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# Pratham's Child Safeguarding Policy



## 1. Objective

Pratham practises a zero-tolerance approach towards abuse and exploitation (physical, mental, emotional, and sexual) of children by any Pratham personnel, volunteers, and members of its affiliated organizations. The objectives of Pratham's Child Safeguarding Policy (hereinafter referred to as "Policy") are:

- a) To create and maintain an environment conducive to promoting the rights of all children
- b) To prevent and deal with any kind of abuse and exploitation of children covered in Pratham programs. This includes but may not be limited to physical, mental, emotional, and sexual abuse and exploitation
- c) To promote safe practices and protect children from harm, abuse, neglect, discrimination, and exploitation in any form at the workplace
- d) To take positive actions to prevent child abusers from becoming involved with Pratham in any way
- e) To take stringent measures against anyone who endangers the wellbeing of a child
- f) To maintain confidentiality in all cases of exploitation and abuse of children. Pratham shall not disclose any information that adversely affects the safety and dignity of a child.

## 2. Applicability

The Policy is applicable to all Pratham personnel, whether permanent or contractual. Apart from all Pratham personnel, this Policy shall be applicable on stakeholders who have direct or remote access to children covered in Pratham programs, due to their association with Pratham. These include:

- a) Volunteers and interns associated with Pratham
- b) Employees and/or representatives of affiliated organizations and any other individual/s
- c) Donors
- d) (Other) Individuals visiting any of Pratham's programs/offices as part of their association with Pratham

The aforementioned individuals/organizations shall be made aware of the Policy and shall acknowledge the same by signing the "Declaration of understanding and commitment to Pratham's Child Safeguarding Policy" (attached as Annexure 1). All individuals dealing or having any contact with children shall acknowledge and sign the "Undertaking to Ensure Children's Protection & Safety" (attached as Annexure 2)

## 3. Effective date

The policy comes into effect from 1 July 2024.





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## 4. Definitions under the Policy

- a) Child: According to Article 1 of the United Nations Convention on the Rights of the Child (UNCRC), an individual within the age range of 0-18 years is a child.
- b) Child Safeguarding: Child safeguarding not only includes measures to protect children from harm, abuse, exploitation, or neglect, it is also about taking preventive measures to reduce the risk of harm from abuse or exploitation by putting procedures in place to appropriately respond to all concerns and promote the welfare of children.
- c) Vulnerable children – Children hailing from critical backgrounds including dysfunctional families, working children, destitute, orphans, street children, or children in acutely vulnerable situations or any environment that is risky and might inhibit the growth and development of the child.
- d) Child abuse – It is defined as all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, and trafficking and includes any actions that result in actual and potential harm to a child.
  - i. Physical abuse - the use of physical force against a child that results in harm to the child. Physical abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling, and poisoning. Physical abuse causes serious and long-lasting harm and in severe cases, death.
  - ii. Emotional ill treatment - refers to persistent emotional maltreatment of a child to cause severe and persistent adverse effects on the child's emotional development. It may include telling a child that they are worthless, making fun of what they say or how they communicate, etc. Such acts have a high probability of damaging a child's self-esteem or social competence.
  - iii. Sexual abuse and exploitation – a child is sexually abused when they are forced to or persuaded to take part in sexual activities, irrespective of the fact whether the child is aware or not aware of the abuse happening to them. There are two kinds of sexual abuse: physical and non-physical sexual abuse. Physical sexual abuse includes (but not limited to) rape, forcing/encouraging a child to take part in sexual activity, sexually touching a child, taking off their clothes, etc. Non-physical sexual abuse may include exploiting/persuading a child to perform sexual acts online, showing pornography, staking, etc.
  - iv. Trafficking – forcing, exploiting, and /or selling children for prostitution, forced marriage, domestic work, forced labour, engaging in criminal activity, etc.

## 5. Apex Committee and State Reporting Point Person

Pratham's State Internal Committee (IC) for Policy Against Sexual Harassment at the Workplace will look into cases related to violation of child protection policy. One dedicated person will be appointed as the point of contact (PoC) within IC. These POCs will regularly receive training and orientation on Child Protection Laws and policies.

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The Apex committee will act in an advisory capacity to state IC. The Apex Committee shall organize regular orientation sessions and workshops to spread awareness about the policy internally. *Please refer to the Policy against Sexual Harassment at the Workplace for the constitution and responsibilities of the IC and the Apex Committee.*

## 6. Incident Reporting Procedure

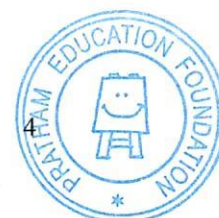
Pratham personnel shall report any concerns of child abuse and sexual exploitation to the respective IC, *who must then immediately forward the complaint to the Apex Committee*, and follow the reporting procedure as mentioned in the policy. It should be noted that if, for any reason, it is not possible to inform the IC, the concern should be reported to the State/Program Head, who must then inform the Apex Committee.

- a) All concerns of witnesses, suspected, reported or potential abuse must be reported as soon as possible but within 24 hours to the respective IC. Any person reporting or providing information/concern regarding any kind of child abuse and sexual exploitation to IC/ State or Program Head/ Apex Committee as the case may be shall be provided with adequate protection. Information regarding the person reporting the incident will be kept confidential.
- b) Cases of sexual abuse, exploitation, and any criminal offences against children will be referred immediately to the police or statutory authorities in cases where an alleged offence has occurred, as stated under the Protection of Children from Sexual Offences Act, 2012 POCSO. However, before reporting to the police or any statutory authorities, the concern should be reported to the respective IC, who must also inform the Apex Committee, without causing any delay in the filing of the FIR or complaint. Copy of complaint or FIR should be taken on record by the IC.
- c) If the child is in danger or urgent action is required to protect the child, then the safety of the child will take precedence over the reporting procedure. However, measures must be taken to inform the PoC of the IC.
- d) The person reporting the concern and the IC should document all information related to the concern in the Incident Reporting Form provided in **Annexure 3**. The information should be documented within 48 hours of the reporting. The report should include key facts of the case, to the extent possible. Any opinion expressed by the witness/child should be clearly documented.

## 7. Inquiry process

- a) If there is a suspicion of an alleged abuse by any Pratham personnel or the details of the abuse are not clear, IC will conduct and complete an internal investigation within ninety (90) days of receiving the complaint. The Apex Committee will act in an advisory capacity and must be kept informed at all steps by the IC. The decision shall be communicated to the respondent(s), the person against whom the complaint was made, verbally and in writing.

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If any information on the alleged abuse emerges that clearly proves that the abuse allegations are true, they will report the matter to the police or relevant authorities. The Internal Committee will maintain written documentation of the inquiry.

- b) If the allegations of abuse are against any member of the State IC then that member will not be part of the investigation team.

If anyone apart from any Pratham personnel is involved in child abuse or there is any reason to believe that he/she is involved in alleged child abuse then Pratham shall raise the concern with the respective organization he/she is associated with. Pratham will also consider its legal obligation to report the matter to the relevant authorities. The aforementioned individual shall be blacklisted from engaging directly and indirectly with Pratham.

- c) Children who shall require counselling or any other specialised services should be referred to expert organizations in writing.

## 8. Disciplinary action

If the allegation of child abuse is against any Pratham personnel, then:

- a) He/she will be immediately suspended (provisionally) from his/her duties pending the outcome of an internal investigation and/or investigation by relevant authorities, as the case may be;
- b) If the allegation is proven, disciplinary actions will include reprimand; removal from specific task; withholding of increment; or termination with immediate effect. The PoC of the IC or Apex committee will forward the recommendations to the State/Program Head for implementation;

If the allegation is against any individual associated with another organisation/s, donor, or visitor: The matter will be immediately reported to the management of the organisation, donor, or visitor. Pratham will also consider its legal obligation to report the matter to the relevant authorities. The aforementioned individual shall be blacklisted from engaging directly and indirectly with Pratham.

## 9. Training and Dissemination

It is mandatory for all Pratham personnel to undergo training on this Policy. The Policy will also be included as a part of the induction and annual training program.

All visitors/surveyors to Pratham's program/activity location and office will be made aware of the policy and shall sign the "Declaration of understanding and commitment to Pratham's Child Safeguarding Policy" as well as the (attached as Annexure 1) and "Undertaking to ensure Children's Protection & Safety" (attached as Annexure 2) before coming in contact with the children.

While recruiting, all potential candidates shall go through a reference check and all employee/consultant contracts (existing and new) will include signed copies of the

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“Declaration of understanding and commitment to Pratham’s Child Safeguarding Policy” (attached as Annexure 1). All individuals dealing or having any contact with children shall acknowledge and sign the “Undertaking to ensure Children’s Protection & Safety” (attached as Annexure 2)

## 10. Media and Communications Guidelines

While interviewing/photographing/video recording children, Pratham personnel shall be responsible for taking the following measures:

- a) Verbal/written consent of children and/or parents/guardians before the interview. It is important to explain to them the purpose of the interview/photographs and how it will be used.
- b) If any child does not wish to participate, their privacy will be respected and they will not be forced/coerced/manipulated/deceived into giving an interview/photographs.
- c) Without the consent of children and parents/guardians, the personal information of a child will not be disclosed in any manner. Full names and addresses of children will not be used anywhere in the blogs, case studies, reports, proposals, briefs, photographs or any other material that will be used for communication.
- d) When taking a photograph, it is important to maintain the modesty of children. Pictures should not add to their vulnerabilities or put them in harm/risk of any kind.
- e) Members of the Apex Committee will be approached in case of any advice on the use of pictures, interviews, case studies, etc. that relate to children.

## 11. Information and Communication Technology

All Pratham personnel using Pratham-owned laptops and desktops are strictly prohibited from accessing and/or disseminating child pornography. This is prohibited at all hours and not just limited to office hours. It will be the responsibility of the user in the event of misuse of computers/laptops for accessing or disseminating child pornography or engaging with children in a sexual way over the internet.

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# Pratham's Child Safeguarding Policy



## Annexure 1

### Declaration of understanding and commitment to Pratham's Child Safeguarding Policy

I, \_\_\_\_\_, S/o/D/o, \_\_\_\_\_, R/o \_\_\_\_\_, working as/associated as/organisation name \_\_\_\_\_ acknowledge and hereby declare the following:

That I have read and understood the Pratham Education Foundation's (Pratham) Child Safeguarding Policy.

That I have never been involved in or convicted of any act or offence involving any type of harm to a child or children, nor have I ever been warned or cautioned in relation to such a matter. I also declare that there are no civil or criminal proceedings of any nature pending against me at the date of this declaration relating to any allegation concerning any type of harm to a child or children.

That I have never been involved in or convicted of any act or offence involving any type of sexual harassment or any other offence of a serious nature, nor have I ever been warned or cautioned in relation to such a matter. I also declare that there are no civil or criminal proceedings of any nature pending against me at the date of this declaration relating to any allegation concerning any type of offence which is serious in nature.

That I authorize Pratham to seek references or approach previous employers for verifying information on disciplinary offences relating to children. I also undertake to provide any detailed disclosure if required in the future pertaining to this declaration.

That I understand that compliance/adherence to the above-mentioned policies are mandatory and non-compliance/non-adherence or giving false/inaccurate information may lead to termination and may entitle Pratham to enforce its legal rights, including seeking damages and/or to seek legal remedies against me.

This declaration is confidential and is extended in order to accredit my suitability to work with children and the community at large whilst providing services to Pratham; this declaration may not be used totally or partially for any other purpose except that for which it is expressly made.

The contents of this acknowledgement and declaration have been read over and explained to me in vernacular and I am executing the same voluntarily after understanding and agreeing with the content.

☐ I am aware and agree that in the event there is a suspicion or allegation against me for violating the Code of Conduct, Pratham has a duty to report to the Police and/or relevant authorities.

☐ Pratham will also initiate an internal inquiry. Failure to uphold the Code of Conduct will result in disciplinary actions including immediate termination from Pratham.

Date:

Place:

Signature:

*B. S. L.*



## **Annexure 2**

### **Undertaking to ensure Children's Protection & Safety**

I, \_\_\_\_\_, S/o/D/o, \_\_\_\_\_, R/o \_\_\_\_\_, working as/associated as/organisation name \_\_\_\_\_ acknowledge and hereby undertake the following:

- That I shall treat children with respect regardless of race, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
- That I shall not use language or behaviour toward children that are inappropriate, harassing, abusive, discriminatory, humiliating, sexually provocative, demeaning, or culturally inappropriate;
- That I shall not engage in any form of sexual activity with a person below the age of 18 years, including paying for sexual services or acts;
- That I shall not invite unaccompanied children unless they are at immediate risk of injury or in physical danger;
- That I shall ensure that during my interaction with any child/children, at least one adult apart from me is present or that I am visible to others;
- That I shall not spend unnecessary or excessive time alone with a child/children;
- That I shall employ positive and non-threatening behavior when working with children;
- That I shall not use physical punishment on children;
- That I shall not hire children for domestic or other labour;
- That I shall comply with all relevant Indian and local legislation, including labour laws in relation to child labour;
- That I shall immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures;
- That I shall immediately disclose all charges, convictions, and other outcomes of an offence, which occurred before or occurs during my association with Pratham that relate to child exploitation and abuse;
- That I shall ensure that the personal information of a child/children and family remains confidential;
- That I shall take written permission/ consent from both the child and her/ his parents/ guardians before initiating a planned interaction, taking photographs, and/or making a video film of a child/children for official purposes like documentation, case studies, donor reports, etc.





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Further, I am aware that under Section 11 of the Protection of Children from Sexual Offence Act, 2012, the following acts are criminal offence:

- a. Making sexually coloured remarks, gesture or displaying any object or part of the body to a child with sexual intent;
- b. Asking the child to strip or take his/her clothes off or touching any part of child's body inappropriately;
- c. Showing any nude/ pornographic material (written or picture) on mobile, paper or electronic medium;
- d. Following or stalking a child physically or through an electronic medium;
- e. Threatening to display/ use a real or fabricated picture depicting a child's body or his/ her involvement in a sexual act;
- f. Enticing a child for any pornographic act.

The contents of this acknowledgement and undertaking have been read over and explained to me in vernacular and I am executing the same voluntarily after understanding and agreeing with the content.

Date:

Place:

Signature:



## Annexure 3 Template for Incident Reporting

Description of alleged Incident

Name of child:	
Age of child:	
Name of parents/Legal Guardian*:	
Address of child:	
Witnessed by (if any):	
Reported to (Name):	
Reported on (Date & Time):	
Visible condition of child:	
Immediate action taken, if any, required for the well being of the child:	
Preliminary action, if any, taken against the accused:	
Forwarded to (Name):	
Forwarded on (Date & Time):	
Medical reports attached:	Yes/No*
Witness reports attached:	Yes/No*
Name of person filing the report:	

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Designation and address of above person:	
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Signed.

Dated:

\*Strike out whatever is not applicable.

### State Reporting Point Person/Apex Committee

Received by (Name):	
Received on (Date & Time):	

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### Pratham Education Foundation Apex Committee

Name	Email Id	Phone Number
Ms. Farida Lambay (Chairperson)	faridalambay@pratham.org	9820098085
Mr. Kishor Bhamre	kishor.bhamre@pcvc.org	9769761882
Ms. Renu Seth	renu.seth@pratham.org	9328943168
Mr. Balvinder Singh	balvinder.singh@pratham.org	9810893363
Ms. Manjeet Kaur	manjeet.kaur@pratham.org	9810091880
Ms. Sujata Mehra (External)	sujatamehra1@gmail.com	9810150677

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