

# *Child Safeguarding Policy*



*Protecting and empowering children since 1989*

# **BUTTERFLIES CHILD SAFEGUARDING POLICY**

## **BUTTERFLIES' COMMITMENT TO SAFEGUARD CHILDREN**

### **INTRODUCTION**

Butterflies is a registered charity under the Registrar of Charitable Organisations. Our mandate is to work with the most vulnerable groups of children, i.e. independently living children on the streets, street connected children, children in street situations, children of migrant families, children in conflict with law and children in crisis situations requiring emergency services. We also partner with grassroots implementing organisations, local government agencies, state and national governments. Our endeavour is to support the child to access education, health care including mental health, play, sports, art and culture, legal help, life skills, technical and entrepreneurial skills. The core value of the organisation is rooted in children's participation. We believe in children's right to be consulted and their views taken seriously on issues related to their lives. We educate children on democratic values and we hope they will grow up to be adults who believe and value equity, equality, gender equality, respect difference of opinions and ideas, plurality and diversity, caste, religion, language and race.

Butterflies, Safeguarding Policy is to reiterate our commitment to children's right to a safe and protected life and in the best interest of the child. We use the INSPIRE approach in our work with children, families, communities and state agencies. All the staff, interns, volunteers, consultants and visitors are bound by this policy.

### **1. DEFINITIONS**

#### **Child**

Any person who has not completed 18 years of age

#### **Safeguarding**

Child safeguarding is defined as actions aimed at:

- \* Protecting children from all forms of abuse and maltreatment.
- \* Proactive actions to prevent harm
- \* Promotion of wellbeing by ensuring safe environments

#### **Child Protection Committee**

A Committee constituted by the organization comprising Head of Programme, Head of Child Protection Programme and Head of Childline Services to perform roles and responsibilities assigned to the Committee as defined in section 1V of this Policy.

## **Child Abuse**

According to the World Health Organisation “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.” (WHO, 1999 Report of the Consultation on Child Abuse Prevention). Child abuse has the same meaning as defined under the Indian laws including but not limited to:

- a) Juvenile Justice (Care and Protection of Children) Act (JJ Act);
- b) Protection of Children from Sexual Offences Act (POCSO);
- c) Prohibition of Child Marriage Act (PCMA);
- d) Child Labour (Protection and Regulation) Amendment Act (Child Labour Act);
- e) Immoral Traffic Persons Act (ITPA); and
- f) United Nations Convention on the Rights of the Child (UNCRC).

## **Child Harm**

Safeguarding children demands attention to all actions that may cause harm to children. This extends beyond actual abuse, to include all actions, which may cause harm to a child, intentionally or unintentionally, either directly or indirectly.

Harm to children is a complex phenomenon and does not fit easily into set parameters. However, there are a number of agreed categories of harm that form the basis of this policy and the procedures therein. These are:

- Physical Harm – Actual or attempted physical injury of a child, inflicted intentionally or knowingly not prevented. This includes, but is not restricted to, punching, slapping, canning, pinching, burning, strangling, drowning, smothering and exhaustive physical exercise.
- Sexual Harm – The involvement of a child in sexual activity. This includes direct sexual contact through kissing, touching and penetration as well as encouraging children to witness pornography or intercourse or forced to indulge in sexual act online. It also includes the sexual exploitation of children through prostitution, trafficking and grooming with harmful intentions.
- Emotional Harm – The persistent failure to provide for the child’s basic emotional needs, that it is harmful to the emotional development of the child. This includes repeatedly ignoring or rejecting a child, verbal abuse, constantly humiliating the child to make the child feel unwanted, unloved, dis-respected and worthless.
- Neglect – The persistent failure to provide for the child’s essential needs where there is the means to do so, to the extent that impairment to the child’s physical health and development is likely. This includes the failure to provide appropriate clothing, food or shelter; failure to adequately supervise a child and protect them from harm; failure to access appropriate medical care or treatment.

➤ Exploitation - The physical, mental or emotional abuse or neglect of a child for financial or other benefit. This includes commercial sexual exploitation, child trafficking and child labour.

### **Peer-to-Peer Abuse**

Historically, definitions of abuse have been restricted to harm inflicted by an adult. There is increasing recognition, however, that abuse can and does occur within peer-to-peer relationships. Bullying is well recognised internationally but peer on peer abuse can include every type of harm described above, including serious physical and sexual harm.

### **Direct contact with children**

Being in the physical presence of a child or children in the context of the organisation's work, whether contact is occasional or regular, short or long term.

### **Indirect contact with children**

Includes, but is not limited to, having access to information on children in the context of the organisation's work, such as children's names, locations (addresses of individuals or projects), photographs and case studies. It also includes organisations, which fund direct work with children as well as organisations who may not fund direct work with children.

### **Informed Consent**

Ensuring informed consent involves providing children with the facts, implications and future consequences of any action affecting them. This should be done in a manner appropriate to the child's age and understanding. This includes, but is not restricted to, ensuring that children understand the ways that their personal information and/or photographs will be used. Particular care needs to be taken when obtaining consent from children with disabilities to ensure their full understanding.

## **2. OUR VALUES AND PRINCIPLES**

- 1) Every Child is loved and respected regardless of race, religion, caste, language or ethnicity.
- 2) All Childrens' rights as set out in the Constitution of India, laws of the land and the UN Convention on the Rights of the Child must be respected, promoted and be the guiding principle of our work. This includes the right to freedom from abuse and exploitation
- 3) Children's participation is the core value of Butterflies. Children have a right to be consulted on all decisions that affect them. They have a voice and can speak without fear of the consequences.

- 4) Child abuse is never acceptable and a commitment to children's rights in general means a commitment to safeguard one's own children, the children with whom BUTTERFLIES is in direct contact as well as children not in direct contact.
- 5) BUTTERFLIES is a secular organization. It believes in secular values and principles as enshrined in the Constitution of India respecting all religion, language, community, caste, ethnicity and gender without any discrimination or favour. All staff members are bound to abide by and protect these values and principles and promote them among children.
- 6) The principles of **participation, ownership, confidentiality, transparency, sensitivity** are non-negotiable.

### 3. OUR COMMITMENTS

Butterflies Child Safeguarding Policy is a statement of intent that outlines the organization's commitment to safeguard children from harm and take action in the event of any harm caused to children. Through the implementation of this Child Safeguarding Policy, Butterflies is committed to safeguard children through the following means:

**Awareness:** Ensuring that all staff, children and others are aware of what constitutes violence against children, the problem of child abuse and the risks to children; child protection laws and systems.

**Prevention:** Ensuring, through awareness and good practice that staff, children and others are able to minimize the risks to children; empowering children by providing them an independent forum of their own (Bal Sabha/ Children's Council) to raise, discuss and seek remedies/solutions to issues that are of importance to them.

**Reporting:** Ensuring that staff and others are clear what steps to take where concerns arise regarding the safety of children.

**Responding:** Ensuring that action is taken promptly to support and protect children where concerns arise regarding possible abuse.

**To ensure our actions reflect our commitment, Butterflies ensures that:**

- All employees, Members of the Board, consultants, intern and volunteers are fully aware about the safeguards, demonstrate highest level of sensitivity towards child protection. All foreign volunteers, interns are required to furnish International Child Protection Certificate to be furnished before their application is accepted.
- It takes any concerns raised seriously.

- It takes positive steps to ensure the protection of children who are the subject of any concerns.
- It supports children, staff or other adults who raise concerns or who are the subject of concerns.
- It acts appropriately and effectively in instigating or co-operating with any subsequent process of investigation.
- It is guided by the principle of ‘best interests of the child’.
- It listens to and takes seriously the views and wishes of children.
- It works in partnership with parents/care givers and/or other professionals to ensure the protection of children.

**All staff members of BUTTERFLIES are bound by a commitment to the letter and spirit of the Constitution of India, laws of the land and Articles of the UN Convention on the Rights of the Child.**

## **I. APPLICABLE**

This policy shall be applicable to:

- 1) All Staff of Butterflies
- 2) All Members of the Board
- 3) Interns, volunteers and internal or external consultants who are appointed time to time for specific assignments and have to interact with children directly for carrying out their assigned tasks / responsibilities.
- 4) Visitors, media personnel, researchers, representatives of partner, national and international agencies.

## **II. CODE OF CONDUCT**

All staff members shall follow the following DOs and Don'ts:

### **DOs:**

1. Ensure participation of children in:
  - decision making
  - planning
  - implementation
  - evaluation

2. Consult children.
3. Listen to children. Allow them to talk at their own pace.
4. Respect children.
5. Maintain confidentiality.
6. Ensure an environment that is comfortable and free which encourages a child to talk to you on all issues.
7. Have a professional approach.
8. While taking notes or recording a session, explain to the group of children what you are doing and how the information will be used.
9. Ensure that children are aware of their right not to participate or to withdraw from the activity at any time. Ensure a child that even after he/she has given consent to be interviewed/ photographed/filmed he/she has the right to withdraw the consent.
10. While dealing with a child or a group of children if the situation becomes unbearable, just take a break and walk away and return after 6/7 minutes, once you have calmed yourself or seek assistance.

### **DON'Ts**

1. Abuse of any kind:
  - physical (violence)
  - emotional (verbal)
  - sexual
  - economic exploitation (where an adult personally benefits in any form from the child)
  - Invite a child to your place of stay to do personal service/labour such as wash clothes or cook food, look after one's children, to fetch things from a shop, etc.
1. Do not discuss personal issues in front of children.
2. Do not use uncivil, objectionable language even in informal conversation among yourselves.
3. Do not use children to score a point/malign someone.
4. Do not be biased. Do not give undue importance to any single child.
5. Do not introduce or promote practices relating to social interaction and religion based on your own personal preferences, beliefs or values.
6. Do not invite a child to your home or take the child to a restaurant or cinema.

7. Do not invite any visitor to the Contact Point and allow the individual to interact with children without prior permission of the Head of Programmes or knowledge of the organization.
8. No visitor including all mentioned in sub-section III of this Policy, shall interact, and meet children without being accompanied by the staff of Butterflies.
9. Do not encourage or motivate any child/young person/group to take any action that will be detrimental to the organization and its image for your personal vendetta.
10. Do not encourage or motivate any child/young person/group to participate in any action that will lead to communal and caste division and or to indulge in communal, ethnic, caste violence.
11. Do not misuse your association with children for personal gains within the organization and outside.
12. Communications between adults and children on issues must not confuse or create a sense of insecurity.
13. Adult's behaviour/actions/words should not create a negative impression of the concerned person(s) and the organization per se.

### **III. Visitors/Interns/Filmmakers/Photographers/Consultants**

1. No phone calls shall be made to a child (ren) or personal emails sent to a child/children. Personal or official mobile/cell phone numbers, email IDs shall not be shared with children by the above-mentioned persons.
2. No photographs shall be taken without the child and parent's written approval/consent as well as the consent of the organisation.
3. The above-mentioned persons shall not invite a child (ren) to their residence, Hotels, or take the child to a restaurant or cinema. Nor should the child (ren) be encouraged, persuaded to leave the city and accompany them to other locales.
4. All filming, photography by the organization or outside agencies, individuals shall be permitted only with written consent of the child and at least one of her/his parents. The purpose of the film and or photography shall be explained to the child, parents/guardians and their approval taken prior to filming and or photo shoot.
5. All independent / commissioned filmmaker(s) will have to sign a separate child protection undertaking.

6. While filming or photo shoots, a child or children will not to be asked to enact scenes or pose in a manner that is inappropriate. No filming or photo shoots will take place in locales that are dangerous such as railway tracks, or depict a scene, photo frame that is not factual but an exaggeration of the situation.

7. All foreign visitors, interns, consultants shall wear clothes that are appropriate and respect local culture and norms.

#### **IV. PROCEDURE OF REPORTING OF ABUSE.**

In case of abuse observed after office hours committed by a staff or any of the persons mentioned in sub-section III above, it must be reported immediately. The staff must report to her/his supervisor and the supervisor should refer it to the Child Protection Committee for immediate action and the following steps will be taken-

1. First establish what steps have been taken to ensure the physical and psychological safety of the child and protect the child and others from further harm. This must be the paramount consideration.
2. The Administrator will instruct the individual to terminate any work they are doing with children until the inquiry is over.
3. If the incident is considered a serious breach of safeguarding protocols, the staff member will be suspended on full pay pending an investigation. It will be clearly explained that this is not a presumption of guilt but a measure to protect the individual and all other involved.
4. Child Protection Committee will examine the case and report it to the Administrator and Director with recommended action.
5. After receiving the case and recommendation, the Administrator will conduct an initial assessment to clarify the facts and establish the level of concern in order to inform decisions about what actions need to be taken.
6. In serious charge of proven Sexual Abuse or Trafficking of Children, the organization is mandated to report such cases to the appropriate authorities under the law.
7. If a criminal investigation is to be conducted, Butterflies will participate fully in this process and will not conduct its own investigation.
8. The Butterflies' Board should be informed that an investigation is taking place but they will not be provided with detailed information in order that they can remain independent should an appeal process be necessary
9. The Administrator will act as the point of contact for the suspended individual. Contact with other staff or those associated with the organisation will not be permitted.

10. It is imperative that the investigation is conducted promptly although the exact duration of the investigation process will depend on the nature of the concerns and the different stakeholders who are involved.

11. The report will be submitted to the Director who will decide any further action to be taken

## **V. RECRUITMENT & TRAINING**

1. The procedures laid down in the Butterflies Human Resource Manual shall be duly followed for appointments of staff as a measure of child protection safeguarding.
2. Butterflies will conduct reference check from at least three previous employers or faculty members (in case of a candidate who has just passed out of the university with no work experience).
3. After the appointment, the concerned staff member shall be provided induction orientation including provisions of the Child Safeguarding Policy.
4. This Policy is part of all appointment letters issued by Butterflies while appointing staff. It is mandatory for all newly required staff to read the provisions of this Policy and endorse it by signing it.
5. All volunteers, interns, consultants, visitors or any others to whom this policy is applicable shall be provided briefing about this Policy and it shall be mandatory for them to read the provisions and endorse it by signing it.

## **4. REVIEW & MONITORING**

1. This Policy shall be treated as evolving document and shall be reviewed at least once in 3 years and amended if found necessary.
2. The Head of Administration shall be the authority to issue this Policy and monitor its implementation.

***Issued by  
Administrator***

***I have read all the provisions of this policy and agree to abide by it.***

***Name & Signature***