



CHILD PROTECTION POLICY

The Hunger Project, India

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Child Protection Policy

Policy Name	Child Protection Policy
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1. Introduction

Children are equal citizens of the nation. The safety and protection of all children is recognised and guaranteed in the Constitution of India through rights to equality and non-discrimination on the basis of gender, (dis)ability, age, religion, ethnicity, sexual orientation, socio-economic status, and through the ratification of the UN Convention on Rights of the Child (1989) in 1992.

Article 19 of the Convention states:

'State parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.'

The Hunger Project (THP) India also recognises the right to protection as provided by the National Policy for Children, 2013, and special laws for children, in particular:

- Child Labour (Prohibition and Regulation) Amendment Act, 2016
- Juvenile Justice (Care and Protection of Children) Act, 2015
- Protection of Children from Sexual Offence Act, 2012
- Right of Children to Free and Compulsory Education Act, 2009
- Prohibition of Child Marriage Act, 2006

The National Policy for Children, 2013, aims to protect and encourage the rights of the children to survival, health, nutrition, education, development, protection and participation.

Clause 2.2 of the preamble of National Policy for Children, 2013, states that:

- *all children have equal rights irrespective of place of birth, sex, religion, caste, class, language, disability, social economic or any other status;*
- *all children have the right to a loving family, a dignified life free from exploitation and that families are to be supported by a strong social safety net in caring for and nurturing their children; and*
- *safety and security of all children is integral to their well-being and children are to be protected from all forms of harm, abuse, neglect, violence, maltreatment and exploitation.*

2. Background and Purpose

THP India is committed to recognising and protecting the rights of all children, as well as ensuring their well-being through the implementation of child-centred activities that are based on the following principles of the United Nations Convention on the Rights of the Child and the United Nations Declaration of Human Rights, 1948:

- best interest of the child;
- non-discrimination;
- freedom of expression; and
- respect for children’s opinions in matters affecting them by ensuring their participation.

THP India does not tolerate any form of child abuse, exploitation or discrimination based on gender, class, caste or ethnicity in the implementation of its programmes or projects.

The right to safety and protection is a human right and a guiding principle for THP India. The organisation is committed to ensuring the safety of the children it works with, and protecting them from all forms of exploitation, harm and abuse through the course of its programmes. This commitment should reflect in all aspects of the organisation’s work, practices and activities.

In order to uphold the rights and interests of children in its programmes, THP India has instituted a Child Protection Policy. The purpose of this policy is to ensure that all individuals in the organisation are aware of different facets of child abuse, exploitation, discrimination and child’s rights and protection. Everyone in the organisation is expected to:

- be aware of and adhere to the provisions and procedures set out in this policy document;
- safeguard children from any harm;
- report instances where possible breaches are observed in the code of conduct,
- respond appropriately when the code of conduct is breached, and
- follow the procedures and mechanisms in place to ensure protection of the interests and rights of children.

3. Scope of the policy

This policy applies to all

- Children in THP India’s programmes (directly and through partner organisations) and events organised by THP India
- Affiliated Persons and Associated Persons (explained in Clause 4 of this policy document)
- Affiliated persons, when representing THP India, are expected to **comply** with this policy. They are required to sign an undertaking to the effect that they have read and understood the policy upon joining THP India, and subsequently whenever amendments/revisions are made in the policy; and

- Associated Persons, when representing THP India, are expected to **act in accordance** with the policy. Associated persons that have a contract with THP India, or are visitors from other countries, are also required to sign THP's code of conduct prior to making visits to THP India programme sites.

4. Definitions

4.1. Affiliated Person

An Affiliated Person is anyone officially affiliated with THP India: it refers to all full-time and part-time staff members, Governing Council members, community trainers, volunteers and/or interns under the direct supervision of staff, and any other person who is officially contracted to represent THP.

4.2. Associated Person

An Associated Person is anyone not officially affiliated with THP India, who may, however, be associated or perceived to be associated with the organisation. The term refers to employees of partner organisations, vendors, consultants, independent contractors and subcontractors, investors, visitors/guests, or any other person who is perceived to be associated with THP India.

4.3. Child

In accordance with the definition provided by the United Nations Convention on the Rights of the Child, the National Policy for Children, 2013, and the Protection of Children from Sexual Offences Act, 2012, THP India defines every human being below the age of 18 as a child.

This definition is also in accordance with the Juvenile Justice (Care and Protection) of Children Act, 2015, Section 2 (12), the overarching legislation for child protection in India, which defines a child as a person who has not completed 18 years of age.

4.4. Child protection

Child protection means and includes:

- protecting a child from any perceived risk or danger to their life, their personhood, and their childhood.
- reducing their vulnerability to harmful situations and protecting them against social, psychological, and emotional insecurity and distress.
- ensuring that no child falls out of the social security and safety net, and those who do, receive the necessary care and protection to be brought back into the safety net.
- recognising that a child is entitled to express her/his opinion and can take decisions for herself/himself, and act accordingly.

4.5. Child abuse

Child abuse refers to all forms of abuse perpetrated by someone who is in a position/relationship of responsibility, trust or power vis-a-vis the child. It includes abuse of a physical, emotional or, sexual nature. It also includes neglect or negligent treatment, commercial exploitation, or grooming resulting in actual or potential harm to the child's health, survival, development or dignity.

Forms of child abuse

a. Physical abuse

Physical abuse of a child is that which results in actual or potential physical harm from an interaction or lack of an interaction, which is reasonably within the control of a person in a position of responsibility, power or trust. These may be single or repeated incidents. Physical abuse includes but is not limited to, beating, hitting, punching, kicking, burning or otherwise physically harming a child. The person may not intend to hurt the child; however, mistreatment or keeping the child in an over-disciplined manner through physical punishment will not be tolerated.

b. Emotional abuse

Emotional abuse includes the failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure, so that the child can develop a stable and full range of emotional and social competencies commensurate with her or his personal potential and in the context of the society in which the child dwells. There may also be acts towards the child that cause - or have a high probability of causing - harm to the child's health or physical, mental, spiritual, moral or social development. These acts must be reasonably within the control of the parent or person in a relationship of responsibility, trust or power.

Emotionally abusive acts include restriction of movement, patterns of belittling, denigrating, threatening, scaring, discriminating, ignoring, ridiculing or other non-physical forms of hostile or rejecting treatment, confinement in a closet or dark room, being tied to a chair for long periods of time, or acts that are threatening or terrorising a child.

c. Sexual abuse

Child sexual abuse (as also defined in Section 2 of the Protection of Children from Sexual Offences Act, 2012) is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws and social taboos of society.

Child sexual abuse is evidenced by this activity between a child and an adult or another child who, by age or relationship, is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person.

Child sexual abuse may include, but is not limited to:

- inducement or coercion of a child to engage in any unlawful sexual activity;
- exploitative use of a child in prostitution or other unlawful sexual practices; or
- exploitative use of children in pornographic performances and materials.

Sexual abuse includes but is not limited to, fondling a child's genitals, making the child fondle the adult's genitals, intercourse, rape, sodomy, exhibitionism and sexual exploitation.

d. Neglect or negligent treatment

Neglect is the failure to provide for the development of the child in all spheres: health, education, emotional development, nutrition, shelter, and safe living conditions, in the context of resources reasonably available, and causes or has a high probability of causing harm to the child's physical, mental, spiritual, moral or social health and development. This includes the failure to adequately supervise and protect children from harm. An example of neglect on the organisation's part would be its failure to check caste and class-based discrimination by children or its staff in its programmes.

e. Child exploitation

Child exploitation is the act of using a minor child for profit, labour, sexual gratification or some other personal or financial advantage. Commercial or other exploitation of a child refers to the use of the child in work or other activities for the benefit of others. This includes, but is not limited to, child labour and child trafficking for sexual exploitation. These are crimes punishable under the laws of the Child Labour (Prohibition and Regulation) Act, 2016; child trafficking for commercial sexual exploitation and other purposes (as defined under Section 370 of the Indian Penal Code).

f. Grooming

The term Grooming refers to the predatory conduct of a person towards a child or young person to prepare them for sexual activity at a later time. Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/guardian.

Grooming includes:

- giving gifts or special attention to a child or young person, or their parent or guardian, making the child or young person feel special and/or indebted to an adult;
- making physical contact with sexual undertones, such as inappropriate tickling and wrestling/play fighting;
- openly exposing the victim (or pretending to accidentally) to nudity, sexual material and sexual acts (this in itself is classified as child sexual abuse but can also be a precursor to sexual assault);
- controlling a child or young person through threats, force or use of authority, making the child or young person fearful to report unwanted behaviour.

5. Children who need more protection

There is a need to protect some children more than others due to their specific socio-economic, political circumstances and their geographical location. These are children who are more vulnerable when it comes to potential harm, danger or risk to their right to survival, development or participation.

Regarded as children in difficult circumstances, they include:

- homeless children, including children of pavement dwellers, or those who have been displaced/evicted
- refugee and migrant children
- orphaned or abandoned and destitute children
- children whose parents are not able to take care of them (such as parents with mental health issues/depression, alcohol addiction, or drug abuse issues)
- street and working children
- child beggars
- victims of child marriage
- trafficked children
- child prostitutes
- children of sex workers
- children of prisoners
- children affected by conflict/civil strife
- children affected by disasters, natural and manmade
- children affected by substance abuse, HIV/AIDS and other terminal diseases
- children with disabilities
- children belonging to ethnic, religious minorities and other socially marginalised groups
- girl children
- children in conflict with the law
- children who are victims of crime

6. Code of conduct with children

6.1. Safety and protection

THP India strives to ensure a child-friendly environment that provides safety and protection of children from any form of abuse or child rights violation and exploitation. It is expected that no one shall engage in behaviour towards children, which is illegal, unsafe, and abusive, or that exposes the child to danger; any such behaviour shall not be condoned.

Detailed below is a checklist of **Dos and Don'ts** with respect to children's safety and protection.

DOs

All Affiliated and Associated Persons must ensure that:

- Activities involving children are planned keeping in mind their safety. This applies to decisions regarding the timings, location, venues, and travel arrangements for all activities. Particular precaution is needed for residential activities.
- Vendors/contractors do not come in direct contact with children, to the extent possible.
- Donors and visitors provide advance information about their visits; and allow any organisational/partner visits only once consent from appropriate authorities of the group to be visited has been taken. Ensure that THP India staff representatives/partner staff accompany the donors/visitors for the visit.
- Relatives/friends/people unrelated to THP be allowed to visit a project site only after informing and obtaining the permission of senior programme staff in the state and national office.
- At the time of rescue, restoration and follow-up, a girl child is accompanied by a female member/staff as mandated in relevant child related law.
- To the extent possible, girls and boys be allowed to choose whether they wish to interact with a male or female staff member, whenever gender may be a consideration, such as in counselling or medical check-ups.
- There is compliance with the Child labour laws of India listed in Clause 7.4 below. This includes the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, and laws relating to the Right of Children to Free and Compulsory Education Act, 2009. It must also be ensured that all provisions for working children, such as age limit, working conditions, and minimum facilities, are followed.

DON'Ts

Below is a checklist of behaviours and actions that all Affiliated and Associated Persons must completely abstain from, at all costs. They must also prevent them from occurring under their watch:

- Engaging children under the age of 18 years in any form of sexual intercourse or sexual activity, including paying for sexual services.
- Engaging in any form of child abuse, whether sexual, physical, emotional; neglect, harassment or exploitation, via digital or other means.
- Engaging in any form of grooming a child. This includes, but is not limited to, singling one child out and treating them as 'special', taking an excessive interest in a child or their family/caregivers, spending more time with them than required, isolating a child from other adults or children, insisting on showing physical affection even when the child doesn't want it.
- Consuming alcohol, drugs, cigarettes or any other intoxicant in the presence of children or interacting with children in a state of intoxication.
- Displaying behaviour that encourages children to consume intoxicants of any kind.

- Using any computers, mobile phones, video cameras, cameras or social media to sexually exploit or harass children, or access child exploitation material through any medium.
- Using physical or emotional punishment on children.
- Employing children below the age of 14 years as workers whether at home or the workplace, as this is a violation of the Constitution of India
- Sleeping in the same room alongside any individual child of the opposite sex.
- Allowing male staff to sleep in the same room as an individual child/children of either sex, regardless of the circumstances.

6.2. Respect and non-discrimination

All Affiliated and Associated Persons must be respectful and non-discriminatory in their interactions with children. More specifically, they must:

- Treat all children with respect, regardless of their caste, class, race, colour, gender, language, religion, opinions, nationality, ethnicity, disability, sexual orientation or other status.
- Never use language or behaviour towards children that is inappropriate, harassing, abusive, provocative (sexually or not), demeaning or culturally inappropriate.
- Abstain from using slang words or abusive language in the presence of children.
- Accept and respect every child as he or she is.
- Observe the behaviour of children with patience and attention, and make all efforts to understand them, especially in the context of background and upbringing.
- Refrain from comparing children with each other.
- Be empathetic rather than sympathetic towards children.
- Value the views of children, and listen to them seriously and objectively.
- Encourage children to express their feelings as well as to participate in decision-making processes that affect their lives, ensuring confidentiality and privacy at all times.
- Work with children in ways that enhance their capacities and capabilities and help them to develop their potential.
- Act on children's concerns and problems promptly.
- Express appreciation for the children's good efforts and results so as to reward them and reinforce their determination to strive further.
- Give equal attention to each child, irrespective of gender and other characteristics and without prejudice or favouritism.

6.3. Supervision

It is the duty of all Affiliated and Associated Persons to see to it that every child under their care or purview is fully supervised at all times; they must follow the guidelines below:

- Wherever possible, they must ensure that another adult is present when working near or among children.

- Unaccompanied children must never be invited into private residences, unless they are at immediate risk of injury or in physical danger. Even then, every effort must be made to ensure the presence of another adult.
- Children must be taught how to physically care for themselves i.e., washing, bathing undressing, using the toilet, and so on. Children need to learn how to become self-sufficient and are entitled to their privacy.
- Children must never be engaged to carry out the personal work of adults.
- Under no circumstances should children be left unsupervised in the company of non-professional and unauthorised adults/members of the organisation.

6.4. Observation and disclosure

It is incumbent on all Affiliated and Associated Persons to be keenly vigilant and observant about their own behaviour and that of others towards children. This includes:

- Avoiding actions or behaviour that could be perceived by others as child exploitation and abuse.
- Disclosing all charges, convictions and other allegations brought against them for an offence that relates to child exploitation and abuse.
- Reporting immediately, to the Senior Management or a member of the Child Protection Committee, any allegations or concerns that relate to any situation involving a fellow Affiliated or Associated Person, where their words, actions or behaviour may be interpreted as a breach of this Policy.

6.5. Gifts and benefits

Extreme caution must be exercised by all Affiliated and Associated Persons while giving or taking gifts. More specifically,

- children or their families/caregivers should not be given/promised verbally or non-verbally any favours, monetary or non-monetary, without the knowledge and permission of THP India Management;
- no gifts must be accepted from children or other stakeholders involved in THP India's programmes. In case the refusal to accept the gift could be seen as culturally disrespectful or offensive, a small token of appreciation may be accepted, which needs to be declared to the line manager/supervisor.

6.6. Photographing or filming a child, or using children's images for work-related purposes

The following rules regarding documentation must be observed by all Affiliated and Associated Persons:

- Local traditions or cultural taboos vis-a-vis reproduction of personal images must be respected and adhered to before photographing or filming a child.
- For children who are part of THP India's programme, the organisation shall, at the beginning of each year, obtain in writing, consent from the children and their parents/guardians for use of their photographs/videos/case studies/testimonials by THP India for the duration of that year. Such consent may be withdrawn prospectively.

- All photographs, films, videos, and DVDs must present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be appropriately clothed and must not be photographed in poses that could be seen as sexually suggestive.
- Images must be honest representations of the context and the facts being documented.
- File labels, meta data or text descriptions must not reveal identifying information about a child when images are sent through electronic means externally (i.e, to any individual/entity outside of THP India) or when images are published in any form.
- Children’s privacy must be respected. Images of children must never be taken without their permission; nor must they be photographed - while they are taking a bath or changing clothes.
- Fictitious names must be used for any child who features in case studies, images, videos, testimonials that are published or circulated externally (through donor reports, website, brochures, annual report, social media, or any other means). It must be ensured that no personal information is provided through which the child or his/her residence might be identified and tracked.
- All THP India staff/consultants/volunteers/interns shall ensure complete confidentiality of information pertaining to children THP India works with, at all times. A child’s identity and residence will not be revealed to any third party, except in special circumstances when third parties are involved in rescue, or ensuring safety of the child. These may include, but are not limited to, government appointed child protection officers and other law enforcement agencies. Photographs and videos of children THP India works with will not be shared with any third party.
- Ensure confidentiality (with respect to identity and location of the child) when sharing case studies with the media. No information regarding a child in general, and sensitive incidents, in particular, must be shared with media personnel through any medium. There must be complete clarity about the purpose of media interviews, and children must be adequately briefed and guided prior to any interaction with media personnel.

7. Awareness and compliance with the Child Protection Policy

7.1 Dissemination

- This policy will be made available on THP India’s website and in the policy handbooks. It will be provided to all Affiliated persons as part of their orientation.
- Summary forms of this policy (such as posters in local languages) and a link to the full policy will be provided to all Associated Persons.
- Partner organisations implementing children-centric programmes supported by THP India will be made aware of its Child Protection Policy via a clause on child protection in the written agreement between both organisations.

7.2 Recruitment and Training

a. Recruitment of Affiliated persons

For recruitment to positions that entail direct work with children, THP India shall strictly adhere to the recruitment process outlined below:

Advertisements: Recruiting materials, including advertisements, will refer to THP India's Child Protection Policy.

Interview and references:

- Candidates will undergo an in-depth interview/interaction to assess their aptitude, interest and sensitivity towards working with children, as well as their previous work with children. All recruitment interviews would include a discussion on child protection, to assess the candidate's understanding of the subject.
- Candidates will provide the name and contact information of two character references (excluding family members). These are preferably an employer or supervisor from recent or current workplaces who have knowledge of the candidate's experience and suitability to work with children.

Undertaking: Adherence to THP India's Child Protection Policy forms part of the organisation's employment contracts. All newly recruited staff/consultants will read and sign the Child Protection Policy at the beginning of their engagement with THP India.

Self-Declaration: All staff, consultants, volunteers and interns will sign a personal declaration, regarding any criminal convictions. (see Annexure III)

In the event that any such criminal conviction takes place while employed with THP India, the concerned staff member shall immediately inform the Child Protection Committee of the same.

7.3. Training on child protection

- THP India staff, consultants, volunteers and interns will undergo training on the child protection policy on an annual basis. Any changes in the Policy will be accompanied by appropriate training.
- An orientation session on child protection issues for all new recruits shall be organised within two months of their joining; they shall also receive a copy of the Child Protection Policy for reference purposes.
- Staff training needs will be monitored and evaluated regularly by the designated official.

7.4. Behaviours punishable under various Laws

The following acts are punishable under the law, and it is the duty of every adult to abstain from such acts.

Offences/Behaviours	Relevant Laws
Sexual assault, sexual harassment, use of child for pornographic purposes	Protection of Children from Sexual Offences Act, 2012
Production, dissemination and use of child sexual abuse materials	Information Technology Act, 2000
Disclosing the identity of a child victim to anyone other than the appropriate authority	Protection of Children from Sexual Offences Act, 2012; Juvenile Justice Act, 2015
Sale and procurement of children for any purpose, including illegal adoption, trafficking of children for sexual exploitation, use of children by militant groups, giving children intoxicating liquor, narcotic drugs or tobacco products or psychotropic substances, offences against disabled children	Juvenile Justice Act, 2015; Immoral Traffic (Prevention) Act, 1956; Human Trafficking (Section 370 & 370A Indian Penal Code)
Corporal punishment in childcare institutions	Juvenile Justice Act, 2015
Corporal punishment in schools	Right of Children to Free and Compulsory Education Act, 2009
Adoption of a child without following due procedure and child welfare committees / promoting or facilitating such illegal adoptions	Juvenile Justice Act, 2015
Employment of children below 14 years in any occupation or industry	Child Labour (Prohibition and Regulation) Amendment Act, 2016
Employment of children between 15–18 years of age in hazardous occupations or industries	Child Labour (Prohibition and Regulation) Amendment Act, 2016
Marrying a child/promoting or solemnising child marriage	Prohibition of Child Marriage Act, 2006
Pre-conception and pre-natal diagnostic techniques for determination of the sex of the foetus, leading to sex-selective abortion	Pre-Conception And Pre-Natal Diagnostic Techniques Act, 1994

8. Behaviour protocols for visitors and children

a. Standard behaviour for visitors/guests

- Prior intimation regarding the purpose and written permission from concerned authorities are pre-requisites for a visit that involves interactions with children.
- Physical contact with children, if any, must be age appropriate and relevant to the circumstances.
- Interaction with children must occur only in the presence of staff members designated to facilitate and monitor the process.
- Visitors/guests must not give gifts or take any child out of the institution on any kind of excursion.
- Recording the personal history of any child is forbidden without obtaining prior permission of the relevant staff member and the child, and stating the purpose of the request.
- For purposes of case studies, a fictitious name will be chosen and no personal information furnished with regard to the identity and whereabouts of the child.
- Photo-documentation of children will be strongly discouraged.
- Texts relating to the project and the lives of children should never sensationalise or manipulate facts, and foremost importance will be given to maintaining the dignity of the child.
- Employing offensive language with children or staff is completely forbidden.
- The convenience of the children will be the prime consideration while deciding on a time for them to interact with visitors and guests.
- Visitors/guests may not solicit any personal contact information of children they interact with during field visits. This includes phone numbers, social media handles and addresses; nor are they permitted to share any of their own contacts details for future communication.

b. Standard behaviour of children

The following conduct is expected of children in all THP India's programmes:

- Showing respect towards all staff members of the organisation, parents, and outsiders
- Collaborating with concerned staff and providing information to them that may be useful in helping the children themselves.
- Sharing information and learning with other children in the group.
- Lending a helping hand to their friends in need and refraining from physically assaulting or sexually abusing any other child.
- Respecting/appreciating the situation that a friend is in and not resorting to teasing or offensive name-calling.
- Protecting and safeguarding children who are sharing their experiences, rather than bullying them.

- Always being a good friend and well-wisher of other children and not spreading rumours about them.
- Trying to share what one has with others, but never forcing another child to give away his/her personal belongings.
- Using polite and sweet words and avoiding abusive language so as to not hurt-others.

Note: The above listing of standard behaviour are not exhaustive and can be reviewed based on the circumstances.

9. Breach of the policy

9.1 Reporting

- It is mandatory for all Affiliated Persons to report any witnessed, suspected or alleged misconduct by an Affiliated or Associated Person, whether the incident occurred at the workplace or in a community setting. This should be done preferably within 48 hours of the incident in the prescribed format (Annexure II). Complaints can be made to the Child Protection Committee, constituted for the purpose of this policy, for up to one month after the incident. The complaint can be made via email at complaints.cppindia@thp.org or in writing to any member of the Child Protection Committee.
- Complaints against a member of the Child Protection Committee may sent to be sent in writing to the Country Director and the External Member
- Associated Persons can make a complaint to any Affiliated Person or to the Child Protection Committee directly. In case of the former, it is the responsibility of the individual to whom the complaint has been made to bring it to the attention of the Child Protection Committee immediately. Associated Persons are also required to make a complaint through an email or in writing.

THP India will post clear information in each of its offices with instructions for how to report any witnessed, suspected or alleged misconduct. This will include contact information of the Child Protection Committee.

9.2 Investigation

a. Investigator

- All suspected misconduct must be investigated by the Child Protection Committee of THP India. This includes rumours as well as formal reports. The Child Protection Committee will comprise three members, as follows:
 - two members from amongst the programme team, with a demonstrated commitment to the wellbeing of children; and
 - an external member to guard against the possibility of pressure or influence from within the organisation. This member may be a representative of a non-

governmental organisation a lawyer or an individual who is familiar with and committed to the issue of child protection.

- The members (excluding the external member) will also serve as Safeguarding Officers as mandated by the ‘Safeguarding and Child Protection Policy’ of the THP Global Office. These Officers are tasked with the following key responsibilities:
 - Attending the annual training of trainers on safeguarding/child protection provided by the global office;
 - Briefing new Affiliated Persons and conducting an annual training programme on child protection;
 - Promoting ongoing awareness on the importance of child protection;
 - Ensuring that appropriate reporting mechanisms are in place;
 - Conducting the fact gathering and investigation regarding any issues reported;
 - Informing the Head of Human Resources in the Global Office confidentially of every investigation, so that the Global Office can confidentially inform partner countries where necessary;
 - At the end of each calendar year, informing the Head of Human Resources in the Global Office about the number of complaints received and investigations undertaken in that particular year; and
 - Conducting risk assessments and developing mitigation measures to address these risks with the country leadership.
- The Child Protection Committee must complete the investigation within eight weeks of the incident being reported to it. In case, owing to some unforeseen circumstances, one or both internal members of the Committee are unavailable, the Senior Management of THP India will appoint other members to the Committee; in such an event the above time lines may be revised, if required/reasonable.
- If any member(s) of the Child Protection Committee is/are mentioned in the complaint, they cannot continue to be a part of the Committee during the course of that investigation. In such a case, the Country Director, in consultation with the senior leadership team, shall nominate another staff member to the Child Protection Committee.
- If the complaint is made against the Country Director, the investigation shall be conducted by the Head of Human Resources in the Global Office.
- The members of the Child Protection Committee will have a term of three years, after which the Committee shall be reconstituted, with ratification by the Governing Council of THP India. At the time of reconstitution, no more than one of the three previous committee members may be appointed to the new committee. However, no member may serve more than two consecutive three-year terms in the Child

Protection Committee.

b. Process

- The initial response to any allegation shall be to take the report seriously. The Child Protection Committee or others who receive a complaint must not perpetuate the culture of silence around these serious issues, nor allow them to be trivialised.
- It is imperative that all reasonable precautions are taken to ensure the protection of the alleged victim, including, but not limited to, removing the alleged victim and/or perpetrator from the situation. At no point during the investigation should the accused be allowed to interact with or cross-question the child.

Depending on the nature of the complaint, during the pendency of inquiry, the Child Protection Committee may make and enforce such interim recommendations as it deems necessary. The Committee will keep the Country Director informed about all such recommendations and actions. These measures may be enforced till such time as the Child Protection Committee completes its investigation and submits its final report and recommendations to the Management. The Child Protection Committee may review relevant documents, including electronic communications and take steps to obtain and preserve those documents.

- The Child Protection Committee may interview parties involved, including relevant witnesses.
- The Child Protection Committee will prepare a written report regarding its findings, conclusions reached and recommended actions. This report will be submitted to the Country Director, the complainant and the accused. The Country Director, in consultation with the Governing Council of THP India, will decide on the action to be taken within four weeks of receiving the report. The Country Director will inform the Child Protection Committee about the action taken vis-a-vis its recommendations within six weeks of receiving the report from the Child Protection Committee.

9.3 Confidentiality

THP India will maintain the confidentiality of the complainant, the accused and any witnesses, and each of their statements and records to the fullest extent possible and appropriate under the circumstances.

The contents of the report of the investigation of any case by the Child Protection Committee shall be kept confidential by the Committee and THP India to the extent possible. If the confidentiality is deliberately violated, the Management of THP India may take disciplinary action against the person responsible for this breach.

It must be clarified that this policy does not ensure absolute confidentiality. Therefore, information may be disseminated regarding the justice secured by any victim, without disclosing the name, address, identity or any other particulars that could potentially lead to the

identification of the accused, victim and witnesses. Additionally, any case of breach of this policy by a THP India staff member, consultant, volunteer or intern, will be documented and placed on record in the personnel files maintained by the organisation. Information about the breach of this policy will also be disclosed for purposes of background checks or references by prospective employers of the person in question.

In addition to the above guidelines with respect to confidentiality, all Associated Persons and Affiliated Persons are mandated to observe the following rules specifically in relation to the use of children's data and photographs for external communication:

- All communication and publication material (both print and electronic) on children in the form of pictures/captions are required to be decent, dignified and respectful and shall bear no identification details (in the form of face, name, case number, location, and so on).
- Children will not be presented as victims, nor will any communication exaggerate the vulnerability or abuse of the child.
- No images (printed or scanned), testimonials or videos of the children shall be taken without adequate permission of the child (if above 12 years) and of parents/guardians/school authorities/institutional caretakers/institutional authorities (in the case of children below 12 years) before using the same on any web-related material, or electronic or print material, meant for internal or external use.
- Photos and content relating to children available on the THP India website cannot be used for any purpose without acquiring written permission from the Management.
- Members of the organisation shall be required to safeguard all records and documents pertaining to children within their projects and maintain their confidentiality. THP India shall refrain from using names or other identification details of children with whom they work, for external communication (donor reports, website, annual report, brochures, media articles, etc.)
- Affiliated and Associated persons are not permitted to use photos/data/videos/case studies of children with whom THP India works on their personal social media blogs, Facebook page or other platforms.

9.4 Disciplinary action

Action will be taken against any person affiliated to or associated with THP India who is found to have:

- engaged in conduct that has violated this policy;
- failed to report a case of child exploitation, abuse or harassment;
- intentionally made a false allegation;
- obstructed an internal investigation; or
- breached confidentiality.

Depending on the seriousness of the offense, the Child Protection Committee may recommend

responsive or disciplinary action. Responsive action may include training or counselling. Disciplinary action may include, but is not limited to:

- warning
- reprimand
- withholding of a promotion or pay increase
- reassignment
- temporary suspension without pay, termination, and/or pressing charges, that THP India believes to be appropriate under the circumstances
- termination of all relations including employment, contractual or partnership agreements. In such a case, THP India is not obliged to provide the offender a notice period or make any payment in lieu of termination of contract; and
- reporting to relevant authorities (such as police, State Commission for Protection of Child Rights) if it is suspected that an offence/crime has been committed against a child/children. In addition to any disciplinary action taken by THP India, Affiliated and Associated persons may be held personally liable for monetary damages if a civil action is-brought against them.

9.5 Closure

The Management will inform the complainant of its determination as to whether this policy was violated. However, THP India will generally not disclose the nature of any disciplinary action that may have been taken, because discipline is a confidential matter between THP India and the individual facing corrective action.

Discipline may take many forms, and those who raise concerns should not assume that disciplinary measures have not been implemented simply because THP India does not publicise such measures.

10. Review and monitoring of the policy

a. Monitoring of the policy

- The Child Protection Committee will assess and actively manage the risks of all child-related activities, and evidence of such risk management activity will be made available.
- For the effective monitoring of this policy, THP India will maintain a record of the following:
 - THP India affiliates signing this policy;
 - THP India associates signing this policy online or offline before they visit the project site and interact with children; and
 - Training/briefing sessions held with names, dates, and content of the training.

b. Review of the policy

- Every incident will trigger a review of the policy to determine if, and which, change in our policies and practices could avoid a repeat of the same situation. New policies, white papers, and training and recommendations from peer organisations or donors will be considered to improve the policy.
- THP India will review the policy as and when there are changes or any amendment in the applicable laws with respect to Child Protection Policy.

11. Accountability

THP India is committed to the effective implementation of this policy. The responsibility for timely and rightful implementation lies with the Governing Council and Country Director of THP India.

The role of the Governing Council shall be to:

- Approve this policy and subsequent amendments to it as and when proposed by THP India. As and when necessary, the Governing Council may also, suggest measures to the Country Director and Child Protection Committee to strengthen this policy and its implementation;
- Provide direction or recommendations to the Country Director pertaining to a particular case that has been filed; and
- appoint the external member of the Child Protection Committee on the recommendations of the Child Protection Committee and the Country Director.

The Country Director will ensure that:

- appropriate measures are instituted by THP India to enable and ensure adherence to this Policy by THP India Associates and Affiliates;
- amendments in this policy by THP India, as and when they take place, are adopted and implemented;
- a thorough risk assessment is made and appropriate mitigation measures are instituted to enable effective implementation of this policy by THP India;
- all necessary support is ensured to the Child Protection Committee to facilitate its effective functioning; and
- an annual report on the situation of Child Protection at THP India is placed before the Governing Council.

Annexure I
Details of committee members

PARTICULARS	NAME	DESIGNATION
Member	Darshan.S	Sr. Programme Officer
Member	Surbhi Mahajan	Sr. Programme Officer
External Member		

**Please note that any complaint as per this policy is required to be sent to
complaints.cppindia@thp.org**

Annexure II
Format for reporting a breach of policy

If you have witnessed (or suspected someone of) child abuse, exploitation (physical, emotional, sexual), or neglect, or the same has been alleged or disclosed to you, please report it to the Child Protection Committee in the following format (in any language).

Complaint filed by:
Date of filing complaint:
Name of person(s) who has allegedly breached the policy:
Details of the incident (please share all relevant details)

Annexure III
Self-declaration form

(Such declaration can be given on Rs. 10 stamp paper as an affidavit)

Declaration of compliance of non-conviction

I, _____, S/o / D/o / W/o _____, aged _____ years, resident of _____, solemnly declare that no criminal case is pending against me in any court of law, nor have I been convicted in any criminal case in the past by any court in India.

I hereby affirm the veracity of the above declaration and understand that I am fully responsible for its accuracy.

In the event that THP India receives evidence to disprove any of the contents of this declaration, my appointment/employment will be liable to be cancelled forthwith, without any further correspondence and procedure.

Solemnly affirmed by me on (date) at (place)

Name:

Email id:

Contact number:

Signature

Annexure IV
Undertaking Regarding THP India's Child Protection Policy

This is to acknowledge that I have received a copy of THP India's Child Protection Policy. I hereby undertake to read, and familiarise myself with the policy and to adhere to its provisions. I further understand that any breach of its clauses on my part will be addressed as per the procedures set out in the Policy.

I accept that THP India reserves the right to amend, modify, rescind, delete, supplement or add to the provisions of this policy as it deems appropriate from time to time. I also understand that THP India will notify me of any changes as and when they occur.

Name:

Email id:

Contact number:

Date:

Signature: