the person who reported the matter. Thorough investigations will be carried out before such decision or action is taken.

2.4. Communication about children

In its communication and fundraising strategy Praxis India may at times use images and recordings of children and field texts. Praxis India has a responsibility towards the children who are portrayed and should ensure that children are treated with dignity as humans with rights by avoiding the following:

- Inaccurate representation of children through words and images.
- Communication that shames, degrades or victimises children.

- Taking pictures or statements from children without informed consent.
- Depicting children in sexually provocative poses

2.5. Ramifications of misconduct

Following completion of investigation, CEO, Praxis, will decide on appropriate action to take based on available evidence. This will follow Praxis's disciplinary procedure as laid down in the staff manual.

2.6. Networking and advocacy

Praxis India will, through the child protection focal persons, network with other organisations that work with children to share experiences on issues and compare strategies on child protection, systems and procedures. There should be ongoing efforts to identify and document best practices on child protection. The organisation encourages ongoing involvement of staff members in child rights advocacy work at various levels.

2.7. Monitoring and review

A monitoring and review system shall be put in place. The child protection policy will be reviewed at the end of two years, in the last quarter of 2009, but can be adjusted before then to reflect global changes and developments. After the two-year review, subsequent policy review timing will be set.

2.8. Statements of commitment

Trustees, staff, interns, volunteers, consultants and donors on field visits are to sign statements of commitment. The level of detail in statements of commitment and expectations varies depending on the contractual status of the person, nature of their assignment and level of contact with children in line of work.

