

# **NEDAN FOUNDATION**

## **'Child Protection Policy'**

### **Introduction**

Our mission is to encourage and enable children and young people to promote the holistic health, well-being and development of themselves, their families and their communities worldwide. We believe in children's active participation and in respecting their freedom of expression and communication, which are advocated in the United Nations Convention on the Rights of the Child. We believe that child protection is crucial to ensuring that children under 18 years of age have the rights, confidence and environment in which they can make choices, express their views and communicate effectively with other children and adults. Children cannot become empowered change agents to improve their lives and that of their families and communities if they are not safeguarded from abuse, discrimination and harm of any kind, be it physical, sexual, emotional or neglect. While this document relates to the NEDAN FOUNDATION, it will be necessary in the future for all of our associated partners to develop a Child Protection Policy that is appropriate to their own culture and legal system (taking into account the universal human rights standards of the Convention on the Rights of the Child).

### **1. Definitions**

#### ***Child***

For the purposes of this policy, a "child" is defined as anyone under the age of 18, in line with the UN Convention on the Rights of the Child.

#### ***Child abuse***

- According to the **World Health Organisation**, "Child abuse" or "maltreatment" constitutes 'all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

- **National Children Policy** similarly specify "cruelty to children" or "child abuse" as 'behaviour that causes significant harm to a child. It also includes when someone knowingly fails to prevent serious harm to a child. All forms of cruelty are damaging – it can be harder to recover from the emotional impact than from the physical effects.

- These definitions therefore point to **four types of cruelty**:

- **Physical abuse:** including hurting or injuring a child, inflicting pain, poisoning, drowning, or smothering.
- **Sexual abuse:** including direct or indirect sexual exploitation or corruption of children by involving them (or threatening to involve them) in inappropriate sexual activities.
- **Emotional abuse:** repeatedly rejecting children, humiliating them or denying their worth and rights as human beings.
- **Neglect:** the persistent lack of appropriate care of children, including love, stimulation, safety, nourishment, warmth, education, and medical attention.

- A child who is being abused may experience more than one type of cruelty.
- Discrimination, harassment, and bullying are also abusive and can harm a child, both physically and emotionally.

### ***Child protection***

A broad term to describe philosophies, policies, standards, guidelines and procedures to protect children from both intentional and unintentional harm. In the current context, it applies particularly to the duty of NEDAN FOUNDATION – and individuals associated with NEDAN – towards children in their care.

### ***Direct contact with children***

Being in the physical presence of a child or children in the context of NEDAN'S work, whether contact is occasional or regular, short or long term. In India this could involve delivering talks to schools, churches and youth groups.

### ***Indirect contact with children***

- 1) Having access to information on children in the context of NEDAN'S work, such as children's names, locations (addresses of individuals or projects), photographs and case studies.
- 2) Providing technical assistance for organisations that work 'directly' with children. Albeit indirectly, this nonetheless has an impact on children, and therefore confers upon the donor organisation responsibility for child protection issues.

## **2. NEDAN FOUNDATION'S core child protection principles and values:**

- **The legal basis** – the UNCRC: NEDAN Child Protection Policy is firmly based on the principles of the UN Convention on the Rights of the Child. Taken holistically, the CRC provides a comprehensive framework for the protection, provision and participation of all children without discrimination to ensure their survival and development to the maximum extent possible. On the understanding that the CRC must be read as a whole, the following articles nevertheless form the specific basis of child protection: 1 (definition of 'child'), 2 (non discrimination), 3.1 (the best interests of the child), 3.2 (duty of care and protection), 3.3 (standards of care), 6 (survival and development), 12 (participation), 13 (freedom of expression), 19 (protection from violence), 25 (periodic review of placements), 32, 33, 34, 36, 37(a) (protection from economic exploitation, substance abuse, sexual abuse and exploitation, 'all other forms of exploitation'; torture, cruel, inhuman or degrading treatment or punishment), 39 (physical and psychological recovery and social reintegration).

- **The moral basis** – a non-negotiable duty: NEDAN believes that as an NGO working for vulnerable children's rights have an absolute duty to protect this already vulnerable group from abuse, mistreatment, and exploitation from within organisations intended for their benefit. This duty is imperative and non-negotiable. Without adequate standards and mechanisms of protection in place, an organisation is not only failing in its primary duty of care, but may also be negligently or recklessly fostering an environment of abuse.

• **An end to silence:** Silence breeds abuse and exploitation of children. Paedophiles will seek out organisations with weak communication structures and thrive where secrecy and shame prevail. Furthermore, without proper policies and explicit procedures in place, NGOs are extremely vulnerable to false allegations of child abuse. NEDAN therefore believes in:

- creating an environment where issues of child protection are discussed openly and are understood between children and adults;
- promoting open lines of communication both internally and externally within and between organisations to improve awareness and implementation of child protection policies and practices;
- creating a framework to deal openly, consistently and fairly with allegations concerning both direct and indirect abuse.

• **Children’s participation** – a space and a voice: Creating a space where children feel able and willing to speak out about abuse, free from abusers, empowers them to become actors in their own protection without further discrimination or shame. “Children have the right to communication – to enable them to receive information, to ask questions, to make choices, and to make decisions. NEDAN believes that helping children to find a voice is an essential step to helping them to claim their individual rights. Children will only benefit from this policy if they are aware of their rights and are given the proper environment in which to exercise them.

• **Taking it further:** Child protection is not just about reading and signing a piece of paper: the policy sets out guidelines and standards that must be put into practice. These include, amongst other measures: recruitment procedures, review of management structures, creation of a space for children to speak out, staff training, and development of transparent protocols. ‘Above all, it must be remembered that it is the children, not the standards, that are sacrosanct; and although abuse must never be tolerated, the standards are no more than a tool in the service of promoting the welfare of children.

• **Challenging complacency:** Resistance to addressing child protection issues may come from lack of understanding of the nature of child abuse, lack of commitment to the organisation/programme, and a sense that child abuse happens elsewhere. Organisations should ask themselves: “If safety and well being of children are not at the centre of the organisation’s programme/activities, then why not?” ‘It is unfortunate and unacceptable that it will take an horrendous incident to shock some organisations into action’. NEDAN will challenge complacency as a matter of course.

• **These principles underpin all of the following standards set out in this document.**

### **3. The need for a Child Protection Policy**

• It is the duty of NEDAN to ensure that the promotion of children’s rights includes specifically protecting children from accidental harm as well as deliberate abuse within organisations intended for their benefit. This policy will assist in fulfilling this duty.

- Street-involved children are especially vulnerable to abuse, exploitation, and ill-treatment at the hands of carers, other project workers, and those with access to their personal information. In the case of children who have run away from home, many have already experienced ruptured relationships of trust or abuse of an adult-child relationship in the form of physical, psychological or sexual abuse.
- Organisations working with vulnerable children have been, are and will continue to be vulnerable to harbouring abuse until the issues are brought into the open.
- Organisations without protection policies, guidelines and systems are more vulnerable to false or malicious accusations of abuse.
- Without proper policies, guidelines and procedures in place, allegations of abuse, whether founded or unfounded, can destroy an organisation's reputation. This will have serious implications for fundraising (thus undermining an organisation's entire portfolio of work, even beyond the scope of the particular project concerned) as well as damaging the reputation of the NGO sector as a whole.

#### **4. The NEDAN FOUNDATION Child Protection Policy**

##### **Staff and Personnel**

As a condition of working with our organisation, all trustees, employees, officers, staff, interns, volunteers, researchers, consultants, and advisers of the NEDAN FOUNDATION are required to undergo the following:

1. Satisfactory clearance through a police check conducted by the Criminal Records Bureau.
2. Both acceptance of and commitment to our Child Protection Policy and Code of Conduct for working with children.
3. Signing a personal declaration stating any criminal convictions, including spent convictions.
4. Providing the name and contact information of two character references they have known for no less than two years, excluding family members.

##### **Management**

Padmini Brahma is our designated Child Protection Officer and she is responsible for the day-to-day implementation, supervision and monitoring of the Child Protection Policy in the NEDAN FOUNDATION . The disclosure of personal information about children, including legal cases, will be limited to those employees, contractors, trustees, officers, interns and volunteers who need to know. The Board of Trustees will have the overall responsibility to oversee and ensure the policy's implementation.

##### **Training and Education**

Training and education are essential to implementing the Child Protection Policy. Ms Padmini Brahma will ensure that orientation training about the Child Protection Policy is given to all staff and personnel, which will include training on behaviour guidelines for those in direct contact with children, and guidance on the acceptable and unacceptable sharing of information on children. In conjunction with the Consortium for vulnerable Children, opportunities for staff to learn about, recognise and respond to child abuse will also be available to all representatives.

## **Behaviour Protocols**

Any trustee, employee, officer, staff member, intern, volunteer, researcher, consultant, or adviser who has direct contact with children either in the India or overseas will be fully informed of NEDAN'S Code of Conduct. The Code of Conduct includes guidance on appropriate behaviour of adults towards children and of children towards children.

## **Communications about Children**

All publications and the website that include images and text related to children will not contain the following:

- Manipulated or sensationalised text and/or images
- Discriminatory and degrading language
- Images in which children are inappropriately clothed
- Information that could be used to identify the location of the child and cause them to be put at risk.

Photos of children that will be included on the website or any of our publications must be taken with the child's verbal permission. In addition, all information relating to children is limited to those members of staff who need to know and will be treated as confidential.

## **Reporting Incidents**

All witnessed, suspected or alleged violations of the Child Protection Policy will be immediately reported to the designated Child Protection Officer, who will record and act on these in a confidential manner in accordance with the standardised process developed by NEDAN and the best interests of the child. The NEDAN will take appropriate action to protect the child/children in question from further harm and others in the organisation during and following an incident or allegation. The relevant contact details for child protection services, local social services department, police, emergency medical help and help lines (e.g. Child Line) will also be readily available and easily accessible.

## **Ramifications of Misconduct**

We will immediately suspend any employee, adviser, consultant, trustee, interns or volunteer who is alleged to have violated the Child Protection Policy, pending the outcome of an investigation. NEDAN reserves the right to take any disciplinary action against any of the above who have been proven guilty in an investigation, which may include reporting the incident to the police.

## Statement of Commitment to the NEDAN FOUNDATION Child Protection Policy

I, \_\_\_\_\_, have read and understood the standards and guidelines outlined in this Child Protection Policy. I agree with the principles contained therein and accept the importance of implementing child protection policies and practice while associated with the NEDAN FOUNDATION. I further understand that adherence to the NEDAN'S Child Protection Policy will involve the following: undergoing a disclosure from the Criminal Records Bureau; signing a personal declaration stating any criminal convictions, including those considered 'spent'; declaring any previous investigations or allegations made against me with respect to child protection issues; and providing two character references.

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(Job title/role)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

### Character References

Please provide the name, address and contact number of two character references you have known for no less than 2 years, excluding family members.

**Referee Name:**

**Address:**

**Contact Number:**

**Referee Name:**

**Address:**

**Contact Number:**

### Declaration of Criminal Convictions

Have you ever been convicted of a crime? **Yes** \_\_\_ **No** \_\_\_

If yes, please provide details of all criminal convictions, including those considered 'spent', and declare any previous investigations or allegations made against you. These will be kept confidential by the designated Child Protection Officer at NEDAN who will assess whether they pose any risk or not in relation to child protection.

### NEDAN FOUNDATION Code of Conduct

The NEDAN believes in and advocates children's rights to survival, protection, development and participation. This Code of Conduct includes guidance on appropriate and expected standards of behaviour of adults towards children, and also of children towards other children. It has been developed with the best interests of the child as the primary consideration and should be interpreted in a spirit of transparency and common sense.

## **Appropriate Standards of Behaviour**

Adults **should**:

- Provide an enabling environment for children's personal, physical, social, emotional, moral and intellectual development.
- Encourage and respect children's voices and views.
- Be inclusive and involve all children without selection or exclusion on the basis of gender, disability, ethnicity, religion or any other status.
- Be aware of the potential for peer abuse (e.g. children bullying, discriminating against, victimising or abusing children).
- Develop special measures/supervision to protect younger and especially vulnerable children from peer and adult abuse.
- Be aware of high-risk peer situations (e.g. unsupervised mixing of older and younger children and possibilities of discrimination against minors).
- Develop clear rules to address specific physical safety issues relative to the local physical environment of a project (e.g. for projects based near water, heavy road traffic, railway lines).
- Avoid placing yourself in a compromising or vulnerable position when meeting with children (e.g. being alone with a child in any circumstances which might potentially be questioned by others).
- Meet with a child in a central, public location whenever possible.
- Immediately report the circumstances of any situation which occurs which may be subject to misinterpretation to the designated Child Protection Officer.
- Report suspected or alleged abuse to the designated Child Protection Officer.

## **Inappropriate Standards of Behaviour**

Adults **should not**:

- Hit or otherwise physically assault a child.
- Use language that will mentally or emotionally abuse any child.
- Act in any way that intends to embarrass, shame, humiliate, or degrade a child.
- Show discrimination of race, culture, age, gender, disability, religion, sexuality, political persuasion or any other status.
- Develop a sexual relationship with a child.
- Kiss, hug, fondle, rub, or touch a child in an inappropriate or culturally insensitive way.
- Do things of a personal nature that a child could do for him/herself, including dressing, bathing, and grooming.
- Encourage any crushes by a child.
- Initiate physical contact (e.g. holding hands) unless initiated by the child.
- Suggest inappropriate behaviour or relations of any kind.
- Allow children to engage in sexually provocative games with each other.
- Stand aside when they see inappropriate actions inflicted by children on other children because it is frequent and commonplace.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX