

# MILES2SMILE FOUNDATION

POLICY DOCUMENT UPDATED 2023



# CHILD PROTECTION POLICY

# Child Protection Policy

## 1. Preamble

Miles2Smile Foundation believes that each individual has a basic right to live a dignified, sustainable and self-reliant life. This policy aims to protect and empower children in accordance with certain international and national laws. It also aims to protect these children as a moral responsibility that is bestowed upon us by virtue of being a non-profit organization working in the welfare sector.

The policy is drafted so as to safeguard children from all kinds of harm and abuse and focusing on what is in the best interest of the child.

## 2. Purpose of the policy

- 2.1 To reinforce the organization's commitment for safeguarding and empowering children.
- 2.2 To ensure that the safety, protection, empowerment and welfare of the child remain imperative to the functioning of all our projects.
- 2.3 To define and ensure safety against all kinds of abuse including sexual, physical, mental, emotional and cyber-crime.
- 2.4 To provide a protection mechanism to all children covered through various initiatives of Miles2Smile Foundation.
- 2.5 To establish a standard code of conduct and standard procedures for all staff members and thereby prevent abuse of all kinds.

## 3. Definitions

**For the purpose of this policy, certain terms which are present in the draft have been defined below:**

- 3.1 **Child:** The child is defined as a person up to the age of 18 years in the policy.
- 3.2 **Child Abuse:** 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.
- 3.3 **Physical Abuse:** The intentional use of physical force against a child that results in or has a high likelihood of resulting in harm to the child's health, survival, development or dignity. This includes hitting, beating, kicking, shaking, biting, strangling, scalding, burning, poisoning and suffocating.
- 3.4 **Emotional Abuse:** Emotional abuse includes the failure to provide a developmentally appropriate, supportive environment, so that the child can develop a stable and full range of emotional and social competencies commensurate with his or her personal potential and in the context of the society in which the child dwells. Acts include restriction of movement, patterns of belittling, denigrating, scapegoating, threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment.

**3.5 Neglect and Negligent Treatment:** We hold ourselves responsible that all children in our class are free from our neglect. Neglect is the failure on the part of the parents, guardian, teacher or other responsible party to provide for the child's basic needs, such as food, shelter, medical care, educational opportunities, or protection and supervision. It is abuse through omission of the necessary environment and resources for the child to reach their full potential; and the act of not recognizing physical or emotional abuse.

**3.6 Exploitation:** Commercial or other exploitation of a child refers to use of the child in work or other activities for the benefit of others. This includes, but is not limited to, child labour and child prostitution. These activities are to the detriment of the child's physical or mental health, education, or spiritual, moral or social-emotional development.

**3.7 Sexual abuse:**

**3.7.1** Sexual abuse is an act or behaviour which constitutes a sexual offence under the Protection of Children from Sexual Offences Act, 2012, as amended from time to time. Such sexual offences include penetrative sexual assault (including rape), non-penetrative sexual assault (including touching the private parts of a Child), sexual harassment (including stalking a Child, showing a Child pornography and making a Child exhibit his/her body) and using a Child for pornographic purposes (including storing of pornographic material involving a Child for commercial purposes).

**3.7.2** An abetment of and an attempt to commit a sexual offence under the Protection of Children from Sexual Offences Act, 2012 are also considered to be offences. Certain offences under the Protection of Children from Sexual Offences Act, 2012 are considered to be aggravated offences and are subject to stringent punishments. For instance, sexual assault committed by persons in a position of trust or authority in relation to the Child (including relatives of the Child, persons managing or working in an educational institution, police officers or public servants) are considered to be aggravated offences.

**3.8 Team Member of Shaagird:** Staff member or member would include all employees of Miles2Smile Foundation whether within the office premises or on field duty/project visit or elsewhere.

**3.9 Visitors:** This would include representatives of local governments, journalists, print and online media, agencies and contractors, donors and visitors who would come into direct contact with Miles2Smile Foundation-supported children and / or have access to Miles2Smile Foundation child sensitive data. This would also include celebrities invited to the events and program spaces or visiting project offices and areas and coming into direct contact with children.

#### **4 Applicability**

**This policy applies to:**

**4.1** All staff members, associates and visitors of Miles2Smile Foundation, whether within the office premises or on field duty / project visit or elsewhere.

**4.2** Board members.

## **5. Code of Conduct**

### **5.1 All members of the organization, whether staff, sponsors, visitors MUST:**

- 5.1.1** Treat every Child with empathy and respect, regardless of his/her race, colour, gender, sexuality, language, religion, religious belief, heritage, political/other opinion, national/ethnic/social origin or property/disability/birth/other status.
- 5.1.2** Make proactive efforts for ensuring safety of children in all spaces accessed by children. Be conscious of and sensitive towards making appropriate arrangements for the special needs of children, particularly physically and mentally challenged children.
- 5.1.3** Ensure that physical contact with a Child is respectful, culturally appropriate and essential to the purpose of your interaction with the Child.
- 5.1.4** Always take permission from Children before taking their photos or videos.
- 5.1.5** Always seek informed consent from children and their parents or guardians regarding the medium of communication and the purpose, before taking interviews, photographs of / with children or recording videos of their activities and engagement.
- 5.1.6** Ensure that all images / videos taken of children are respectful of their dignity – all children must be clothed adequately for images and videos with their private body parts covered appropriately.
- 5.1.7** Ensure that all communication with children should take place within the boundaries of profession and are in sync with organizational policy.
- 5.1.8** Keep all personal information about Children or their parents/guardians confidential and secure and ensure that such information is dispensed to only those individuals who are legitimately entitled to it.
- 5.1.9** Be sensitive to gender and socio-cultural issues.

### **5.2 All members of the organisation, whether staff, sponsors, visitors MUST NOT:**

- 5.2.1** Use language or behaviour towards Children that is inappropriate, harassing, abusive, sexually provocative, demeaning, intimidating, offensive, discriminatory or culturally insensitive.
- 5.2.2** Place a Child at risk of harm or abuse and do not harm or abuse any Child physically, emotionally or sexually.
- 5.2.3** Engage in any behaviour in a manner that is viewed as offensive, sexually provocative, overt or otherwise.
- 5.2.4** Disclose the identity and /or personal information of children without their consent.
- 5.2.5** Take images /videos 'in secret' or in situations that may be viewed as being secretive.

- 5.2.6 Display, distribute or collect images of children without informed consent from children and their parents or and Miles2Smile Foundation's authority in charge.
- 5.2.7 Stigmatize or discriminate against a child, or show differential treatment to some children.
- 5.2.8 Use or encourage the use of alcohol, drugs, cigarettes or other intoxicating substances while interacting with Children and from providing such intoxicating substances to Children.
- 5.2.9 Develop any form of relationship or arrangement (financial or otherwise) with Children which could in any way be deemed to be exploitative or abusive.
- 5.2.10 Use Child labour in any form.
- 5.2.11 Take children to their home/ residence or any other private space for the day or night and /or share a room with a child alone. Any emergency accommodation like medical attention must be approved by appropriate Miles2Smile Foundation's authority.

## **6. Measures and Responsibility Under the Policy**

**As an organisation that aspires to uphold child rights under all its programmes, we take certain measures and bestow upon ourselves several responsibilities:**

### **6.1 Awareness:**

- 6.1.1 Directors, all staff members, visitors, sponsors and other associated organisations and individuals must be made aware of Miles2Smile Foundation's commitment to protection of child rights.
- 6.1.2 All Miles2Smile Foundation's representatives will abide by the organisation's Child Protection Policy.
- 6.1.3 Miles2Smile Foundation management will also ensure standard operating procedures to ensure the proper implementation of the policy.
- 6.1.4 The organisation will also ensure awareness about cyber-criminal activities that pertains to child abuse.

### **6.2 Prevention:**

- 6.2.1 The organisation will partner with organizations / associates that agree to comply with child protection standards at least as high as Miles2Smile Foundation's standards in its operations and activities.
- 6.2.2 Miles2Smile Foundation will ensure that children are not put at risk of abuse or exploitation.
- 6.2.3 Miles2Smile Foundation will ensure informed consent from children (parents or guardian in case of young children), parents or caregivers / guardian before taking images (photo/videos etc.) and present children in a dignified and respectful manner rather than vulnerable, sexually suggestive, submissive or impacting their privacy negatively. They'll also respect the children's decision to say 'No' to an image being taken.

**6.2.4** Miles2Smile Foundation will ensure that procedures are developed considering the local laws, obeying the statutory compliances of reporting and responding to child protection concerns.

### **6.3 Reporting:**

**6.3.1** Miles2Smile Foundation will ensure that they are fully aware of standard reporting requirements in the event of suspicion or allegations of child abuse or exploitation, for any internal and external incident of abuse.

**6.3.2** Reporting any abuse is mandatory and Miles2Smile Foundation representatives should report as soon as possible and within 24 hours of learning of or witnessing the alleged abuse or exploitation to HR or their immediate supervisor.

**6.3.3** The preliminary reporting must be done to the immediate supervisor or if the abuse is the immediate supervisor, the complaint can be reported to the head of the organisation.

**6.3.4** We follow an open-door policy in relation of reporting, therefore anyone who wishes to raise a complaint against child abuse in relation to the activities of the organisation is encouraged to report via mail or in person.

### **6.4 Redressal:**

**6.4.1** The first response to address the complaint should come as soon as possible and within 24 hours Miles2Smile Foundation will ensure that action is taken to support and protect children coming in contact with itself where concerns arise regarding child abuse or exploitation.

**6.4.2** When child abuse or exploitation is reported, an appropriate investigation process will be followed and conducted.

**6.4.3** Adherence to the Child Protection Policy is mandatory and any breach of this policy or procedures will be investigated under this policy either by authorities for criminal investigation under the law of the country and / or by Miles2Smile Foundation in accordance with disciplinary procedures. This may result in disciplinary sanctions and / or dismissal of engagement with Miles2Smile Foundation.

**6.4.4** The investigation will be confidential, thorough, impartial and in accordance with the policy.

**6.4.5** Miles2Smile Foundation will not tolerate any form of coercion, intimidation, reprisal or retaliation against anyone who reports any form of abuse or exploitation, provides any information or other assistance in an investigation.

## About the organization:

Miles2Smile was established three years back as a not-for-profit organization, based in Delhi. The organization works primarily in relief activities and brings smiles to the faces of victims looming over penury and distress. Livelihood creation, healthcare and educational empowerment are also some core areas of work by the organization. In the past two years, the organization has made commendable service in delivering solace to the people languishing in the heap of despair. The organization is on an assiduous mission to revive happiness to the people ripped after communal tensions.



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