

HCLFoundation

Child Protection Policy

Creating a child safe world

Preamble

HCL Foundation reaffirms 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

To be the source code for sustainable socio-economic & environmental 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

HCL Foundation only engages with NGOs / Implementing Partners who are committed to protecting children in line with the intentions and provisions of this policy – HCL Foundation will give all the support and guidance that any NGO / Implementing Partner may need in applying this policy.

In accordance with HCL Foundation Child Protection policy, every NGO / Implementing Partner has the primary responsibility of

having adequate reporting and responding mechanism in place in line with the provisions of the legal framework governing child abuse.

This policy applies to all individuals / organisations associated with HCL Foundation in anyway, here and after referred to as HCL Foundation Associates categorised as follows:

HCL Foundation Staff

1

would be all those who have an employment contract with HCL Foundation.

HCL Foundation Volunteers

2

would be the staff of HCL, who volunteer their time and contribute to the mission and objectives of the HCL Foundation on a volunteering basis and without any financial benefit.

HCL Foundation Associate

3

refers to any paid or unpaid individual who have committed to or support the HCL Foundation in its programmes or initiatives. It includes visitors, consultants, interns, sponsors, donors, contractors, vendors, suppliers, staff or partner organisations or local government bodies working within a Partnership Agreement with HCL Foundation.

HCL Foundation Visitors

4

include any person who visit the HCL Foundation programmes or initiatives and come into contact with children through these programmes or initiatives and includes media persons, celebrities, researchers, journalists, etc. This Policy applies to all visitors for the duration of their association with HCL Foundation.

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 1989 to be protected from all forms of abuse, neglect, exploitation and violence. We recognise that all institutions, initiatives and programmes coming into contact with

children have a fundamental and inalienable duty of care, concern and protection towards them.

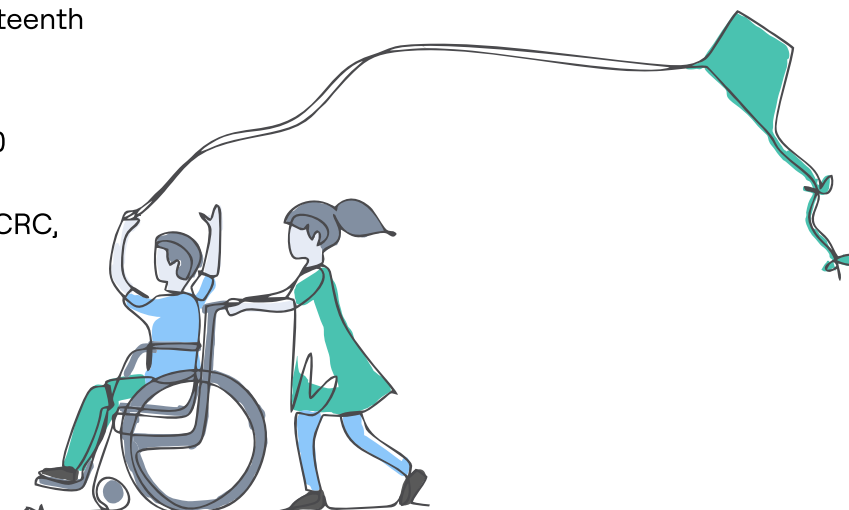
Thereby, it is also committed to, prevent and address all kinds of abuses and exploitation of children.

Hence HCL Foundation is

- Committed to actively prevent child abuse.
- Strives to create, develop and nurture a culture where all children are safe and protected.
- Strives to ensure that individuals who abuse children are not involved in any way in its operations.
- 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).

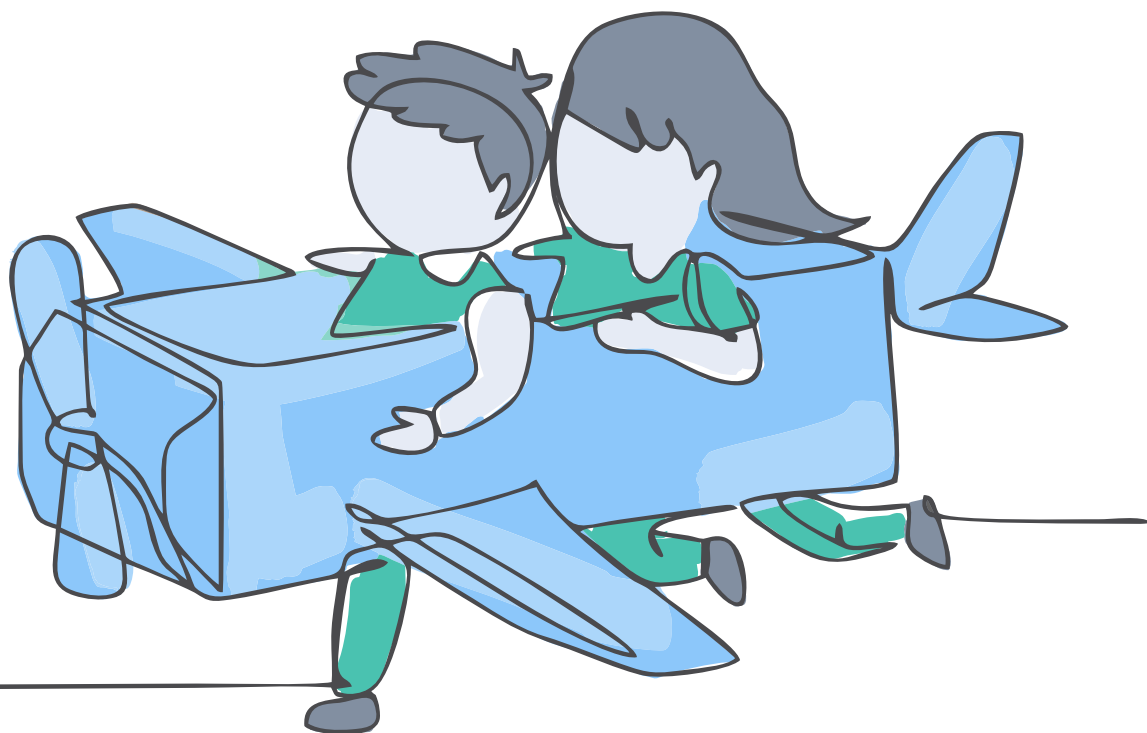


Child abuse

Any harm caused to a child, intentionally or unintentionally is child abuse. This includes emotional, physical, sexual, or spiritual forms of abuse as well as harm occurring from use of any form of social or digital media or substance around children.

According to the World Health Organisation, "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 of 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.

Digital abuse

Digital abuse is the use of technologies such as texting, digital medium of communications and social networking to bully, harass, stalk or intimidate a person. Often this behaviour is a form of verbal or emotional abuse perpetrated online. Included in this definition of Child Abuse is the use of children's pictures or other digital media for child pornography, encouraging children to participate in the creation of child pornography material, exposing children to see child pornography, either on-line or on any device or media.



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 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 lead to 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 programmes 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, Government 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.

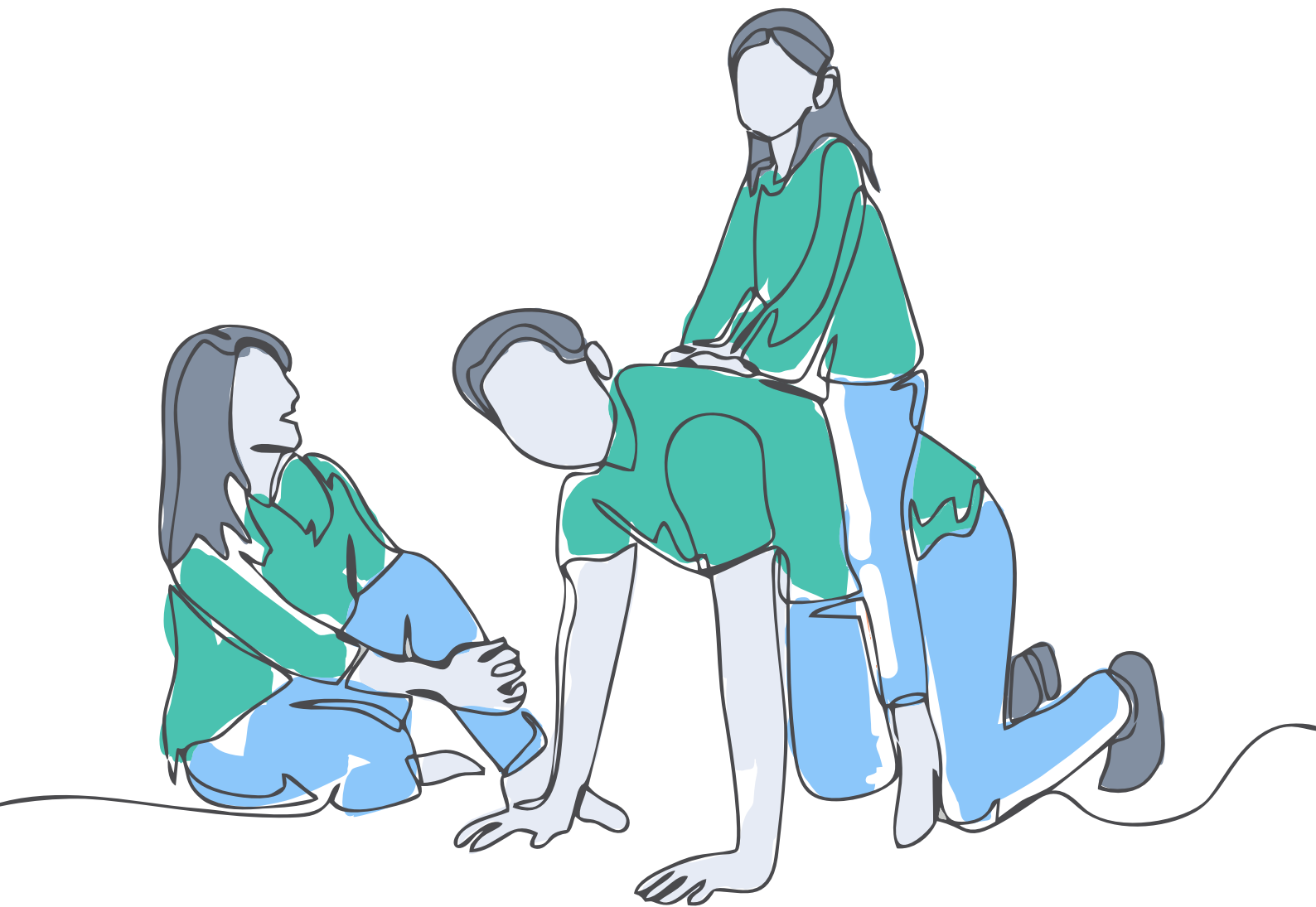
The UNICEF has defined child sexual abuse as contacts or interactions between a child and an older or more knowledgeable child or adult (a stranger, sibling, or person in authority, a parent or a care-taker) when the child is being used as an object of gratification for the older child or adult's sexual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

Substance abuse

Substance abuse is the use of biophysical, pharmacological, psychological, socio-cultural and mixed modalities that combine more than a single type of alcoholic, narcotic, chemical, tobacco or any other substances banned by any law or rule in force. Any behaviour that encourages the use of such substances among children, or the use of any such substance in the presence of children or normalising the use of such substances among children is substance abuse of children.

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

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.

In view of implementing the policy, HCL Foundation will ensure the following:

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

Raise Awareness of Child Abuse and its Risks for Staff and Partners.

The development of an open and responsive culture in HCL Foundation and all partner programmes 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 programmes and initiatives shall maintain an open culture where any associate or child feel comfortable to express concerns about child protection issues and issues of dealing with children. All concerns will be taken seriously and treated sensitively.

All HCL Foundation programmes and initiatives shall organise regular awareness raising programmes 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.

HCL Foundation has set up a Child Protection Task Force (CPTF), whose primary objective is to spread awareness of the reality of Child Abuse in society and the steps and measures necessary to prevent and deal with instances of real or suspected Child Abuse, as and when it happens. The Terms of Reference of the Child Protection Task Force (CPTF) and its composition is detailed in Annexure.

Acknowledge the Need and Importance of Child Protection

All HCL Foundation Institutions, programmes and initiatives shall ensure that all staff and Associates have understood the Child Protection Policy and sign a copy of the same in acceptance and acknowledgement.

Levels of Contact

All staff and volunteers involved in any way in all HCL Foundation institution, programme 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 shall ensure, through awareness and good practice, that staff and other Associates minimize the risks to children.

To prevent child abuse, HCL Foundation shall strive to create, maintain and nurture an environment which promotes our core values in our institutions, initiatives and other facilities. We shall 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 holistic well being.

All initiatives and programmes 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 programme.

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

HCL Foundation takes all concerns raised regarding child protection seriously 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/Associate is aware of or suspects any child abuse issue in the institution, programme or initiative they are duty bound to report it to the appropriate authority. It is a mandatory requirement. Failure to do so will result in disciplinary action.

Staff members/Associates 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 shall 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 programmes, and are to be responded according to the gravity of the offence. HCL Foundation ensures that there is always a response, regardless of the magnitude of the

offense/suspicion. 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, programmes 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.



ACT on your concerns

1

If you have witnessed an abuse, suspect an abuse is occurring, know any information about the abuse of a child, have concerns involving significant harm or abuse to a child, it is your responsibility to report this to the Child Protection Task Force (CPTF).

If in doubt - speak out

Act without delay - inaction may place the child/children in further danger.

Child centered approach

2

The protection of children is the most important consideration.

- The health and welfare needs of the child are also important and must be addressed.
- Decisions within the reporting and responding process are based on 'best interests of the child'
- The views and wishes of children are sought, taken seriously and inform decision-making as far as possible

Timely and appropriate actions

3

Ensure timely, effective and appropriate responses to child protection incidents and concerns.

Confidentiality information is shared only on a '**need to know**' basis

- The reporting process should fully recognise and be based on thorough understanding of local contexts, including local laws/Child Protection systems
- Working together with other agencies, including with statutory/national agencies, for the protection of children is essential
- Involve the right people at the right time – Child Protection reports should be made to the appropriate authorities as necessary

HCLFoundation

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