



# **Child Protection or Safeguarding Policy**

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Child Protection is all about protecting children from or against any perceived or real threat danger or risk to their life, their personhood and Childhood. It is about reducing their vulnerability to any kind of harm and ensuring their safety if they are in harmful situations. As an NGO operating across geographies, with mandate in many countries, DFY recognises that children within the communities with which DFY works or comes into contact constitute a particularly vulnerable population group. As such, they are at greater risk of violence, negligence, abuse and exploitation - particularly in disaster and emergency contexts, where their protective environment is severely affected. DFY is aware that its programmes, particularly in emergency and disaster situations, can create an imbalance in the relationship between those employed by or associated with DFY and direct or indirect beneficiaries of its programmes. This policy also clarifies, for all those working for DFY, what is required in terms of child protection. It also specifies that all violations of children's rights, in whatever form, are unacceptable for DFY and will be sanctioned. This document underline Doctors For You (DFY)'s commitment to respecting the highest standards in terms of efficiency, responsibility and transparency in its activities. To this end, DFY's Child Protection Policy.

- Encourages prevention;
- Promotes detection;
- Sets out a clear investigation process;
- Sets out a mechanism of sanctions.

This policy has been developed so that the best interests of the child can be systematically taken into account by DFY and to ensure the integration of child protection at the institutional level in order to promote the maximum protection of children against all forms of ill-treatment and negligence.

This policy ensures that DFY has implemented procedures to prevent and respond to all forms of violence, ill-treatment, negligence, abuse and exploitation regarding children, as well as any violation or non-compliance with this policy or any other related procedures. Keeping the above in mind, DFY commits to protect all the children that it comes in contact with during the various projects it supports, from exploitation, neglect, sexual and physical abuse and therefore has formulated a Child Protection or Safeguarding Policy which is intended to keep children safe from possible abuse and exploitation or help them come out of it if they are already facing it.

### **Scope**

- This policy is binding for all persons acting for DFY or in collaboration with DFY, including the persons working with the DFY and partner organisations: employees; volunteers; board members; contractors; agency workers; consultants; suppliers and trainees (collectively, DFY representatives and partners).
- This is binding across offices and working locations of DFY, and at both the organisational and project level. Policies created at national office levels will include all elements of this policy and may only differ to ensure alignment with national legislation. Should this policy demand a higher standard than the local laws then this policy will prevail.

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### **Article 1. Definitions**

- For the purposes of this document, a "child" is defined as any person under 18 years of age, in accordance with the United Nations Convention on the Rights of the Child.
- Child abuse is a general term covering all forms of physical and/or emotional ill-treatment, sexual assault, neglect or negligent treatment or exploitation resulting in actual or potential harm to the child's health, survival, development or dignity.
- Sexual Abuse - Sexual abuse refers to actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- Neglect - refers to any act of omission or failure to provide, whether deliberate or otherwise, that compromises the health, security and development of a child.
- Child Labour – is defined and regulated as per the Government of India Guidelines.
- Direct contact with children: For the purposes of this policy, being in the physical presence of a child or children in DFY's work, whether occasionally or regularly, in the short or long term.

- **Ill-treatment or negligence:** All forms of physical and/or psychological abuse, sexual abuse, negligence 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. Seven subtypes, in particular, are distinguished, in accordance with the definitions adopted, inter alia, by the World Health Organisation (WHO):
  - **Physical abuse:** Actual or potential physical harm as a result of an interaction or lack of interaction, that is reasonably within the power of a person in a position of responsibility, power or trust. This may be a single incident or repeated acts.
  - **Sexual abuse:** any use of a child's body for sexual purposes for the pleasure of someone older than the child, regardless of the relationship between them, and even without coercion or violence.
  - **Commercial or other exploitation:** The use of a child for work or other activity in the interest of others. This includes, but is not limited to, work. These activities are harmful to the child's physical and mental health, education and spiritual, moral or emotional social development (WHO, 1999). Children in the armed forces fall into this category.
  - **Sexual exploitation:** The abuse of a position of vulnerability, differential power or trust for sexual purposes; this includes, inter alia, profiting financially, socially or politically from the exploitation of a child. Prostitution and child trafficking for sexual abuse are examples.
  - **Emotional maltreatment:** Failure to provide appropriate and supportive conditions for development, including a person to whom the child can relate as a priority, allowing the child to develop a range of stable emotional and social skills consistent with his or her personal potential and the context of the society in which he or she lives. It may also include acts that cause or are very likely to cause harm to the child's physical, mental, spiritual, moral or social health or development.
  - **Negligence and negligent treatment:** The caretaker's inattention or failure to ensure the child's development in all areas, including health, education, emotional development, nutrition, shelter and safe living conditions, within the context of reasonably adequate resources. It is also about failing to provide the child with the necessary care and protection from harm to the extent possible (WHO, 1999).
  - **Child labour:** Child labour includes full-time work by children under the age of 15 that prevents them from attending school (getting an education), or is hazardous to their health (International Labour Organisation, Convention 138). Part-time child labour is permitted from the age of 15, except for activities that could in any way impede the child's access to education or development. DFY applies a minimum age of 18 years.

This can be due to exploitation, or due to negligence by one or more of these parties,

- **DFY Staff:** Under the terms of this policy, the term “DFY staff” refers to any person employed by DFY. The consultant, interns and volunteers of DFY are considered to fall within this category, for the purposes of this policy.
- **Governance:** Under the terms of this policy, the term “governance” refers to any Member elected by decision making bodies to participate in DFY managerial and administrative governance bodies. In particular, DFY Committee Administrators are Governance members.
- **Implementing partners:** Under the terms of this policy, an “implementing partner” is a partner to whom the implementation of one or more projects or activities has been delegated, and to whom a budget has been allocated for this purpose. In particular, this refers to international NGOs and/or national NGOs, Civil Society Organisations (CSO's) and/or public institutions.
- **Stakeholders:** Under the terms of this policy, “stakeholders” are individuals or groups, with or without a legal personality, who directly or indirectly, voluntarily or involuntarily, contribute to, participate in or benefit from, in any way, the actions, programmes and activities of DFY.
- **Associated Entities:** Under the terms of this policy, “associated entities” are legal persons under private or public law who play an active role in the implementation of the project but are not responsible for managing any budget.
- **Beneficiaries:** Under the terms of this policy, the term “beneficiaries” refers to any person who benefits, directly or indirectly, from DFY's programmes.
- **Supplier:** Under the term of this policy, a “supplier” is a third party, individual or group, with or without legal personality, who directly or indirectly provides any type of goods and/or services to DFY, whether for a fee or not.

- **Consultant:** Under the term of this policy, a “consultant” is a third party, individual or group, with or without legal personality, who directly or indirectly provides any type of consulting services to DFY, whether for a fee or not.

### **Article 1.1. Operational Definitions**

- **Child** - Any person below the age of 18 years. **Staff/Consultant/Coach** - Any person receiving financial remuneration (salary, fees, honorarium, etc.) for rendering his/her services to Doctors For You.
- **Volunteer** - Any person, who of their accord, joins DFY to extend help without any remuneration whatsoever.
- **Child Abuse/Maltreatment** - It refers to physical, emotional, and sexual maltreatment, neglect and exploitation which results in actual or potential harm to the child’s physical and emotional development and well-being. The following are categorized under child abuse:
  - **Physical abuse** - When someone knowingly uses force to harm a child’s body. It includes hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating a child.
  - **Bullying** - It is a deliberately repeated physical, verbal and/or social behavior by an individual or group of persons causing physical and/or psychological harm to the child.
  - **Sexual abuse** - Sexual abuse as defined under Sections 3, 5, 7, 9 and 11 under the Protection of Children from Sexual Offences Act 2012.
  - **Emotional abuse** - It occurs when the caregiver acts or fails to act in certain ways which causes mental trauma, behavioral problems and psychological distress to the child. It includes taunting, isolation, rejection or name calling.
  - **Neglect** - Failure/negligence to fulfill the duty of care which results in harm, injury, or impairment of the child.
  - **Exploitation** - Using a child’s labour or other activities for the benefit of other

This Child Protection Policy is based on national laws, relevant international law and international norms, in particular:

- Convention on the Rights of the Child,
- Code of Conduct for International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief,
- The texts of the Alliance for the Fundamental Standards of Humanitarian Aid,
- The minimum standards for protection during humanitarian action,
- The standard of accompaniment to the Humanitarian Charter and the minimum standards of humanitarian intervention of the SPHERE project.

Exploitation and violence against children refer to any physical and/or psychological form of ill-treatment, sexual abuse, negligence, abandonment or negligent treatment, exploitation, including commercial exploitation, the use of children for military purposes, which may result in actual or potential harm to the health, survival, development or dignity of the child, in the context of a relationship of responsibility, trust or power. All those directly or indirectly involved in the implementation and monitoring of DFY’s programmes and actions are bound by its Child Protection values.

Everyone working with children has a basic duty of attention toward them. DFY as an organisation and all those working with DFY must recognise the risks to the children they come across with and assume responsibility for keeping them safe. In order to protect the children, all the DFY staff and partners must at all times conduct itself with the highest levels of professionalism and integrity and always act in the best interest of the child. It will be the organisation’ responsibility that all the staff members and partners will be made aware of this child protection policy.

The Child Protection Policy applies to all working for and/or associated with DFY including:

- All staff, trustees, consultants, coaches, interns and volunteers at all levels working with DFY and partner organizations
- All associates of DFY including vendors, suppliers, funding agencies and donors
- All visitors to DFY including donors, media, researchers, etc., who may come in contact with the children
- Although, through its international actions, DFY is faced with the most diverse cultures and belief systems, DFY fully upholds principles of freedom of speech and of protection of victims. As such, DFY has developed mechanisms that can contribute to prevent child ill-treatment or negligence such as:

- Signing of the Code of Conduct by DFY staff in order to clarify unacceptable behaviour and in particular child ill-treatment or negligence; Provision of information to DFY stakeholders on relevant reporting mechanisms (including through the Complaints and Response Mechanism -to ensure that DFY teams maintain a respectful dialogue with beneficiaries; Implementation of trainings and awareness sessions in order to train and empower DFY teams, particularly for staff exposed to working with minors or the most vulnerable population;
- Identify risk factors on an ongoing basis and in particular throughout the project cycle;
- DFY staff responsible for recruiting, monitoring or directing others employed by DFY must be careful to prevent the hiring or deployment of individuals likely to engage in inappropriate behaviour when in direct contact with children.
- DFY staff shall ensure that no DFY partner or subcontractor is in direct contact with children if they have already been convicted of, or registered on lists or registers, for offences of child ill-treatment or negligence, as defined in this policy, and regardless of legal qualifications retained by national courts.
- As soon as DFY is aware of any person who has been convicted of, or registered on lists or registers, for offences of child ill-treatment or negligence, as defined in this policy and regardless of legal qualifications retained by national courts, DFY will not place the person in direct contact with children within the framework of DFY's programmes.
- Any DFY partner or subcontractor in direct contact with children must certify that they have read and comply with the provisions of this policy.
- It is strictly forbidden for DFY staff and the other entities referred to in Article 1 of this policy, directly or indirectly, voluntarily or involuntarily, to participate, organise or benefit, by any means whatsoever, from any form of child ill-treatment or negligence as defined in Article 2 of this policy.

## **Article 2. Implementation guidelines**

- Awareness program - Organise regular awareness program on Child Rights to Staff Members, Volunteers, community leaders, field volunteers.
- Special training to Project Staff involved in children related activities on child protection
- Program intervention – Conducting special programs in the community helping children come out with the abuse if they either physical, mental or sexual if any.
- Making women/ mothers of the communities aware, in order to make them and their spouse responsible for wellbeing of children and prevention of exploitation, abuse.
- Training children, staff and volunteers on how to identify and prevent child abuse.
- Giving children the opportunity to participate in programs that educate them on their rights, personal-safety techniques and steps they can take in case of a problem.
- Encouraging and supporting children, staff and community members to report cases of abuse.
- DFY shall Endeavour to fulfill the following guidelines towards implementation of the Child Protection Policy. DFY staff and the other entities referred to in Article 1 of this policy, shall be sensitised to children's rights. To this end, DFY ensures that training is provided to DFY staff on the DFY 's Code of Conduct, this policy and, specifically, about the need to report any form of child ill-treatment or negligence.
- DFY staff who are in direct contact with children are entitled to receive special training in particular on Child Protection Policy, prevention and response to child ill-treatment or negligence as well as on integration of child protection into programmes.
- DFY staff, as well as the other entities referred to in Article 1 of this policy shall actively protect the child in particular through attention, prevention and response to all forms of child ill-treatment or negligence as defined in Article 2 of this policy.

## **Article 3. Expected Conduct – DFY employees**

- Treat every Child with empathy and respect, regardless of his/her race, colour, gender, sexuality, language, religion, religious belief, heritage, political/other opinion, national/ethnic/social origin or property/disability/birth/other status.
- Listen to Children and respect their views.

- Ensure that physical contact with a Child is respectful, culturally appropriate and essential to the purpose of your interaction with the Child.
- Establish an atmosphere that fosters the development of Children through your actions and words.
- Always take permission from Children before taking their photos or videos.
- Keep all personal information about Children or their parents/guardians confidential and secure and ensure that such information is dispensed to only those individuals who are legitimately entitled to it.
- Attend all the applicable training sessions and workshops on the Child Protection Policy conducted by the Organization. Ensure you implement the lessons learned from such sessions and workshops.

#### **Article 4. Compliance Measures**

- Capacity building of staff members working with children in projects, to effectively deal with and promote rights of children and to help protect from any kind of exploitations and abuse.
- All personnel –staff, volunteers, interns, consultants, visitors or anyone else connected with DFY will not spend time alone with a child, nor touch the child inappropriately or make child feel insecure.
- Children must not only be heard but also encouraged to voice their concerns and problems. All staff, volunteers and whoever come into contact with children must ensure it. However, it must be watched and suitably guided that their interactions are friendly and decent.

#### **Article 5. Complaints/ Allegations handling**

- The Child Protection Committee will comprise of the following members
  - PR & Media - Senior Program Manager
  - Senior Program Manager (Health)
  - Director Board Member of DFY (Any Director)
- Any complaint regarding incident of misbehavior with child (abuse) in any program implemented in the community shall be reported to the Child Protection Committee constituted under –which will, first of all, facilitate medical care to the victim, if need be; subsequently carry out a thorough investigation or if need be, take help from local police for appropriate legal process and actions.
- Members and Staff involved in the program and of the child protection committee of DFY shall extend moral support to parents and the victim (child).
- Counselling and therapy to be provided to the children affected by the abuse as they, get psychologically upset which is very traumatic, leaves deep scar on mind. Often faced with conflicting emotions- confusion, fear, anger, shame, depression- result into lack of confidence, low self-esteem. Such upheaval may have serious repercussions later in life.

#### **Article 6. Policy issues**

- DFY will be networking and collaborating with likeminded individuals and institutions for sharing knowledge and experiences (best practices); and support advocacy campaigns on child protection, development and promote children's participation.
- It is committed to keep information about children confidential. Child abuse incidents to be kept as confidential and handled with care and concern. Ensure Information about any such incident is shared with people only if it is deemed necessary by Child Protection monitoring group and ensure names and identities are not disclosed outside or to the media.

#### **6.1 POCSO ACT –An Overview**

An Overview of the Protection of Children from Sexual Offences Act, 2012 To deal with child sexual abuse cases, the Government has brought in a special law, namely, The Protection of Children from Sexual Offences (POCSO) Act, 2012. The Act has come into force with effect from 14th November, 2012 along with the Rules framed thereunder. The POCSO Act, 2012 is a comprehensive law to provide for the protection of children from the offences of sexual assault, sexual harassment and pornography, while safeguarding the interests of the child at every stage of the judicial process by incorporating child-friendly mechanisms for reporting, recording of evidence, investigation and speedy trial of offences through designated Special Courts. The overall framework of our Child Protection will follow the guidelines set by POCSO Act, 2012.

## **6. 2. Objectives -**

- DFY intends to follow the below to incorporate the POCSO Act in their policies in addition to various international policies guiding on the subject.
- To promote and practice the highest standards of child safety policies internally and across partner organisations.
- To assess and address areas of child risk and vulnerabilities within DFY spaces.
- To ensure a well-defined implementation strategy and timely redressal mechanisms upholding the best interest of the child in all child protection violations.
- To develop and build awareness about child protection among all stakeholders of DFY

## **Article 7. Adherence to Policy**

In the case of DFY staff who witness child ill-treatment or negligence:

- If DFY staff believe that they are witness to any of the conduct set out in Article 2 of this policy, committed against any individual, they shall have a direct contact with the perpetrator in order to end such behaviour, provided that the facts are not too serious to exclude such an approach.
- If the inappropriate behaviour does not cease or if DFY staff is unable to address the perpetrator directly, he or she must report the facts.
- It is advisable to note the day and time as well as details related to the facts and the names of any witnesses and details relevant to the incident.
- In any case, the HQ Head of Human Resources must be informed. If appropriate, the line manager and/or the DFY President /Country Representative must also be informed of the facts in order to take appropriate measures and to conduct an internal investigation in a timely manner.
- In the case of a stakeholder who witnesses child ill-treatment or negligence.
- If any stakeholder as defined in this policy believes that he or she is a witness or victim of the violation of this policy, he or she shall address the perpetrator directly in order to end such behaviour provided that the facts are not too serious to exclude such an approach.
- In any case, the HQ Head of Human Resources must be informed.

## **5.1 Children**

- Treat all children with respect and dignity
- Commit to inclusion of all children without any form of discrimination
- Design and implement all activities with the 'best interest of the child'
- Protect all children from all forms of intentional and unintentional harm and abuse
- Give every child the opportunity to express their views and to be heard
- Assess situations identifying areas of potential child risks and vulnerabilities before undertaking an activity
- Ensure all children are aware about the clauses laid down in the Child Protection Policy

## **5.2 New Recruitments**

- Thorough scrutiny and background check of candidates before selection for recruitment.
- All new recruits to sign and abide by the Code of Conduct on Child Protection and Child Protection Self-Disclosure Agreement.
- All persons selected to undergo an induction program on orientation of child protection
- All persons to be given a copy of the Child Protection Policy

## **5.3 Staff in Service**

- Develop checklist to monthly review staff behavior and attitude towards children
- Any case of abuse reported against staff of DFY to be investigated by the Child Protection and Grievance Redressal Committee set up under the Whistleblower's Policy
- Any person convicted of offence against children to be terminated from service by DFY with immediate effect

## **5.4 Sponsors, Donors and/or Visitors**

- Basic verification and background check of the sponsor/donor/visitor to be undertaken
- No sponsor/donor/visitor to be permitted to meet any child individually and/or in private
- DFY staff and parent/guardian to be present during any meeting between the child and the sponsor/donor/visitor.
- Written consent for meeting with sponsor/donor/visitor to be taken from the parent/guardian
- The child to have prior information about the meeting with the sponsor/donor/visitor
- Any case of child abuses by sponsor/donor/visitor suspected and/or reported to be investigated by the Child Protection and Grievance Redressal Committee set up under the Whistleblower's Policy

## **8. Communication and Media Material**

Consent from DFY and parents/guardian of the child participant to be taken by any individual and/or organization whoever wants to make any written, audio and/or visual recording/documentation within the spaces of the organization. The child participant to have prior information about any written, audio and/or visual recording/documentation to be made by any individual and/or organization.

Any written, audio and/or visual recording/documentation done within the spaces of the organization without the prior information of DFY to be confiscated and/or deleted permanently

No written, audio and/or visual recording/documentation to be uploaded on any social media platforms, including social networking sites, blogging and micro blogging sites and messaging and chatting forums, without prior consent from DFY

## **9. Staff Training and Workshops**

- Annual training programmes to be organized by DFY for its staff members enabling them to have a better understanding in dealing with issues of child protection
- Annual workshop on Child Protection Policy to be organized for all staff of DFY to re-visit, discuss and recommend suggestions.

## **10. Whistleblower Policy**

Whistleblower policy mention the trust follows the guidelines in its whistleblower policy which is a separate policy in itself". Concerned individuals are required to adhere by the policy in case of any breaches

## **11. Complaints/Allegations**

All suspected cases of violation of child protection reported to be investigated by the Child Protection and Grievance Redressal Committee. Any child and/or informer to consult and/or file a complaint/grievance to any member of the Child Protection and Grievance Redressal Committee of DFY within 7 working days of the occurrence of the incident. Depending on the severity of the offence, appropriate formal disciplinary action to be taken • Any allegation pertaining to any form of child sexual violence and/or assault by any staff/trustee/sponsor/donor/visitor/intern and/or volunteer to be dealt in accordance to the provisions laid down in the POCSO Act, 2012. In case any violator is booked under the POCSO Act, 2012, his/her services to be terminated with immediate effect.

## **12 Reporting Mechanism**

DFY intends to respond/come up with an answer/bring an appropriate response to any child ill-treatment or negligence. To contribute towards this, DFY has designated a focal point via a specific email address [grievance@doctorsforyou.org](mailto:grievance@doctorsforyou.org).

DFY staff who consider to be a witness of child ill-treatment or negligence which may be in violation of or contravenes to the present policy, must report it to their line manager and/or the DFY Country Coordinator / Representative and in any case through [grievance@doctorsforyou.org](mailto:grievance@doctorsforyou.org).

12.1. DFY staff must report to their line manager and/or Country Coordinator / Representative and/or the HQ Head of Human Resources and in any case through [grievance@doctorsforyou.org](mailto:grievance@doctorsforyou.org) any evidence, allegation or suspicion of child ill-treatment or negligence of which they are aware in or in the course of their duties. The investigation of the reported facts is DFY's responsibility, in accordance with the provisions of this policy.



12.2. If reporting to the line manager and/or the Country Coordinator / Representative is not appropriate, DFY staff should report to the HQ Head of Human Resources and in any case through [grievance@doctorsforyou.org](mailto:grievance@doctorsforyou.org).

12.3. DFY must ensure that DFY staff who reports a case as described above on the basis of reasonable suspicions and in good faith does not suffer from any harm as a result.

12.4. Cases of misuse of complaint mechanisms may be subject to sanctions.

## **11. Adherence of Policy**

Sanction for child ill-treatment or negligence:

### 11. 1. Disciplinary sanction

The violation of the present policy, which constitutes in particular a violation of DFY Code of Conduct, may result in sanctions ranging from warning to termination of the employment contract for serious misconduct, with no notice and no payment of compensation.

### 11.2. Other sanctions

DFY reserves the right to use the full range of contractual sanctions, up to the termination of any contractual relationship, in the event of a breach of this policy by any entity referred to in Article 1 of this policy.

### 11.3. Reporting to competent authorities

DFY has the right, depending on the seriousness of the facts found, to report to the competent prosecution authorities the facts constituting child ill-treatment or negligence. The Investigation team appointed by the President is in charge of investigating all child ill-treatment or negligence issues within DFY. Review and update the Child Protection Policy once every three years.