

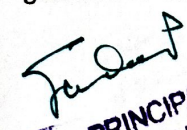
## CHILD PROTECTION POLICY

### A. POLICY STATEMENT

Sri Dasmesh School is committed to the prevention of child abuse and to the protection of children in line with the United Nations Convention on the Rights of the Child. Decisions to report or act upon suspected cases of child abuse or neglect will be based on the preliminary investigation establishing such act has been committed as defined by the Protection of Children from Sexual Offences (POCSO) Act, 2012 heeding to the prevailing laws of India. Child Protection Policy is a statement of intent that defines the school's commitment to safeguard children from harm and abuse. It helps to create a safe and positive environment for children, shows that the school is taking its duty of care seriously, and importantly specifies stakeholders' responsibilities and roles in the protection of children. This commitment means that the interests and welfare of children are our primary consideration when any decision is made about suspected cases of abuse or neglect. The procedures outlined in the policy are in line with the Juvenile Justice (Care and Protection of Children) Act 2000 ("JJ Act") and The Protection of Children from Sexual Offences (POCSO) Act, 2012. When required, we are committed to providing families with access to outside agencies and/or individuals who can support families in resolving issues associated with child abuse. We promote safe practice within the School community whereby all students will feel confident to bring their concerns forward and feel supported in those concerns.

### B. INTRODUCTION AND OVERVIEW

The physical and emotional wellbeing of students is a fundamental building block in any school's philosophy ensuring that students are successful learners, ready to grow into confident individuals who are responsible citizens and effective contributors to their society. We all have a shared responsibility to them as responsible adults to protect them from harm and safeguard their welfare. Teachers and other child care professionals have a particular responsibility to ensure that children are safeguarded, in particular but not exclusively, those children who are entrusted to them. The United Nations Convention on the Rights of the Child enshrines the right of every child to protection from harm and abuse. India too, is a signatory to the convention, having ratified it on 11th December 1992. The Constitution of India recognizes children as equal right holder and grants highest priority for their protection and well-being and accordingly has a strong legal framework to protect children which include the JJ Act; the POCSO Act; Pre-Conception and Pre-Natal Diagnostic Techniques Act 1994 ("PCPNDT"); the Commission for Protection of Child Rights Act 2005 ("CPCR Act"); the Right of Children to Free and Compulsory Education Act, 2009 ("RTE Act"); Prohibition of Child Marriage Act, 2006 ("PCM Act"); and Child Labour (Prohibition and Regulation) Act,. It is incumbent on all authorities dealing with children and indeed all adults who are part of Indian society to ensure that all children are protected from harm and abuse, either by adults or peers, to the best of their ability. As children spend a significant part of their childhood and formative years in schools, it is exigent and crucial that the ambience in schools is positive and nurturing, where they feel safe and secure on the premises and with the care providers. Sense of safety and well-being is also instilled in students when action is taken against misconduct or abuse, such as corporal punishment, discriminatory practices, bullying and other forms of verbal, emotional or sexual abuse, by teachers, other personnel and other students. Any form of humiliating and abusive treatment is not only a violation of the child's right to protection from violence, but also counter-productive to learning and development, which are the primary purposes of schooling. While the students are at school, they have access to people within the school in various contexts and also to the local community. Owing to this, it is imperative that children are guaranteed safety from harm and abuse while within the campus and outside the campus. There is an

  
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added responsibility for staff to be vigilant and aware of behaviour exhibited by students. They should also be clear about their responsibilities for safeguarding the welfare of children. It is especially important that children should be heard in an open and honest way and that they should be aware that any disclosures or allegations they may make cannot remain confidential between the student and member of staff. Thus if a child asks for a promise of confidentiality, it should not be given unconditionally by the adult. There is the possibility that the staff may be confronted with an allegation by a student. While this is a difficult matter to deal with, the child must be listened to and the allegation investigated by the Committee members. At no time from the point of allegation to conclusion of the investigation should the student be made scapegoat by any adult and due process should be completed in an impartial manner. Clearly the parents of the child making the allegation should be contacted and involved in the investigation. Such an allegation should not result in the student being sent away from the school summarily in view of the substantial emotional and intellectual damage that such a move would cause to the student. In the event of a false allegation being made by a student against a member of staff, normal disciplinary procedures against the student would be applied. In the event of an allegation by a student being upheld after due process, the member of staff would be subject to instant dismissal and could face criminal charges.

### **C. PURPOSE OF THIS POLICY**

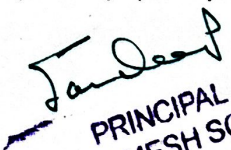
(1) To promote a safe and positive environment in school, conducive for learning and development, in partnership with children (2) To provide the school's position on safety and protection of children and the measures taken for ensuring the same (3) To define roles and responsibilities and accountability of school authorities and other stakeholders (4) To enable staff and others recognize signs of abuse or situation when a child may require protection and help; and importantly enable them to report or bring to the notice of the concerned authority for immediate action (5) To set in place mechanisms for monitoring and review of the implementation of the child protection standards.

### **D. APPLICABILITY**

The child protection mandate must be reflected not only in the policies but also reflected in every aspect of the school administration and management including in staff recruitment, training and teaching learning transactions that would impact interactions between teachers, students, the school environment and parents – rendering them more child centric. The policy will apply to all personnel and persons related to the school and who come in direct or indirect contact with children. (1) Direct Contact with Children: Being with and in the physical presence of a child or children as part of their professional or school related work, be it regular, occasional, temporary or long term (2) Indirect Contact with Children: Those whose work does not require them to be in the physical presence of a child but encompasses access to personal details and information, data on children including photographs, case files etc.

### **E. DEFINING CHILD ABUSE**

Child care professionals agree internationally that child abuse falls within four categories: (1) Physical abuse (2) Sexual abuse (3) Emotional abuse (4) Neglect .In India the term ragging has been widely used in reference to bullying in schools and other institutions of learning. Ragging is a wide ranging concept most frequently used to describe physical bullying and harassment of students by their peers. The term may however cover aspects of the first three categories in the list above, not simply physical abuse but with elements of sexual and emotional abuse as well. Physical abuse covers all aspects of physical punishment which inflict pain on a child. Beating, slapping, kneeling, bowing, hitting with any instrument are some examples to physical punishment. Preventing a child from visiting the restroom and not allowing a child to

  
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consume timely meals are also treated as physical abuse. Sexual abuse covers all aspects of inappropriate sexual behaviours between children and adults and children and children. Inappropriate touching, observing and displaying of the sexual organs, engaging in any form of intimate relationship with a student, sharing of personal information, including photos of sexual nature, conveying anything with a sexual pun by any means to the child represent sexual abuse. Sexual penetration of a child by an adult, or of a younger child by an older child is the most serious example of child abuse. Emotional abuse can take many forms but the intention behind such abusive behaviour is to belittle the child and to undermine their feelings of self-worth. Emotional abuse can involve insulting behaviour, rejection and withdrawal of emotional warmth, blaming and sarcasm, partial treatment, passing racial comments, body shaming, name calling, ragging. Neglect is widely regarded as pernicious lack of care for a child. Often children are neglected as part of a cycle of generational neglect within a family, where good parenting has never been learned or practised from generation to generation. Neglect is often demonstrated through inconsistent parenting, lack of physical care, poor hygiene and nutrition. It is unlikely, but not impossible, that students coming will have suffered wilful neglect at home.

#### **F. IDENTIFYING ABUSE**

All staff should be vigilant in observing students' behaviours. It is not a simple matter to identify traits in behaviour and to readily attribute causes. Students who spend a number of years in an academic institution mature and develop naturally and will exhibit differing behaviours with a deeper understanding of their place in the world. Nonetheless a sympathetic staff member will always be sensitive to the needs of the students with whom they have been entrusted and should be open and available as a first point of contact should they be approached. Staff in the boarding section must be particularly vigilant in assuring that all students are protected from bullying and ragging of any kind. Any incidents must be reported to the Academic Core Team and the Counsellor immediately. Procedures for Reporting Suspected Cases of Child Abuse. Through means of meetings and workshops aim to create an environment for open communication and primarily safety. Students, parents, teachers and caregivers are trained to tackle issues related to Narcotics, Drugs, Prostitution and kidnapping, Child labor, Porn and any form of Juvenile Delinquency. Consequences and corrective measures are also discussed at this forum. Curriculum: A counseling curriculum for the school is designed after an in depth analyses of the school environment and a Need Assessment at beginning of the school year. The curriculum includes topics on Safety, identifying Threats and Emergency responses. The learning is imparted through classroom sessions, workshops, role plays, skits, short films, competitions etc. This holistic approach to identifying threat is to ensure students are well equipped to handle safety and emergency situations. Individual counseling In cases of verbal abuse, emotional abuse or neglect, Students are referred /identified or they choose to seek help themselves. Our process begins with identifying the exact concern/threat• Identifying the causes or symptoms for the same (primarily through verbal therapy)• Apprise the parent/teacher/authorities• Take corrective action• Fix an appointment for follow up; Analyse during the follow up session, make changes• in action plan(if needed) accordingly And follow up with the child, caregiver and teacher.• Cases pertaining to sexual abuse are handled in lines with the POSCO ACT Group sessions Group sessions on safety imparted through discussions, debates and activities.


#### **G. STAFF – BEHAVIOUR, SAFETY & CODE OF CONDUCT**

Staff should make themselves aware of their responsibilities towards the students with whom they have been entrusted. Because they operate within a closed community setting, staff should be aware that their behaviour in relation to students will be open to scrutiny by colleagues and students alike. There is no

  
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possibility of hiding abusive behaviour and all staff and students have a duty to report what they see as abusive behaviour by staff and students alike. No member of staff will engage in physical punishment against a student. This includes any form of beating, slapping or use of any instrument to inflict pain on a child. These examples are not exhaustive but constitute physical abuse and criminal behaviour and constitute serious offences under the JJ Act and RTE Act. No member of staff will engage in humiliating treatment of a student. This includes excessive shouting, name calling, humiliating language or gestures. This also includes kneeling, bowing or other unnatural body positions and definitely tantamount to offences under the JJ Act and RTE Act No member of staff will engage in any form of intimate relationship with a student. This includes sharing of personal information including photographs of a sexual nature. These examples are not exhaustive but constitute sexual abuse and criminal behaviour under the POCSO and the JJ Act. **No member of staff has the right to add or converse with the existing students of the school through any social media irrespective of the role they play in the school.** As part of the school child protection policy all staff members, whether full time employees or contracted employees or part-timers, should be aware of the offences and the penal provisions that any individual who abuses children must face (Refer Annexure). **Staff Safety:** Staff should act in a responsible manner at all times in relation to students. On very rare occasions children make false allegations against adults who are entrusted with their care. These false allegations may be as a result of a desire to harm a teacher. What is certain is that whether or not an allegation is subsequently proven to be untrue, the reputation of a teacher can be destroyed along with considerable emotional damage being inflicted on the teacher and his or her family. All staff should take steps to protect themselves from unwarranted accusations of unprofessional conduct including abuse by acting at all times in a professional manner.

**EMPLOYEE CODE OF CONDUCT-** PREVENTION / PROTECTION / REDRESSAL OF CHILD ABUSE RESPONSIBILITIES OF ALL STAFF MEMBERS - TEACHING & NON TEACHING Understand that every resident/citizen of India is equally responsible to ensure that all children are protected from harm and abuse either by adults or peers to the best of their ability Remember that the interest and welfare of students are our primary responsibility Know that physical and emotional well-being of a student are the fundamental building blocks to education Protect and safeguard students from any potential emotional, physical or sexual threat not limited to the students assigned/entrusted to you Ensure that each student feels safe and secure on the premises and anywhere else with the care providers and other staff. Prevent any action that can be counter-productive to learning and development which are the primary purpose of schooling. Be vigilant and aware of behaviors exhibited by students. Provide opportunity to the children to be heard in an open and honest way by authorized and qualified personnel Report any incident or doubtful cases to the Principal/Head-Mistress/School-coordinator/Counselor and not to keep any information related to child abuse confidential and undisclosed to protect the temporary interest of the child or any other person involved. Demonstrate patience in an event a child alleges a staff member of being abusive by way of understanding or with a deliberate intention to tarnish the image of the staff member and to cooperate with the inquiry proceedings. Ensure that at no point a student is scapegoated by the staff/management for raising any true/untrue allegation. Be aware that an allegation being proven to be true the institution shall have the right to instantly terminate the services of the staff member and proceed towards legal action on criminal charges. Be aware of all the responsibilities towards students who are entrusted to you. Be impartial while dealing with cases wherein ward/relatives of the staff/coworkers are involved. To ensure that no form of physical punishment is enforced on any student. Be aware that a staff member has no right to add or converse with the existing students of school through any social media platform irrespective of their role in the school. Understand it is the responsibility of each staff member to protect oneself from unwarranted accusations of unprofessional conduct including abuse

  
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by acting at all times in a professional manner. Be aware that any form of abuse towards a student having special needs will be treated as gross misconduct leading to immediate termination and legal action. Immediately report any form of abusive action involving or carried out by a student having special need to the Principal/ Head-Mistress/School-coordinator /Counselor.

ANNEXURE- Non-Exhaustive

Offences/Behaviours	Laws	Punishment
Sexual assault, sexual harassment, use of child for pornographic purpose. Unwanted physical touch, whether voluntary or not would also constitute sexual assault.	POCSO Act, JJ Act	Criminal offences – Imprisonment (Jail) Terms not less than 2 years, depending on gravity upto death and jail terms of 20 years
Production, dissemination and use of child sexual abuse materials	POCSO Act and Information Technology Act	Same as above
Disclosing identity of the child victim to anyone other than appropriate authority	POCSO Act, Indian Penal Code and JJ Act	Imprisonment term which may extend to 2 years and fine
Sale and procurement of children for any purpose including illegal adoption, trafficking of children for sexual exploitation, use of	JJ Act 2015; Immoral Traffic (Prevention) Act 1956; Human trafficking (section 370 & 370A IPC),	Imprisonment terms which may extend upto 5 years and fine
children by militant groups, giving children intoxicating liquor, narcotic drug or tobacco products or psychotropic substances, offences against disabled children, trafficking of children for sexual exploitation/exploitative labour/other reasons and, kidnapping	after creation of specific section in IPC by the Criminal Law (Amendment) Act 2013	
Corporal punishment in schools	JJ Act, RTE Act and even under the IPC	Imprisonment terms as well as fine

  
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