

# Child Protection Policy (CPP)

## REVIVING GREEN REVOLUTION CELL



An Initiative of **TATA TRUSTS**

## **1. Introduction:**

Children are equal citizen of the nation and hence it is extremely important to safeguard the children from any risk to their lives. Recognising the importance of safety and protection of all children, recognised, and guaranteed in the Constitution of India to all children to ensure equality, and non-discrimination on basis of gender, (dis) ability, age, religion, ethnicity etc., and the UN vide its UN Convention on Rights of the Child (1989) proclaimed via article 19 that:

“State parties shall take all appropriate legislative, administrative, social, and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment, or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.”

Further, Clause 2.2 of the preamble of National Policy for Children, 2012 states that,

- “All children have equal rights irrespective of place of birth, sex, religion, caste, class, language, and disability, social economic or any other status;
- All children have the right to a loving family, a dignified life free from exploitation and that families are to be supported by a strong social safety net in caring for and nurturing their children.
- Safety and security of all children is integral to their well-being and children are to be protected from all forms of harm, abuse, neglect, violence, maltreatment, and exploitation”.

## **2. Background:**

The Reviving Green Revolution Cell – RGR is committed to conduct its programs, projects and operations in a manner that is safe for children, with whom RGR as an organization or its employees/consultants or its representatives come to interface.

## **3. Purpose:**

The purpose of this policy is to create awareness on Child Protection and how to prevent and report child abuse by any stake holders of RGR.

As a development organization, RGR is committed to the wellbeing of children and has zero tolerance to any form of child abuse or exploitation. This policy is inconsonance with the UN Convention on Rights of the Child (1989).

This policy is also a testimony of RGR commitment to all four sets of rights of children i.e. Rights to Survival, Development, Protection and Participation and is based on the principles of best Interest of the child, non-discrimination and right of every child to be heard.

Undertake special measures for especially vulnerable children based on age, (dis) ability, gender, geographical location, ethnicity, religion, and socio-economic status to ensure that they are not further marginalised or unprotected.

## **4. Scope and Applicability:**

The CPP will be applicable to all the employees, volunteers, agents, partners, advisors, interns, consultant of RGR who work or come in contact with children during project activities/processes or who have access to sensitive information about child beneficiaries.

Drawing inferences from point 4, this policy would apply to

- **RGR:** Board, all staff, consultants, interns, and volunteers.
- **Project partner:** All its staff (part-time and full-time), board, consultants, interns, and volunteers.
- **Other associates:** All vendors, suppliers, and donors (institutional and individual).

## **5. Key definitions:**

**5.1 A Child:** For the purpose of the document, any person under the physical age of 18 years would be deemed to be a Child and as defined by the UN Convention on the Rights of Children, The National Policy for Children 2012.

**5.2 Child Abuse:** Physical, sexual, or psychological maltreatment or neglect of a child or children. Child abuse may include any act or failure to act by a person that results in actual or potential harm to a child, and can occur in a child's home, or in the organizations, schools or communities the child interacts with. Child abuse may be a deliberate act or failure to act to protect or prevent potential harm to a child.

**5.3 Physical Abuse:** Physical abuse of a child is the one that results in actual or potential physical harm from an interaction or lack of an interaction, which is reasonably within the control of apparent or person in a position of responsibility, power or trust. There may be single or repeated incidents.

**5.4 Emotional Abuse:** Emotional abuse includes the failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure, so that the child can develop a stable and full range of emotional and social competencies commensurate with her or his personal potentials and in the context of the society in which the child dwells. There may also be acts towards the child that cause or have a high probability of causing harm to the child's health or physical, mental, spiritual, moral or social development. These acts must be reasonably within the control of the parent or person in a relationship of responsibility, trust or power. Acts include restriction of movement, patterns of belittling, and denigrating, threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment.

**5.5 Sexual Abuse:** Child sexual abuse (as also defined in Section 2 of Protection of Children from Sexual Offences Act 2012) is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws and social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or relationship is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person.

This may include but not limited to:

- The inducement or coercion of a child to engage in any unlawful sexual activity.
- The exploitative use of children in prostitution or other unlawful sexual practices.
- The exploitative use of children in pornographic performances and materials.

**5.6 Child Protection:** Protection of children from violence, exploitation, abuse and neglect. Article 19 of the UN Convention on the Rights of the Child (UNCRC) provides for the protection of children in and out of the home.

**5.7 Child Protection:** Any person below the age of 14 years engaged into paid work, any person between 15-18 years engaged in hazardous work as defined by Indian law.

**5.8 Exploitation:** Commercial or other exploitation of a child refers to the use of the child in work or other activities for the benefit of others. This includes, but is not limited to, child labour (as in the Child Labour (Prohibition and Regulation) Act 2016, child trafficking for commercial sexual exploitation and other purposes (as defined under Section 370 of the Indian Penal Code). These activities are to the detriment of the child's physical or mental health, education, or spiritual, moral or social-emotional development.

**5.9 Child Marriage:** Any girl marrying before 18 years and male before 21 years (Indian law).

## **6. RGR's commitment towards Child Protection Policy:**

**6.1 Prevention of Child Abuse:** Awareness raising and promoting good practice, training and orientation of staff, associate, advisors and representative.

Training, orientation and awareness of child protection as an important step: Ensuring that organization representatives are informed/oriented/trained on complying with the child protection policy.

**6.2 Reporting of Child Abuse:** RGR believes that everyone has a responsibility to safeguard children for whom the project is being implemented and in case they are aware about any incidence of child sexual abuse by any RGR representative they will report it to the Child Protection Committee.

**6.3 Responding to Child Abuse:** Through the CPP, RGR has a response mechanism to deal with any incident reported with due confidentiality and take appropriate action to prevent the recurrence of such activity.

**6.4 Do Not Harm:** RGR believes that everyone working or partnering with us has a responsibility to make sure their action or inaction DO NOT HARM any child or children with whom they come into contact during their professional work.

**6.5 Zero Tolerance on Child Abuse:** RGR believes that everyone working or partnering with the RGR has a responsibility to make sure they are not engaged in any form of child sexual abuse in personal or professional space. We have a commitment to protecting children with/for whom we work. Child abuse shall not be tolerated by RGR in any form. We would not knowingly engage, directly or indirectly, anyone who poses an unacceptable risk to children, nor fund any individual or that do so. When we work through partners, they have a responsibility to meet minimum standards of protection for children in their programmes.

**6.6 Confidentiality:** Personal details of complainant and child victim/involved will be kept confidential to safeguard them. Detail of person, alleged for violation of CPP will not be shared with external agency during investigation, unless it is necessary to pass on information for investigation or to ensure that a child is protected (e.g. where a criminal offence may have been committed).

#### **6.7 Implementation Process of Child Protection Policy at RGR**

- Safe recruitment: Incorporate feasible background check of candidates during recruitment regarding child protection violation related matters in previous organizations.
- Self-declaration by all staff that they will abide by CPP
- Orientation of all staff about CPP
- Setting up a child protection committee at the central level

#### **6.8 RGR is accountable for ensuring that:**

- All staff, associates, consultants, partners and relevant others have access to the CPP, are aware of its contents and clear about the responsibilities it places on them; an open and responsive management culture is developed so that staff and others are able to discuss the issue of child abuse.
- Local reporting procedures are in place and clearly displayed/visible
- All project plan is risk assessed and steps taken as necessary to minimise risks to children
- CPP is referenced in all contracts, grant/partnership agreements etc.
- Issues relating to CPP are fully integrated into existing management processes, i.e. recruitment, induction, supervision, team meetings etc.
- Talk to children about their contact with staff or others and encourage them to raise any concerns.
- Empower children- discuss with them their rights, what is acceptable and unacceptable, and what they can do if there is a problem

### **7. Prevention and Redressal Mechanism:**

#### **7.1 Implementation responsibility for awareness, monitoring, and redressal – Child Protection Committee (CPC)**

RGR will constitute a 5 member committee comprising of Executive Director to investigate incidence of CPP violation and suggest corrective or disciplinary action. The remaining 4 member staff would comprise other senior members as may be duly approved by the Governing Body. No external person will be part of the committee, if required external person can be invited by committee as an expert for advice.

Through the ED, the CPC will report to the Executive Committee on a half-yearly basis on any matters of CPP violation at RGR and subsequent action taken.

## **7.2 The role and duty of Human Resources department in Child Protection:**

**Recruitment:** Child Protection would be made integral part of staff recruitment process. Child right related question(s) would be made mandatory part of assessment format as well as reference check. Along with this, Child Protection policy would be included in the offer letter to all new employees. As part of the acceptance procedure, employees would be asked to sign a declaration of the policy stating that they are aware of its existence and would abide/ adhere to it. The declaration would be kept on the staff members file and may be referred to in legal proceedings if a staff member is found to be in breach of the policy.

**Evaluation:** Human Resource will critically assess the performance of the staff in concern. (KRA will assess the individual's ability up to live the values of the organization in this context)

## **7.3 Redressal of Non-Compliance / Grievances:**

All RGR Staff and partners, by the nature of their work, interact with vulnerable communities and children and therefore should be aware of sensitive information concerning children. In the event of such a situation, concerns that are evidenced by impairment of health, physical injury, sexual exploitation, criminal activity, or threats must be reported immediately to statutory child protection agencies or equivalent authorities. This information may be called upon as evidence in child protection investigations or to inform decision-making. RGR and partner staff may become aware of infringements of Rights, or, allegations of infringements, or stories of infringements. Sometimes circumstances and intuition would leave the worker suspecting an infringement of rights. These circumstances would also be investigated.

- ❖ RGR staff/ partner having first-hand account of such child abuse will inform the child protection committee. Confidentiality will be maintained for each case.
- ❖ All children, RGR employees, partner staff, volunteers, consultants will be informed about the Redressal mechanism process and the communication process to report cases of child abuse and exploitation.
- ❖ All incidents of abuse, complains, enquiry proceedings and Redressal of it would be documented formally and monitored on regular basis. These documentations would be shared with staff from time to time to create new benchmark in Child Protection practices within the organization
- ❖ Disciplinary measures would be initiated against any Staff member found to be engaged in the following acts:
  - Inducing or coercing a child to engage in sexual activity
  - Exploitative activities with children including child labour or trafficking
  - Use of children's photographs for pornographic or other inappropriate use
  - Subjecting any child to torture or other cruel, inhuman, or degrading treatment or punishment
  - Mistreating or depriving the child in any manner
  - Any act considered unlawful under the applicable laws

## **7.4 Reporting of CPP violation**

- Any complaint or reporting of CPP violation shall only be done to the CPP Committee or any one of its members.
- Hiding information of child abuse (intentionally) will be considered as violation of CPP.
- Any Incidence of abuse should be reported immediately to the CPP.
- If anyone is in such situation, where s/he cannot reach out to the Committee or CPP focal person, s/he can report the incidence to the immediate line/reporting manager in writing or email.
- Any representative, who have received written information about the incidence should report the incidence within 48 hours to CPP
- Complainant name and identity will not be disclosed, it is expected that complainant will cooperate fully to the Committee in investigation process.
- In case child victim is in risk, necessary steps should be taken to safeguard him/her.
- Each reported case of CPP violation and action taken must be forwarded by the CPC to the Executive Committee of RGR

#### **7.4 Disciplinary measures would include:**

- Suspension until the Child Protection Committee investigates and submits the report and HR officially communicates the person to re-join the office.
- In case the Jury recommends legal action then the Organisation will pursue a legal case against the person.
- Public apology to the concerned child and community
- As recommended by the Jury and the Child Protection Committee

Any partner/ vendor found to be engaged or suspected of being engaged in the above acts would be reported to the relevant authorities at the discretion of RGR. If such an allegation were proved against a partner or vendor, RGR would discontinue working with such a partner or vendor. Staff is encouraged to be sensitive and respect the cultural identity of children in areas and communities where we work.

#### **7.5 Investigation**

- Initial assessment will only be done on instruction of the Child Protection Committee.
- On receiving information regarding CPP violation the CPC will take further call regarding, investigation, disciplinary action recommendation to the ED / Executive Committee, closure of report
- In case of violation of any law, it is mandatory for the CPC to report the concerned law implementing authority through RGR

#### **7.6 Confidentiality in Investigation**

In no circumstances, any information about the action taken or action to be taken will be informed to the complainant to maintain confidentiality.

No individual names will be published as complainant or accused in any external report, nor about the victim in any external report. Anyone having access to such confidential information will be abided by the confidentiality principle.

#### **8. Amendments**

Any amendments in the policy will be undertaken will be approved by the Governing Body.

## **Annexure 1**

### **Guideline of Child Protection Policy for Staff**

- ✓ To read child protection policy of the RGR and abide by the policy guidelines
- ✓ In case any child has reported incidence of abuse and the allegation is on the staff, make sure this is immediately reported as per the CPP policy guideline. Local project team shall try to arrange counselling support in such case.
- ✓ Efforts should be made to ensure that at least 1 teacher/Anganwadi workers/helpers or any parent can accompany the children along with RGR staff in case of children's visits for any project related activities / workshops / consultation / recreational tour which are away from the school/village /block / districts
- ✓ Any material published, videos, photos or stories about children (online or offline) should be respectful. It shouldn't portray children in a manner which is un-dignified or puts them at risk
- ✓ For person having responsibility of storing sensitive information related to children should be very careful and in no way it should be posted on any IT, social media platform by them.
- ✓ Computer and Laptop being used for official work should never be used for accessing any site, storing any materials that is against the Indian laws or POSCO Act.

#### **Don't**

- × Don't hit or physically assault or physically abuse Children;
- × Do Not engage in sexual activity or have a sexual relationship with anyone under the age of 18 years. Consent of children below the age of 18 years are not considered as consent as per the Juvenile Justice Act of India.
- × Do Not develop relationships with Children which could in any way be deemed exploitative or abusive;
- × Do Not act in ways that may be abusive in any way or may place Children at risk of abuse;
- × Do Not use language, make suggestions or offer advice to Children which is inappropriate, offensive or abusive;
- × Do Not behave in a manner which is physically inappropriate or sexually provocative;
- × Do Not stay alone overnight with one or more Children who are not part of their family, whether in their house, project premises or elsewhere;
- × Do Not condone, or participate in, any behavior against Children which is illegal;
- × Do Not act in ways intended to shame, humiliate, belittle or degrade Children, or perpetrate any form of emotional abuse;
- × Do Not discriminate against, show unfair differential treatment or favour a particular Child beneficiary to the exclusion of others;
- × Do Not spend excessive time alone with a Child away from others in a manner which could be interpreted as inappropriate;
- × Do Not expose a Child to inappropriate images, films and websites including pornography and extreme violence;
- × Do Not place yourselves in a position where you are made vulnerable to allegations of misconduct
- × Always inform children before taking their photographs or videos. If the children are not comfortable being photographed or video recorded, do not force them. Ensure any images taken of children are respectful

## **Annexure 2**

### **Confirmation of CPP briefing and Consent form to Staff/Representative at the time of joining**

To be completed and handed over to the RGR HR personnel responsible for joining formalities

I confirm that I have:

	YES	NO
Received written briefing materials telling me about the RGR CPP		
Received a face to face online/offline interactive briefing on the CPP		
Had the opportunity to raise any questions, issues or concerns about the CPP		
Had these questions etc. answered satisfactorily		

I also confirm that:

	YES	NO
I understand the main principles, the purpose and intentions of the CPP		
I am clear on the responsibilities the policy places on me to be aware and to protect children from abuse		
I am clear that I must adhere at all times to the CPP Code of Conduct		
If working in a management capacity, I understand I must ensure the CPP is operating effectively and respond positively to any concerns raised with me		
I understand that breach of or failure to comply with the CPP may result in disciplinary action being taken against me		
I will always respect all children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity;		
I will support children right to equal protection from all types of harm or abuse;		
I will not employ any child as defined under <i>Child Labour (prohibition and regulation) Amendment Act, 2016</i> .		
I will always report any case of child abuse, exploitation and neglect which comes to my knowledge to appropriate authority and will not harm or abuse any child physically, emotionally or sexually		

**Name**..... **Designation** .....

**Signed**..... **Date**.....

\*Copy of this record to be kept with HR department

### Annexure 3

#### Reporting format: CPP

Category of reporting CP Policy violation or concern, to be done by CPP.

For Information	Recommendation for investigation	Support required	Action taken report	Any other
-----------------	----------------------------------	------------------	---------------------	-----------

#### Report

Date of Reporting	dd/mm/yy Location		
Reporter	Name Designation, Contact no.		
Reported to	Name, email id, Designation		
Report documented	Yes No		
How the reporter came to know about the concern? Tick mark	<ul style="list-style-type: none"><li>• Observation</li><li>• Confidential communication</li><li>• Disclosure by child or adult</li></ul>	<ul style="list-style-type: none"><li>• Any other source</li></ul>	
Description of event/incidence			

#### Key points for reporter

- ☐ Any person reporting the concern or incidence should be assured that CPP committee will take this issue seriously and will take appropriate action in a timely manner.
- ☐ There should not be any fear in the mind of reporter since the reporting is done for the safety and security of children
- ☐ Report without any prejudice
- ☐ Maintain confidentiality after reporting, do not share this with your colleague, external people, agency or stakeholders. Share only to the people authorized as per the CP policy.
- ☐ If any materials, documents regarding the incidence are available with reporter, keep it confidential and share only with the person authorized as per the CP policy. Do not keep these information in folders/system/place that can be accessed by unauthorized person.
- ☐ Follow up with the committee should be avoided after receiving acknowledgement of concern, being raised by reporter.

## **Annexure 4**

### **Child Protection Committee (CPC)**

**Definition:** Child protection policy committee (CPC) of the RGR will be a group of 5 persons nominated by the Executive Committee (EC) and approved by the Governing Body to ensure programs, projects and operations of RGR are conducted in a manner that is safe for the children and set a high standard of child protection. The CPC committee will report to the Executive Committee.

**Members of CPC:** CPC is an internal committee, hence no external members will be part of the committee, however the committee will be free to invite experts for learning.

- ☐ Executive Director
- ☐ 4 senior staff members from RGR

#### ***Tenure of Committee:***

- ☐ Tenure of committee will be 3 years.
- ☐ In case any vacancy arises in committee due to any reason, ED, who is also Chairperson of the CPC will recommend a suitable replacement to the Executive Committee.
- ☐ Re-nomination/extension of CPP committee tenure for another 3 years can be done by recommendation of Executive Committee
- ☐ In case any requirement arises for reformation of committee, it can be with the approval of the Governing Body

#### ***Role and Responsibility of Committee***

- ☐ Committee will meet (at least) twice in a year to review implementation of CPP
- ☐ Committee will review the due diligence and step taken against the suggestion made in previous meetings.
- ☐ Committee will review the action taken for safeguarding child or action taken against the person found in violation of CPP.
- ☐ Committee will recommend action to be taken against the person found to be in violation of CPP.
- ☐ Committee may recommend the action for effective implementation of CPP.
- ☐ Committee will recommend action against any reported violation of CPP.
- ☐ Committee may meet on emergency requirement (In person presence or online), to deal with any reported incidence.

## Annexure 5

### Brief about Indian law

The following offences / behaviors are punishable by law and it is the duty of every adult citizen to abide by these laws:

Offences / Behaviors	Laws
Sexual assault, sexual harassment, use of child for pornographic purpose	Protection of Children from Sexual Offences Act 2012
Production, dissemination and use of child sexual abuse materials	The Information Technology Act, 2000
Disclosing identity of the child victim to anyone other than appropriate authority	Protection of Children from Sexual Offences Act 2012, The Juvenile Justice (Care And Protection Of Children) Act, 2015
Sale and procurement of children for any purpose including illegal adoption, trafficking of children for sexual exploitation, use of children by militant groups, giving children intoxicating liquor, narcotic drug or tobacco products or psychotropic substances, offences against disabled children, trafficking of children for sexual exploitation/exploitative labour/other reasons and, kidnapping	The Juvenile Justice (Care And Protection Of Children) Act, 2015; Immoral Traffic (Prevention) Act 1956; Human trafficking (section 370 & 370A IPC), after creation of specific section in IPC by the Criminal Law (Amendment) Act 2013
Corporal punishment in child care institutions	The Juvenile Justice (Care And Protection Of Children) Act, 2015
Corporal Punishment in schools	Right of Children to Free and Compulsory Education Act, 2009
Adopting a child without due procedure through CARINGS and child welfare committees/ promoting or facilitating such illegal adoption	The Juvenile Justice (Care And Protection Of Children) Act, 2015
Employment of children below 14 years in any occupation or industry	Child Labour (Prohibition and Regulation) Amendment Act, 2016
Employment of children 15-18 years in hazardous occupation or industries	Child Labour (Prohibition and Regulation) Amendment Act, 2016
Marrying a child/ promoting or solemnizing child marriage	Prohibition of Child Marriage Act, 2006
Pre-natal diagnosis for sex-determination of foetus	Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994

**Annexure 6**

Proposed Child Protection Committee (CPC) of RGR :

<b>Sl. No</b>	<b>Name</b>	<b>Location</b>	<b>Designation</b>	<b>Contact Number</b>
1	Baljinder Singh	Ludhiana	Executive Director	92164-11041
2	Khorshed Talati	Coimbatore	Team Leader, Tamil Nadu	99676-60410
3	Tam Lal Pokharel	Ludhiana	Manager – Finance & Accounts	92164-11043
4	Kulbir Singh Brar	Ludhiana	Sr. Area Manager	98887-30348
5	Gurpreet Singh Walia	Sangrur	Area Manager	98880-34745