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Kohinoor-1, B403, Next to Millat Nagar, Andheri West, Mumbai-400053

CHILD PROTECTION POLICY

1. Preamble

THE HANDS OF HOPE FOUNDATION (hereinafter referred to as “THOHF”) is a registered NGO based in Mumbai, India and is working to fight Child Sexual Abuse since 2016.

Child Protection is about protecting children from or against any perceived or real danger or risk to their life, their personhood and childhood. It is about reducing their vulnerability to any kind of harm or abuse and protecting them in harmful situations. Child protection is integrally linked to every other right of the child. Failure to ensure children’s right to protection adversely affects all other rights of the child.

The Constitution of India guarantees children equal rights as citizens and equality before law. It also mandates the States to make laws that specifically promote the rights and welfare of children.

This Child Protection Policy (hereinafter referred to as the “CPP”) of THOHF draws upon the guidelines and safeguards provided under the Constitution of India, various child-centric legislation, international treaties as well as other existing policies for the protection and wellbeing of children including the UN convention on rights of the child, the Draft National Child Protection Policy by the Ministry of Women & Child Development of the Union of India and the Protection of Children from Sexual Offences Act, 2012. The CPP is based on the premise of ‘Zero Tolerance’ of child abuse & exploitation.



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2. Statement & Key Definitions

THOHF is committed to actively safeguard from harm and ensuring children's right to protection are fully realized. We take our responsibilities to promote child safe practices and protect children from harm, abuse, neglect and exploitation in any form. In addition, we will take positive action to prevent child abusers from becoming involved with THOHF in any way and take stringent measures against any Staff and / or Associate who abuses a child. Our decisions and actions in response to child protection concerns will be guided by the principle of "the best interests of the child".

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.

Given below are the key forms of child abuse.

Physical abuse: The intentional use of physical force against a child that results in or has a high likelihood of resulting in harm to the child's health, survival, development or dignity. This includes hitting, beating, kicking, shaking, biting, strangling, scalding, burning, poisoning and suffocating.

Emotional abuse: Emotional abuse includes the failure to provide a developmentally appropriate, supportive environment, so that the child can develop a stable and full range of emotional and social competencies commensurate with his or her personal potential and in the context of the society in which the child dwells. Acts include restriction of movement, patterns of belittling, denigrating, scapegoating, threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment.



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Neglect and negligent treatment: We hold ourselves responsible that all children in our class are free from our neglect. Neglect is the failure on the part of the parents, guardian, teacher or other responsible party to provide for the child's basic needs, such as food, shelter, medical care, educational opportunities, or protection and supervision. It is abuse through omission of the necessary environment and resources for the child to reach their full potential; and the act of not recognizing physical or emotional abuse.

Exploitation: Commercial or other exploitation of a child refers to 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 prostitution. These activities are to the detriment of the child's physical or mental health, education, or spiritual, moral or social-emotional development.

Sexual abuse: Sexual abuse is an act or behaviour which constitutes a sexual offence under the Protection of Children from Sexual Offences Act, 2012, as amended from time to time. Such sexual offences include penetrative sexual assault (including rape), non-penetrative sexual assault (including touching the private parts of a Child), sexual harassment (including stalking a Child, showing a Child pornography and making a Child exhibit his/her body) and using a Child for pornographic purposes (including storing of pornographic material involving a Child for commercial purposes). An abetment of and an attempt to commit a sexual offence under the Protection of Children from Sexual Offences Act, 2012 are also considered to be offences. Certain offences under the Protection of Children from Sexual Offences Act, 2012 are considered to be aggravated offences and are subject to stringent punishments. For instance, sexual assault committed by persons in a position of trust or authority in relation to the Child (including relatives of the Child, persons managing or working in an educational institution, police officers or public servants) are considered to be aggravated offences.



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3. Scope

This CPP is applicable for all part time and full time employees (including but not limited to Staff, Interns, Volunteers), Trustees, Executive Committee members, Associates, Program Consultants of THOHF as well any other person or NGO or entity with whom THOHF has a collaboration for conduction of its programs. The provision of this clause will not be applicable to those external associated individuals or entities having their own Child Rights/Protection Policy. The management and ownership of THOHF to ensure that the guidelines and the covenants of this CPP are followed in the design, implementation and creation of THOHF's projects, campaigns and programs. The employees, Trustees and members of Executive Committee of THOHF must sign the declaration for child protection and agree to abide by it (draft declaration at Annexure 1).

4. Basic Principles

- This CPP is based on the premise of Zero tolerance of child abuse and exploitation.
- Always treat children with empathy and respect, regardless of race, color, gender, sexuality, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- Always listen to children and respect their views.
- Never use language or behavior towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Never develop or induce or support or overlook in any way physical/sexual relationships with children.
- Never develop any form of relationship or arrangement with children which could in any way be deemed to be exploitative or abusive.
- Never place a child at risk of abuse or exploitation, or be aware of these and not report it or not do anything about it.
- Never overlook or condone any individual in the NGO/Affiliates who abuses or exploits children or violates any section of this CPP. Any individual who suspects physical, sexual or emotional abuse including online abuse of children, circulation of child sexual abuse materials, child marriage, child labour, child trafficking, maltreatment of children, discrimination against child on the account of gender, caste, religion, language, disability or any other, abandonment or neglect of a child must report the incidence to CHILDLINE 1098, police or Child Welfare Committee.



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- In cases of emergency, where a child appears to be at immediate and serious risk; provide accurate information about child's location, details of the circumstances and other information to help in the process of rescue. In case the child requires immediate medical attention before appropriate authorities arrive, help the child in the best possible but update CHILDLINE 1098 and police regarding the situation and whereabouts of the child.
- Always wait for the appropriate authority (CHILDLINE 1098 , police or Child Welfare Committee members) for taking action or act on their advice and guidance.
- THOHF will ensure stringent background check (including police verification) of all employees – regular or contractual, trustees, members of executive committee, volunteers and others to screen for previous offences of child sexual abuse.

5. Code of Conduct

In all their dealings with children, the Staff, Employees, trustees, executive committee members of THOHF to conduct themselves in a manner such that they:

- (i) Foster a culture of openness that facilitates children to interact and express their issues and concerns for children's personal, physical, social, emotional, moral and intellectual development.
- (ii) Encourage and respect children's voices and views.
- (iii) Be inclusive and involve all children without selection or exclusion on the basis of gender, disability, ethnicity, religion or any other status.
- (iv) Be aware of the potential for peer abuse and develop special measures/supervision to protect younger and especially vulnerable children from peer and adult abuse (eg: children bullying, discriminating against, victimizing or abusing children).
- (v) Avoid placing oneself in a compromising or vulnerable situation when meeting with children.
- (vi) Make oneself aware and educated on the laws, rules and guidelines related to child protection as amended from time to time.
- (vii) Keep data about the children and youth connected with THOHF, confidential.



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- (viii) Ensure the responsible use of computers and other information technology and refrain from inappropriate usage, especially that relating to the creation, viewing, downloading or distribution of any inappropriate or offensive material, including, but not restricted to, abusive images of children, pornography or child pornography.
- (ix) Report all concerns regarding actual or potential child abuse, mistreatment or any other violation.
- (x) Do not kiss, hug, fondle, rub or touch a child in an inappropriate or culturally insensitive way, sleep alone with any child, use corporal punishment or tolerate corporal punishment by the staff, act in any manner that puts children at risk, use language that will mentally or emotionally abuse the child, threaten a child, use abusive language, act in any way that intends to embarrass, shame, humiliate or degrade a child.
- (xi) Do not develop a sexual relation with a child.
- (xii) Do not do things of a personal nature that a child could do for him/herself, including dressing, bathing and grooming.
- (xiii) Do not engage children in personal work or employ children at work or at home.
- (xiv) Use his/her position for his/her own benefit or for the benefit of family or friends.
- (xv) Do not take any photograph that would or could potentially violate the child's dignity, or privacy in any way.

ANNEXURE 1

Declaration by all employees (regular or contractual), trustees and executive committee members of THE HANDS OF HOPE FOUNDATION, Mumbai, India

I, Insia Dariwala (Founder/President of THOHF), employed/associated with THE HANDS OF HOPE FOUNDATION hereby declare that:



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- (i) I confirm to adhere to the covenants and the guidelines of the CHILD PROTECTION POLICY of the HANDS OF HOPE FOUNDATION, Mumbai, India at all times in the conduct of my duties for THOHF as well as in all aspects of my non-professional life.
- (ii) I will always respect all children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity.
- (iii) Support their right to equal protection from all types of harm or abuse.
- (iv) I will not employ any child as defined under Child Labour (prohibition and regulation) Amendment Act, 2016.
- (v) I will always report any case of child abuse, exploitation and neglect which comes to my knowledge to appropriate authority and will not harm or abuse any child physically, emotionally or sexually.

Insia Dariwala

(Name)

Date : December 2015