

Child Protection Policy

A Child Protection Policy is a formal commitment to safeguarding children from abuse, neglect, and exploitation by ensuring a safe and supportive environment for their well-being.

Child Protection Policy

Dear Team Member,

The child is at the centre of EduWeave Foundation's vision to provide equitable quality education to children during foundational years. EduWeave Foundation accords top priority to the protection and safety of children and their rights, though, and in all of its functions, operations and spaces.

1. Introduction

EduWeave Foundation, accordingly, commits to protect its children from exploitation, neglect, sexual and physical abuse and therefore has formulated a Child Protection Policy, guided by the United Nations Charter on the Rights of the Child (UNCRC) and the basic human rights it affords to all children:

Please take note of the following clauses:

- **Right to Survival:** A child's right to survival begins before a child is born. According to the Government of India, a child's life begins after twenty weeks of conception. Hence the right to survival is inclusive of the child's rights to be born, right to minimum standards of food, shelter and clothing, and the right to live with dignity.
- **Right to Protection:** A child has the right to be protected from neglect, exploitation and abuse at home, and elsewhere.
- **Right to Participation:** A child has a right to participate in any decision making that involves him/her directly or indirectly. There are varying degrees of participation as per the age and maturity of the child.
- **Right to Development:** Children have the right to all forms of development: Emotional, Mental and Physical. Emotional development is fulfilled by proper care and love of a support system, mental development through education and learning and physical development through recreation, play and nutrition.

2. Definitions

2.1 “Employee” means a person employed by EduWeave Foundation for any work on regular, temporary (consultant, intern, volunteer), ad-hoc, or daily wage basis, either directly or through an agent including a contractor/consultant, with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, a probationer, trainee, apprentice, intern or called by any other such name.

2.2 “Child” is defined as anyone who is below 18 years of age.

2.3 “Complainant” means any person who files a complaint alleging child abuse.

2.4 “Respondent” means a person against whom the complaint has been made.

2.5 “Child Abuse” is defined as all forms of physical abuse, emotional ill-treatment, sexual abuse, neglect or negligent treatment, commercial or other exploitation of a child and includes any actions that result in actual or potential harm to the child.

Child abuse may be a deliberate act or it may be failing to act to prevent harm. Child abuse consists of anything which individual, institutions or processes, do or fail to do, intentionally or unintentionally, which harms a child or damages their prospect of safe and healthy development into adulthood.

For ease of identification and reporting, actions which may be categorized as abuse or may lead to a situation that may put a child at risk of abuse have been listed below, subject to updation and revision: Provide access to the garden and any other area affected by the works.

- Hitting or otherwise physically abusing a child
- Developing relationships with children which could in any way be deemed exploitative or abusive
- Using language, making suggestions or offering advice which is inappropriate, offensive or abusive
- Acting and/or speaking in any way that intends to embarrass, shame, humiliate, or degrade a child
- Acting and/or speaking in ways that may be abusive or may place a child at risk of abuse
- Discriminating against a child on the basis of race, economic status, culture, age, gender, disability, religion, sexuality, political persuasion or any other status
- Behaving or suggesting physically, or otherwise in a manner, which is inappropriate or sexually provocative or may be considered sexual abuse

- Having a child/children with whom such employee is working to stay at their home unsupervised during any time of the day, for any length of time with or without knowledge of the parents/caretakers/ guardians of such child
- Sleeping in the same room or bed as a child with whom such employee is working
- Kissing, hugging, fondling, rubbing, or touching a child in any way that may be considered inappropriate or culturally insensitive, and which may or may not be construed as sexual abuse
- Demonstrating any lessons by physically touching a child, that may be considered inappropriate or culturally insensitive and which may or may not be construed as sexual abuse
- Taking any child/children to your own or other people's homes or any other place without supervision, especially where the children will be alone with the employee without the prior knowledge and written consent of the parents.
- Doing things or provide unsolicited assistance to a child to do things of a personal nature that a child could do for him/herself (including dressing, bathing, and grooming)
- Allowing children to engage in sexually provocative games with each other
- Promising to keep secrets that may harm the child. Such secrets may include but are not limited to information about any illegal activities or abuse in the child's home, any illegal activities or crimes committed by the child or against the child etc.
- Ignoring or not taking any action where;.....

3. Scope & Custody

1. Inappropriate actions are inflicted by children on other children in person and/or
2. Offensive material (including violence/abuse/pornography) in any form of media (including in any magazines/newspapers/personal computers) is found in possession of any employee of the EduWeave Foundation while interacting with children.

3.1 Human Resources are the custodian of the policy and guardian of the processes to ensure all staff, Volunteers, Interns, Consultants are aware, informed and supported in understanding and meeting the expectations laid out in this document. They are responsible for ensuring that all new staff, volunteers/interns/ consultants understand the policy through their induction and for coordinating the investigation of any breaches of the policy in a timely, fair and accurate manner.

33.2 This policy is applicable to all Employees, Consultants, Interns & Volunteers of EduWeave Foundation as defined above. In addition to EduWeave Foundation employees, EduWeave Foundation's locus of control and implementation with respect to this policy, extends to, but may not be limited to the following spaces.

- Classrooms, assembly halls, play grounds, and other spaces where EduWeave Foundation runs its programmes
- Any transport, whether public or hired, which is used for transporting children under EduWeave Foundation's supervision
- All registered EduWeave Foundation offices and spaces hired by EduWeave Foundation

4. Reporting

An incident may be reported to the Head of HR by:

4.1 An Employee/Intern/Volunteer/Consultant who is in breach of the policy: If anyone reports that they themselves have acted in contravention to this policy, all their functions and duties that involve direct involvement with children or the child concerned, will be immediately suspended until an investigation is carried out and concluded. The report may be orally made to the senior leadership team at EduWeave Foundation or to info@eduweavefoundation.org

4.2 An Employee/Intern/Volunteer/Consultant who has witnessed another person as described above in breach of the policy : If an Employee/Intern/Volunteer/Consultant has witnessed another person as described above acting in contravention to this act, they must make a complaint, anonymously or un-anonymously on info@eduweavefoundation.org detailing the incident, or may make an oral complaint which will be recorded as it is being made. The Employee against whom the complaint has been made will be suspended from all duties that involve direct contact with children or the child in question immediately after such complaint is received, until an inquiry into the matter has been carried out and concluded.

4.3 An Employee/Intern/Volunteer/Consultant who has witnessed a child in breach of the policy: witnesses the breach of rights of a child by another child, they must make a report either orally to the Head of HR or to info@eduweavefoundation.org

4.4 An Employee/Intern/Volunteer/Consultant who has witnessed an adult in breach of the policy: If witnessed an adult not affiliated with the EduWeave Foundation, who may or may not be an employee of partner organisation, in contravention to this act, they must make an oral report to HR or a written report, anonymously or un-anonymously to info@eduweavefoundation.org

5. Inquiry & Redressal

5.1 As soon as a complaint is made, the Respondent made will be suspended from all duties and functions that involve direct interaction with children. The Respondent will be intimated in writing of such suspension, detailing the period for which such suspension will last (till the conclusion of inquiry, or permanently depending on the conclusion of the inquiry), and the reason for such suspension.

5.2 After the complaint has been acknowledged and recorded by the Head of HR or senior leadership team at EduWeave Foundation, a written intimation of the incident must be sent to the coordinator/ project head and the legal guardian of the child in question.

5.3 After the incident has been communicated to the FIP an interview must be set up with the child in question in presence of and with prior written consent of their legal guardian . The interviewer may be anyone the child trusts and is comfortable with. However, the Respondent, or Complainant may not interview the child. The minutes of the interview will be recorded in the format provided in Annexure A and must be signed by the legal guardian of the child.

5.4 The matter will be investigated jointly by the Head of HR and the direct supervisor of the Employee against whom the complaint is made.

5.5 In an incident where the respondent is another child, the ownership of the inquiry will be taken by a EduWeave Foundation employee who is working with the children in question. If the incident involves sexual abuse the EduWeave Foundation's employee will be advised by the Head of HR on the legal aspects of the case.

- Both the children must be interviewed in the presence of and with written consent of their legal guardians. The interviews will both be recorded in the prescribed format, the link for which has been provided in Annexure A.
- The EduWeave Foundation Head of HR will prepare a report, based on interviews of both the children involved, providing options for remedial measures. This report will be co-signed by the Director, Head of HR and provided to the partner organisation and the parents of the Respondent.

5.6 The Respondent must be informed immediately as such a complaint is made and will be required to attend all meetings called upon by the Head of HR Chairperson for purposes of the inquiry. Failure to do so will be treated as an admission of guilt and the Head of HR will issue suitable disciplinary action. The first meeting with the Respondent must be held within two days of receiving such a complaint. The meeting must be attended by at least one person other than the Respondent and the Head of HR.

5.7 After reviewing the written version of the child's interview, the original complaint and the response of the Respondent and minutes of all meetings held pertaining to the inquiry, the Head of HR must submit a report to the school Head and the legal guardians, the Respondent and Director stating the conclusion of the inquiry and the disciplinary action to be taken. Copies of such a report may be sent either as an email or on paper after it has been signed by the Respondent, Complainant, Head of HR, Director, school head and the legal guardians of the child.

5.8 In the event that the parents are not satisfied with the remedial measures suggested by EduWeave Foundation, a meeting will be held between the Director, Head of HR and legal guardians to reach a consensus on appropriate remedial measures.

5.9 If the Respondent is an adult not associated with EduWeave Foundation, the EduWeave Foundation Employee/Intern/Volunteer/Consultant who is the Complainant must first contact the Head of HR along with the child and record the incident as described by the child. The Complainant along with the Head of HR will then submit a report stating the incident and suggesting remedial and/or disciplinary actions to the school head and parents of the child in question.

5.10 If the school head fails to address the matter further, EduWeave Foundation will assist the parents of the child in filing a FIR if they choose to. EduWeave Foundation may or may not continue to partner with the institution in question, keeping in mind the impact severing such partnership may have on other children who are beneficiaries of the program being run by EduWeave Foundation.

5.11 In the event that the complaint is found to be made with malicious intent or the complainant has made the complaint knowing it to be false or has produced forged or misleading evidence or has given false testimony, HR may recommend strong disciplinary action including dismissal of services. However, a mere inability to substantiate the complaint or provide adequate evidence will not attract action against the Complainant.

5.12 The entire proceedings should be completed within a month from receipt of the initial complaint. At the conclusion of the proceedings, a case file must be prepared, which includes the initial complaint, all communication made to all parties, final report, minutes of all meetings and all evidence presented.

6. Remedial Measures

6.1 Where allegations of Child abuse are established, the Head of HR shall decide upon the disciplinary action/punishment to be given to the Respondent, recording their reasons in writing. The actions that may be recommended include:

- HR Warning letter with a 3 month supportive plan
- Written Apology to all parties involved
- Suspension from organizational duties without pay
- Removal from service
- Payment of compensation for any medical or counselling expenses, in addition to any sum the Head of HR may deem appropriate to be paid to the Complainant or his/her legal heir. Such compensation must be directly paid by the respondent. EduWeave Foundation will not be a part of the transaction. However, failure to make such payment will result in termination.
- Any other action that the Head of HR or senior leadership team may deem fit as per the situation

6.2 In case the Respondent is a child, the Head of HR/ Senior Leadership Team may suggest counselling sessions and/or a written apology. EduWeave Foundation will suggest the aforementioned remedial measures to the school head with the approval of parents.

6.3 All individuals who were approached by the child for support or whom the child informed about the incident of his own volition will be deemed the child's circle of trust. All people included therein along with the legal guardian (if not already included) must together decide on measures for providing continued support to the child to avoid any long lasting impacts of trauma. This group of people must be counselled in dealing with the child to ensure that the child has a reliable and well-equipped source of support. Such counselling may be provided either by the in-house counsellor of EduWeave Foundation or through an NGO dedicated to the protection of children against abuse.

6.4 If parents decide that the respondent may not resume working with the project in the future, EduWeave Foundation will abide by the decision.