**THE STEPHEN HIGH SCHOOL FOR THE DEAF AND APHASIC**

**Montfort Care Early Intervention Center: Child Safeguarding Policy**

* 1. **Policy Overview:**

Montfort Care Early Intervention Center is committed to protecting children's rights by safeguarding them from all forms of harmful influences, abuse and exploitation. Montfort Care will make necessary arrangements to prevent or minimize any harm to children who come in contact with the organization and will take measures to respond to any concern raised within the organization or its programs as outlined in the Policy.

A 'duty of care' exists for all stakeholders who come into contact with children. This means they should apply the principles of good practice in their work and that they have a responsibility and a legal duty to ensure the protection and safety of children in their care or any child they are in contact with.

Montfort Care will:

* strive to understand children within the local context in which they live
* work with children in a spirit of cooperation and partnership based on mutual trust and respect
* work with children in ways that enhance their capacities and capabilities and develop their potential
* treat children with respect and recognize them as individuals in their own right
* regard children positively and value them as individuals with specific needs and rights
* value the views of children and take them seriously
* strive to ensure a safe environment with minimized risk to any harm for the children who come in contact with Montfort Care.

This Policy is endorsed by The Stephen High School for Deaf and Aphasic Board of Trustees.

The implementation and ongoing monitoring of the Policy in both specifics and spirit is Montfort Care's Leadership team's responsibility.

**1.2. Purpose:**

Montfort Care will endeavor to ensure all Employees:

* 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

**1.3. Scope:**

These guidelines are applicable to Montfort Care Early Intervention Centre, including the following situations and contexts, as defined herein.

a. Within premises of Montfort Care or any of the associated partner NGO, during all hours of engagement with the children, in relation to any direct or indirect activity related to Montfort Care or the associated partner NGO,

including before and after regular working hours and on holidays.

b. In extended environments of Montfort Care or the associated partner NGO if there is any link with it. e.g. parking areas, events at Montfort Care or the associated partner NGO or outings and work-related travel and transportation arrangements made by Montfort Care or the associated partner NGO for its children.

These guidelines are 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 The Stephen High School for the Deaf and Aphasic.
2. Permanent, temporary and contract employees.
3. Volunteers, consultants, experts, workers from outsourced agencies, service providers and vendors supplying services or goods to Montfort Care.
4. Any person visiting Montfort Care.
5. Any person, whose association with Montfort Care, provides such person authority over and/or access to a child or otherwise allows him/her to initiate, nurture and sustain a fiduciary relationship with a child.
6. Any other person, who may be covered by these guidelines.
   1. **Policy and Procedures:**

**1.Definitions:**

**Child** - In accordance to 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 (CRCPC), Montfort Care defines anyone under the age of 18 as a child. Montfort Care 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:

1. **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.
2. **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 an 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 an abuse.
3. **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.
4. **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 restricting movement, degrading, humiliating, threatening, scaring, discriminating, ridiculing, or other non-physical forms of hostile or rejecting treatment.
5. **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 in accordance with 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:**

A Child Protection Committee (CPC) has been constituted by Montfort Care to receive and effectively deal with child abuse complaints.

The CPC consists of:

* Child Protection Committee (CPC) Chairperson – The Stephen School Director
* Child Protection Officer (CPO) – Program Director
* A senior staff member – Principal of The Stephen School
* External NGO members committed towards the cause of children's rights and empowerment.

A panel of three (3) members is required to be present for the proceedings to take place. The panel shall include the CPC Chairperson and at least two (2) members.

Further, Director of The Stephen School designates the Montfort Care Program Coordinator, pcmontfortcare@gmail.com Child Protection Officer (CPO) to look into the overall implementation of the Policy.

**3. Responsibilities:**

All employees at Montfort Care are required to:

* Be aware of situations that may present risks and appropriately manage it
* Plan and organize the work and the workplace so as 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
* Foster a culture of mutual accountability so that any potentially abusive behavior can be challenged
* Develop a culture where children can talk about their contacts with staff and others openly
* Respect each child's boundaries and help them to develop their own sense of their rights as well as helping them to know what they can do if they feel that there is a problem

Anyone working for or associated with Montfort Care must avoid actions or behavior that could be construed as poor practice or potentially abusive. Everyone working for with Montfort Care will not:

* Spend excessive time alone with children away from others
* Take children to your own home, especially where they will be alone with you
* Have a child or children to stay overnight at your home unsupervised
* Sleep in the same room or bed as a child
* Hit or otherwise physically assault or physically abuse children
* Behave physically in a manner which is inappropriate or sexually provocative towards a child or develop physical/sexual relationships with children
* Develop relationships with children that could in any way be deemed exploitative or abusive
* Act in ways that may be abusive or may place a child at risk of abuse that includes intentionally humiliating, belittling, degrading, holding, kissing, cuddling, touching a child in an inappropriate, unnecessary or culturally insensitive way.
* Use language, make suggestions or offer advice that is inappropriate, offensive or abusive
* Condone, or participate in, behavior towards children that is illegal, unsafe or abusive or exposes the child to danger
* Discriminate against, show different treatment, or favor particular children to the exclusion of others.

The **CPC** will:

* Focus only on the complaints/suggestions received on child safety violations/abuse and not on any administrative issues.
* Discuss the concerns, record the same and give appropriate recommendations to the organization’s management for further action.
* 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.
* Convene as soon as an incident is reported with periodic follow-up until closure of case.
* Cooperate with the police, judiciary, and local administration to investigate the reported incident, to the extent applicable by law, while keeping in mind the safety, security, right to privacy and confidentiality in the child's best interest.
* Assess and address the impact of the incident on other children, adults working there and on the organisation as a whole.

The **CPO** will:

* Assist the CPC Chairperson during case proceedings.
* Receive all complaints of child safety violation including child abuse, whether verbal or written and ensure confidentiality and record it in a register.
* Maintain case files and records pertaining to the complaints/incident.
* Follow mandatory reporting in case of safety violation including child abuse wherever legally mandated and coordinate with the police and local authorities and ensure that there is no attempt to cover up the incident, or influence the child's parents/guardian or other authorities.
* Follow procedures where there are allegations of child safety violations or child abuse including against the Head of the institution/Chairperson of CPC.
* Coordinate capacity building related to CPP.

**4. Communications regarding Children:**

* Montfort Care should ensure that it uses decent and respectful images and which do not present children as victims. In all communications, children should be always adequately clothed and poses that could be interpreted as sexually suggestive are unacceptable.
* Web sites and other promotional materials of Montfort Care should not use images of children without obtaining (at least) verbal permission from the child and the parent(s)/guardian(s) of the child.
* The child's personal and physical information that could be used to identify their location within a country should not be used in any manner on any platform.

**5. Procedures:**

This section is to ensure what steps should be taken if it is believed that the Child Protection Policy is being violated.

Preventive Procedures:

A risk assessment was completed with Montfort Care. The risks highlighted in that assessment were used to develop the following preventive measures:

* Parents of the children should be present in the therapy room.
* There should be strict Code of Conduct and usage of phones is not allowed.
* Consent forms should be signed by the parents before clicking any pictures of children.
* Therapy should be conducted in the rooms with CCTV Cameras.
* Personal Information of Children should be given only when it is essential.
* All the Major Policies should be displayed on the walls or someplace which is visible in the organization.

Reporting:

Montfort Care employees, associates, consultants, and volunteers should report their concerns to the CPO within 24 hours of observing a Child Protection Policy breach. All concerns or allegations should be submitted in writing. It is not the responsibility of the person first hearing or encountering a case of alleged or suspected abuse to decide whether or not abuse has taken place; it is their responsibility to immediately report the concern.

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
* Action/next steps

PLEASE NOTE: In situations where the child is in imminent danger, the reporter should contact the CPO immediately, and follow up with paperwork once the child is safe.

*In cases where the CPO is unavailable or implicated in the abuse, employees will report to a senior leadership member.*

Ensure the safety of the concerned child:

The CPO shall ensure that the child is removed from any imminent danger immediately by preventing contact with the person involved. The CPO will ensure that the child is not further questioned or interrogated. The CPO will liaise with the NGO to reassure the child that the problem will be attended to and he/she is safe and protected.

The CPO will within three days of receiving the complaint:

* Conduct a risk assessment of the reported concerns and inform the relevant authorities as appropriate to ensure that the child is provided care and protection.
* Put together all the evidence submitted
* Prepare and communicate an appropriate response e.g. disciplinary process or urgent action if consequences of breach of Policy are severe.

Medical Intervention:

The CPO will liaise with the NGO to ensure that the child is provided with the appropriate medical assistance as required. The CPO will liaise with the NGO on the medico-legal papers which will be referred to during the case proceedings.

Informing parents/guardians:

The CPO will liaise with the NGO to ensure that the parents/guardians are informed about:

* The complaint.
* The internal inquiry procedures that will be followed to address the complaint.
* The confidentiality that will be maintained.
* The relevant local authorities that will be informed about the case details.

Internal Inquiries and Suspension:

* The CPO in consultation with the Chairperson shall convene the CPC meeting within 24 hours of reporting of the incident to take further action and inform the Montfort Care team or the partner NGO accordingly.
* The CPO will meet with the person who has reported the concern to ensure that facts, opinions, observations are recorded accurately and prepare an investigation report.
* The CPC will decide whether the person responding to the complaint should be temporarily suspended pending further police and social services inquiries.
* If the person responding to the complaint is at an outstation location, the CPC will decide on whether they should be asked to return to the main office.
* Based on the outcome of the internal inquiry, the CPC will refer to the Disciplinary Policy to assess the appropriate disciplinary outcome that will be implemented.

Documentation:

* Written complaint submitted to the CPO 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.

External Reporting:

* If there is a suspicion about any form of criminal behavior taking place at a programme, the CPO will assess the risk and inform the appropriate local authorities immediately. The CPO will also look into any other external bodies like the host organisation, community, etc. that need to be informed of the action and the possible risks and inform them accordingly.
* The CPO may refer to the following external redressal mechanisms as appropriate:
  + Child Welfare Committee (CWC)
  + Juvenile Justice Board Child Helpline
  + The Department of Women and Child Development, Maharashtra

Further Information:

● The CPO may refer to the following for further advice:

o Child Line - Dial 1098

o Maharashtra State Commission for Protection of Child Rights - Dial 022-22027050

o Arpan (NGO for Child Sexual Abuse)- Dial +91 22 2686 2444

**6. Training**

The Management of Montfort Care shall provide the necessary resources and direction for the following capacity building programs including information for all adult stakeholders. The content of the capacity building process should include the following:

1. Orientation on child abuse, neglect and exploitation; applicable laws, policies and guidelines, such as UNCRC, POCSO, JJ Act and ICPS to ensure they are aware of the key provisions; redressal mechanisms, media relation, confidentiality and reporting obligations
2. CPP: Training for all personnel, contract staff on the CPP, response and redressal mechanisms setup within Montfort Care. Additionally, Montfort Care will conduct other relevant training (related to appropriate behaviors with children) to ensure staff can understand finer aspects related to the Policy.
3. There should be a refresher course for all of the above topics.
4. This will include signing the declaration indicating their understanding of the Policy.

**7.Policy Review Schedule**

The Montfort Care Child Protection Policy will be reviewed annually or basis management discretion to ensure the Policy is updated.

Montfort Care will also look into advocating that all Montfort Care's Partners have a Child Protection Policy in place and supervise an annual reviewing and revision of the Policy.

***Declaration***

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, declare that I have read the Safeguarding Policy put in place by Montfort Care and fully understand that any breach or violation of the policy from my end could result in action taken against me and/or termination of my contract/working relationship with Montfort Care.

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Signature

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Date