



Child Protection Policy



CHILD PROTECTION POLICY – CHILD RIGHTS AND YOU (CRY)

POLICY STATEMENT: CRY believes that every child has a right to a happy, healthy and creative childhood. We believe in enabling people to pledge their unique strengths and commitments to secure, protect and honor the rights of children.

As a child rights organisation, CRY – Child Rights and You, is committed to the principle that all children, regardless of all dimensions and layers of discrimination, are entitled to their rights as defined by the United Nations Convention of Child Rights (UNCRC) Charter and the Constitution of India, including an equal right to protection from all kinds of abuse, exploitation, violence and neglect.

CRY's Child Protection Policy stands for its commitment and responsibilities towards safeguarding children and to protect them from all kinds of harm and abuse, keeping the **best interest of the child** in perspective. It also makes clear that any form of harm and abuse of children is unacceptable and non-negotiable to CRY, and any violation of the policy, whether intentional or unintentional, will invite appropriate disciplinary action and judicial procedures as per this policy, other related policies of the organisation and law of the land.

Section 1. PURPOSE OF THE POLICY

1. To promulgate and reinforce the organizations commitment for safeguarding children
2. To ensure that the safety, care, protection and welfare of the child are imperative to practice and adopt in whatever we do.
3. To provide a protection mechanism to all children covered through the development initiatives of CRY
4. To establish a standard code of conduct and standard procedures for all staff members and associates of CRY to ensure that no harm or abuse is caused to any child.
5. To provide a mechanism to ensure all staff members of CRY and associates are informed, empowered and self equipped to ensure safety and protection of children

Section 2. KEY DEFINITIONS

1. **Child¹:** In the policy, the child is defined as a person up to the age of 18 years.
2. **Child Abuse²:** 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

¹ The definition is based on the United Nations Convention on the Rights of the Child

of a child and includes any action that result 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 individuals, institutions or processes do or fail to do, intentionally or unintentionally, which harms a child or damages their prospect of safe and healthy development.

3. **Child Protection:** Child protection is the protection of children from any violence, exploitation, abuse and neglect. Within the ambit of this policy, it would mean the measures, activities and safeguards that CRY would be taking to protect children from both intentional and unintentional harm.
4. **Staff Member of CRY:** Staff member of CRY would include all employees on the pay-roll, part time or contractual duty or deputation of CRY whether within CRY office premises or on field duty / project visit or elsewhere.
5. **Associate of CRY:** This would include all consultants working with CRY, all volunteers, interns, tele-callers, agency staff, contractors, vendors and donors visiting CRY offices or work areas. This would also include all staff of CRY project partners and all volunteers and interns who would work with children and /or have access to and are party to CRY's program and child data.
6. **CRY Visitors:** This would include representatives of local governments, journalists, print and online media, agencies and contractors, donors and visitors who would come into direct contact with CRY-supported children and / or have access to CRY's child sensitive data. This would also include celebrities invited to CRY events and program spaces or visiting project offices and areas and coming into direct contact with children.
7. **Board of Trustees:** This would mean the members of CRY's Board of Trustees.
8. **Designate Authority (DA):** DA will be the technical focal point/s for this policy.
9. **Child Protection Task Force (CPTF):** A committee formed by the management to implement the policy and provide support in the awareness and monitoring process of the policy.
10. **Informed Consent³:** It is the decision, which must be written, dated and signed, to take part in any activity, taken freely after being duly informed of its nature, significance, implications and risks and appropriately documented, by any person capable of giving consent or, where the person is not capable of giving consent, by his or her legal representative; if the person concerned is unable to write, oral consent in the presence of at least one witness may be given in exceptional cases, as provided for in national legislation.

Section 3. GUIDING PRINCIPLES

1. Non-discrimination, valuing and listening to children and treating all children with respect and dignity.
2. Best interests of the child are of prime importance and should guide all decisions made by CRY; commitment to protecting children with and for whom we work.
3. Meaningful participation of children to encourage them to share their views. CRY seeks to create an environment where children feel free to express themselves and participate in the classroom

² The definition is adapted from WHO (World Health Organization)

³ Definition has been adapted from European Commission – Research Directorate

and other educational environments and opportunities as well as in decisions that affect their lives.

4. Zero tolerance towards child abuse.

Section 4. APPLICABILITY OF THE POLICY

This policy applies to:

- 1) All staff members of CRY, whether within CRY office premises or on field duty / project visit or elsewhere
- 2) All associates of CRY within CRY office premises or on field duty or at project partner offices and /or elsewhere
- 3) All visitors to CRY offices
- 4) Board members

Section 5. CODE OF CONDUCT

CRY staff, associates and visitors **MUST**:

- 1) Respect the privacy and dignity of every child.
- 2) Make proactive efforts for ensuring safety of children by identifying and managing risks periodically in all spaces accessed by children.
- 3) Be conscious of and sensitive towards making appropriate arrangements for the special needs of children, particularly physically and mentally challenged children.
- 4) Be sensitive towards children's age, sex, ethnicity, background, sexuality, religion, etc.
- 5) Create / enable an environment where children are respected and encouraged to discuss their concerns of abuse and rights.
- 6) Handle all sensitive child data and information with adequate care, caution and confidentiality; to be shared in public only after written permission of a CRY authority.
- 7) Always seek informed consent from children and their parents or guardians regarding the medium of communication and the purpose, before taking formal interviews, photographs of / with children or recording videos of their activities and engagement.
- 8) Respect the decision of children to say 'No' to an image being taken or a video being recorded.
- 9) Ensure that all images / videos taken of children are respectful of their dignity – all children must be clothed adequately for images and videos with their private body parts covered appropriately.
- 10) Ensure that all communication with children should take place within the boundaries of profession and are in sync with organizational policy.
- 11) Ensure that the language and / or conduct does not give rise to unnecessary speculation or comment.

- 12) Ensure that children are not exposed to unsuitable material either in print or on the internet, including material having sexual connotations.
- 13) Be sensitive to the issues of gender and socio-cultural issues.
- 14) Respond and report any situation that might place a child at risk or harm.

CRY staff, associates and visitors **MUST NOT**:

- 1) Abuse any child and put the child at the risk of harm.
- 2) Engage in any behaviour to intimidate, bully, humiliate, shame, threaten, coerce or belittle any child.
- 3) Physically abuse or hit any child or use any form of corporal punishment against any child.
- 4) Engage in any behaviour in a manner that is viewed as offensive, sexually provocative, overt or otherwise.
- 5) Hug, kiss or caress children.
- 6) Shower or bathe with children or assist with any personal care activity that children may be able to conduct themselves.
- 7) Engage in any form of substance abuse (alcohol/smoking/drugs/tobacco, etc) in the presence of the children.
- 8) Disclose the identity and /or personal information of children.
- 9) Display or distribute images of children without informed consent from children and their parents and appropriate authority of CRY.
- 10) Stigmatize or discriminate against a child, or show differential treatment to some children to the exclusion of others. Taking views of specific children, like during any research study, must be pre-approved.
- 11) Act in ways that may be abusive or may place a child at risk of abuse.
- 12) Take images /videos 'in secret' or in situations that may be viewed as being secretive.
- 13) Pass on gifts to children other than as part of specific programs designed and approved by CRY appropriate authority.
- 14) Have social contact with children or their parents through any medium, online or offline, until unless it is approved by CRY management.
- 15) Use or access profiles of children on social networking sites, particularly pictures and photographs of children, unless approved by CRY appropriate authority.
- 16) Watch pornography in front of children and /or show pornographic images and videos to children.
- 17) Share their own personal contact details and mobile numbers with children without prior permission of appropriate authority of the organization.
- 18) Refrain from asking children to undertake personal jobs or errands or asking children to do tasks that should be done by adults.
- 19) Take children to their home/ residence or any other private space for the day or night and /or share a room with a child alone. Any emergency accommodation like medical attention must be approved by CRY appropriate authority.
- 20) Patronize any service that employs children.
- 21) Employ any child (as defined in the policy) in any official as well as personal space.

Section 6: Key Responsibilities Under The Policy

As an organisation with child rights at the core of whatever we think, plan and do, we are committed to applying high standards of behaviour towards children. CRY representatives will meet its commitment to protect children from any harm, abuse, neglect and exploitation through fulfilment of their responsibilities and the following measures, but not limited to:

1. Awareness

- Directors / functional heads / program heads will ensure that CRY representatives are aware of CRY's commitment to the prevention of child abuse and exploitation.
- All CRY representatives will read, sign, and abide by CRY's Child Protection Policy and Code of Conduct of the policy.
- CRY management will also ensure the development of standard operating procedures to ensure the proper implementation of the policy.
- HR function will ensure that all CRY representatives have access to a copy of this Child Protection Policy and Standard Operating Procedures.
- HR function will conduct orientation of all new staff during the induction program.
- CRY Representatives will be aware that breach of this policy or the Child Protection Code of Conduct constitutes an act of misconduct and is grounds for disciplinary action and / or termination of employment or engagement.

2. Prevention

- CRY's staff recruitment process will continue to be supported by recruitment and selection measures that are designed to minimize the risk of recruiting persons who may pose an unacceptable risk to children.
- CRY will partner with organizations / associates that agree to comply with child protection standards at least as high as CRY's standards in its operations and activities.
- CRY representatives will use best efforts to ensure that children are not put at risk of abuse or exploitation.
- CRY will ensure informed consent from children (parents or guardian in case of young children), parents or care givers / guardian before taking images (photo/videos etc.) and present children in a dignified and respectful manner rather vulnerable, sexually suggestive, submissive or impacting their privacy negatively. They'll also respect the children's decision to say 'No' to an image being taken.
- Case studies, stories and images of children should be based on the child's best interest. CRY will limit the identifying information accompanying images of children and adhere to country laws related to the same.
- CRY representatives will obey the country laws, with attaining high standards towards laws relating to children in professional as well as personal lives in order to maintain the reputation of the organization as child safe organization.
- Staff will also empower themselves by understanding the Child Protection Policy, related standard operating procedures and country protection mechanisms.
- CRY management will provide suitable guidelines and procedures to meet the principles mentioned in this policy.

- CRY management will ensure that local procedures are in place and concerns are documented and responded as per such procedures.
- CRY management will ensure that procedures are developed considering the local laws, obeying the statutory compliances of reporting and responding to child protection concerns.
- CRY management will also appoint / depute a Designate Authority (DA) who will be the technical focal point for this Policy and will work closely with the HR-Director and in close coordination with CPTF (Child Protection Task Force) to implement the policy and support the monitoring process.
- CRY management will also ensure the constitution and empowerment of CPTF to create awareness in the organisation. The CPTF will support the management to institutionalise the policy at different levels. CPTF can also help technically to report the incident to the DA/DA's.
- CRY staff and associates must update knowledge and information about child safeguarding and child rights
- CRY staff and associates must follow the laws of the country and carry the intent of the policy outside work also.

3. Reporting

- CRY staff and associates will ensure that they are fully aware of CRY's standard reporting requirements in the event of suspicion or allegations of child abuse or exploitation, for any internal and external incident of abuse.
- Reporting any abuse is mandatory and CRY representatives should report as soon as possible and within 24 hours of learning of or witnessing the alleged abuse or exploitation, by anyone coming in the scope of the policy or by anyone while implementing / supporting any activity with children (directly or indirectly) primarily to the DA/DAs and Human Resources Director, Chief Executive Officer, or any other body / channel informed as per standard operating procedure.
- As part of reporting, the suspicion and allegation be fully documented in line with CRY standard operating procedures on reporting and as per prescribed templates, including the time, place and any witnesses to the alleged abuse or exploitation.
- Confidentiality is crucial to a fair and effective reporting procedure hence the allegations, updates and follow ups will be shared on 'need to know basis' only. CRY representatives will not disclose any allegation / suspicion of abuse or personal information of children / families, to the general public unless the disclosures are in accordance with CRY policy and procedures or approved by the relevant authority.
- CRY representatives will cooperate in the investigation process.

4. Responding

- CRY will ensure that action is taken to support and protect children coming in contact with CRY where concerns arise regarding child abuse or exploitation.
- The first response to address the complaint should come as soon as possible and within 48 hours of reporting of the incident.
- When child abuse or exploitation is reported, an appropriate investigation process will be followed and conducted as approved by DA/DAs, HR focal point and CEO – who may construct a team and may consult with legal operations and / or the authorities if appropriate, and steer the investigation process accordingly.

- Adherence to the Child Protection Policy is mandatory and any breach of this policy or procedures will be investigated under this policy either by consideration of referral to statutory authorities for criminal investigation under the law of the country in which they work and / or by CRY in accordance with disciplinary procedures. This may result in disciplinary sanctions and / or dismissal of engagement with CRY.
- Internal investigation will undertake a confidential, thorough, impartial and prompt process. CRY will not tolerate any form of coercion, intimidation, reprisal or retaliation against anyone who reports any form of abuse or exploitation, provides any information or other assistance in an investigation.

Section 7: AUTHORIZATION & ADMINISTRATION

This policy will be administered by the HR function. Any questions regarding this policy should be referred to the human resources Department and DA/DAs (Child Protection Focal Point).

This policy will be reviewed every 3 years. However, if CRY Leadership feels or meets with any urgent requirement, then a review may be taken up within this period as well.