

## JOINT ACTION NETWORKING SAFEGUARDING POLICY

### **1. Policy Statement**

JAN places human dignity at the center of its relief and development work. At the heart of JAN's efforts to impact poverty and social justice is its engagement with marginalized communities. In JAN, we also recognize the particular responsibility to promote human dignity and social justice and maintain a safe and respectful workplace. We recognize the importance of organizational culture and accountability in creating a safe and supportive organization for our staff, our partners, and the communities with whom we work.

We believe all people have a right to live their lives free from sexual harassment, exploitation, and abuse, and that no child should be subjected to abuse of any form. We believe that sexual harassment, exploitation and abuse, and child abuse, are more likely to be exerted over particular groups of people due to inequalities and vulnerabilities, particularly those experienced by women, vulnerable adults, and children. We expect that our power will not be used to advantage ourselves or cause harm to others.

JAN has a zero-tolerance approach toward sexual harassment, exploitation and abuse, and child abuse. We make very clear that sexual harassment, exploitation and abuse, and child abuse in any form, perpetrated by our staff, partners, or other related personnel, towards anyone, will not be tolerated.

### **2. Purpose**

JAN will endeavor to ensure all Employees and Volunteers:

- Are aware of the problem of child abuse and the risks to children.
- Are aware of and are committed to the policies and procedures set out in this policy document.
- Safeguard children from any harm, also including abuse through following a Code of Conduct and other necessary procedures in place.
- Report where possible breaches are observed in the Code of Conduct.
- Respond appropriately when the Code of Conduct is breached.

### **3. Scope**

The policy is also applicable to all persons who come in direct or indirect contact with the child in the context of the above:

1. Board and Management of JAN.
2. Permanent, temporary and contract employees.
3. Volunteers, consultants, experts, and service providers.
4. Any person visiting JAN.

### **4. Policy and Procedures**

#### **1. Definitions:**

**Child** - Following the definition used by the United Nations Convention on the Rights of the Child (UNCRC) and the Protection of Children from Sexual Offences Act 2012 (CRPC), JAN defines anyone under the age of 18 as a child. JAN assumes responsibility for any child in their care.

**Child maltreatment**- This is sometimes referred to as child abuse and neglect, includes all forms of physical and emotional ill-treatment, sexual abuse, neglect, and exploitation that results in actual or potential harm to the child's health, development, or dignity. Within this broad definition, five subtypes can be distinguished – physical abuse; sexual abuse; neglect and negligent treatment; emotional abuse; and exploitation.

**Child Abuse:** Child abuse has been divided into 4 types to assist with identifying it specifically:

- a) **Physical Abuse:** The actual or potential physical harm from interaction or lack of interaction, which is reasonably within the control of a person in a position of responsibility, power, or trust.
- b) **Sexual Abuse:** The involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws and social taboos of society. Child sexual abuse is evidenced by activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to

gratify or satisfy the needs of the other person. This may include but is not limited to the inducement or coercion of a child to engage in any unlawful sexual activity; the exploitative use of a child in prostitution or other unlawful sexual practices; the exploitative use of children in pornographic performances, internet pictures, and materials. The use of technology such as the internet by adults to entice children to meet or participate in virtual sex is also abuse.

c) **Neglect and negligent treatment:** It is the inattention or omission on the part of the caregiver to provide for the development of the child in health, education, emotional development, nutrition, shelter, and safe living conditions, in the context of resources reasonably available to the family or caretakers and which causes, or has a high probability of causing, harm to the child's health or physical, mental, spiritual, moral or social development. This includes the failure to properly supervise and protect children from harm as much as is feasible.

d) **Emotional abuse:** It includes the failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure so that the child can reach their full potential in the context of the society in which the child lives. There may also be acts toward the child that cause or have a high probability of causing harm to the child's health or physical, mental, spiritual, moral, or social development. Acts include restriction of movement, degrading, humiliating, threatening, scaring, discriminating, ridiculing, or other non-physical forms of hostile or rejecting treatment.

e) **Exploitation:** Child exploitation is the act of using a minor child for profit, labor, sexual gratification, or some other personal or financial advantage.

Child safeguarding refers to the responsibility of agencies working with/in contact with / impacting children, to take all reasonable measures to ensure that the risks of harm to children are minimized; and where there are concerns about the welfare of children, to take appropriate actions to address those concerns (i.e. working to agreed policies and procedures, and following local laws). Safeguarding refers to institutional/internal policies and procedures intended to ensure that children are not exposed to harm and abuse through their contact with the organization, their staff, and their participation in projects and programs and that the organization's operations do no harm to the children in any way. Child Protection is part of safeguarding and refers to activities undertaken to protect specific groups of children who are being or are at risk of being abused.

## **2. Child Protection Committee (CPC):**

To receive and effectively deal with child abuse complaints, a Child Protection Committee (CPC) has been constituted by JAN.

The CPC consists of:

- Secretary and other members of JAN.
- Senior staff member.
- External NGO members committed to the cause of children's rights.

The CPC will focus only on the complaints/suggestions received on child safety violations/abuse and not on any administrative issues; ensure the concerns are addressed and closed within a specified time; maintain all registers, files and folders, and documents related to child safety and protection; Seek external expert help as and when required and concern with safety, security, right to privacy and confidentiality in the best interest of the child.

## **3. Responsibilities:**

All employees at JAN are required to:

- Be aware of situations that may present risks and appropriately manage them.
- Plan and organize the work and the workplace to minimize risks.
- Be visible to others when working with children whenever possible.
- Create and maintain a non-defensive attitude and an open culture to discuss any issues or concerns.

## **4. Procedures:**

Following steps should be taken if it is believed that the Child Protection Policy is being violated:

i. **Reporting:** JAN Employees and Associates should report their concerns to the CPC within 24 hours of observing a breach of the Child Protection Policy. All concerns or allegations should be submitted in writing. The reporting should focus on:

- Evidence that the Child Protection policy has been violated with relevant dates.

- Potential/Actual Risks to the child/children.
- Measures to safeguard children and minimize risk.

ii. **Ensure the safety of the concerned child:**

The CPC shall ensure that the child is removed from any imminent danger immediately by preventing contact with the person involved. Ensure that the child is not further questioned or interrogated.

iii **The CPC will act within three days of receiving the complaint:**

- Put together all the evidence submitted.
- Prepare and communicate an appropriate response e.g. disciplinary process or urgent action if consequences of breach of Code are severe.

iv. **Medical Intervention:**

The child is provided with the appropriate medical assistance as required. The CPC will prepare medico-legal papers which will be referred to during the case proceedings.

v. **Informing parents/guardians:**

The parents/guardians are informed about the complaint and internal inquiry procedures that will be followed to address the complaint. All confidentiality will maintain.

vi. **Documentation:**

- Written complaint submitted should be signed and dated.
- Minutes of the meeting should be detailed and precise, focusing on what was said or observed, who was present, and what happened. Speculation and interpretation should be clearly distinguished from reporting.
- All such records should be treated as confidential. It is the responsibility of each individual in possession of the information to maintain confidentiality.

vii. **External Reporting:**

May refer to the following external redressal mechanisms as appropriate:

- Child Welfare Committee (CWC).
- Juvenile Justice Board.
- Child Helpline.
- Department of Women and Child Development, Bihar.

**Training**

The Management of JAN shall provide the necessary resources and direction for the following capacity-building programs including information for all adult stakeholders. They will be oriented on child abuse, neglect, and exploitation; applicable laws, policies, and guidelines, such as UNCRC, POCSO, JJ Act, and ICPS to ensure that they are aware of the key provisions; redressal mechanisms, media relation, confidentiality and reporting obligations.

**Revision**

The policy will be reviewed annually or basis management discretion to ensure the policy is updated.

