



CHILD PROTECTION POLICY

Riadnae

Lia Banerjee

RB Rupesh
B arni

Pratibha

Soula

Arijita Ghosh

Pratibha

Prepared by: Child Protection Committee, The Newtown School
Date of Implementation: 16-05-2025

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1. Introduction

At The Newtown School, we are committed to ensuring the safety, welfare, and well-being of all children in our care. This **Child Protection Policy Code** serves as a guide for all school teaching, non-teaching and support staff to recognize, prevent, and respond to cases of child abuse, neglect, or any form of harm. It establishes clear procedures and expectations to foster a safe and supportive learning environment.

2. Scope and Applicability

This Child Protection Policy applies to The Newtown School community in its entirety, ensuring that every child associated with the institution is safe, respected, and nurtured in a secure environment.

This policy is applicable to:

- a. All students of The Newtown School.
- b. All employees of the school, including:
 - Teaching staff (full-time, part-time, guest faculty)
 - Non-teaching staff (administrative, housekeeping, transport, maintenance)
 - School leadership, including the Principal, Vice Principals, Coordinators, and School Management.
 - Service providers, vendors, contractors, and their employees operating within the school premises or involved in school-related activities.
 - Volunteers, interns, external professionals, and consultants engaging with students in any capacity.
 - Parents, guardians, and visitors who interact with students or participate in school-organized activities and events.

Environments covered:

- a. On-campus activities and interactions.
- b. Off-campus events such as excursions, field trips, and camps organized under the school's purview.
- c. Online platforms used for educational delivery, communication, or school-related engagements.

3. Principles of Child Protection

- The welfare and safety of children is the school's top priority.
- Every child has the right to be protected from abuse, neglect, and exploitation.
- All staff members must take an active role in safeguarding students.
- Confidentiality must be maintained while handling child protection concerns.

4. Roles and Responsibilities of School Staff

- **Teachers & Support Staff:** Identify and report signs of abuse or neglect.
- **Designated Child Protection Officer (CPO):** Acts as the main point of contact for child protection concerns.
- **Child Protection Committee:** Ensures proper training, policy implementation, and legal compliance.

5. Identifying Signs of Abuse and Neglect

- **Physical Abuse:** Bruises, burns, fractures, or unexplained injuries.
- **Emotional Abuse:** Excessive shyness, fearfulness, or low self-esteem.
- **Sexual Abuse:** Knowledge of sexual behavior inappropriate for their age, sudden fear of certain individuals.
- **Neglect:** Poor hygiene, malnutrition, lack of medical care, frequent absences.

6. Reporting and Response Procedures

- Staff must immediately report any suspicions to the Child Protection Committee.
- The CPO and the Counsellor investigate the case while maintaining confidentiality, in terms of the procedure laid down in the order constituting Child Protection Committee.
- If anything as defined under POCSO Act to be reported in terms of Section 19, the case is escalated to child welfare authorities/Police/POCSO Unit.
- The Child Protection Committee must document all reports and follow up on actions taken.

7. Code of Conduct for Staff

- Maintain professional boundaries with students.
- No physical punishment or inappropriate discipline.
- No private meetings or social media interactions with students.
- Always report any misconduct or policy violations by staff members.

8. Preventive Measures

- Co-operate with background checks
- Participate in regular training on child protection policies organised by the CPC.
- Establish a safe and open environment where students feel comfortable reporting concerns.
- Encourage a **culture of safety and respect** in the school community.
- Include and motivate all special needs children and not discriminate or berate.

9. Consequences of Policy Violations

In the event any person, to whom this policy is applicable, is found violating child protection policies shall face:

- Disciplinary action (warnings, suspension, dismissal etc).
- Legal consequences, including reporting to law enforcement.

10. Relevant provisions of Protection of Children from Sexual Offences Act 2012, Juvenile Justice (Care and Protection of Children) Act 2015 Act, Right to Education Act and The Information Technology Act, 2000.

Section A: Introduction to the POCSO Act, 2012

The Protection of Children from Sexual Offences (POCSO) Act, 2012, is a comprehensive legislation enacted by the Indian Parliament to protect children from sexual abuse and exploitation. The Act defines a "child" as any person below the age of 18 years. Its primary objective is to safeguard children's best interests and ensure their physical, psychological, and emotional well-being.

Key Principles of the POCSO Act:

- **Child-Centric Approach:** The Act prioritizes the child's best interests in all proceedings.
- **Protection of Privacy:** The child's identity is protected throughout the legal process. The child needs to be referred as ***VICTIM GIRL OR BOY***.
- **Victim-Friendly Procedures:** The Act mandates special procedures to minimize trauma to the child.
- **Mandatory Reporting:** Certain individuals, including teachers, are legally obligated to report suspected child abuse.
- **Prevention and Awareness:** The Act emphasizes the importance of prevention and awareness programs.

Table 1: Outline of Key Sections, Details, and Punishments (as updated 2025):

Section	Offense	Details	Punishment
Section 3	Penetrative Sexual Assault	Penetration of the child's vagina, anus, mouth, or other orifice.	Minimum 10 years imprisonment, which may extend to life imprisonment and fine.
Section 4	Aggravated Penetrative Sexual Assault	Penetrative sexual assault with aggravating factors (e.g., grievous injury, position of trust).	Minimum 20 years imprisonment, which may extend to life imprisonment or death, and fine.
Section 7	Sexual Assault	Touching the child's genitals or other body parts with sexual intent (without penetration).	Minimum 3 years imprisonment, which may extend to 5 years and fine.
Section 8	Aggravated Sexual Assault	Sexual assault with aggravating factors.	Minimum 5 years imprisonment, which may extend to 7 years and fine.
Section 11 & 12	Sexual Harassment	Unwelcome sexually determined behavior (e.g., physical contact, advances, sounds, gestures).	Up to 3 years imprisonment and fine. Upto 7 years imprisonment in case of repeat offences
Section 13 & 14	Use of Child for Pornographic Purposes	Producing, possessing, or distributing child pornography.	Up to 5 years imprisonment and fine.
Section 15	(1) Storing information without intention to share (2) Storing information with intention to share	Storing information without intent of sharing but failing to delete or destroy. Transmitting, propagating, displaying, distributing	Fine Imprisonment up to 3 year and fine.
Section 17	Abetment of Sexual Offences	Aiding or instigating the commission of sexual offenses.	Punishment equivalent to the substantive offense.
Section 19 & 21	Failure to Report	Failure to report suspected child sexual abuse.	Up to 6 months imprisonment and fine.

Detailed Explanation of Key Sections:

The POCSO Act covers a wide range of sexual offenses, including:

- **Penetrative Sexual Assault (Section 3):** This includes any form of penetration of the child's vagina, anus, mouth, or any other bodily orifice, by the penis or any other object.
- **Aggravated Penetrative Sexual Assault (Section 4):** This involves penetrative sexual assault under aggravated circumstances, such as causing grievous bodily harm, committing the offense with a person in a position of trust, or committing the offense against a child with a disability.
- **Sexual Assault (Section 7):** This includes touching the child's genitals or any other part of the body with sexual intent, without penetration.
- **Aggravated Sexual Assault (Section 8):** This involves sexual assault under aggravated circumstances, similar to aggravated penetrative sexual assault.
- **Sexual Harassment (Section 11 & 12):** This includes any unwelcome sexually determined behavior, such as physical contact, advances, or showing pornography, words or gestures, stalking, staring, leching, leering, commenting on body or sexual orientation, spreading rumors about character, sexual/double meaning jokes.
- **Use of Child for Pornographic Purposes (Section 13, 14 & 15):** This includes producing, possessing, storing or distributing child pornography.
- **Abetment of Sexual Offences (Section 17):** This includes aiding or instigating the commission of sexual offenses.
- **Failure to Report (Section 19 & 21):** This pertains to the mandatory reporting of child sexual abuse.

Mandatory & Immediate Reporting

- Any staff member who suspects or has knowledge of child sexual abuse must report it immediately to the CPC.
- No delays for “further investigation” by staff.

To Whom to Report

- Reports must be made to the **Child Protection Committee (CPC)**.
- Staff must have clear and readily available contact information for CPC authorities.

How to Report

- Reports must be **recorded in writing with an entry number**.
- The report's content must be read back to the informant for verification.
- The report must be entered into a **designated book** maintained by the CPC, which will handle the matter.

Child-Friendly Reporting

- If a **child** provides the report, it must be recorded in **simple language** that the child understands.
- If the child **does not understand** the reporting language, a **translator or interpreter** must be provided.

Action After Reporting

- If the child requires **care and protection**, immediate arrangements must be made within **24 hours** (e.g., shelter home, hospital).
- The case must be reported to the **CPC within an hour** for further action.
- The child should not be targeted for reporting or complaining.

Reporting of Material

- Any **sexually exploitative material** (e.g., pornographic content involving children) must be reported.

Consequences of Failure to Report

- Failure to report can lead to **imprisonment and/or fines**.

Confidentiality

Staff must maintain **strict confidentiality** of the child's identity, including:

- **Name**
- **Address**
- **Photograph**
- **Family details**
- **School**
- **Neighborhood**

Information Sharing

- Case details should only be shared with **authorized personnel** (e.g., law enforcement, child welfare authorities).

Media Interaction

- Staff must **not discuss cases with the media**.
- Any media inquiries should be **directed to the appropriate authorities**.

Cooperation with Authorities

- Staff must **fully cooperate** with **law enforcement and child welfare authorities**.

Providing Information

- All provided information must be **accurate and complete**.

Facilitating Interviews

Staff may need to:

- **Arrange a safe space** for child interviews.
- **Assist authorities** in conducting interviews when required.

Following Directives

- Staff must comply with any directives given by **law enforcement or child welfare authorities**.

Section B: Juvenile Justice Act, 2015

Important Considerations:

- The JJ Act, 2015, represents a shift towards a more child-friendly and rehabilitative approach to juvenile justice.
- It recognizes the vulnerability of children and emphasizes their right to care, protection, and development.
- It is very important to remember that any person that has contact with children, has the duty to report suspected child abuse.

It's important to clarify the nuance in how the Juvenile Justice Act, 2015, addresses the age of juveniles, particularly concerning those in conflict with the law.

General Definition:

- The JJ Act, 2015, defines a "child" as a person who has not completed eighteen years of age. This remains the general definition.

Heinous Offenses:

- However, the Act introduced a significant provision regarding cases where juveniles aged 16-18 are accused of committing "heinous offenses."
- In such cases, the Juvenile Justice Board (JJB) is required to conduct a preliminary assessment to determine whether the juvenile should be tried as an adult.
- This assessment considers the juvenile's mental and physical capacity to understand the offense's consequences.
- Therefore, while the general definition of a child remains below 18, there's a provision to treat those aged 16-18 as adults in specific, severe cases.

In essence:

- All individuals below 18 are still considered children under the JJ Act.
- The Act allows for exceptions in cases involving heinous crimes committed by those aged 16-18, where they might be tried as adults after a careful assessment.

Therefore, it is more accurate to say that the JJ act has provisions that allow for those between 16-18 years of age, to be tried as adults in cases of heinous crime, after a preliminary assessment, and not that the age of a juvenile has simply been changed to under 16 years of age.

Definition of a Child:

- The Act defines a "child" as any person who has not completed eighteen years of age. This is fundamental to determining who falls under the Act's provisions.

Children in Conflict with the Law (CICL):

- This section of the Act deals with children who are alleged to have committed an offense.

Key features include:

- **Juvenile Justice Boards (JJBs):** These boards are established to handle cases of CICL, ensuring a child-friendly approach.

Categorization of Offenses: Offenses are categorized as:

- Petty offenses.
- Serious offenses.
- Heinous offenses.
- This categorization determines the legal procedures and potential consequences.

The act places emphasis on rehabilitation and social reintegration of the child.

- **Children in Need of Care and Protection (CNCP):**

- This section focuses on children who are vulnerable and require care and protection.
- Key features include:

Child Welfare Committees (CWCs): These committees are responsible for addressing the needs of CNCP.

The definition of CNCP includes children who are:

- Abandoned.
- Abused.
- Neglected.
- Those without homes.

Key Authorities:

- **Juvenile Justice Boards (JJBs):** Handles CICL cases.
- **Child Welfare Committees (CWCs):** Addresses CNCP cases.
- **District Child Protection Units (DCPUs):** Implement the act at the district level.

Adoption:

- The Act streamlines adoption procedures, prioritizing the best interests of the child.
- It includes provisions for both in-country and inter-country adoptions.

Who comes under the JJ Act:

- Essentially, any individual below the age of 18 falls under the purview of this act.

This includes:

- Children who have allegedly committed offenses (CICL).
- Children who are in need of care and protection (CNCP).

Table 2: Juvenile Justice (Care and Protection of Children) Act, 2015

Category	Key Provisions	Implications for Teachers/Staff
Definition of a Child	* Defines a "child" as a person below 18 years of age.	* All individuals below 18 are entitled to the Act's protections.
Children in Conflict with the Law (CICL)	* Establishes Juvenile Justice Boards (JJBs) for handling cases of CICL.	* Legal proceedings for students in conflict with the law are handled separately from adult courts.
* Categorizes offenses as petty, serious, and heinous, influencing the legal process.	* Understanding these categories helps in comprehending the potential severity of legal consequences.	
* Focuses on rehabilitation and social reintegration, not solely punishment.	* Supports the school's role in providing guidance and support for students involved in legal issues.	
Children in Need of Care and Protection (CNCP)	* Establishes Child Welfare Committees (CWCs) to address the needs of CNCP.	* Mandatory reporting any suspected cases of abuse, neglect, or children in vulnerable situations to the appropriate authorities.

* Defines CNCP broadly, including children who are abandoned, abused, or lack care.	* Recognize the signs of potential CNCP situations.	
* Mandates reporting of children that are found separated from their guardians.	* Understand that reporting of such cases is a legal obligation.	
Key Authorities	* Juvenile Justice Boards (JJBs): Handle cases of CICL.	* Be aware of the existence and roles of these bodies.
* Child Welfare Committees (CWCs): Address the needs of CNCP.	* Know how to contact and work with these committees.	
* District Child Protection Units (DCPUs): implement the JJ act at the district level.	* Know of the existence of the DCPU in your district, and how to contact them.	
Mandatory Reporting	* Requires individuals, including teachers, to report cases of child abuse, neglect, or exploitation.	* Understand the legal obligation to report and the procedures for doing so.
General Principles	* Principles of presumption of innocence, dignity, best interest of the child, and family responsibility are emphasized.	* Maintain a child-friendly and supportive environment.
Adoption	* Regulates adoption procedures to ensure the best interests of the child.	* Have a general understanding of the process, especially in cases where students may be involved.

Key Takeaways:

- **Child-Centered Approach:** The Act prioritizes the best interests of the child.
- **Reporting is Crucial:** Teachers play a vital role in identifying and reporting CNCP cases.
- **Legal Awareness:** Understanding the Act's provisions helps in creating a safe and supportive school environment.

- **Collaboration:** Working with JJBs, CWCs, and DCPUs is essential for effective child protection.

Section C: Right to Education (RTE) Act, 2009 – Ensuring a Safe and Inclusive Learning Environment

The **Right to Education (RTE) Act, 2009** guarantees free and compulsory education to children aged **6 to 14 years** and lays down provisions to ensure a safe, inclusive, and abuse-free school environment.

Key Provisions Related to Child Protection

A. Section 17 – Prohibition of Physical Punishment and Mental Harassment

- Schools must ensure **zero tolerance** for corporal punishment.
- Teachers or staff engaging in **physical, verbal, or emotional abuse** can face disciplinary action.
- Emotional abuse includes **public humiliation, discrimination, and intimidation**, which can negatively impact a child's mental health.

B. Sections 8 & 9 – Responsibility of Government and Local Authorities

The Government and Local Authorities have the duty to ensure that Schools have a **child-friendly atmosphere**, free from fear, trauma, or discrimination.

C. Protection Against Discrimination

- Schools must ensure **equal treatment of all students**, regardless of caste, gender, disability, or background.
- Discriminatory practices that affect a child's access to education, such as **bullying, harassment, or denial of facilities**, must be eliminated.

D. School's Role in Ensuring a Safe Environment

- Conduct **regular sensitization programs** for teachers, staff, and students on **child rights and protection**.
- Establish a **Child Protection Committee (CPC)** within the school to monitor and address issues of abuse and harassment.
- Provide **counseling and emotional support** to children experiencing distress.

Section D: Information Technology (IT) Act, 2000 – Safeguarding Children in Digital Spaces

The Information Technology (IT) Act, 2000, regulates cybercrimes and electronic communications to ensure children are protected from **online exploitation, cyberbullying, and harmful content**.

Key Provisions Relevant to Child Safety

A. Section 66E – Protection of Privacy

- Prohibits capturing, publishing, or transmitting **private images** without consent.
- Teachers must **educate students about digital privacy** and the legal consequences of sharing inappropriate content.

B. Section 67 – Punishment for Publishing or Transmitting Obscene Material

- Sharing, storing, or distributing **obscene or sexually explicit content** online is a criminal offense.
- Schools must **monitor internet usage** on campus and educate students about **responsible online behavior**.

C. Section 67B – Protection Against Child Exploitation Online

- Criminalizes **child pornography, online grooming, and sexual exploitation** of minors.
- Teachers should **report any suspected online exploitation** of students to authorities.
- Schools should conduct **cyber safety workshops** to educate students about the risks of interacting with strangers online.

D. Cyberbullying and Online Harassment

- Sharing **inappropriate photos, videos, or derogatory comments** about students online can lead to **legal consequences**.
- Schools should have a **strict policy against cyberbullying**, with clear reporting and disciplinary actions.

11. Responsibilities of Teachers and School Staff:

- **Mandatory Reporting:** Teachers and school staff are mandated to report any suspicion or knowledge of child sexual abuse to the Child Welfare Committee (CWC) or the police.

- **Awareness and Prevention:** Staff must actively participate regular awareness programs for on child sexual abuse and related topics as scheduled by the school. Build awareness and also redirect towards CPC posters and members in case a child would like to share information. There should not be any coercion to inform the concerned staff in case the child would like to directly report to any of the CPC school members.
- **Creating a Safe Environment:** Staff must create a safe and supportive environment where children feel comfortable reporting abuse.
- **Confidentiality:** Always maintain the confidentiality of the child's identity and information.
- **Cooperation with Authorities:** Cooperate fully with law enforcement and child welfare authorities in investigations.