



Child Protection

Policy Manual

Version 2.0



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1 Introduction

Children constitute principle assets of any country. India has the largest child population in the world. Despite significant progress in assuring children their basic rights, much remains to be done. Children need to be empowered, protected and their vulnerability status improved, by safeguarding them from abuses, violence, discrimination, neglect, injustice, hard labor, and trafficking. Therefore, specific concentration is required to improve the life and opportunities of children in general.

Our Vision

“A digitally empowered society that provides a safe and creative environment for all children so that they can develop to their fullest potential.”

Our Mission

To share our digital capability, creativity and commitment to child rights as well as a broad range of specialist knowledge and transferable skills with organizations and individuals working with the society including children and young people around the world and promote digital empowerment and learning in everything that we do.

2 Legal and Constitutional Provisions

DEF Child protection policy derives its strength from several Legislations pertaining to children. These include: The Child Labour (Prohibition and Regulation) Act, 1986, The Juvenile Justice (Care and Protection of Children) Act, 2000, The Immoral Traffic (Prevention) Act, 1956, The Guardian and Wards Act, 1890, etc.

There are several constitutional provisions for children. These include Article 14 providing equality before the law or the equal protection of the laws, Article 15(3) encourages state for making any special provision for women and children, Article 21A directs the State to provide free and compulsory education to all children of the age of six to fourteen years, Article 23 prohibiting trafficking of human beings and forced labour, Article 24 prohibiting

employment of children below the age of fourteen years in factories, mines or any other hazardous occupation, Article 39(e) and (f), Article 45 envisaging that the State shall endeavor to provide early childhood care and education for all children until they complete the age of six years.

Further, India acceded to the UN Convention on the Rights of the Child on 11th Dec., 1992 to reiterate its commitment to the cause of children. India is also party to the Millennium Development Goals and the SAARC Conventions on Child Welfare and Combating Trafficking of Women and Children in SAARC Region.

DEF commits itself in letter and spirit to the objectives laid down in legal and constitutional framework for child protection.

3 Policy Framework

A Child Protection Policy provides a framework of principles, standards and guidelines on which to base individual and organizational practice in relation to areas such as: ·

1. DEF shall ensure that all organization working with DEF in its social commitment of digital empowerment of the society must conform to the laid out principles of child protection and child rights.
2. All DEF workers and projects strictly adhere to the following child protection standards so that children are not exposed to exploitation or abuse at any level at any time.
3. DEF will ensure that all communication about children will portray them as dignified citizens of the country. No attempt will be made to portray them as victims' unwarrantly, neither any communication exaggerate or glamorizes the poverty and challenges faced by the child.
4. Any one (staff or community) suspected of child abuse or inappropriate behavior will be dealt with severely, action that may include investigation as well as severance of employment of relationship.
5. No corporeal punishment shall be given to any child by any of its staff members.

4 Definitions

1. **Child:** As per the Juvenile Justice (Care and Protection) Act, 2000 (JJ Act - section 2.k), a "child" means a person who has not completed 18 years of age.
2. **Child Rights:** The rights of any person below the age of 18 years as recognized by the UNCRC and other concerned international instruments and operationalized through Indian legislations.
3. **Child Abuse:** All forms of physical or mental violence, injury or abuse, maltreatment or exploitation, including sexual abuse.
 - a. Physical abuse including hurting or injuring a child, inflicting pain, poisoning, drowning, or smothering.
 - b. Sexual abuse: including direct or indirect sexual exploitation or corruption of children by involving them (or threatening to involve them) in inappropriate sexual activities.
 - c. Emotional abuse: repeatedly rejecting children, humiliating them or denying their worth and rights as human beings.
 - d. Neglect: the persistent lack of appropriate care of children, including love, stimulation, safety, nourishment, warmth, education, and medical attention.
4. **Vulnerable Children:** Children hailing from critical backgrounds including dysfunctional families, working children, destitute, orphans, street children or children in acute vulnerable situations or any environment that is risky and might inhibit the growth and development of the child shall also be considered as critical background, with emphasis on a working child.
5. **Corporal Punishment:** Any deliberate infliction of physical/emotional pain on a child by an adult.
6. **Child Protection:** By protection we mean to safeguard all the children (between 0-18 years) from all forms of physical, sexual, mental, emotional, spiritual, economical and social abuse and exploitation.

5 DEF's Child Protection Policy

CODE OF CONDUCT

The DEF 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 behavior 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.

STANDARDS OF BEHAVIOR

Adults should:

1. Provide an enabling environment for children's personal, physical, social, emotional, moral and intellectual development.
2. Encourage and respect children's voices and views.
3. Be inclusive and involve all children without selection or exclusion on the basis of gender, disability, ethnicity, religion or any other status.
4. Be aware of the potential for peer abuse (e.g. children bullying, discriminating against, victimizing or abusing children).
5. Develop special measures/supervision to protect younger and especially vulnerable children from peer and adult abuse.
6. Be aware of high-risk peer situations (e.g. unsupervised mixing of older and younger children and possibilities of discrimination against minors).
7. 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).
8. 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).
9. Meet with a child in a central, public location whenever possible.

10. Immediately report the circumstances of any situation which occurs which may be subject to misinterpretation to the designated committee.
11. Report suspected or alleged abuse to the designated committee.

INAPPROPRIATE STANDARDS OF BEHAVIOR

Adults should not:

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

RAMIFICATIONS OF MISCONDUCT

How to make a complaint

A person wishing to make a complaint of any such child can consult and file a complaint with the Child Protection Committee. The complaint should be made in writing and addressed to Chairperson of committee within 5 working days of any such incident of discrimination.

The constitution of the Committee shall be-

1. Chairperson of the " Child Protection " Committee
2. Internal Officers- 2 Members from Middle Level Management [One Female and One Male]
3. HR Department Head, DEF

6 Child Protection Committee

S.No	Name	Designation	Role in Committee
1.	Ms Ravi Kanta	Head- Admin & Operations, digital Empowerment Foundation	Chairperson
2.	Ms Shalini Kala	Independent Consultant	Presiding Officer
3..	Mr Rajen Varada	Founder, Technology for the People	Presiding Officer
4.	Mr Shahid Ahmad	Director- Projects, digital Empowerment Foundation	Internal Officer
5.	Mr Sanjay Kapoor	Head- HR, digital Empowerment foundation	Supporting Officer
6.	Anonymous (Outsider/lawyer)*		

Once a complaint has been filed:

Investigation

Once a complaint has been filed an investigation will be undertaken immediately. In instances where there is an alleged respondent, the respondent will be notified immediately. The complainant and the respondent will both be interviewed along with any individuals who may be able to provide relevant information.

The child himself/ herself can file a complaint with a help of a guardian to the committee.

Mediation

DEF supports resolving matters through mediation provided that it is consistent with organizational duties, obligations and needs. Mediation can only be undertaken voluntarily. If both parties agree to participate, matters may be resolved through mediation in the following circumstances. Once the matter has been investigated and DEF has determined the facts of the case, DEF may use mediation to develop appropriate solutions to the complaint; and, in rare instances, where the incident is an isolated event and the parties do not dispute the facts, DEF will act diligently to ensure that matters are dealt with in a manner that ensures the safety and protection of everyone within the organization.

Timelines

DEF will investigate all complaints immediately and will work towards the prompt resolution and prevention of discriminatory acts and practices. The first round of investigation and conclusion shall be arrived at within 10 working days from the date of filing of the complaint.

Fairness

All complaints will be investigated in the same manner with the aim of promoting, fairness and equality.

Confidentiality and the Right to Privacy

DEF will preserve the confidentiality of all individuals involved in a discrimination complaint. The preservation of confidentiality may be affected by the employer's duty to prevent discrimination in/at DEF and by the alleged respondent's right to know the nature of the complaint being made against them and who has made it so that they can respond.

If the investigation fails to find evidence to support the complaint, no documentation concerning the complaint will be placed on the file of the respondent. DEF will retain all documentation for 12 months for informational purposes in the event that there is an internal appeal or a complaint filed with an outside agency.

Outcomes and Remedies

DEF will act swiftly to ensure that the discriminatory practice is stopped as soon as possible and may remedy the situation in a number of ways. The main concerns of the employer will be to ensure that no such incident is repeated in future.

Appeal Process

Within 10 days from the result of first round of investigation, either the complainant or the respondent may make a written request that an investigation be reviewed stating which aspect of the investigation is inadequate. The request must be submitted to Mr. Osama Manzar, who will determine if the investigation is to be re-opened in order to address the concerns raised.

In case the appeal is taken up, then the investigation shall be completed within 15 working days by the same committee with the inclusion of an independent member. The result of the appeal shall be binding on the complainant for all purposes.

Approved by:
Management Committee / Working Committee

Mr. Osama Manzar
Founder Director,
Digital Empowerment Foundation

Mr. Shahid Ahmad
Dy. Director,
Digital Empowerment Foundation

Mr. Syed Kazi
Dy. Director,
Digital Empowerment Foundation

Ms. Ravi Kanta
Head – Admin, HR & Operations,
Digital Empowerment Foundation

Ms. Ritu Srivastava
Sr. Manager – Research & Advocacy,
Digital Empowerment Foundation

Mr. Ravi Guria
Dy. Manager – Comm. & Media,
Digital Empowerment Foundation

About

DEF believes access to the Internet together with digital literacy can empower people to use information and knowledge to improve their lives on their own in various ways using different digital tools. DEF has adopted a multi-stakeholder approach and a seven-fold path to enable communities, governments, schools, civil society organisations and micro-enterprises avail the benefits of the Information Age. It promotes more extensive use of ICTs for development and has created platforms for discovering and honouring ICTD innovators and practitioners so as to create a knowledge hub and database and an ecosystem that can enable digital innovators to share knowledge, forge partnerships and scale up. It is also engaged in advocacy and research on all digital areas and such issues as Internet rights and right to information.



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