CHILD PROTECTION POLICY



BANWASI VIKAS ASHRAM
New Barganda, Giridih, Jharkhand

www.bvagiridih.org

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1. Introduction

Banwasi Vikas Ashram (the "**Organization**") aims at highest ethical and moral standards in the professional space and personal life of all Associates. The Organization aims to work at achievement of all Sustainable Goals and other rights of the children as enshrined in United Nation Convention on Rights of the Child, the Constitution of India, other National and International laws.

2. Vision

Organization aims to protect all children from exploitation, abuse, and ensure their physical, mental and spiritual development.

3. Mission

Organization aims to serve the child protection ecosystem in India by supporting grassroots action and activists, identifying and scaling out sustainable solutions, investing in bold innovation, leveraging technology, and promoting strategic partnership and coordinated efforts at all levels.

4. Applicability

This Child Protection Policy (**"this Policy"**) is applicable to all employees/staff on rolls of Organization, volunteers, trustees, members of the Board of Trustees, members of any of the committees of Organization and other partner entities with whom Organization engages for work (**"Associates"**). They shall strive to maintain the sanctity of; and work towards achieving Organization's Vision, Mission and Values.

For the purpose of this Policy, a child is an individual who has not attained the age of 18 years. However, a violation may still be reported if at the time of incident, the individual was a child.

5. Purpose

1. Organization has zero tolerance towards any act which hinders the physical, mental, spiritual wellbeing of a child, or is exploitative, or abusive towards a child in any manner;
2. Whereas the Convention on the Rights of the Child prescribes a set of high standards that must be adhered to in securing the best interest of the child. Also, various provisions in the Constitution of India and other special laws provide for the protection and overall wellbeing of the child;



3. This Child Protection Policy provides overarching principles that guide our approach to child protection; while ensuring that our actions protect the children in every way and ensure that the children are not in any manner victimized.

6. Scope

The Child Protection Policy is applicable to the following:

1. All Associates associated with; or working for Organization;
2. Any person/entity working with and/or engaged with Organization or any person participating in an event or program being organized by Organization

7. Principles of Child protection

Organization shall, while implementing the provisions of this Policy be guided by the following fundamental principles:

1. **Principle of zero tolerance to child exploitation and abuse:**
2. **Principle of best interest:** All decisions regarding the child shall be based on the primary consideration that they are in the best interest of the child and to help the child to develop full potential;
3. **Principle of safety:** All measures shall be taken to ensure that the child is safe and is not subjected to any harm, abuse, neglect, maltreatment, corporal punishment or otherwise any confinement in jails;
4. **Principle of equality and non-discrimination:** There shall be no discrimination against a child on any grounds including sex, caste, ethnicity, place of birth, disability and equality of access, opportunity and treatment;
5. **Principle of dignity and worth:**This principle reflects the fundamental human right enshrined in Article 1 of the Universal Declaration of Human Rights that all human beings are born free and equal in dignity and rights. Respect of dignity includes not being humiliated, personal identity, boundaries and space being respected, not being labeled and stigmatized, being offered information and choices and not being blamed for their acts;
6. **Principle of participation:** Every child shall have a right to be heard and to participate in all processes and decisions affecting his interest and the child's views shall be taken into consideration with due regard to the age and maturity of the child;
7. **Principle of family responsibility:** The primary responsibility of care, nurture and protection of the child shall be that of the biological family or adoptive or foster parents, as the case may be;
8. **Principle of institutionalization as a measure of last resort:** A child shall be placed in institutional care as a step of last resort after making a reasonable inquiry;

9. **Principle of repatriation and restoration:** Every child in the juvenile justice system shall have the right to be re-united with his family at the earliest and to be restored to the same socio-economic and cultural status that he was in, unless such restoration repatriation is not in his best interest;
10. **Principle of presumption of innocence:** Any child shall be presumed to be innocent of any mala fide or criminal intent up to the age of eighteen years;
11. **Principle of non-stigmatizing semantics:** Adversarial or accusatory words such as, arrest, remand, accused, charge sheet, trial, prosecution, warrant, summons, conviction, inmate, delinquent, neglected, custody or jail are not to be used in the processes pertaining to a child;
12. **Principles of natural justice:** Basic procedural standards of fairness shall be adhered to, including the right to a fair hearing, rule against bias and the right to review, by all persons or bodies, acting in a judicial capacity under this Act
13. **Principle of non-waiver of rights:** No waiver of any right of the child is permissible or valid, whether sought by the child or person acting on behalf of the child, or a Board or any Committee, and any non-exercise of a fundamental right shall not amount to waiver;
14. **Principle of positive emeasures:**All resources are to be mobilised including those of family and community, for promoting the well-being, facilitating development of identity and providing an inclusive and enabling environment;
15. **Principle of right to privacy and confidentiality:** Every child shall have a right to protection of his privacy and confidentiality, by all means and throughout the judicial process;
16. **Principle of fresh start:**All past records of any child under the Juvenile Justice system should be erased except in special circumstances;
17. **Principle of diversion:**Measures for dealing with children in conflict with law without resorting to judicial proceedings shall be promoted unless it is in the best interest of the child or the society as a whole;

8. Policy Guidelines & Implementation

8.1 Working with children in Programs

Organization ensures that children are given utmost priority while being part of its programmes. Children's need, care, rehabilitation and protection are utmost priority for Organization.

Child centric community development programmes are launched to ensure child empowerment through their participation in the decision-making process at the community level.These programmes and interventions aim to ensure that each child is well nourished and remains healthy.

Children education, empowerment and health is given prime importance in child centric programmes.

8.2 Travel with children

Organization shall ensure the following protocols must be implemented for any travel that involves children:

1. An adult Chaperon shall accompany the child for every excursion outside school/home or other safe environment;
2. Orientation of Chaperon to the special needs of the children will be conducted in advance;
3. Due to the special needs of the girls, female chaperon should be made available and accompany girls;
4. Chaperon-Children Ratio: For every 6 children there should be at least one chaperon;
5. Written Parent (or guardian) consent should be taken before travel as per **Annexure A - 1**;
6. In case of longer stay of children for meeting/conferences/trainings/ educational activities, an affidavit from the parent/guardian or a written consent in presence of 2 legitimate witnesses will be taken;
7. If a child does not have parents or legal guardian, police authorities (nearest) would be intimated about his/her longer stay.

8.3 Use of Children in Media

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive, impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice;
2. Organization shall facilitate the sensitization of media/communication team to ensure adherence to the best interest of the child in all reporting of cases of child abuse and to respect the dignity and privacy of the child while doing so;
3. Exercise of right to expression may be subject to certain restrictions, such as are provided by law and are necessary:
   i. For respecting the rights or reputations of others;
   ii. For the protection of national security or of public order, or of public health or morals. Children can anticipate an environment in which these principles will be adhered to
4. Journalists and media persons will acknowledge that freedom of speech can be maintained while taking into account the rights of children;
5. Right to privacy of the child shall be maintained at all times;
6. Journalists and media persons will respect the sensitive nature of child protection issues and avoid sensationalizing their coverage of any event and its



participants; particularly in cases where the worst forms of child labour are being discussed, they will exercise discretion when reporting on the sexual and economic exploitation of children;

7. Press will allow children to express their thoughts without coercion, payment or manipulation of their statements in any way;
8. Fact checking done in conjunction with stories about children will be done in such a way that children will not suffer repercussions for voicing their opinions;
9. Organization's Social Media Policy shall be adhered to for all matters concerning the sharing of information, opinions and content related to children or Organization's work;
10. Before taking or using any photos or videos of a child, consent shall be taken from the parents orlegal guardian of a child as per Annexure A - 1.

8.4 Code of Conduct

Organization aspires to hold the highest ethical and moral standards in the professional space and personal life of all Associates. The Organization aspires to provide for an environment of holistic development, freedom of exchange of ideas, thoughts, constant personal and professional growth. The Associates must ensure strict compliance with the below:

8.5 Do's

1. Contribute to an environment where children are respected and encouraged to discuss their concerns and rights;
2. Give due respect to the children irrespective of their gender, age, ethnicity, situation, abilities and any other factor;
3. Take cognizance of special needs of the child if any;
4. Provide equal opportunities to all children especially vulnerable and exploited children;
5. Ensure that parents/caregivers of the child are entitled to receive information regarding the support provided to the child in question, unless such information may threaten the child's interest. Associates and collaborators of the Organization who offer direct and indirect help are prohibited from releasing any information about the child gained in the course of their professional activity. Exceptions to this rule are precisely outlined in the law and internal procedures of Organization;
6. Ensure that particular provisions and laid down safeguards must be observed while using the images of children such as blurring of the face of a child victim of abuse;
7. Respond to any child who may have been abused or exploited in accordance with the law;
8. In case of any doubt in respect of possible sexual abuse, be alert and act immediately. Do report apprehension of any offence under the Protection of



Children from Sexual Offence Act, 2016 (**"POCSO"**) in accordance with the complaint and redressal mechanisms available under the applicable law;

9. Immediately report apprehension of any abuse against a child in accordance with the complaint and redressal mechanisms available under the applicable law;
10. Mandatorily cooperate in any investigation of concerns and allegations relating to well-being of a child;
11. Maintain confidentiality, in so far as possible, in respect of the investigation of any allegation and ensure that information is shared strictly on a 'need to know' basis. Confidentiality may not be guaranteed in respect of reporting of statutory offences; however due precaution will be extended by Organization.

8.6 Don'ts:

1. Abuse and/or exploit a child or act/behave in any way that places a child at risk of harm;
2. Embarrass, humiliate, belittle or demean children or display any behavior bearing signs of emotional, physical or sexual abuse;
3. Come into inappropriate physical contact with the child, violating the child's dignity; permissible physical contact is naturally associated with play, hygiene assistance, ensuring safety or the need to soothe the child;
4. Serve children alcohol, medications or other psychoactive substances;
5. Smoke, or consume alcohol in presence of children or their vicinity, or on any operation where children are involved/participating;
6. Condone or participate in illegal activities involving a child;
7. Establish or intend to establish any kind of sexual relationship with the child below the age of 18 (whether a beneficiary of Organization or not) and any young adult who is a beneficiary of Organization;
8. Exhibit sexually provoking behavior;
9. Host a rescued or vulnerable child in his/her own private home, unless directed by a statutory authority;
10. Accompany the child during travel in the absence of a caregiver without prior approval from the caregiver (except when such approval is in direct contravention to the best interests of the child);
11. Sleep in the same room with children during any field excursion, rescue-operation or otherwise;
12. Subject a child to media exposure without obtaining expressed consent from parents/legal guardians;
13. Befriend and/or cultivate informal/unprofessional relationships with any children or young adults who are beneficiaries of Organization over social media platforms or otherwise;



14. Disclose information that identifies sponsored children or makes available information about such a child to the general public unless that disclosure is done after following the laid down procedure;
15. Use any child for attainment of one's personal/professional goals

8.7 Commitment

All Organization Contracts and vendor agreements shall contain a statement affirming parties' commitment to principles of Child Protection articulated in this Policy.
As a general rule, Organization Associates will ensure that their action/inactions shall not interfere with the physical, social, mental, and moral wellbeing of the child. All necessary precautions that are conferred to the child under various national and international legislative framework/charter with respect to their rights will be implemented by Organization and its Associates.

9. Duty to Report

9.1 External Complaints

Any incident of child abuse including but not limited to; missing or abducted children, trafficking, bonded labour, sexual exploitation or any other violation of law must be dealt with immediately and immediately reported to the Police and also at the appropriate forums as required by the applicable law.

9.2 Internal Complaints

Organization employees, members of Committee, Board of Trustees, trainees, volunteers and network partners shall report suspected or known violation to this Policy within 24 hours of the occurrence or upon knowledge of violation. These concerns may be reported to:

a) their direct supervisor; or
b) a Human Resource representative; or
c) any member of the Management Committee

These concerns shall be taken seriously and shall tantamount to violation of the Code of Conduct.

10. Confidentiality

10.1 The welfare of the child is paramount. Privacy and confidentiality should be respected where possible unless doing this leaves a child at risk of harm then the child's safety prevails. Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only.



10.2 Wherever possible and practicable, prior to recording or collecting any sensitive personal data, Organization shall obtain oral or written consent from legal guardian of the child, young adult or person from whom such sensitive personal data is being collected. Further, wherever possible, the persons associated with Organization shall clearly explain to the concerned child's legal guardian or person the manner in which the sensitive personal data would be collected (i.e. written, audio recording, video recording), stored, and when and under what circumstances such information shall be shared, and the intended receivers of such data.

11. Violations of this Policy

An Associate who violates this Policy, regardless of whether financial loss to the Organization results or not, may receive appropriate disciplinary action up to, and including termination. This shall be in addition to other rights and remedies available under the applicable laws.

12. Modification and Review of Policy

The Organization reserves the right to modify and/or review the provisions of this Policy from time to time, in order to comply with applicable legal requirements or internal policies, to the extent necessary.

This policy was unanimously confirmed in the BVA Executive Committee meeting on dated 24/04/2023. And this policy was adopted.

Suresh Kumar Shakti
Secretary

Annexure A – 1

I, _____ of _____, declare and affirm that I am the parent/legal guardian of the following child:

1. **Name of the child:** : _____
2. **Age of the child** : _____
3. **Native Place (Address)** : _____
4. **Present Address of the child:** _____
5. **Purpose of child's travel** : _____
6. **Details of the person accompanying child during travel** : _____
7. **Purpose of taking child's photos and videos:** _____

I consent to:

Travel of my child : ☐

Taking photos and videos of my child in compliance with applicable laws : ☐

In case of any concerns/questions regarding this document, I may be contacted at:

Parent/Legal Guardian's Name

_____

Phone Number: _____

Address: _____