



CHILD PROTECTION POLICY

INTRODUCTION

Owing to our name, which means, “Witness”, Sakshi has sought to be an active witness to sexual violence that plagues women and children; a role that initiated our intervention with systems that either promote or sustain the inequality that erupts from such violence. Sakshi was the force behind the first test-case litigation against Child Sexual Abuse in India and the force behind two landmark Public Interest Litigations, Vishaka & Others Vs. State of Rajasthan & Sakshi Vs. Union of India which informed several gender-based laws, including POSH and POCSO. The Protection of Children from Sexual Offences Amendment Act 2019 aims at protecting children from sexual assault, sexual harassment and pornography.

Sakshi recognises that children have a right to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse as enshrined in Article 19 of the United Nations Convention on the Rights of the Child (UNCRC).

We recognize our responsibility to safeguard the welfare of children that we interact with through our work. This policy and procedure has been written to recognize and provide guidance and direction on the responsibility that Sakshi has to the children with whom its staff, volunteers, consultants, partners and supporters come into contact.

OBJECTIVE

The Child Protection Policy in Sakshi is a Zero Tolerance Policy that demonstrates our commitment to prevention of harm to children. This policy aims to reduce risks of child abuse and ensure Sakshi’s representatives understand issues of child protection and are aware of the problem of child abuse. Furthermore this policy and procedure aims to minimize organizational risks and ensure Sakshi’s duty of care is covered through implementing procedures in recruitment, placement and management that are designed to safeguard children through good practice.

Sakshi adopts the UNCHR definition of a child as anyone under the age of 18.

DEFINITIONS

This policy protects the rights of all children, including those who are disabled, from minority ethnic / faith groups and regardless of gender, sexuality or status.

Physical abuse: Hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional abuse: Persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. This may involve the following: conveying to children that they are worthless; not giving the child opportunities to express their views; 'making fun' of what they say or how they communicate; interactions that are beyond the child's developmental capability; overprotection and limitation of exploration and learning; preventing the child participating in normal social interaction; serious bullying; causing children frequently to feel frightened or in danger; exploitation or corruption of children.

Sexual abuse: Forcing or enticing a child to take part in sexual activities. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

Neglect: Persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter; protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

SCOPE

The Child Protection Policy applies to everyone working for or associated with Sakshi. It encompasses the whole of Sakshi and includes without limitation:

1. **Employees at all levels** – in offices, in fields or elsewhere
2. **Sakshi's Associates** – these include Governing Council Members, volunteers, interns, sponsors, consultants, clients, partners and suppliers. Also, the employees and/ or representatives of Partner Organizations and local governments who have been brought into contact with children or are party to Sakshi's child sensitive data while working for or with Sakshi.
3. **Sakshi Visitors** – (e.g., donors, journalists, media, researchers, celebrities, employee family members, etc.) who may come into contact with children through Sakshi are also bound by this policy.

RECRUITMENT OF STAFF

Child protection is mainstreamed into our recruitment processes to minimize the risk of retaining people who are likely to pose a threat to children. Where appropriate, and in line with national legislation, criminal records / police checks will be carried out on staff who work with children.

Sakshi recognizes that appropriate and stringent recruitment procedures can prevent people who may pose a risk to children from gaining employment and thus minimize the risks of child abuse being committed by a member of staff, volunteer or consultant. Occasionally, a small minority of individuals will target organizations and will look to those with weak or inconsistently applied systems.

The following should be reflected in Recruitment and Selection Procedures.

- A clear person specification for the role (staff, volunteer or consultant), which is properly assessed during selection
- 2 references for all employees and volunteers, including their most recent employer (or school), to include the reason for leaving. Personal references should be avoided as they may not provide accurate information on either an applicant's capability or background
- Gaps in employment / education history should be explored at interview
- Confirmation of identity

Consultants should have the following checks:

- Confirmation of identity
- Confirmation of employment / work history
- References from previous clients

It should be made clear that a breach of the policy is a disciplinary offence which could lead to dismissal (for employees) or breach of contract (for consultants). Depending on the national context specific inclusion into contracts of employment could be considered.

INTERACTION WITH CHILDREN

All Sakshi Staff, Associates must:

- Establish and maintain appropriate boundaries with children.
- Keep everything public. A hug in the context of a group is very different from a hug behind closed doors.
- Identify and avoid potential situations, which may lead to behaviour being misinterpreted.

All Sakshi Staff & Associates must never:

- Physically assault or abuse children.

- Have sexual intercourse, or engage in any sexual activity, with children, regardless of the age of consent locally.
- Behave physically in a way that is inappropriate or sexually provocative.
- Develop relationships with children which could be deemed exploitative or abusive.
- Have a child/children with whom they are working to stay overnight at their home.
- Sleep in the same bed or in the same room as a child with whom they are working.
- Do things for children of an intimate, personal nature that they can do for themselves.
- Condone, or participate in, behaviour of children which is illegal, unsafe or abusive.
- Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse.
- Discriminate against, show unfair differential treatment to, or favour particular children to the exclusion of others.
- Act as negotiator in or assist the process of financial settlement between the family of a child victim of sexual abuse or exploitation and the perpetrator.
- Spend excessive time alone with children away from others (including in vehicles) or spend time in a child's home unless exceptional circumstances apply and they have the prior approval of an executive of Sakshi.

CHILD PARTICIPATION IN SAKSHI ACTIVITIES

Sakshi may, from time to time, invite a child to participate in an activity where we have taken responsibility for that child's safety and wellbeing. For example, we may organize educational programming for children in the community and/or schools.

- The organizer of the activity must take responsibility for ensuring the safety and wellbeing of the children involved in the activity.
- Where appropriate and in line with national legislation, the organizer must ensure background checks are conducted for all Staff and Associates who will have direct contact with the children during the activity.

All Staff and Associates involved in the activity must ensure the safety of children involved in the activity at all times.

MANAGEMENT OF CONFIDENTIAL INFORMATION

Sakshi recognizes that every child has the right to confidentiality. We will not store any confidential information about any child that participates in our activities.

Stories

- We will only publish information about individual children with their or their parents/guardian(s) prior consent using either a Media Consent Form or video filmed consent.
- This will be either obtained by our partner in the community or the school or by us directly.

- Children are to be encouraged to give their own accounts as much as possible, rather than letting others speak on their behalf.
- The names of children will always be changed to protect their identity, unless the child has explicitly stated a preference that their genuine name should be used, and security implications are not a factor.

Use of photographs and videos

- We will only publish images of children with their or their parents/guardian(s) prior consent using a Media Consent Form or video filmed consent. This will be either obtained by our partner in the community or the school or by us directly.
- We will ensure that images are respectful, that the children are adequately clothed and that sexually suggestive poses are avoided.
- We will ensure that any image of a child does not place him or her at risk or render him or her vulnerable to any form of abuse. Children's names will always be changed and care will be taken to ensure that not too much detail is given about the child.
- Children will always be accompanied by a parent, guardian, community member or other member of the Water for People team while photographs are being taken. Children will never be alone with the photographer or the interviewer.
- Wherever possible images should be accompanied by captions.

ETHICAL IMAGE GUIDELINES

At Sakshi we understand that working with children is a sensitive issue and we pay special attention to making sure the protection of the child from any type of extortion is addressed.

- **Nudity:** We will not take or use images that show children nude from the waist down.
- **Vulnerability:** It is vital that our images show reality and are not set up or manipulated to make a situation look worse than it is.
- **Location:** All efforts will be made to remove personal information such as residential address from the photo.

REPORTING SUSPECTED ABUSE

Sakshi's Staff, Associates and Visitors must report concerns regarding child abuse to the Child Welfare Committee as soon as possible and if physically possible, always within 24 hours.

Incident involving Sakshi's Staff

If an allegation is made against a staff member of Sakshi, this should be:

- Brought to the attention of the Child Welfare Committee immediately. Where an allegation is about the head of the department, it would be appropriate to report the allegation to the next level of supervision.
- This should be informed to the Executive Director.

- Human Resources should advise whether any statutory reporting is required.
- If a child is in immediate danger then the police or other child protection agency should be alerted and carry out an investigation. Sakshi will work with local child protection agencies during this investigation.

Any allegation of abuse or exploitation of children made against Sakshi's Staff or Representatives will be investigated by Sakshi. If the alleged incident involves a Staff member of Sakshi then that individual will be suspended on full pay until the investigation has been completed.

- If any of the Staff or a Representative is found to have violated our Child Protection Policy immediate disciplinary action will take place.
- This may include:
 - Staff – disciplinary action or dismissal
 - Representative – termination of contract and ending the relationship with Sakshi
 - Criminal prosecution

ASSISTANCE TO VICTIMS OF ABUSE

We will provide assistance to any child involved in our activities in order to protect them from further harm where it is within our mandate, capacity and ability to do so. This assistance may come in the form of referrals to relevant agencies.

CHILD WELFARE COMMITTEE

| Name | Designation | Department | Email Id | Mobile no |
|------------------|--------------------|-------------------|--------------------------------|------------------|
| Smita Bharti | Chairperson | Programs | smita.bharti@sakshi.org.in | 9899382226 |
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