



Letter No. Raphael/Admin/Policy/081
31 May 2019

POLICY FOR PROTECTION OF CHILDREN AND VULNERABLE ADULTS

1. This policy is based on the Ministry of Women & Child Development Letter F.No. CW-II-30/92/2018-CW-II dated 14 Dec 2018 laying down the draft policy for the Protection of Children and Vulnerable Adults; and the National Commission for Protection of Child Rights, 2019 which spells out the Rules and Procedures for Regulating Stand-Alone Hostels for Children.
2. A comprehensive list of other references that are relevant is at Appendix A.

Definitions

3. Definitions of terms used in the context of this policy are at Appendix B.

Policy Guidelines and Suggested Safeguards

4. Policy guidelines derived from the above references are as under:
 - (a) All staff shall be trained to recognize signs of abuse (physical, neglect, sexual and emotional).
 - (b) There shall be no use of physical force or restraint on a person with disability unless it is necessary for immediate safety or to prevent physical harm to the person or others.
 - (c) There shall always be another adult in the vicinity when assisting a child in using the toilet, bathing or dressing.
 - (d) All matters relating to child protection shall be confidential.
 - (e) Staff shall not promise a child to keep any secrets in relation to abuse.
 - (f) All staff, care givers, guardians, parents and others shall report incidents of violence, harassment, physical or sexual abuse immediately on occurrence.
 - (g) All Staff shall share information on a need-to-know basis.
 - (h) No photographs may be taken of the children, especially for public use, without the permission of the parents.
 - (i) All Staff and children shall know of the designated person in the organisation who they can approach if they should need to.
 - (j) The organization will have a Child Protection Committee.
5. In addition, some or all of the following measures are recommended to be instituted to safeguard the children:
 - (a) Background checks and police verification of all staff.
 - (b) In-house training – pre-induction and refresher - sessions for all staff.
 - (c) Appointment of full-time Hostel superintendents and wardens.
 - (d) Monitoring student behaviour for signs of abuse.
 - (e) Well lit accessible bathrooms.
 - (f) Selective use of CCTV cameras.



Raphael Policy

6. Raphael will ensure a safe, secure, empathetic and kind environment for its children with disabilities and vulnerable adults. It will adopt a zero-tolerance policy towards any form of abuse and/or exploitation of its residents. In the event of any incident prompt and effective action will be taken at all levels.
7. The essential ingredients of policy are as under:
 - (a) CEO Raphael shall be responsible for the formulation, implementation and review of the policy as warranted.
 - (b) The Director Special Education shall be 'designated' the interlocutor in all matters concerning abuse and/or exploitation of children and vulnerable adults.
 - (c) Each employee at Raphael shall undergo Police Verification.
 - (d) Each employee will receive in-house pre-induction training and will be familiarised with child rights; the Protection of Children from Sexual Offences (POCSO) Act, 2012; and the Juvenile Justice Act, 2015.
 - (e) On completion of pre-induction training each person will affirm and sign an Individual Declaration as at Appendix C.
 - (f) Employee in-house refresher training will be organised quarterly.
8. The Raphael Child Protection Committee will comprise the following:
 - (a) Member Governing Council (HR Management)
 - (b) Chief Executive Officer
 - (c) Representative Doon Girls' School
 - (d) A Parent
9. In the event of an incident the following action will be taken:
 - (a) Interview with the person making the report to establish what they believe happened;
 - (b) Interview with the alleged offender;
 - (c) Interview of the alleged offender in the presence of both the alleged victim and care-giver;
 - (d) Where necessary, consulting and reporting to a local and/or national authority;
 - (e) Calling those who are in the know to give their version of the incident;
 - (f) Moving the alleged offender to another section of the NGO, or placing the person on temporary leave pending a final decision;
 - (g) Disciplining the offender to include dismissal;
 - (h) Notifying Parents/care-givers (where applicable) of the actions taken at a meeting.
10. This policy is applicable to all the staff members, students, volunteers and interns at Raphael. Programme Directors and Director Administration & Coordination will reiterate the main points of the policy to all staff members in their departments once every quarter. It will be reviewed every 5 years, or earlier, depending on need.

Priyo Lall
 (Priyo Lall)
 CEO



Appendices:

- A - List of References
- B - Definitions
- C - Specimen Individual Declaration

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(Refers to paragraph 2 of Raphael letter No Raphael/Admin/Policy/081 dated 31 May 2019)

LIST OF REFERENCES

1. United Nations Convention on the Rights of the Child (UNCRC) <https://www.unicef.org.uk/what-we-do/un-convention-child-rights>
2. United Nations Convention on the Rights of People with Disabilities (CRPD) (Vulnerable People). <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>
3. National Commission for Protection of Child Rights (Govt of India) <http://ncpcr.gov.in>
4. The Protection of Children from Sexual Offences Act (Ministry of Women & Child Development), 2012 <https://wcd.nic.in/sites/default/files/POCSO-ModelGuidelines.pdf>
5. The Juvenile Justice (Care & Protection of Children Act) 2015 <http://cara.nic.in/PDF/JJ%20act%202015.pdf>



(Refers to paragraph 3 of Raphael letter No Raphael/Admin/Policy/081 dated 31 May 2019)

DEFINITIONS

1. **Child** - In accordance with the United National Conventions on the Rights of the Child, Raphael defines a child as any person under the age of 18, regardless of local laws and other definitions.
2. **Vulnerable Person**– Raphael defines a vulnerable person as someone who has a mental or psychiatric disability, physical, sensory or intellectual disability.
3. **Protection** - describes the responsibilities and initiatives undertaken to protect children and vulnerable people from any form of harm, abuse or maltreatment.
4. **Abuse** - can be any physical, emotional, sexual abuse or neglect that results in harm to a child or a vulnerable person and can include:
 - a) **Physical abuse** - the use of a physical force against a child or vulnerable person resulting in harm. This includes hitting, slapping, shaking, throwing, punching, kicking and any other action which causes hurt or injury.
 - b) **Emotional or psychological abuse** occurs when a child or vulnerable person is repeatedly rejected and/or intimidated through verbal and non-verbal means.
 - c) **Sexual abuse** - the use of a child or vulnerable person by an adult, significantly older child or adolescent for sexual activity or gratification.
 - d) **Ill-treatment** is unreasonably disciplining or correcting a child or vulnerable person, in a seriously inappropriate or improper manner; making excessive and/or degrading demands, using hostile force and using unreasonable and inappropriate degrading comments or behaviour towards a child or vulnerable person.
 - e) **Neglect** is the persistent failure or the deliberate denial to provide the child or vulnerable person (where they are in a position to do so) with conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing. This includes providing clean water, food, shelter, sanitation, supervision or care to the extent that the child's or vulnerable person's health and development are placed at risk



(Refers to paragraph 7 of RAPHAEL Letter No Raphael/Admin/Policy/081 dated 31 May 2019)

SPECIMEN
INDIVIDUAL DECLARATION

I,(Name and appointment/position of the employee) hereby declare that:

I will always respect all children and vulnerable adults, regardless of age, disability, gender, religious belief and support their right to equal protection from all types of harm or abuse.

I will always report any case of child abuse, exploitation and neglect that comes to my knowledge to the appropriate authority and will not harm or abuse any child or vulnerable adult physically, emotionally or sexually.

(Name of employee)

Date:

Place:

