

THE CHILD PROTECTION POLICY OF St.Xavier's H.S.School Pathaliaghat (A DON BOSCO INSTITUTION) TRIPURA INDIA

1.0 Preamble©@SXPTMISO 9001:2019-IN-IND-356-IN-TR

This child protection policy of Salesians of St.Xavier's H.S.School (Don Bosco Institution) based on the PROTECTION OF CHILDREN FROM SEXUAL OFFENCES (POCSO) Act 2012 enacted in the Indian Parliament with the assent of the president of the Union of India on 19th June 2012 is to protect children under its care, from offences of sexual assault, sexual harassment, pornography and matters connected therewith or incidental to.

1.01 This child protection policy of the Salesians of St.Xavier's H.S.school Pathaliaghat (Don Bosco Institution) is intended for the proper development of a child, child his/her right to privacy and confidentiality is protected and respected by every person by all means and through all stages of a judicial process involving the child.

1.02 It also envisages that the best interest and well being of children be protected at every stage to ensure the healthy, physical, emotional, intellectual and social development of the child.

1.03 The policy also avows, besides signing and undertaking by all members that all the members in the institution take all measures to prevent inducement or coercion of a child to engage in any unlawful sexual activity or pornographic practice.

1.04 This child protection Policy of the Salesians of St.Xavaier's H.S. Don Bosco School takes upon itself the responsibility of bringing the staff members found guilty of heinous crimes children, within the arms of the law.

2.0 Short Titles and Definitions

Accused is the person or persons alleged to have committed abusive behaviour, provided that the allegation is in the form of a signed statement.

Aggravated is the term added to the accused with sexual assault or sexual harassment, who are staff of educational institutions, hostels, hospitals or religious institutions etc.

Allegation is any disclosure of an act of inappropriate behaviour of an abusive nature.

Child or young person is a minor who has not completed eighteen years of age.

Complainant is an individual who formally reports abusive behaviour.

Personnel are adult working in the institution.

Protection Officer is the member of the staff working on the Child Protection committee to ensure that all protective measures safeguarding children and young people are in place and implemented.

Sexual Assault is an abusive sexual act/manipulation of any body part/object with that of a child to any extend or vice-versa.

Sexual Harassment is any act, word, gesture, exhibit, object, sound, or any threat or coercion by any form of media or that which entices a child with pornographic intent.

Victim is an individual against whom abusive behaviour has been directed.

Volunteer is any person who gives freely his/her time, service and experience to participate in the activities of the institution.

3.0 What is the Child Protection Policy?

A child Protection Policy is the organization's commitment to protect Children from abuse, exploitation and organizational negligence. This is reflected in the way an organization conducts its activities and the way its staff behave. Child Protection procedures are measures that an organization takes to put its policy into action. Procedures include measures to produce a safe and conducive environment for children and for those working with them, a code of conduct for staff, awareness of the issues and their long lasting effects to deal with an affected child, family and institution, institutional and legal measures to deal with the perpetrator, guidance on the appropriate use of the children's image and information and requirements of the staff for reporting suspected or actual abuse, etc.

It is also means to enable children to access rights, opportunities and resources for survival protection, development and participation, to ensure for them a safe and happy childhood and to secure their future prospects in collaboration with the state, non-state actors, the families of children, efforts to offer every child a nurturing, respectful and safe environment based on an agenda of equity and the best interest of the child.

4.0 What is child abuse?

Child abuse or maltreatment constitutes all forms of physical and emotional ill treatment, sexual abuse, neglect or negligent treatment, commercial or other exploitation, resulting in actual or potential harm on the child's health, survival, development or dignity.

4.1 Types of abuse

There are many types of abuse defined by the Supreme Court of India but there are five types of abuse which are commonly spoken of and dealt with it.

They are physical abuse, emotional abuse, verbal abuse, and neglect.

4.1.1 Physical Abuse includes hitting, kicking, shaking, throttling, throwing, poisoning, burning, drowning, suffocating, slapping, pinching etc. It can also refer to when a caretaker or the one in-charge, deliberately ill-treat the person under his/her care. It may even be the result of over disciplining and physical punishment that is inappropriate to the child's age.

4.1.2 Emotional Abuse is the persistent emotional ill treatment of a person so as to cause severe and persistent adverse effects to the child's emotional development. The expression in the eyes and the whole body language may involve making children feel worthless, useless, good-for-nothing or uninvolved, inadequate or valued only in so far as they meet the needs and expectations of others.

It may also involve

Causing children frequently to feel frightened or in danger, or the deprivation or corruption (where a person is in a position to do so) of the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing. It is an act of omission leading to the denial of a child's basic needs.

4.1.3 Verbal Abuse words which give emotional or intellectual pain in any way to the listener and hurt either emotionally or otherwise, are considered to be abusive. Words like stupid, ugly, lazy, cry-baby, dummy, loser, moron, etc. cause lasting emotional pain.

4.1.4 sexual abuse Child sexual abuse is the involvement of a child or young person in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which he/she is not developmentally prepared and cannot give consent, or that which violates the laws or social taboos of society. Child sexual abuse is evidenced by an activity between a child and an adult or another child, who by age or development, is in a position of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. (refer: Chapter II of POSCO, Act 2012):

It involves :

- Repeated attempts to contact the child directly or through electronic or digital media.
- The use of real or fabricated depictions of the child through electronic media or otherwise to entice or to condescend.
- Undue physical contact or touching.
- The convenient and calculated use of cameras, cell phones and other recording gadgets.
- Unhealthy favoritism.
- Excessive use of social networks to keep in contact with the child etc.

4.1.5 Neglect

Neglect involves, deliberate or absolute carelessness or negligence, failing to provide for or secure for children their rights to safety and development.

Neglect is sometime passive in as much as it relates to failure in carrying out some key aspects of care and protection of children at the appropriate time. Such neglect could result in significant impairment of the child's health or development, including failure to grow emotionally and socially.

Neglect leaves a trail of evidence in the way children are affected. Care givers who do not act on this evidence are also guilty of neglect.

Severe neglect or repeated failure to provide timely care, thereby endangering the child is criminal negligence e.g. deliberate failure to provide medical care is exposing a child to severe harm or even death.

4.2 Exploitation

Exploitation refers to the use of children for someone else's advantage, gratification or profit, often resulting in unjust, cruel and harmful treatment of the child. This is detrimental to the child's physical, mental, emotional, moral, social, health and development. It covers situations of manipulations, misuse, abusive, victimization, oppression or ill treatment. Any assignment given to children should take into account the age, capacity and the best interests of the child.

4.3 The Child Protection Policy of the Salesians of St.Xavier's H.S.School Pathaliaghat (Don Bosco Institution) and its Commitment to child protection

The salesians of ST.Xavier's H.S.School Pathaliaghat (Don Bosco Institution) is committed to the protection of children from any perceived or real danger/risk to their lives, their lives, their personhood and childhood with a focus on reducing vulnerability. Hence the policy shall:

- Plan and implement programmes to reduce the risks faced by vulnerable children and collaborate with stakeholders at all levels to ensure that children are protected from all forms of inhuman, degrading treatment including abuse, exploitation , neglect and violence.
- Create awareness against harmful customary practices such as child marriage, corporal punishment, ragging, human sacrifices, honor killings and witch hunting.
- Advocate before the State for special protections measures,. Schemes and rehabilitation measures to address the special needs of children at risk.
- Make efforts to enroll school dropouts back in school and prevent children from dropping out of school so that they may not fall into the dangerous situations of child labour and other forms of exploitation.
- Build in capacity of personnel who have the responsibility for the care of children with adequate information, education and training in the right attitudes and practical skills.
- Create awareness among children about their rights, about how to respond to situations of risk and thus train to protect them.
- The Child Protection Policy of the of St. Xaviaer's H.S.School Pathaliaghat (Don Bosco Institution) believes that abuse, neglect, exploitation and violence against children are not acceptable in any form. If it is known that a child is being abused, exploited, neglected, or is a victim of violence, keeping silent or being indifferent would be wrong.

5.0 Principles of the policy

The Child Protection Policy is based on the basic principle that each child is a gift from God born with an inherent dignity and right for respect.

5.01 Protection of children and the youth who are under the care and protection of the institutions becomes besides being a responsibility also a priority.

5.02 We (The care-givers) are to safeguard children from all possible, physical, emotional and spiritual dangers. We have to share the responsibility of the state in the care and protection of children especially the marginalized and the vulnerable.

5.03 This policy for children in our institutions is a living commitment and contribution to the welfare, protection and empowerment of the children under our care

5.04 (The care-givers) have to protect the rights of the children under their care so that they are protected from any harm and get every opportunity for development as individuals without any discrimination of any kind.

5.05 The children of the institutions have to be educated regarding their rights and what constitutes a violation. They must be trained to participate in the exercise of their rights as well as to ensure that they know whom to contact if there is any violation

5.06 The Policy is also designed to keep the staff, students, and volunteers educated and trained in acceptable and non-acceptable behaviour so that they may safeguard themselves from allegations of misconduct.

5.07 The Constitution of India guarantees certain rights to every person in this country including children. All children have equal rights. No class, origin, custom, tradition, cultural or religious practice shall be allowed which violates, restricts or prevents children from enjoying these rights.

5.08 Child rights are universal, inter-related, interdependent, indivisible and inalienable. The best interests of the child shall be the paramount consideration in all actions concerning or affecting the child.

5.09 The safety and the security of children shall be prime importance. The children will be protected from harm, abuse, neglect, exploitation, discrimination and violence as they have the right to protection.

5.10 The physical social, psychological, emotional, intellectual, and moral, culture and spiritual development of children shall be addressed in totality

5.11 A family setting is the most conducive to the all-round development of children. Therefore, parents should take keen interests in the all-round development of their children, and help in providing the conducive ambience.

5.12 The principles of equity, justice and non-discrimination shall guide all actions concerning children.

5.13 Individually, age, gender, and recognition of special needs and vulnerability will set the directions for any all programmes and interventions related to children.

5.14 consultation and participation of children in a manner appropriate to their age, in all matters affecting them, is an indisputable right of every child and shall be respected in all our dealings with children.

5.15 Taking positive measures for the care and protection of children is the primary responsibility of the state, and these measures are to be carried out by the state adhering to the “Right” perspective. Collaborating with the state implementing its laws, policies and scheme for the care and protection of children will be an important contribution of the salesians of St.Xaviver’s H.S.School Pathaliaghat (Don Bosco Institution) while being faithful for the guiding of the guiding principles and standards of this policy.

5.16 The publishing of the information and depiction of children in whatever form will be done, respecting the privacy, dignity and the best interests of the children and with utmost circumspection.

5.17 Children have the right to access information that is important to their development and well-being. Children should also have access to children’s books and other forms of media appropriate to their growth and development.

5.18 The preventive System of education with its principles of reason, religion and loving kindness shall be practiced in the institution of the salesians of St.Xavaier’s H.S.School (Don Bosco Institution) for the overall development and protection of children.

5.19 consistent with the mandate of the enshrined in the constitution of India, the international standards of the Child Right Convention of the UN, legal directions as in the Juvenile Justice Act and other relevant legal systems, of the country, and in keeping with the spirit of the Preventive System of Child protection Policy of Salesians of St.Xavier's H.S.School Pathaliaghat (Don Bosco Institutin) in collaboration with the State and other non-State sectors, shall create safe environment for children.

Hence this policy is implemented to enable children, staff and volunteers to express their concern on witnessing an act of physical, sexual, emotional and mental harm to any child.

6.0 Objective of the policy

The Child Protection Policy of St.xavier's Pathaliaghat School, in all its services and support to all the children for whom it assumes responsibility, commits itself to:

6.1 Ensuring the necessary standards of human and infrastructural resources, so as to enable children to develop their full potential.

6.2 Establishing strong preventive and primitive measures which lead to the care protection of children.

6.3 Creating an environment wherein inspirations of children are a part of all decisions on matters concerning them.

6.4 Consulting, networks and collaborating with likeminded people for the care and protection of the rights of children.

6.5 Making every effort to improve knowledge, attitudes and practices among children and personnel regarding Child Rights and their violations, and finding out and making known how and where to access protection and in supporting them in situations that threaten or violate children.

6.6 Adopting the Preventive System or the "Pedagogy of Presence" that uses reason, religion and loving kindness to enable the best in every child to blossom; to creating an environment of preventive care by taking active steps to prevent any harm to the child; to providing a healthy environment that supports the integrated development and protection of the young; to creating a culture of rights so that any violation of child rights becomes rare and difficult; to protecting the young from falling into situations of risk, harmful influence and situations of abuse and exploitation.

7.0 Priority Areas for Policy implementations

7.1 Survival

7.1.1 The right to life and survival is an inalienable right of every child. It is important to accord the highest priority to promoting the health and well-being of children. Hence St.Xavier's H.S.School Pathaliaghat (Don Bosco Institution), Para shall:

7.1.2 Make efforts to eliminate crimes against life such as abortion, female feticide and infanticide. Every child has a right to be born and live.

7.1.3 Make efforts to prevent child marriage and ensure the rights age at the time of marriage.

7.1.4 Provide for child-friendly and safe physical spaces by ensuring easily accessible facilities, a clean environment, adequate infrastructure facilities, living spaces, playgrounds, safe drinking water, sanitation facilities etc.

7.2 Development

There is no substitute of any sort for quality and age appropriate education for the physical, emotional and cognitive development of children, so as to empower them to live confident and happy lives with life skills for their own safety and protection. Hence, the Child Protection Policy of St.Xavier's H.S.Pathaliaghat school Para shall:

7.2.1 Provide and promote quality, child-friendly, gender sensitive and relevant school education.

7.2.2 Provide opportunities for sports, leisure, recreation and creativity, provide early childhood education, prevent children from dropping out of education, promote better enrolment, ensure quality primary and upper primary education for all as non-negotiable, and promote secondary education.

7.2.3 Enable children to develop holistically, draw out their aspirations and focus on their aptitudes by reviewing the curriculum with a special focus on mental health from a perspective of self esteem, confidence and life skills.

7.2.4 Train children to prepare themselves to face the challenges of life

7.2.5 Address issues of children affected by life threatening and/or stigma attached diseases such as HIV/AIDS.

7.2.6 Educate children about their rights and teach them to access help when their rights are violated.

7.2.7 Make necessary efforts to secure or to restore to children a meaningful access to their own culture, religion and language, so that they may know, understand and value their own identity.

7.2.8 Provide care, support and services to the children in a spirit of accompaniment, supportive supervision and in a friendly family- like atmosphere, offering a caring presence to the child.

7.2.9 While caring for children, give them sufficient freedom, are reasonable towards them, provide emotional support, discipline them with loving kindness, and avoid corporal punishment and public humiliation.

7.2.10 Educate and take care of children in an environment which respects and tolerates all cultures and religions. This is the existential expression of a core belief of the Child Protection Policy St.xavier's H.S.School Pathaliaghat (Don Bosco Institutin) which stands for the conviction of being "loyal to one's own faith and culture, while duly respecting the faith and culture of another". This principle should be concretely translated into action, by fostering in the children an attitude of openness towards God, towards human beings and towards the world, while at the same time, duly respecting the culture and religion of each child.

7.2.11 Provide a trained counselor to help children who need professional counseling for personal growth.

7.3 Protection

A positive and protective environment for children can foster their development, progress, health and education leading them to become knowledgeable, committed and compassionate men and women when dealing with others. This is ensured by caring and enabling policies, regulations and services.

7.3.1 To ensure a protective environment for children always and everywhere, the Child Protection Policy of St.Xavier's H.S.school (Don Bosco Institution) will network with likeminded people towards transforming society to become a caring community that protects and takes care of its children.

7.3.2 Child protection policy involves creating a child safety net in society to protect children from the vulnerability underlying many forms of harm and abuse. Children need protection from abuse, neglect, exploitation and violence.

8.0 Child Protection Committee

The educational institution of St.Xavier's H.S.School Pathaliaghat (Don Bosco Institution) will have a Child Protection Committee, appointed by the management Committee of the institution, to deal with the alleged cases of abuse of children and young people.

8.1 The committee shall be comprised of five competent persons consisting of a student counselor, three members of the staff (One male and two female) and another person endowed with wisdom and prudence. The Chairperson of the Child Protection Committee will be appointed for a term of three years by the Management Committee.

8.2 Contact Persons: Two members of the staff –preferably female – are to be appointed (by the Management Committee) as contact persons who on being informed of any complaint will get in touch with and assure the complainant the matter will be taken seriously and investigated in accordance with the procedures. The Contact Person is bound to take immediate remedial steps and, in case of a need, medical care of the victim.

8.3 The members of this Committee are appointed for a term of three years, renewable for another term of three years.

8.4 The function of this committee is to ensure proper investigation of child abuse cases, especially those of a sexual nature involving children and young people so as to verify the guilt or innocence, and to suggest penalties and provide advice.

8.4.1 The Committee will, within the Managing Committee of the School and seek advice and guidance, if required.

8.4.2 On receiving the information about any complaint with regard to Child Protection Violation, the contact person shall immediately inform the Principal and the Chairperson who will convene a meeting of the Child Protection Committee.

8.4.3 The Principal shall immediately inform the S.H.O. of the local Police Station in writing, providing whatever information he has about the offence. However he will not disclose the name and identity of the victim.

8.5 Powers and functions of the members of the child Protection Committee:

8.5.1 The Chairperson of the Committee

The main function of the Chairperson of this Committee is protection envisioned by this policy and to safeguard the child from child abuse.

8.5.1.2 The Chairperson of the Child Protection Committee, after having called the first meeting shall inform the Management Committee whether there is a *prima facie* case against accused.

8.5.1.3 Should there be a case, the Management Committee shall suspend the accused till the whole enquiry is completed and action is taken on the report of the enquiry.

8.5.1.1 Skills of the Chairperson

- Should be a good listener and a good communicator.
- Have the ability to emphasize, keep confidence and objective.
- Should be generally friendly and approachable.

8.5.1.2 Scope

- Assumes responsibility of ensuring that the policy is adhered to in his/her institution
- Ensures that any breach of policy is properly reported.
- Ensures the protection and safety of the children and youth.

8.5.1.3 Responsibilities

- Acts promptly when there is a breach of the code of Protective Behaviour.
- Is personally available, whenever required, and maintains a climate that encourages individuals in disclosing/reporting any allegation of abusive behaviour especially sexual behaviour.
- Writes a report of the incident which has taken place.
- Ensures immediate medical attention needed, and ensures the protection of all individuals involved in the reporting or as witnesses of abusive behaviour.
- Upholds confidentiality of the report concerned or allegations of abusive behaviour.
- Ensures the confidential and safe custody of all original written or typed reports signed and dated.

8.5.2 Secretary

A secretary appointed from among the members of the Committee shall be recorded minutes of the meetings, its deliberations and decisions as well as other relevant matters/actions.

9.0 Duties of the Child Protection Committee and Recording

The Child Protection Committee:

9.1 Shall maintain a file on every case or matter it considers. Each file shall contain a written/typed report of the investigation conducted, conclusions reached with stated reasons and a written/typed summary to be forwarded to the Managing Committee.

9.2 shall ensure the safety of all files and availability in the future. It shall treat as 'confidential' all records, documents, information received by the members.

9.3 shall direct person to meet with the alleged victim for the purpose of filling in details required, providing information and inviting statements.

9.4 Child Protection Committee of Don Bosco School Herma.

9.4.1 The child protection Committee of St.Xavier's H.S.School pathaliaghat Salesians of Don Bosco school is the Governing Body of the Society.

9.4.2 The victim or the accused may appeal to the Child Protecting Committee of the Society, if he/she is not satisfied with the findings of the School Committee and/or action taken by the Managing Committee.

9.4.3 On receiving the finding of the child protection committee regarding of the child protection committee regarding sexual abusive behaviour from the school it will call meeting of committee to discuss the facts and gravity of the offence so as to find out if the proper procedures and the guidelines have been followed and a fair, just and independent investigation has taken place.

9.4.4 The decision of the child protection committee of st.Xaviaer's H.S.the salesains of Don Bosco school will be final and binding.

9.5 Reporting abusive behaviour

A disclosure of abusive behaviour may be made in any of the following possible ways.

9.5.1 Where the victim himself/herself disclosed it.

9.5.2 The victim disclose to another person eg. Parents guardians/friend/staff member, who then discloses it to the contact person or a member of the child protection committee.

9.5.3 An individual directly discloses behaviour based on his/her independent observation.

9.6 How to report

Disclose about abusive behaviour which should be reported immediately may take the form of a written letter, email, phone call, audio-video recording, photograph, a verbal conversation or through personal observation.

9.7 Procedure of Registration of offence

The complaint alleging a case of sexual abuse should clearly state the name and address of the victim, together with the name and address of the offender.

9.7.2 The complaint should be dated. It should also include the date and place of the offense and if possible mention the date of birth of the victim to determine the age of the victim at the time of the offense.

9.7.3 It should carry a brief account of the offense, its frequency, place, time, circumstances and should be signed by the petitioner.

9.7.4 If the complaint is made by a third party, it should be done by someone who has “locus standi”, such as a parent guardian, family member or a legal practitioner.

9.7.5 If the petition is signed by some one other than the above, the party should obtain authorization from the victim or form a legal representative of the victim.

If the offender is guilty and poses a potential threat to the minors of the institution, he/she is to be immediately dismissed from the institution as per the provision of the code of conduct of the institution. If need be legal proceedings too, may be adopted in which case the law of the land would take its due course.

9.9.6 It is to be noted that if any person makes a false complaint in connection with the connection with child abuse or provides false information solely with the intention of tarnishing the image. Humiliating threatening or demoing another person of institution, legal action shall be taken against him/her (Re: Sec. 22 of POCSO Act 2012)

9.9.7. At any given stage the victim cannot claim any compensation, monetary or otherwise from the institution where the offender was discharging his/her duties, as it is understood that the institution hires only the services of employees for a remuneration agreed upon, and that it is not responsible for his/her behaviour, character, personal interests, private life and traits.

9.10 Training, evaluation and monitoring.

St.Xavier's H.S. School Pathaliaghat will organize training to ensure that all committee members, staff, and volunteers understand the content of this child protection policy. The training will be mandatory for all the members of the staff. The scope of the training will cover many other issues also and shall not be limited only to definitions of child abuse, characteristics, causes handling or disclosure, reporting systems and laws.

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