



Child Protection Policy

*How we safeguard
the children and young people
we work with*

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Introducing the Child Protection Policy

1.1 Why we need a Child Protection Policy

Future Hope provides a safe shelter, education and a home to street children of Kolkata who would be otherwise vulnerable to abuse. The children at FH participate in a wide range of regulated activity organised by Future Hope India and Future Hope School, and partners, which are delivered on or off FH premises involving frequent and intermittent contact including overnight stays.

Over recent years, there has been increasing recognition that the abuse of children can and does happen in organisations, and a growing acceptance of the potential risks to children from adult unintentional acts and deliberate actions. Unintentional acts can happen due to a lack of 'due diligence' and organisational negligence. It can lead to acts of harm such as child injury or abduction due to inadequate care and supervision or lack of policies and procedures to inform planning and practice. It can also emerge from a lack of staff compliance with legal requirements. Deliberate actions are taken by people with intent to abuse children. Research and practice shows that predatory offenders with the intent to abuse children sometimes deliberately place themselves in an organisation and/or job that give them access to children.

FH recognises that we have a fundamental duty of care towards all children we engage with. We take our responsibility seriously to ensure we are doing all we can to protect children from abuse, both from within and outside the organisation, and to take appropriate action if such abuse occurs.

A Child Protection Policy is in place but a new, comprehensive Child Protection Policy is being drafted in consultation with key personnel and panels.

1.2 Purpose of a Child Protection Policy

Child protection is not just about health and safety. Its purpose is to help us to develop a common understanding of child protection issues, develop good practice across the diverse areas in which we operate and thereby increase accountability in this crucial aspect of our work. This policy, when put into practice, will help make sure that children are protected. It also ensures that staff and other representatives are protected. This aspect of good governance is also critical in maintaining the reputation and credibility of FH.

1.3

What is a Child Protection Policy?

A Child Protection Policy is an organisation's commitment to protect children from abuse, exploitation and organisational negligence. This is reflected in the way an organisation conducts its activities and the way staff behave. Child Protection Procedures are how an organisation puts its policy into action. Examples of typical organisational child protection policy & procedures include safer recruitment and screening processes for those working with FH, codes of conduct for staff, guidance on the appropriate use of children's images and information and requirements for staff to report suspected or actual abuse.

1.4

Who is defined as a child?

In this policy, a child is defined as anyone who has not reached their 18th birthday. 'Children' therefore means 'children and young people' throughout. We use the definition of a child according to Indian and international law since. This comes from Indian law and United Nations Convention on the Rights of the Child, 1989. The United Nations Convention for the Rights of the Child is the international framework which sets out the specific rights of children; it is the most widely ratified international human rights instrument which over 190 countries have signed. India signed and ratified the UNCRC in 1992. As a party to the UNCRC India is obliged to protect and promote the rights of all children.

1.5

Who is the audience for the Child Protection Policy?

The policy covers and positively benefits children we engage with throughout the organisation. This policy is mandatory for all FH staff. For the purposes of this policy 'staff' is defined as anyone who works for FH, either in a paid or unpaid, full or part time capacity. This includes directly employed staff, trustees, contractors, agency staff, consultants, volunteers and interns.

It also covers implementing partners and who we should expect to agree to work under the policy as a condition of their involvement with FH.

1.6

What are our responsibilities?

Everyone shares responsibility for safeguarding and promoting the welfare of children irrespective of individual roles. Our policy is for all staff to be responsible for implementing this policy if they receive or become aware of any of the following situations in relation to:

- any allegation of or concern about actual or suspected situations of abuse involving a child or children known to FH
- any allegation of or concern about actual or suspected staff misconduct and/or criminal activity involving the abuse of a child or children whether or not they are known to FH

1.7

How the Child Protection Policy fits with other policies within FH

There are many policies developed by FH. This policy complements and reinforces attempts to protect children contained in other policies. Over time, some of these policies may be harmonised with the Child Protection Policy to ensure that there are no contradictions.

1.8

Principles underpinning the Child Protection Policy

A number of key principles underpin the provisions of the Child Protection Policy. These include:

Best interests of the child are paramount and shall be the primary consideration in our decision making.

Child centred and rights based approach in order to keep children sharply in focus in all our planning and direct work. Some of the worst child protection incidents have happened when staff have lost sight of the child and their rights to be protected.

Equality of opportunity to ensure that all children have the opportunity to enjoy our activities safely regardless of their gender, ability, race, ethnicity, circumstances or age. Vulnerable children will require particular attention in order to optimise their safety needs and promote their access to important opportunities.

Taking responsibility in order to meet our obligations regarding our duty of care towards children, and **taking action** where we believe that a child is at risk or is actually harmed.

Recognising and acknowledging that an element of risk exists, and while we may never be able to totally remove this, we need to do all we can to reduce it or limit its impact.

Honesty and transparency by informing those we work with, including children, about our Child Protection Policy, and the way we work to try and protect children.

Confidentiality to protect sensitive personal data. Information should only be shared and handled on a *need to know basis*, that is, access to the information must be necessary for the conduct of one's official duties. Only individuals who have legitimate reasons to access the information are allowed to receive it.

Supporting and training those working with FH to recognise and respond to child protection risks and incidences.

Working with others to protect children. This includes involving law enforcement and specialist child welfare agencies where necessary.

Monitoring the implementation of the Child Protection Policy. The Child Protection Policy will be reviewed every three years.

1.9 Complaints

In this policy it is important to understand the difference between a complaint and an allegation as our response will be different. Complaints are generally an oral or written expression of dissatisfaction or concern about facilities or services. An allegation is an oral or written declaration of wrong doing or assertion of misconduct or criminal behaviour, the validity of which has not been established yet.

Understanding Child Protection Issues

It is important when considering child protection that we have a shared understanding of child protection and what it means. If we do not fully understand what we are protecting children from, then it is unlikely that we will be successful in our efforts.

2.1

What are we protecting children from?

In the context of this policy, when we talk about 'child protection' we do not mean preventing accidents or making sure that a child's rights (principally as defined in the United Nations Convention on the Rights of the Child) are fully implemented. Instead we are referring specifically to the protection of children from abuse.

FH uses the definition of abuse commonly used by 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'

2.2

General definitions of child abuse

Internationally, four main categories of abuse are generally recognised:

Physical Abuse: This may involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child who they are looking after.

Emotional Abuse: This is the persistent emotional ill-treatment of a child such as to cause severe and long lasting effects on the child's emotional development. It may involve conveying to children that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It can also involve age or developmentally inappropriate expectations being imposed on children, or causing children frequently to feel frightened or in danger. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.

Neglect: This is the persistent failure to meet the child's basic physical and / or psychological needs, likely to result in the serious impairment of the child's physical or cognitive development. For example, inadequate care and supervision which leaves a child in a dangerous situation where they could be harmed (but only where this can be avoided).

Sexual Abuse: This involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening or gives consent. The activities may involve physical contact, including penetrative (e.g. rape) or non-penetrative acts. They may also include non-contact activities, such as involving children in looking at, or in the

production of, pornographic materials or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Other types of abuse commonly recognised, such as commercial sexual exploitation and trafficking, are complex manifestations of a combination of the above four categories. It is important to highlight that bullying is also a form of abuse as it is an act of aggressive behavior in order to intentionally hurt another person or persons, mentally, physically and/or sexually. Abuse can take place in many forms and anywhere, that is, in the family, community or on the Internet. Abuse is also manifesting itself in digital and augmented technologies such as smart phones. This can be virtual or real and can take many forms including sexual harassment and child pornography. It should be remembered that although we commonly think of adults as those who abuse children, children can also be the perpetrators.

Child Protection Focal Point

In order to assist with the implementation of the Child Protection Policy FH will nominate someone to act as the Child Protection Focal Point. The main function of the Child Protection Focal Point is to support the implementation of the Child Protection Policy. Broad areas of responsibility for the Child Protection Focal Points are divided across three key areas: prevention and planning, communication and awareness raising and incident management.

For more information on the specific roles and responsibilities, reference the role description, contained in Appendix 1.

Preventative Actions

The most important key to child safety is prevention. It is widely recognised that organisational awareness and good practice can promote positive staff action or behaviour, reduce opportunities for offending and will enable early detection and response.

4.1

Child Protection Code of Conduct

Since ideas about child care vary, all staff who work with children must sign up and abide by the child protection code of conduct, which describes the behaviour expected of them and their responsibilities in relation to children they come into contact with as a result of their work with FH.

4.2

Recruitment and Employment

'Safe' recruitment and checks that are undertaken as part of the recruitment process are the organisation's first chance to deter potential offenders. FH will take all reasonable measures to prevent unsuitable individuals from working with children. The majority of people who want to work with FH are well motivated and without them the organisation could not operate. Unfortunately, however, research and practice shows that predatory offenders with the intent to abuse children sometimes deliberately place themselves in organisations and / or job roles that allow them access to children. Opportunistic and situational offenders are reactive and responsive to cues given out by the environment. It

is therefore crucial to have some sort of screening process for individuals entrusted with the care of children.

FH will take the following measures to ensure that only those who do not pose a risk to children are employed or involved in its work:

- All job, contract and service advertisements must state that FH works to protect children and that those seeking work will be assessed regarding their suitability to work with children.
- Before employing any staff, background screening checks must be conducted to ensure their suitability. This includes independent references and police checks (where available).
- Where staff is engaged in 'regulated activity' (direct work with children), additional care must be taken to ensure that they are suitable. This should include checking identification, qualifications and obtaining references from previous employers.
- Staff should be asked to sign a self declaration statement confirming that they have no convictions for any offence involving any type of harm to a child or children, and should declare anything that may affect their suitability to work with children.
- In exceptional circumstances, it may not be possible to obtain background checks and references. In these situations a careful assessment should be made as to whether it is appropriate for the person to be put in the position of working alone with a child.
- Where allegations are made about staff, careful consideration must take place about the appropriateness of the person continuing to work in FH. This may include suspension during any internal or external investigation and dismissal if the allegation is proved.

4.3 Induction, Training and Support

Once staff has been recruited they need to be adequately trained and supervised to ensure that any risks to children are minimised. This will be achieved through ensuring that:

1.

All staff are inducted on child protection as it is essential that all staff are aware of their own responsibilities, as well as organisational policy and practice. Child protection induction must include completion of the global mandatory e-learning course –Child Protection Basic Awareness – which will introduce the new starter to:

- The child protection policy
- The role of the Child Protection Focal Point and how they might be contacted
- Safe project planning and delivery
- What they should do in the event of a disclosure
- What to do if they have concerns about the welfare of a child
- How to recognise signs of abuse
- What to do if they have concerns about a staff member

- Where to go for advice and support within the organisation

2.

In addition to this it is recommended good practice for the new starter to have a briefing on the local child protection arrangements in place e.g. name of Child Protection Focal Point.

All staff will have access to advice, support and training regarding child protection and the implementation of the Child Protection Policy, via the Child Protection Focal Point.

Where staff are contracted by other employers, or when working with partners, FH will brief them on our child protection policy and ask for information on how the organisation works to protect children (such as their child protection policy).

4.4

Media, communication & information

FH has a policy regarding the media and the use of images (including photographs and recordings) and stories regarding children (the 'Acceptable Usage Policy'). This should be applied in all situations. Specifically relating to child protection, we will:

1.

Ensure that personal information is kept confidential unless we have the agreement of the child and their parent/guardian, except where it is necessary to pass this to a specialised child welfare or law enforcement agency in relation to a child protection incident.

Use images of children which are respectful (not degrading, or showing sexual images of children naked or partially clothed).

Reproduce images of children only where we have the written permission of their parents / guardians.

Make clear to children and their families that agreement to providing information or images is not a condition of involvement in FH activities and programmes.

2.

Staff should be informed about the policy of FH in relation to the use of technology (such as computers and mobile phones), and understand that they must not use this technology for the purpose of accessing, producing or distributing any information or violent or sexual images that are harmful for children. This includes adult pornography.

Reporting – Responding to Allegations & Concerns

It is anticipated that, if this policy is properly implemented, the chances of an actual situation of abuse occurring from within the organisation will be reduced. Even so, incidents may still arise or information comes to light about the behaviour of another staff member which creates cause for concern. We may also become aware of situations of actual or suspected abuse from outside the organisation.

Child protection is a tricky and complex area. Speaking out when there is child abuse can be difficult. The nature of child abuse means that it is hard to acquire concrete evidence. Staff is more likely to be faced with indirect statements from children, non verbal clues and signs which can be inconsistent. When actual disclosures of abuse are made they are often retracted. For this reason, when faced with child abuse, staff are more likely to have feelings of concern; an intuition or suspicion that something is happening but doubt their judgement and/or feel uncomfortable about saying anything or raising the concern as they do not believe they have enough evidence. Because of the often secret and intimidating nature of abuse and the severe impact it can have on children, however, it is essential that people speak out.

It is not the responsibility of staff to decide whether or not child abuse has taken place. All staff, however, have a responsibility to act on any concerns by reporting these to the Child Protection Focal Point, a specialist and confidential resource available for staff to talk to about any concerns, no matter how small and insignificant they may seem, and will provide advice and support and decide what action to take.

To ensure that all such situations are handled appropriately and effectively, a reporting mechanism has been created:

1.

All allegations and concerns of abuse must be taken seriously, irrespective of the identity of the alleged perpetrator and victims, and regardless of how 'unbelievable' the situation may seem.

2.

All staff must report any of the following situations in relation to:

- any allegation of or concern about actual or suspected situations of abuse involving a child or children known to FH
- any allegation of or concern about actual or suspected staff misconduct and/or criminal activity involving the abuse of a child or children whether or not they are known to FH

3.

No staff member can agree to keep information regarding actual or suspected abuse 'private' as a personal confidence. In general, FH will seek to discuss our concern with the child in a way that is appropriate to the child's age and understanding, and with their parents/guardians, and seek their agreement if making a referral to a specialist agency.

Reports must be made, and decisions and actions taken.

1.

FH is not an investigative authority. It is essential that referrals be made to the relevant child welfare and law enforcement agency to ensure that appropriate protection and support is given to the child, and that any evidence is collected in accordance with the law.

2.

A written record of all child protection reports, including any decisions made, must be kept up to date by the Child Protection Focal Point and logged on to a child protection reporting form. This should include details of any referrals made to specialist agencies.

3.

All sensitive and personal data must be kept confidential (including the names of anyone who makes a report of abuse), and be shared on a strictly '*need to know basis*', that is, access must be necessary for the conduct of one's official duties.

4.

Referrals must be made to a specialist child welfare and law enforcement agency when sufficient evidence exists that an allegation or concern is a serious welfare and/or criminal matter. Apart from referrals to child welfare and law enforcement agencies, no details regarding the circumstances of children and their families will be passed to other individuals or organisations without the express permission of the child and their parents / guardians.

5.

Names of those who are alleged to be a risk to children will also be passed on to law enforcement agencies where it is suspected that a crime may have been committed, for investigation in accordance with relevant legislation.

6.

Where a member of staff is the subject of an investigation (but not when making a report), an Internal Child Protection Investigation Panel will be convened by the Head of Child Protection. The panel will work alongside any formal police investigation. The composition of the panel depends on the nature of the allegation or concern but will routinely consist of a representative from Human Resources and Legal.

7.

In situations where non local staff are suspected to be involved, either as the victim or the perpetrator, the local relevant Embassy should be informed regardless of diplomatic status. This is important because, in some countries where there are weak laws to protect children, perpetrators can be prosecuted in their own home country. Many embassies have a police liaison officer who can work with local police to ensure that evidence and information is collected in the appropriate way, and that support is offered to victims.

8.

Where abuse is sent or received via the Internet or other technologies (such as child pornography images), even if this is received in the form of 'Spam' or passed on to FH from another organisation, the images **MUST NOT** be sent via the Internet to law enforcement agencies or to any other person working for FH. Instead they should be contacted and asked to advise how to send the information. This is because the distribution of child abuse images (i.e. child pornography) is illegal. Links to websites can be sent to law enforcement agencies by email.

9.

If a report of abuse is made, or concerns are raised, even if the situation is ultimately found to be untrue, no retaliatory action will be taken against the person making the report. If, however, the report is found to be malicious, the staff member will be offered support and Human Resources will decide on the course of action relating to disciplinary and suspension issues.

10.

It is understood that there will be unanticipated situations where staff will have to apply their independent judgment. They should do so in a way that is consistent with the principles of the policy and in consultation, when possible, with the Child Protection Focal Point and an available senior manager. Where staff do have to apply their own judgment in relation to a child protection issue, and it is not possible to consult with the Child Protection Focal Point, the Child Protection Focal Point should be advised of the situation as soon as possible.

Any difficulties or confusion should be referred to the Trustees of FHI for further assistance and guidance.

Appendix 1 - Child Protection Focal Point Role Description

Main purpose: To support day to day operationalisation of FH's Child Protection Policy. The final accountability on child protection policy compliance lies with the trustees of FH.

Prevention & Planning

1. Coordinate the drafting of a Child Safe Action plan, ensuring involvement of all relevant staff.
2. Coordinate the effective implementation and monitoring of the Child Safe Action Plan.
3. Establish links with local specialist child welfare, health and law enforcement contacts in order to have information available if an incident occurs and/or external advice is needed.
4. Keep an overview of safer recruitment guidelines and support recruitment managers to implement them.
5. Ensure that all staff are aware of key child protection resources required to plan and deliver child safe activities, and provide advice when needed.

Communication & Awareness Raising

1. Ensure that all staff is aware of the child protection policy and the role of the Child Protection Focal Point.
2. Promote the global mandatory child protection e-learning modules and provide short staff awareness raising sessions as required.
3. Keep up to date with available communication resources developed at corporate level and promote the usage of these.



Incident Management

1. Act as first point of contact for child protection concerns, and escalate concerns to the Corporate Child Protection Team and/or Senior Manager as appropriate.
2. With guidance from Regional Child Protection Manager, liaise with in-country child welfare and/or law enforcement agencies and, as far as possible, ensure that the child(ren) receives adequate support.
3. Keep an accurate record of incidents and ensure that they are data protection compliant.

A handwritten signature in black ink, appearing to read "Sujata Sen".

(SUJATA SEN)
CEO
November 2022