



Child Protection Policy

Creating a Child Safe World



I commit to
create a
safe world for
children!

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Preamble

HCL Foundation affirms that children are persons with rights. Through this policy, HCL Foundation expresses its determination and commitment to prevent any type of abuse of children and ensure a safe, happy, serene and protected environment for every child to grow and develop to realise their full potential

The policy covers all persons and organizations, becoming binding for all those associated with HCL Foundation, in **protecting, promoting** and **securing** the rights of all children at all the times, at all levels and in whatever capacity one operates. HCL Foundation has a ZERO TOLERANCE towards any forms of child abuse.

By adopting this **Child Protection Policy**, HCL Foundation intends to streamline all interventions and make all areas of operation child sensitive and safe for all children.

Vision: Be a source code for sustainable socio-economic development

Mission: Nurture clean, green and healthy communities where everyone is empowered and equipped to reach their full potential in full engagement with our employees and partners, showcasing and establishing international standards of planning, implementation, monitoring and evaluation in community development.

Scope

HCLF engages only with NGOs / Implementing Partners who are committed to protecting children in line with the intentions and provisions of this policy. HCLF provides all the support and guidance that any NGO / Implementing Partner may need, in implementation of this policy.

In accordance with HCLF Child Protection Policy, every NGO / Implementing Partner has the primary responsibility of having adequate reporting and responding mechanisms in place in line with the provisions of the legal framework governing child abuse.

This policy applies to all individuals/organisations associated with HCLF in any way, hereinafter referred to as **HCL Foundation Associates**, categorised as follows:

1. **HCL Foundation Staff and Consultants** would be all those who have an employment/consultancy contract with the HCL Foundation.
2. **HCL Foundation Volunteers** would be the staff of HCL, who volunteer their time and contribute to the mission and objectives of the HCL Foundation on a volunteer basis and without any financial benefit.
3. **HCL Foundation Partner staff** refers to any paid or unpaid individuals who have committed to or support the HCL Foundation in its programs or initiatives. It includes visitors, consultants, interns, sponsors, donors, all staff/consultants of partner organisations or local government bodies, and any other individual or organization working within a Partnership Agreement/contract with HCL Foundation.
4. **HCL Foundation Visitors** include any person who visit the HCL Foundation programs or initiatives and come into contact with children through these programs or initiatives and includes media persons, celebrities, researchers, journalists, etc.
5. **HCL Foundation Vendors Contractors and Suppliers** are those entities who have been contracted by HCLF or its Partners to provide specific goods or services. They include all the staff of the vendor, contractor or supplier.
6. **HCL Foundation Program Participants** include students, scholars, chaperones, teachers, coaches, doctors, nurses, allied services who are collaborators in the programs, initiatives and activities of HCLF.

Policy Statement

HCL Foundation affirms its belief in the rights of all children as set out in the UN Convention of the Rights of the Child 1989¹ to be protected from all forms of abuse, neglect, exploitation and violence. We recognise that all institutions, initiatives and programs coming into contact with children have a fundamental and inalienable duty of care, concern and protection towards them.

Thereby, it is also committed to, prevent and address all kinds of abuses and exploitation of children.

Hence,

- HCL Foundation is committed to actively prevent child abuse.
- HCL Foundation strives to create, develop and nurture a culture where all children are safe and protected.
- HCL Foundation strives to ensure that individuals who abuse children are not involved in any way in its operations.
- HCL Foundation takes exemplary stringent measures against any Associate who commits child abuse.

Who is a Child?

A "juvenile" or "child" means a person who has not completed the eighteenth year of age, as per section 2(k) of the Juvenile Justice (Care and Protection of Children) Act, 2000 as amended in 2006 and 2015. This is in conformity with the UNCRC, 1989 (Article 1).

Why A Child Protection Policy?

The HCL Foundation believes that each child is born with inherent dignity and right to respect. Safeguarding every young person entrusted to our care, directly or indirectly, is not only our duty and responsibility but also our priority. This Child Protection Policy is our commitment to respect the rights of every child and to contribute to the welfare, protection and empowerment of each child. By spelling out these policy matters, we know we are applying, interpreting and implementing in our interventions and activities, the laws enacted in our country for ensuring protection and promotion of children.

¹ UN Convention on the Rights of the Child (UNCRC), Article 2.2

Child Abuse²

Any harm caused to a child, intentionally or unintentionally is child abuse. This includes emotional, physical, sexual, or spiritual forms of abuse.

According to the World Health Organization, "Child abuse or maltreatment" constitutes all forms of physical and/or emotional ill-treatment, sexual abuse and sexual exploitation, neglect or negligent treatment, commercial or other exploitation of a child and any action resulting in actual or potential harm to a child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power."

Inherent in the various definitions of child abuse are the concepts of trust, abuse of power, the child's inability to consent or make a choice, the age differential between the perpetrator and the child, the cognitive, emotional, psycho-sexual development level of the child and the intent of gratification.

Types of Abuse

Child Abuse can be categorized into different types:

Child to Child Abuse

At times children abuse other children. Allegations or concerns regarding the abuse of a child by another child need to be responded to with particular sensitivity, taking into account the vulnerabilities of the alleged perpetrator, who in this case is also a child. Nevertheless, they have to be dealt with through the child protection procedures, and in accordance with the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015. Working with children who have committed abuse requires an effective approach which ensures the protection of children affected, while at the same time supporting the child in challenging and changing his/her behavior.

Emotional Abuse

Any type of persistent emotional ill-treatment of a person, so as to cause severe and persistent adverse effect on one's emotional development and well-being, would be emotional abuse. It includes a failure to provide a supportive environment for a child so that they may develop a full and healthy range of emotional abilities. It may involve conveying to children that they are worthless or unloved, inadequate or valued only insofar as they

² Adapted from Study on Child Abuse: India 2007, MWCD, GOI

meet the needs of another person. This may be expressed verbally or non-verbally or via electronic or written communication or any other form.

Emotional abuse includes verbal abuse, mental abuse, and psychological maltreatment. This can include Associates using extreme and/or forms of punishments threatening or terrorizing a child. All forms of abuse invariably result in emotional abuse.

Neglect

Neglect is the persistent failure or deliberate denial by a parent or caregiver to provide a child with the necessities for its good health and development. Child Neglect is abandonment of a child by the responsible Associate. It is depriving the child of care by not providing appropriate and necessary food, shelter, clothing, medical care and supervision.

Child Neglect is an act of omission or commission leading to the denial of a child's basic needs. Neglect can be physical, educational, emotional, spiritual or psychological. Physical neglect entails denial of food, clothing, appropriate medical care or supervision. It may include abandonment. Educational neglect includes failure to provide appropriate schooling or special educational needs. Psychological neglect includes not providing emotional support and love to a child. (MWCD, Study on Child Abuse: India 2007)

Children living with disabilities or special needs in programs and initiatives are a particularly vulnerable section of our initiatives and require special care and concern to ensure that their disability is not exploited by anyone and that they are able to access all the rights to realise their full potential.

Physical Abuse

As defined by the Ministry of Women and Child Welfare, Govt of India, in its study on Child Abuse, physical abuse is "inflicting of physical injury upon a child. This may include slapping, hitting, punching, shaking, kicking, beating or otherwise harming a child in any way physically even when the parent or caretaker may not have intended to hurt the child. It may, even be the result of over disciplining or physical punishment that is inappropriate to the child's age." (MWCD, Study on Child Abuse: India 2007)

Sexual Abuse

Sexual abuse of a child, (according to American Psychological Association) is the dominant position of an adult that allows him or her to force or coerce a child into sexual activity. Child sexual abuse is not solely restricted to physical contact; such abuse could include non-contact abuse, such as exposure, voyeurism, and child pornography.

The UNICEF has defined Child Sexual Abuse as contacts or interactions between a child and an older or more knowledgeable child or adult (a stranger, sibling, or person in authority, a parent or a care-taker) when the child is being used as an object of gratification for the older child or adult's sexual needs. These contacts or interactions are carried out against the child using force, trickery, bribes, threats or pressure. (UNICEF 2003)

Verbal Abuse

Any kind of irresponsible use of words that hurt the dignity of children would be considered verbal abuse. It refers to the use of words by an Associate that leave a lasting negative emotional impact in a child or hurts the sensitivity of a child.

Principles Guiding Child PROTECTION Concerns – Guiding Principles:

HCL Foundation responds to child abuse concerns keeping the following principles in mind:

1. **Safety and security of the child is paramount.** Hence, all steps necessary for the same would be ensured by HCL Foundation.
2. All further steps to address the child abuse concerns would be in the **best interest of the child.**
3. All investigation into suspected or actual child abuse cases would be **strictly confidential and on a need to know basis.**
4. A person thought, but not yet proven to be responsible for the actions that are the subject of the concern, incident or complaint that is being reported will be referred to as the *Alleged Perpetrator*.
5. All Associates have a fundamental and inalienable *Duty of Care* towards all children.

In view of implementing the policy, HCL Foundation will do the following;

Awareness and Acknowledgement: We will ensure that all staff and others are aware of the problem of child abuse and the risks to children.

A. **Raise awareness of child abuse and its risks for staff and partners.**

The development of an open and responsive culture in all HCL Foundation and Partner programs and within the communities we work with is essential for protecting children. Therefore every Organisation should strive to create an atmosphere that promotes safety and protection of those entrusted to its care, so that they can assume responsibility for their own growth as human beings.

All HCL Foundation, programs and initiatives shall maintain an open culture where staffs, children, parents or guardians feel comfortable to express concerns about child protection issues and issues of dealing with children and the concerns will be taken seriously and treated sensitively.

All HCL Foundation, programs and initiatives will organise regular awareness raising programs to enhance the awareness, understanding and acceptance

of the Child Protection Policy and develop attitudes and behaviour that are congruent with the intentions and objectives of this policy.

B. **Acknowledge the Need and Importance of Child Protection**

All HCL Foundation Institutions, programs and initiatives will ensure that all staff and anyone associated with it have understood the Child Protection Policy and signs a copy of the same in acceptance and acknowledgement.

C. **Levels of Contact**

All staff and volunteers involved in any way in any HCL Foundation institution, program or initiative would be assessed for their Level of Contact with children, based on the frequency, duration, nature and scope of their involvement with children. Accordingly, each would be guided and made aware of the inherent risks and perceptions regarding safe conduct with children as well as helped with safe practices, feedback and help regarding appropriate conduct in any interaction with children.

Prevention: Provide guidance on how to protect children from abuse - we will ensure, through awareness and good practice, that staff and others minimize the risks to children.

To prevent child abuse, HCL Foundation needs to create, maintain and nurture an environment which promotes our core values in our institutions, initiatives and any other facilities. We will strive to ensure that sufficient space is provided for the children to give vent to their energy, develop their talents and learn the basics of social living and spiritual and holistic well being.

All initiatives and programs of HCL Foundation should have specific and frequent orientations, inductions and information-sharing sessions so that all concerned are aware of and acknowledge the importance of child protection as a foundational aspect of the culture of each initiative or program.

Reporting: Set up and adhere to a clear and simple reporting procedure - we will ensure that staff, volunteers and associates and others are clear what steps to take where concerns arise regarding the safety of children.

HCL Foundation takes all concerns raised seriously, be it in HCL Foundation, community development program or other initiatives and takes appropriate action. HCL Foundation has defined clear reporting and responding procedures, internal communication lines, and the roles and responsibilities of all people involved.

Reporting child protection concerns is not an easy thing to do but it is vitally important that everyone understands the need for this to happen as soon as an incident occurs or a concern comes to light, especially if it involves a Staff, Volunteer or Associate of HCL Foundation.

If any staff member is aware of or suspects any child abuse issue in the institution, he /she is duty bound to report it to the appropriate authority. As it is a mandatory requirement, failure to do so will result in disciplinary action.

Staff members should speak up on any case of abusive behaviour to the appropriate authorities, without gossip mongering or indulging in behaviour that could adversely affect the dignity, character or reputation of the persons concerned.

Responding: Ensure clear action is taken when child abuse is suspected or reported - we will ensure that action is taken to support and protect children where concerns arise regarding possible abuse.

All forms of child abuse are taken seriously, without exception in all HCL Foundation programs, and are to be responded according to the gravity of the offence. HCL Foundation ensures that there is always a response, regardless of whether the abuse committed is considered large or small. By responding we guarantee that a transparent and fair procedure is followed, so that nobody is falsely convicted and the rights of everyone involved are protected.

As prescribed by law, the institutions, programs or other initiatives of the HCL Foundation will fully cooperate with legal authorities in case of any allegation of child abuse against anyone working in the institutions and will support any ensuing investigation by any recognized authority.



Child protection
is everyone's
responsibility
and driven by
duty of care.