

04. CHILD SAFEGUARDING - 2021



CANSUPPORT CHILD SAFEGUARDING POLICY 2021

A. PREAMBLE

This policy is being developed because of the involvement of CanSupport in projects with children. A child is anyone under 18 years of age.




This policy is a statement of intent that demonstrates a commitment from CanSupport to safeguard children from harm and to ensure that the procedures are in place to minimize the risk of and deal with any abuse and exploitation of children.

The Constitution of India has special provisions for children guaranteed through Fundamental Rights and Directive Principles (e.g. Article 15(3), Article 21(A), Article 23, Article 24, Article 39(e & f), Article 45 and Article 51A). National Policy for children 1974, National Charter for Children 2004, National plan of action for Children 2005 and National commission for protection of Child rights 2006 are some of the government's initiatives realizing Child rights and Child Protection. India is a signatory to the international conventions like CRC and ILO Convention. The UN Convention on Rights of Child (CRC-1989) outlines the fundamental rights of children including the right to be protected from all forms of abuse and exploitation and physical and mental violence.

The child protection is crucial to ensuring that children have the rights, confidence and environment in which they can make choices, express their views and communicate effectively with other children and adults. Children cannot become empowered change agents to improve their lives and that of their families and communities if they are not safeguarded from abuse, discrimination and harm of any kind, be it physical, sexual, emotional or neglect.

CanSupport works towards its vision of helping to build a just society through values. CanSupport's Day Care program provides cancer patients and their caregivers a safe and comforting space to focus on their personal wellbeing.

This document is the Child Safeguarding Policy adopted and implemented by CanSupport with effect from 2021. It is a statement of intent that makes clear to all in the organization and those who come in contact with it that child abuse in any form is unacceptable to CanSupport, and informs regarding actions to be taken in relation to safeguarding of children. It aims to create a safe and positive environment for children.

B. PRINCIPLES

The key principles being upheld include but are not limited to the following:

1. All children have equal rights to safeguarding from harm; and freedom from all forms of violence, abuse and exploitation.
2. Everybody has a responsibility to support the safeguarding of children.
3. Organisation has a duty towards care of children who are affected by their work and operations.
4. All actions on child safeguarding are taken in the best interests of the child.
5. Children should always be treated with respect, regardless of their gender, ethnic or social origin, language, religious or other beliefs, disability, sexual orientation or other status.
6. Although children may be extremely resourceful and resilient, there is an inherent vulnerability in relation to abuse given their general lack of status and power, dependence, stage of development, and reliance on adults. Adults engaged in positions of trust towards children must exercise the highest levels of integrity and good practice.

C. DEFINITIONS

1. CHILD

For the purposes of this document, a "Child" is defined, in line with the UNCRC 1989, the POCSO Act of 2012 and the Convention on the Rights of the Child and the Juvenile Justice (Care and Protection of Children) Act, 2015 of India, as anyone under the age of 18.

2. CHILD SAFEGUARDING

Child Safeguarding is defined as the responsibilities, measures and activities that CanSupport undertakes to make sure their staff, operations, and programmes do no harm to children; that is, that they do not expose children to the risk of harm and abuse, and that any concerns the organisation has about children's safety within the communities in which they work, are reported to appropriate authorities.

3. DEFINITIONS OF 'HARM'

'Do no harm' refers to organisations' responsibility to 'do no harm' or minimise the harm they may be doing inadvertently as a result of their programming. The following definitions can be used as a guide.

a. CHILD ABUSE

According to 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.'



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b. PHYSICAL ABUSE

Physical abuse of a child is defined as the intentional use of physical force against a child that results in – or has a high likelihood of resulting in – harm for the child’s health, survival, development or dignity. This includes hitting, beating, kicking, shaking, biting, strangling, scalding, burning, poisoning and suffocating.

c. SEXUAL ABUSE

Forcing or enticing a child to take part in sexual activities that he or she does not fully understand and has little choice in consenting to. This may include, but is not limited to, rape, oral sex, penetration, or non-penetrative acts such as masturbation, kissing, rubbing and touching. It may also include involving children in looking at, or producing sexual images, watching sexual activities and encouraging children to behave in sexually inappropriate ways.

d. CHILD SEXUAL EXPLOITATION

A form of sexual abuse that involves children being engaged in any sexual activity in exchange for money, gifts, food, accommodation, affection, status, or anything else that they or their family needs. It usually involves a child being manipulated or coerced, which may involve befriending children, gaining their trust, and subjecting them to drugs and alcohol. The abusive relationship between victim and perpetrator involves an imbalance of power where the victim’s options are limited. It is a form of abuse that can be misunderstood by children and adults as consensual.

e. NEGLECT AND NEGLIGENT TREATMENT

Allowing for context, resources and circumstances, neglect and negligent treatment refers to a persistent failure to meet a child’s basic physical and /or psychological needs, which is likely to result in serious impairment of a child’s healthy physical, spiritual, moral and mental development. It includes the failure to supervise and protect children from harm and provide for nutrition, shelter and safe living/working conditions. It may also involve maternal neglect during pregnancy as a result of drug or alcohol misuse and neglect and ill treatment of a disabled child.

f. EMOTIONAL ABUSE

Emotionally abusive acts constitute persistent emotional maltreatment that impacts a child’s emotional development; it includes restriction of movement, degrading, humiliating, bullying (including cyber bullying), and threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment.

g. COMMERCIAL EXPLOITATION

Exploiting a child in work or other activities for the benefit of others and to the detriment of a child’s physical or mental health, education, moral or social-emotional development. It includes, but is not limited to, child labour.



A handwritten signature in blue ink, consisting of a stylized name and a horizontal line.

D. APPLICABILITY

The policy applies to everyone working for or associated with CanSupport. It encompasses the whole organisation and includes without limitation:

- o Employees – full time or part time, consultants, and interns;
- o Members of CanSupport’s General Body, Managing Committee and Advisors; and
- o Volunteers, vendors, partners and visitors who come into contact with children through CanSupport

E. ACCOUNTABILITY

The CEO will be responsible, as delegated by the Board, for overall implementation of the Policy. S/he will be accountable to the Board for ensuring that CanSupport is on track to meet its commitments as described in the Policy. S/he will be assisted in this by Head of Supportive Care Services, HR Manager and Designated Officers of the Child Safeguarding Committee (CSC). The CSC shall comprise two internal members and one external member, with representation of female and male members.

Members once appointed shall stay on the committee for at least two years. The CSC will meet at least once a year to review implementation of the Policy, or when an amendment is called for due to legal or policy changes.

The first members of the CanSupport CSC are:

SNo	CSC Member	Name & Current Designation	Contact Details
1	Internal Member Female Representative	Savita Luka Head, Palliative Care Field Services CanSupport	9818447782 savita.luka@cansupport.org
2	Internal Member Male Representative	Pukhraj Singh Day Care Coordinator for Teenage Patients CanSupport	9811039441 pukhraj Singh10@gmail.com
3	External Member	Dr Megha Consul Principal Consultant, Pediatrics Max Gurgaon	9818227924 meghaconsul@gmail.com





F. RESPONSIBILITIES UNDER THE CHILD SAFEGUARDING POLICY

1. PREVENTION

CanSupport employers must undertake the following set of actions to ensure the protection of children from abuse and protection of rights of the child:

a. Risk Assessment/ risk mitigation:

A risk assessment will be conducted and risk mitigation strategies developed and incorporated into the design, delivery and evaluation of programmes, activities and partnerships that involve or impact children.

Responsibility: Head-Palliative Care Field Services and Head-Supportive Care Services.

[**Annexure A:** Template of identified risks and suggested mitigation].

b. Safe recruitment:

CanSupport will ensure due diligence in recruitment of staff, consultants, volunteers and interns, such that they understand the importance of child safeguarding and the organisation's commitment to it.

Responsibility: Head-Palliative Care Field Services, Head-Supportive Care Services and Manager-Admin & HR.

[**Annexure B:** Checklist for recruitment and selection].

c. Code of Conduct:

CanSupport employees and associates should agree to the code of conduct, and they need to follow this code within and outside the workplace. Breaking the code of conduct will result in disciplinary action, including termination if required.

Responsibility: Head-Palliative Care Field Services, Head-Supportive Care Services and Manager-Admin & HR.

[**Annexure C:** Code of Conduct]

d. Education and training:

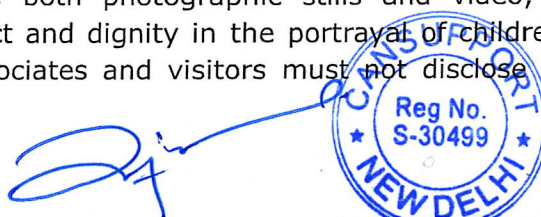
The Organisation must ensure that:

- The Policy is communicated to and understood by every employee/ associate.
- All staff receives induction sessions/ training on the Policy and procedures. Staff with specific responsibilities relating to child safeguarding will be provided with in-depth training.
- Children and families will be informed on CanSupport's commitment to child.
- Safeguarding and what to do if they have concerns about a child.
- All staff and children are aware of the CSC members who are responsible for receiving reports of concerns.

Responsibility: Head-Palliative Care Field Services, Head-Supportive Care Services and Manager-Admin & HR.

e. Communications – Use of Images and Children's Information

In respect of visual images, both photographic stills and video, the overriding principle is to maintain respect and dignity in the portrayal of children, families and communities. Employees, associates and visitors must not disclose or make public



any information that identifies any children who may come in touch with CanSupport without the consent of their parents or guardians.

Responsibility: Head-Palliative Care Field Services, Head-Supportive Care Services and Communications team.

[**Annexure D:** Guidelines for Communication].

2. REPORTING

Employees, associates and visitors must report any child abuse and safeguarding concerns they have to a designated member of the CSC. *This is a mandatory requirement for Employees. Failure to do so may result in disciplinary action.*

The Reporting Procedure outlined below is meant to serve as a guideline and can be adapted if required, to suit specific instances of reported child abuse or safeguarding concerns:

- i. In case of a complaint, staff members of CanSupport, can approach any member of the CSC.
- ii. The CSC will inform the CEO of the complaint, and conduct an enquiry to establish that an offense has been committed and to determine steps that must be taken to ensure immediate safety/ well-being of the child. Other relevant colleagues may be informed as seen appropriate for the investigation.
- iii. The CSC will determine the nature of the offense – whether it is internal to the organization or external to it, a non-criminal offense or criminal offense.
- iv. Where concerns exist about the conduct of Employees in relation to child protection and/or where there has been a breach of the Child Safeguarding Policy, this will be investigated by CanSupport in accordance with disciplinary procedure under Staff Policy. In case of criminal offense the matter shall be referred to statutory bodies such as CWC for criminal investigation under relevant laws in India. This may result in disciplinary action and/or dismissal.
- v. In case of other individuals, action shall be initiated with the relevant organization, CWC or other statutory body. CanSupport will sever all relations with any Associate or Visitor who is proven to have committed child abuse.

[**Annexure E:** Child Safeguarding Reporting/ Response Framework and **Annexure F:** Guidelines for Investigating a Complaint]

3. MONITORING AND REVIEW

Reports on progress of implementation will be presented by the CEO to the Managing on an annual basis. The policy will be reviewed once in every three years, or as and when an amendment is called for due to legal or policy changes.

Harmala Gupta
Honorary Founder-President
CanSupport



ANNEXURE A: TEMPLATE OF IDENTIFIED RISKS AND SUGGESTED MITIGATION
 To be prepared by Managers and Project Officers in respect of their projects/
 teams

PROGRAMME/ PROJECT/ ACTIVITY	NATURE OF RISK Likelihood of abuse/ exploitation within programs or operations	LEVEL OF RISK	RISK MANAGEMENT
		Low	No change in design or practice; monitor
		Medium	Change activities/process
		High	Stop activity. Review, redesign, and implement

Signature

Date

ANNEXURE B: RECRUITMENT GUIDELINES

1. When you are designing the job description, analyse the role and think about the issues of child safeguarding and risk in that job:
 - a. What contact with children will the job involve?
 - b. Will the employee have unsupervised access to children, or hold a position of trust?
 - c. What other sort of contact may the person have with children (eg, via email, telephone, letter, internet)?
2. Make sure that the selection-criteria outlines the relevant experience needed if the post involves direct work with children. Consider the use of probationary periods of employment to ensure suitability once in post.
3. Make sure that the commitment to keeping children safe is included in job notifications
4. Include specific questions in the interview that draw out people's attitudes and values in relation to the protection of children
5. Conduct background checks as possible

The image shows a handwritten signature in blue ink above a circular blue stamp. The stamp contains the text 'CANSUPPORT' at the top, 'NEW DELHI' at the bottom, and 'Reg No. S-30499' in the center.

ANNEXURE C: CODE OF CONDUCT

In the course of association with CanSupport:

- Treat children with respect regardless of gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- Not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services or acts.
- Ensure that at least two adults are present when working with children, including during the normal course of business, at a special event, or during combined age group sessions.
- Not invite unaccompanied children into my home.
- Not use language or behavior towards children that is harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not use physical punishment on children.
- Not hire children for domestic or other labor which is inappropriate given their age or developmental stage.
- Immediately report concerns or allegations of child exploitation and abuse and policy non-compliance.
- Immediately disclose all charges, convictions and other outcomes of an offence, which occur during my association with CanSupport that relate to child exploitation and abuse.
- Make sure that all visitors – journalists, social workers etc. meeting children are accompanied by a staff at all points.
- Make sure that the guidelines for communications (listed at Annexure D) are followed at all times.



ANNEXURE D: GUIDELINES FOR COMMUNICATIONS

Official equipment such as computers, mobile phones, video cameras and social media shall not be used to access objectionable (eg. child porn) sites, or show children images or videos that are inappropriate to their age.

When photographing or filming a child or using children's images for work-related purposes:

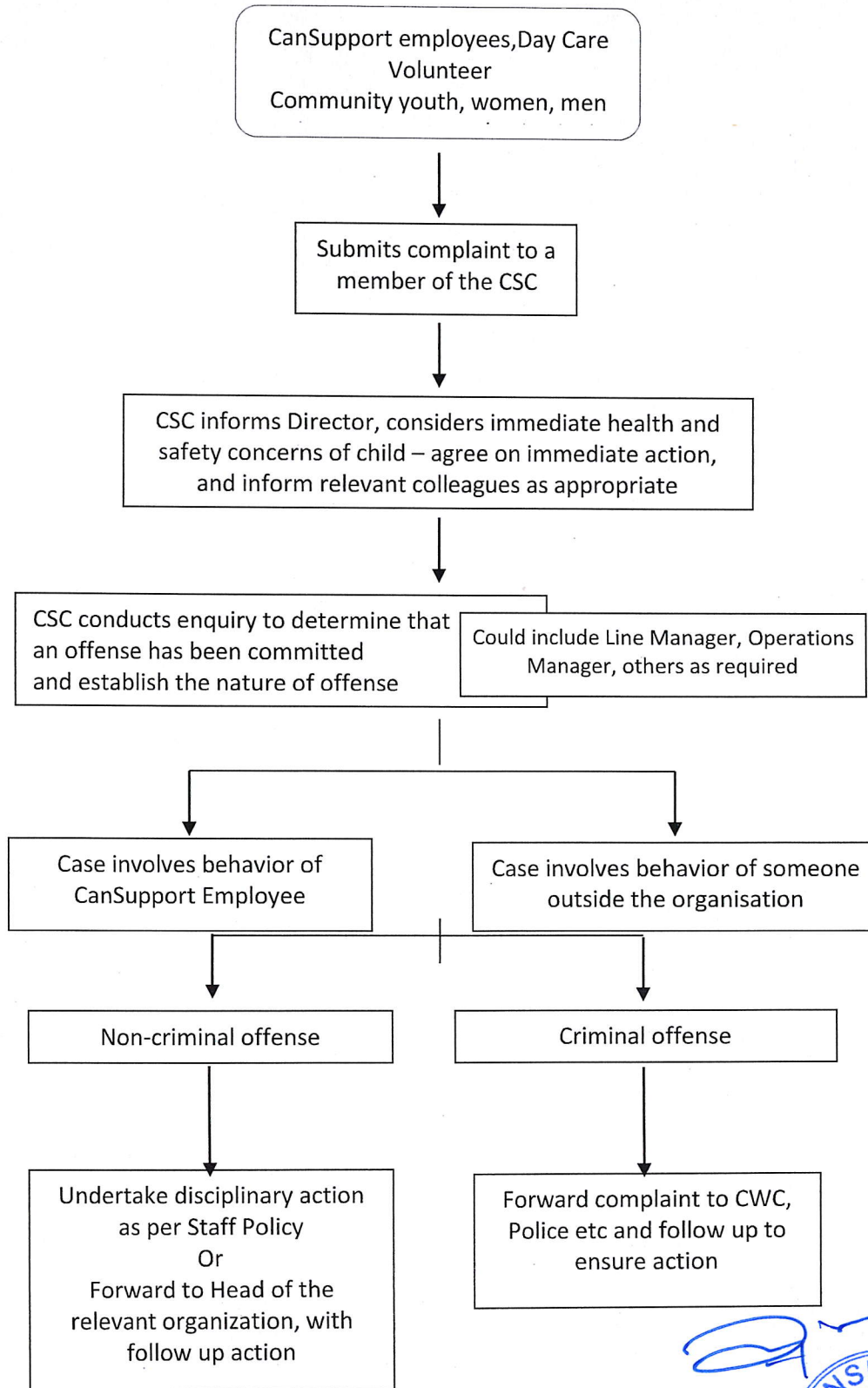
- All media reports, pictures film clips must be shared with the CanSupport prior to publishing.
- Always ask permission from children (or, in the case of young children, their parent or guardian) before taking images (e.g. photographs, videos) of them; allow and respect their decision to say no.
- As part of this, explain how the photograph or film will be used. Such information may only be used (as authorized) by the organization and no individual may use the same for any purpose.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Special consideration be given to photographs depicting children with disabilities, and other vulnerable groups, to accurately portray context and maintain dignity.
- Ensure that stories and images of children are based on the child's best interest. Ensure that images are honest representations of the context and the facts. They will depict a balanced portrayal and avoid stereotypes. Case histories/descriptions will not be fabricated, although they may be adapted or edited to preserve the dignity and confidentiality of the subject.
- Ensure file labels, meta-data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.
- Ensure data storage in electronic media in such a way that it remains in safe custody of authorized personnel, free from the threat of unauthorized or inappropriate use.

Partner and Media Organizations

- We will co-operate with the media in order to enhance public response, but we will not allow external or internal demands for publicity to take precedence.
- We will be sensitive to the concerns and advice of our partner organizations in our gathering and use of visual material.
- We will ensure that partner and media organizations adhere to the same guidelines specified above.



ANNEXURE E: CHILD SAFEGUARDING REPORTING/ RESPONSE FRAMEWORK

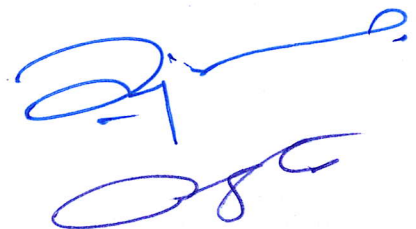


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ANNEXURE F: GUIDELINES FOR INVESTIGATING A COMPLAINT

- 1) CanSupport will receive disclosures from children with sensitivity and will strive not to re-traumatise children in their handling of complaints. Complaints will be treated seriously and with confidentiality. The priority will always be the safety and best interests of the child.
- 2) If a child or young person informs that they are being, or have been, abused:
 - Listen to and accept what the child or young person says but do not press for information
 - Document carefully what you have heard
 - Let the child or young person know what you are going to do next
 - Do not investigate and do not inform, question or confront the alleged abuser
 - Communicate without delay to a member of the CSC
- 3) A prompt and appropriate response will ensure that the situation is not perpetuated and that all individuals involved are clear on issues and actions to be taken.
- 4) Investigations will be objective, transparent, and will be guided by external professional expertise and support when required. The investigation should involve interviews of all parties involved including witnesses to gather all relevant details of the allegation.
- 5) Identifying information about children will be shared on a 'need to know' basis only. The subject of the complaint (alleged perpetrator) and all witnesses must cooperate fully and openly with internal and statutory investigations and hearings. Their confidentiality will be protected and information which could identify them will be shared on a 'need to know' basis only.
- 6) Support and counseling should be made available as required.
- 7) Any staff who raise concerns of serious malpractice will be protected as far as possible from victimization or any other detrimental treatment if they come forward with serious concerns, provided that concerns are raised in good faith.
- 8) If a legitimate concern about suspected child abuse is raised, which proves to be unfounded on investigation, no action will be taken against the reporter. However, appropriate disciplinary, legal or other action will be undertaken against those who make false and malicious accusations of child abuse.
- 9) If the allegation is found to be without base, appropriate steps will be taken to minimize damage to the reputation of the individual accused.



ANNEXURE G: REPORTING FORM

- 1) Is this your own concern or you are sharing the concern of somebody else?
Give details
- 2) Describe the concern (including dates and times of specific incidents; name of witness, if any):
- 3) Observations – mention the physical signs, behavioral signs or indirect signs:
- 4) Has the child been spoken to? If so what was said? The child's situation during the discussion:
- 5) Anybody alleged to be the abuser? If so give details (mention whether volunteer/ staff/ consultant/ vendor/ donor/ visitor/ parents/ any other)
- 6) Whether the issue has been consulted internally or externally? Yes/ No
If yes, give details (name of person, organization, date and time).
- 7) If any immediate action has been taken? If so, what and by whom?
- 8) Whether the child requires medical attention? Yes/ No
- 9) Any other related information to be shared in the best interest of the child.

10) Information about the child:

- a) Name of the child
- b) Age

11) Details of the Reporting Person:

- a) Name of the Person:
- b) Contact details (address, contact numbers, email id):
- c) Nature of contact or relation with the child:

Signature:
Submitted to:

Date:

12) Follow up update (to be included in the same document):

- a) Date of Follow up reporting:
- b) What actions have been taken?
- c) What is the current situation of the child?
- d) Date of Closure:

Signature:
Submitted to:

Date:

