

# **CHILD SAFEGUARDING POLICY**

No decision regarding child protection should be made in isolation, and this is reflected in the development of this policy also.

The existence of a written policy does not establish a safe environment for children, it is the implementation, use and ongoing review of the policy that creates a child protection focused organization.

### **1. Background**

CRACR & PD recognizes that children and Persons with disability are the most vulnerable groups in our society and that all children and Persons with disability have the right to be safe and protected. The Organisation acknowledges that preventing violence and abuse and exploitation of, children and Persons with disability is a shared responsibility, and that prevention is paramount to their protection.

We at CRACR & PD are committed to protecting children and Persons with disability from exploitation and abuse regardless of their nationality, culture, gender, religious or political beliefs, socio-economic status, family or criminal background, physical or mental health or any other factor of discrimination.

Our organization is also committed to providing a safe environment for any child with whom it comes in contact, through implementing child-safe practices within its culture, programs and

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activities, our policies and procedures abide by national and international legislations relevant to child protection. We firmly believe the same for children & Persons with disability.

This Policy is to be known and understood by all personnel and implemented at all levels.

## **2. THE NEED FOR A CHILD SAFEGUARDING POLICY**

All organisations and professionals working or in contact with children are obliged to ensure their operations are 'child safe' and therefore need to have a Child Safeguarding Policy

CRACR & PD needs a child safeguarding policy because:

Organisation and its founders/advisors/staff/ and others associated in any way are protected: All children have a right to freedom from all forms of violence, abuse and exploitation, based on the UNCRC. It is therefore the responsibility of CRACR & PD to ensure that all its activities, policies, projects and programmes are 'child safe'.

This means that personnel of the organization or anyone associated with it do not represent a risk to children and that programmes, policies and practices are designed and developed in ways that promote the protection of children.

Without a proper child safeguarding policy and child protection standards in place, allegations of abuse, whether founded or unfounded, can destroy an organisation's reputation. This will have serious implications for fundraising as well as damaging the reputation of CRACR & PD and the children's rights NGO sector as a whole.

Children are protected: Some children are in particular vulnerable to abuse, exploitation, and ill-treatment at the hands of carers, project workers, and those with access to their personal information. Many children growing up in vulnerable circumstances have already experienced ruptured relationships of trust or abuse of an adult-child relationship in the form of physical, psychological or sexual abuse. So NO further harm is intended.

## **3. WHAT IS THE OBJECTIVE OF CHILD SAFEGUARDING POLICY?**

The purpose of this Child Safeguarding Policy (CSP) of CRACR & PD is to provide a framework for ensuring that children (defined as any human being under the age of 18 years) are protected from all forms of abuse and exploitation in all operations, activities and programs of CRACR & PD .

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This Policy applies to all personnel that are engaged by the CRACR & PD, including its Founders, Advisors, staff, consultants, associates, vendors and volunteers. It is part of the employment contract of all Employees. For all other personnel (defined as any individual contracted by the CRACR & PD, whatever his/her legal status, it is also an annex to the Code of Conduct and its relevant provisions are binding for all personnel required to sign the Code of Conduct.

The purpose of this policy is to ensure that:

- All who work for and engage with us are skilled, confident, understand, and are well supported in meeting their responsibilities to safeguard children and young people from violence and engage positively with them
- We have in place procedures to prevent and deal with the actions/behaviour of our Staff, Associates, Visitors or us as an organisation that result in violence against a child or young person and/or places them at risk of the same; and
- Children and young people we work with are aware, of our responsibilities to prevent and respond to any harm against them arising from actions and behaviours of our Staff, Associates and Visitors, anyone associated with us and, the routes for reporting such incidents.

#### **4. KEY PRINCIPLES OF CHILD PROTECTION GOVERNING THIS SAFEGUARDING POLICY**

- All children and young people aged under 18 years have equal rights to protection from all forms of violence as declared in Article 19 of the United Nations Convention on the Rights of the Child.
- The human rights of children will be respected and applied to all irrespective of age, sex, gender, gender identity, sexual orientation, nationality, language, religious or political beliefs, marital status, disability, physical or mental health, family, socio-economic or cultural background, class, any history of conflict with the law or any other aspect of their background or identity. Inequality, exclusion, and discrimination will be challenged and will not be tolerated.

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- All children should be empowered and encouraged to fulfill their potential. Decisions made about children will be made as far as possible with their participation and in their best interest giving full consideration to how such decisions will affect them.
- We will enhance the protection of children in planning, implementation and assessment of activities and seek ways to incorporate the voices of children in shaping the relief and development programs that affect them
- Children will be encouraged to express their views which will be given due weight in accordance with their age and level of maturity.
- We have particular responsibilities to children with whom we come into contact. No child or must suffer harm, intentionally or unintentionally, as a result of their engagement, association or contact with us whether as a sponsored child, a participant in our programmes, projects, events, processes, or youth advisory panels or as part of a fundraising or influencing campaign.
- We have a responsibility to inform and empower children so that they learn about and are better able to exercise their rights to protection.
- CRACR & PD will not engage in, or allow its funds to be used in, any practice inconsistent with the rights set forth in international human rights or humanitarian law instruments protecting children, in particular the UNCRC.

In light of our commitment and accompanying principles, we give the highest priority to the safety and protection of children

## **5. HOW TO FOLLOW/ IMPLEMENT THIS POLICY**

As a condition for working with CRACR & PD, are required to undergo the following:

1. Both acceptance and commitment to our Child safeguarding policy by signing a commitment to adhere to the Child safeguarding policy, principles and procedures.

This includes in the recruitment and appointment process:

- Staff, volunteers, interns and consultants are recruited to clear job or role descriptions that include a statement on the position or role's responsibilities to meet the requirements of our child protection policy.

- All recruitment interviews should include a discussion on child safeguarding and protection, the candidate's understanding & commitment.

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- Adherence to this Child safeguarding policy are part of all the employment contracts and service agreements.

2. Signing a personal declaration stating any criminal convictions, including spent convictions.

## **6. TRAINING AND EDUCATION**

Education and training are essential to implement the Child Safeguarding Policy. This includes:

1. At the beginning of the induction period (within 3 weeks of taking up the position) of staff/volunteers/interns/etc they will receive an introduction to the Child safeguarding policy and procedures from the Child Safeguarding Focal person.

This will include training on behavior guidelines for those in direct contact with children, and guidance on the acceptable and unacceptable sharing of information on children. Training will also allow staff to be able to identify sources of support for children and their families

2. Child Safeguarding Training will be given to all staff, volunteers and interns, appropriate to their roles and responsibilities.

## **7. DO'S and Don'ts under the CSP when working directly with children**

You Must

- ✓ Be aware what constitutes child abuse and exploitation (included in the Child safeguarding policy annexure 1 ) and understand its provisions.
- ✓ Know signs of abuse and reporting any suspicious observations immediately to the Child Safeguarding Focal Person.
- ✓ Ensure that you know who the Child Safeguarding Focal Person at CRACR & PD is.
- ✓ Respect lines of authority and reporting procedures.
- ✓ Respect the basic rights of others by facing fairly, honestly, and tactfully, and by treating people with dignity and respect.
- ✓ Treat all children equally: be inclusive and involve all children without discrimination.
- ✓ Work actively to ensure the highest levels of respect towards each other.
- ✓ Maintain high standards of personal and professional conduct both personally and in others.
- ✓ Protect the health, safety and well-being of yourself and others.
- ✓ Be aware of potential for peer abuse (e.g. bullying of children)

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- ✓ Be concerned about the way in which your language, actions, and relationships with children could be perceived.
- ✓ Develop special measures/supervision to protect younger and especially vulnerable children from peer and adult abuse.
- ✓ Provide an enabling environment for children's personal, physical, social, emotional, moral and intellectual development.
- ✓ Encourage and respect children's voices and views.
- ✓ Limit access to and/or not expose children to any inappropriate electronic material.
- ✓ At all times respect the confidentiality of children's personal information.
- ✓ Obtain written consent from the child and parent/carer when photographing, filming or requesting personal information for activities
- ✓ Ensure that there is a minimum of two staff members present in meetings with children (to allow one to go out to deal with any immediate needs of children).
- ✓ Ensure that when children with **disabilities participate that all buildings are fully accessible for them.**
- ✓ **Precise information on specific equipment used by the disabled child needs to be obtained prior to the event to ensure its accessibility to all buildings and meeting spaces.**
- ✓ **When participants are invited to stay overnight, room sharing arrangements are agreed in advance and with consent of the parents/guardians and children.**

### DON'T:

- **Never ever** engage in any form of sexual activity with children.
- Avoid any action or behavior that could be construed as poor practice or potentially abusive. For example, never behave in an inappropriate or sexually provocative manner.
- Never have a child stay overnight in the adult's room or sleep in the same bed (unless prior consent is provided by both the child and his/her parent/guardian). Do not perform activities for children that they can do themselves, including dressing, bathing and grooming.
- Do not discriminate, shame, humiliate, belittle, or degrade children. This includes anything that may be considered emotional abuse (e.g. use language that will mentally or emotionally abuse a child or tell a story/show pictures that will mentally or emotionally abuse a child).
- Do not hit or otherwise physically assault participants.
- Do not act in any way that may be abusive or place others at risk of abuse.
- Do not condone violations of this code by others – staff, interns, consultants, etc.
- Do not be alone with a child in any circumstances that might be questioned by others
- Do not allow children to engage in sexually provocative games with each other.
- Do not kiss, hug, fondle, rub, or touch a child in an inappropriate or culturally insensitive way (e.g. do not initiate physical contact, such as holding hands, unless initiated by the child)

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- Do not suggest inappropriate behavior or relations of any kind or encourage any crushes by a child.
- Do not take photos, film or request personal information if not required
- Do not use inappropriately contact details (including social media accounts) from children out of organisations programmes.

Report any suspicious observations or alleged abuse as well as any circumstances or situations, which may be subject to misinterpretation to the Child Protection Focal Person.

## 8. Role of Management/ Trustees

**A Child Safeguarding Focal person will be appointed/designated from the trustees who will be responsible for:**

- Promoting awareness and implementation of the Child safeguarding policy throughout the organisation.
- Monitoring implementation of the Policy and reporting on developments at Team meetings and for the Management Board.
- The development of child safeguarding training resources
- Maintaining knowledge of best practices and statutory requirements.
- Acting as a source of support and information for staff on safeguarding issues.

**The name and contact details of the CSFP will clearly be displayed in the office and new staff will be made aware of the role.**

**The disclosure of personal information about children, including legal cases, will be limited to those employees, interns, volunteers, MB members who need to know.**

**The Management Board will have the overall responsibility to oversee and ensure the Policy's implementation.**

## 9. ACTION TAKEN FOR BREACH OF THIS CSP

Breaches of this policy will be investigated in accordance with disciplinary procedures and contractual agreements, or a referral may be made to statutory authorities for criminal investigation under the law of the country. Breaches may incur sanctions including disciplinary action leading to dismissal, termination of all relations including contractual and partnership agreements, and where relevant, appropriate legal or other such actions.

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If a legitimate concern about the suspected abuse of a child or young person is raised but proves to be unfounded on investigation, no action will be taken against the reporter. However, appropriate sanctions will be applied in cases of false and malicious accusations.



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## Annexure 1

Definitions/terminology

**“Best Interest of Child”** means the basis for any decision taken regarding the child, to ensure fulfilment of basic rights and needs, identity, social well-being, and physical, emotional and intellectual development.

**“Child”** in line with the United Nations Convention on the Rights of the Child and for the purposes of this policy, is defined as any person – girl, boy, young woman, young man, and children of other gender identities - under the age of 18 years

**‘Child abuse material’**- material that depicts (expressly or implicitly) a child as a victim of torture, cruelty or physical abuse

**‘Child exploitation and abuse’**( For details refer to Annex 7) one or more of the following:

- committing or coercing another person to commit an act or acts of abuse against a child
- possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material
- committing or coercing another person to commit an act or acts of grooming or online grooming

**‘Child exploitation material’**- material, irrespective of its form, which is child abuse material or child pornography material.

**“Child Friendly”** means any behavior, conduct, practice, process, attitude, environment and treatment that is humane, considerate and in the best interest of the child.

**Child pornography’** (also known as “child abuse images”) any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes

**‘Child pornography material’**- material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in a sexual pose or activity, and does that in a way that a reasonable person would regard as being, in all the circumstances, offensive

**‘Child protection’** an activity or initiative for the purpose of preventing or responding to a specific incident of child abuse

**‘Child-safe practices’** - activities and measures which are taken to protect children from all types of violence, exploitation and abuse. Their design and implementation require an awareness

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of behaviors and activities that can be harmful to a child, and knowledge of protective behaviours that prevent all risks of child exploitation and abuse.

**‘Contact with children’** working or participating in an activity or in a position that involves contact, including online, with children, either under the position description or due to the nature of the work environment.

**‘Code of Conduct’** the Code defining the duties and obligations of all CRACR & PD Staff, including Employees, and all individuals working under the CRACR & PD name and legal status

**‘Contractor’** any person or organization working jointly with or providing services to CRACR & PD , including consultants and partner organizations

**‘Emotional abuse’** a parent’s or caregiver’s inappropriate verbal or symbolic acts towards a child or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability whereby a child’s self esteem and social competence is damaged

**‘Employee’** as a sub-category of RC Staff, any person having concluded an Employment Contract with the CRACR & PD , whose Contract is not governed by any national labour law and which, by decision of the CRACR & PD , fall under the jurisdiction of the CRACR & PD ,UK

**‘Grooming’** is the process through which a person attempts to befriend a child with the intention of later developing a sexual relationship with them. It is this behavior that makes it easier for an offender to procure a child for sexual activity RCincluding online grooming

**“Harm”** is any detrimental effect on a child’s or young person’s physical, psychological, or emotional wellbeing. Harm may be caused by abuse or exploitation whether intended or unintended

**‘Neglect’** the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and well-being

**‘Online grooming’** the act of sending an electronic message with indecent content to a recipient who the sender believes to be under 18 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person including but not necessarily the sender.

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“**Other offences Against Children**” are offences under the provisions of Sections 74 to 99 of the JJ Act, 2015.

‘**Partner**’ any organization with which the CRACR & PD is carrying out joint work or to whom the CRACR & PD is providing funds to carry out work

‘**Personnel**’ any individual contracted by the CRACR & PD , whatever his/her legal status (Employee, local staff, consultant, intern, volunteer...)

‘**Physical abuse**’ - the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, punching, hitting, beating, kicking, biting, burning, shaking, throwing, strangling and poisoning

“**Safeguarding**” children is a concept that reaches beyond child protection to incorporate the additional aims of preventing the harm of children’s health and development, ensuring children are growing up in circumstances consistent with the provision of safe and effective care. *Safeguarding includes processes of promoting the protection, [health](#), [well-being](#) and [human rights](#) of children, which allow them to live free from abuse, harm and neglect.*

‘**Sexual abuse**’ - the use of a child for sexual gratification by an adult or child or asignificantly older child or adolescent. **Sexual abuse is in-appropriate sexual behavior with a child. The same is defined under section 3,5,7,9,11 and 13 of the POCSO Act,2012.**

“**Staff**” refers to individuals who receive a regular salary for work in Railway Children (India Chapter), as well as individuals paid by or through a Railway Children Entity

“**Violence**” *against a child* includes all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, emotional ill-treatment or psychological violence, sexual abuse and exploitation, harassment, and commercial or other exploitation of a child or young person. Acts of violence can also take place online through, for example, the web, social media or mobile phones. It may be an intentional act involving the use of physical force or power or it may be failing to act to prevent violence against a child. Violence consists of anything which individuals, groups, institutions or organizations do or fail to do, intentionally or unintentionally, which either results in or has a high likelihood of resulting in actual or potential harm to the child’s wellbeing, dignity and survival and development.

“**Visitor**” refers to a range of persons who are visiting our offices or programs and may come into contact with children through a Railway Children (India Chapter), including journalists, media, researchers, visiting sponsors and celebrities.

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**“Zero Tolerance”** is giving the most severe prescribed punishment for infractions of a stated direction on child safeguarding, with the intention of eliminating undesirable conditions

*The words and expressions used in the Child safeguarding policy and not defined but defined under the concerned Laws and Indian Penal Code, 1973 shall have the same meaning respectively assigned to them in the Code and the Laws.*