

Government of NCT of Delhi  
Department of Women and Child Development

**Child Protection Policy**  
**For**  
**Child Care Homes/Institutions registered under the *Juvenile Justice (Care and Protection of Children) Act, 2000***

**DRAFT 4**

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# CHAPTER 1

## 1 Introduction

- 1.1 Protection and care of children is one of the fundamental objectives of the Department of Women and Child Development, Government of NCT of Delhi (hereinafter DWCD). *The best interest of the child* is the foundation upon which the DWCD has established the Child Protection Policy which is to be enforced and implemented in all child care institutions under the *Juvenile Justice (Care and Protection of Children) Act, 2000* in the NCT of Delhi.
- 1.2 All Homes/Institutions under the mandate of the DWCD have ZERO TOLERANCE to any abuse. The Child Protection Policy (hereinafter Protection Policy) aims to establish mechanisms for the protection of all children in need of care and protection and children in conflict with law from any type of abuse, exploitation or neglect and ensure immediate and stringent action in case of any instances of abuse of children in the Homes/Institutions and take remedial measures.
- 1.3 The Protection Policy is applicable to the management and staff members of all Homes/Institutions, in addition to shelter homes established by Non-Governmental Organisations (NGOs) and Non-Profit Organisations (NPOs) running homes or institutions in Delhi under the supervision of DWCD.
  - 1.31 For DWCD Homes/Institutions, the Superintendent is liable for any violations of the Protection Policy, Code of Conduct and the corresponding reporting cases. For NGO run homes, the head of the institution holds the same responsibility.
  - 1.32 The Protection Policy has been produced to ensure that all staff members of the Homes/Institutions proactively take steps at all levels to reduce the risk of violation of children's rights, especially through accountability and transparency.
  - 1.33 The Protection Policy is applicable for all children under the direct supervision of Homes/Institutions.

# CHAPTER 2

## 2 Definitions

2.1 **Child:** A person below the age of eighteen years<sup>1</sup>.

2.2 **Child Protection:** Preventing and responding to violence, exploitation and abuse against children<sup>2</sup>.

2.3 **Best Interest of Child:** The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.<sup>3</sup>

2.4 **Child Participation:** Every child has the right to freedom of expression, freedom of association and access to information and to be proactive in their community<sup>4</sup>.

2.5 **Child Abuse:** 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<sup>5</sup>.

2.5.1 **Physical Abuse:** Abuse that result in actual or potential physical harm from an interaction or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. This may be a single incident or repeated incidents.<sup>6</sup>

2.5.2 **Sexual Abuse:** Any kind of physical, mental or verbal abuse, where a person uses a child for his/her sexual gratification. Child sexual abuse is committed by a person who is in a position of trust/power vis-à-vis the child. It is any sexual behavior directed at a dependent, developmentally immature children and adolescents.<sup>7</sup>

2.5.3 **Emotional Abuse:** Verbal abuse, mental abuse, and psychological maltreatment. It includes acts or the failure to act by parents or caretakers that have caused or could cause, serious behavioral, cognitive, emotional, or mental trauma<sup>8</sup>.

2.6 **Aggravated Child Abuse:** When abuse is committed either by a police officer, member of the armed forces, public servant, member of the management or staff of a jail, remand home, protection home, observation home, or other place of custody, hospital staff or educational institution or by any other such people or manner<sup>9</sup>.

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<sup>1</sup> *Juvenile Justice (Care and Protection Act, 2000 s2(k) and the United Nations Convention on the Rights of the Child art 1*

<sup>2</sup> [http://www.unicef.org/protection/files/What\\_is\\_Child\\_Protection](http://www.unicef.org/protection/files/What_is_Child_Protection); also see the *United Nations Convention on the Rights of the Child art 3(2)*

<sup>3</sup> *United Nations Convention on the Rights of the Child art (3)*

<sup>4</sup> *United Nations Convention on the Rights of the Child arts 13(1), 17 and 23(1)*

<sup>5</sup> *Report of the Consultation on Child Abuse Prevention, WHO, Geneva, 29-31 March, 1999, p.15*

<sup>6</sup> *Ibid.*

<sup>7</sup> Mehta, N., (2008) 'Child Protection and Juvenile Justice System,' Childline India Foundation, Mumbai.

<sup>8</sup> *Study on Child Abuse: India 2007, Ministry of Women and Child Development, Government of India, p.3*

<sup>9</sup> *Protection of Children from Sexual Offences Act, 2012 ss 5 and 9*

2.7 **Quality Standards:** Standards of care for children residing in Homes/Institutions, under the supervision of DWCD, as per the revised Integrated Child Protection Scheme, 2014 and quality care measures to safeguard children's rights.

2.8 **Homes/Institution:** An observation home, special home, children's home and/or shelter home set up, certified or recognised and registered under the *Juvenile Justice (Care and Protection) Act, 2000*.<sup>10</sup>

2.9 **Staff:** All members of the management board or employees(whether full-time, part time or short term contracts) of the Institution/Home.

2.10 **External Personnel:** Any visitors in at the Homes/Intutions who are not employed directly or indirectly.

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<sup>10</sup> *Juvenile Justice (Care and Protection) Act, 2000* ss 8,9, 34 and 37

## CHAPTER 3

### 3 Guiding Principles of the Child Protection Policy

The Protection Policy is guided by the existing legal frameworks of child protection in India and the ratified international convention. The Protection Policy predominately draws its following guiding principles from the National Policy for Children, 2013, Integrated Child Protection Scheme, 2009, *Protection of Children from Sexual Offences Act, 2012*, *Juvenile Justice Amendment Act, 2011*, National Charter for Children, 2004, National Plan of Action for Children, 2005.

**3.1 Protection:** Safety and security of all children is integral to their well-being and children are to be protected from all forms of harm, abuse, neglect, violence, maltreatment and exploitation in all settings including care institutions, schools, hospitals, crèches, families and communities<sup>11</sup>.

**3.2 Best Interest of the Child:** Best interest of the child is the primary concern in all decisions and actions affecting children, whether taken by legislative bodies, court of law, administrative authorities, public, private, social, religious or cultural institutions to ensure their personality development<sup>12</sup>.

**3.3 Confidentiality:** Children's right to privacy and confidentiality should be protected in cases of abuse<sup>13</sup>.

**3.4 Non-Stigmatisation and Non-Discrimination:** Each child irrespective of circumstances, as well as socio-economic, cultural, religious and ethnic backgrounds should be treated equally and in a dignified manner<sup>14</sup>.

**3.5 Participation:** Children's views, especially those of girls, children from disadvantaged groups and marginalised communities, are to be heard in all matters affecting them, in particular judicial and administrative proceedings and interactions, and their views should be given due consideration in accordance with their age, maturity and evolving capacities<sup>15</sup>.

**3.6 Child centered planning and implementation:** Planning and implementation of Protection Policy and service delivery should be child centered at all levels, so as to ensure that the best interest of the child is protected<sup>16</sup>.

**3.7 Technical excellence, code of conduct:** Services for children at all levels and by all providers should be provided by skilled and professional staff, including a cadre of social workers, psychologists, caregivers, members of statutory bodies and lawyers, adhering to an ethical and professional code of conduct<sup>17</sup>.

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<sup>11</sup> National Policy for Children, Government of India, 2013, *Ibid*

<sup>12</sup> *Ibid.*

<sup>13</sup> The Integrated Child Protection Scheme, 2009, Chapter 2, *Guiding Principles*

<sup>14</sup> *Ibid.* & *The Constitution of India*, Article 15 (1).

<sup>15</sup> National Policy for Children, Government of India, 2013, *Ibid*

<sup>16</sup> The Integrated Child Protection Scheme, 2009, *Ibid.*

<sup>17</sup> *Ibid.*

**3.8 Good governance, accountability and responsibility:** An efficient and effective child protection system requires transparent management and decision making, accountable and responsible individuals and institutions and performance reports at all service levels and all service providers made public<sup>18</sup>.

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<sup>18</sup> *Ibid.*

## CHAPTER 4

### 4 Child Protection Policy Framework

#### 4.1 What is the Child Protection Policy?

Child Protection Policy is the principal guiding document to safeguard the rights of children, especially their right to protection and participation. The Protection Policy guides all Homes/Institutions for children operational in Delhi, under the supervision of DWCD, to create an enabling, protective and child friendly setting equivalent to one which a family can create. It directs the caregivers to ensure prevention of child abuse, protection of its children from any occurrence of child abuse and reporting incidences and providing minimum standard of care as stated in the *Juvenile Justice (Care and Protection of Children) Act, 2000*.

#### 4.2 Who does it apply to?

- 4.2.1 All staff employed by the child care institutions.
- 4.2.2 Outsourced agencies that come in contact with the children.
- 4.2.3 External people visiting the Homes/Institutions and/or coming in contact with children.

#### 4.3 What does Child Protection Policy comprise?

- 4.3.1 **Guiding Principles** underlying the policy
- 4.3.2 Child safeguarding measures for **Staff Recruitment and Orientation** of newly appointed staff.
- 4.3.3 **Code of Conduct for staff and visitors/outside**rs to protect the children from occurrence of child abuse through prevention
- 4.3.4 **Quality Standards for Homes** including the following:
  - a. Training of children and staff on child protection and child protection policy
  - b. Infrastructural necessities such as installation of CCTV Cameras, Children's Suggestion Boxes and child friendly physical infrastructure
  - c. Direct line to 1098 only for children
  - d. Appropriate care measures for children under 6 years of age
- 4.3.5 **Child Protection Committees** wherein constitution of **Child Abuse Management Committee and Children's Committee** is mandatory
- 4.3.6 **Reporting Mechanism** for children and staff
- 4.3.7 **Monitoring** of policy implementation
- 4.3.8 **Budget**



## A: PREVENTION

### CHAPTER 5

#### 5 Staff Recruitment and Orientation

All the Homes/Institutions for children shall undertake child safeguarding measures while appointing new staff and orient them on the Protection Policy.

##### *Child Safeguarding Measures for Human Resources Recruitment*

##### 5.1

- 5.1.1 The DWCD /organization(s) shall ensure that all persons holding contractual or regular staff position, submit a **self-declaration /affidavit** stating that the person does not hold any criminal records.
- 5.1.2 The DWCD/organization(s) shall seek **reference from previous employer** while considering the candidate for appointment.
- 5.1.3 The DWCD/organization(s) shall process a **police verification of all newly appointed staff upon recruitment.**

##### *5.2 Child Protection Policy Orientation of Newly Appointed Staff*

- 5.2.1 All new staff members shall receive an **orientation of the Protection Policy** along with a written brief from the Superintendent/senior employee within 2 days of joining.
- 5.2.2 All new staff members shall receive **training on the Protection Policy** within the probation period and no later than 6 months from the date of joining.
- 5.2.3 Follow-up training shall be held on a yearly basis. Upon successful completion of the training, the employees will receive a certificate authorised by DWCD/ organization(s) concerned.
- 5.2.4 A **written record of the child protection policy orientation sessions** and trainings shall be maintained in a register by the Officer in Charge/Superintendent of the Homes/Institution.

## CHAPTER 6

### 6 Code of Conduct

All staff members, external personnel and visitors shall follow the prescribed Code of Conduct to safeguard the child from any incidence of abuse<sup>19</sup>.

#### 6.1 Code of Conduct for the STAFF of all Homes/Institutions:

- ✓ The staff should be affectionate, caring and understanding of the requirements and needs of the child.
  - ✓ The staff should be responsive in case any special need of the child arises such as health issues or emotional support.
  - ✓ The staff should have a sense of accountability, in order to deter any poor practice or potentially abusive behavior.
  - ✓ The child should be encouraged to talk to the Welfare Officers and/or the Superintendent, or the supervisors in their Home/Institution without any apprehension.
  - ✓ Immediately report any suspicious behavior/suspected occurrence of abuse to the Management Committee (refer to Chapter 8 for structure and functions of the committee).
- It is a criminal offence to conceal or abet incidents of child abuse, and is mandatory to report such offences<sup>20</sup>.

#### 6.2 It is **NOT** appropriate for staff to:

- ✗ Spend excessive time alone with children away from others.
- ✗ Physically assault or physically abuse the child.
- ✗ Use language that is discriminatory, abusive or hurtful to the child.
- ✗ Engage children in any work that is beyond their assigned task in the Homes/Institutions or that impedes their physical and mental development.
- ✗ Develop relationships with the child that could in any way be deemed exploitative or abusive.
- ✗ Store obscene / pornographic material (photographs, video clips) on their mobile phones and showing to children.
- ✗ Browse, publish or transmit material in any form which depicts children engaged in sexually explicit act or conduct.
- ✗ Create text or digital images and/or collects, seeks, browses, downloads, advertises, promotes, exchanges or distributes material in any electronic form depicting children in obscene or indecent or sexually explicit manner<sup>21</sup>.
- ✗ Show or talk of content that is sexual in nature or take photographs of children.
- ✗ Behave physically in a manner which is inappropriate or sexually provocative.
- ✗ Sleep with a child in the same bed. If the need occurs to sleep in the same room, permission must be taken where the reason is clearly stated and a separate bed be used for sleeping. Do things for children of a personal nature that they can do for themselves which includes toilet training and bathing.
- ✗ Condone and/or participate in behavior of children which is illegal, unsafe or abusive.

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<sup>19</sup> If the child is abused in school and discloses to institution staff, immediately an FIR should be lodged.

<sup>20</sup> *Protection of Children from Sexual Offences Act, 2012* ss 19 and 21

<sup>21</sup> *Information Technology Act, 2008* s 67

- ✘ Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse, discriminate against, show differential treatment towards, or favour particular children to the exclusion of others.

### **6.3 Code of Conduct for visitors:**

- i. Permission for visits is mandatory from the Officer in Charge/Superintendent and visits should be made in the presence of officers not below the rank of a Welfare Officer.
- ii. The norms of the Home/Institution are to be compulsorily followed by the visitors.
- iii. Visitors can only interact with children in presence of a staff member and not without the consent of the child and Officer in Charge/Superintendent.
- iv. No photography/Videography will be allowed.
- v. Visitors must be discouraged from giving gifts directly to children.
- vi. Provisions of the *Juvenile Justice (Care and Protection) Act, 2000* and *Delhi Juvenile Justice Care and Protection of Children Rule, 2009* should be followed.

## CHAPTER 7

### 7 Quality Standards for Homes

As per the Protection Policy, *quality standards* for the Homes/Institutions shall be adopted by all the Homes/Institutions in addition to the Minimum Standards in the revised Integrated Child Protection Scheme, 2014 and the *Delhi Rules, 2009 for the Juvenile Justice (Care and Protection of Children) Act, 2000*.

#### 7.1 Infrastructural Compliance:

##### 7.1.1 Installation of Children's Suggestion Boxes

To be installed in all the Homes/Institutions in such an area that is closer to child's residential facility. The Child Protection Committee (as defined in Chapter 8) shall be responsible for installation of Children's Suggestion Boxes and providing support to the Children's Committee in monitoring its appropriate use.

##### 7.1.2 Installation of CCTV Cameras

To be installed in common areas where frequent interface between children, staff and visitors occurs. However, the CCTV camera installation shall not undermine the right to privacy, dignity and self-respect of the child.

##### 7.1.3 Display a Board on the Do's and Don'ts and Pictorial Display of Prevention of Child Abuse

Installation of display boards on Do's and Don'ts shall be fixed up in prominent areas in the Homes/Institutions. The Do's and Don'ts shall be written in Hindi and English languages and in a child friendly manner.

##### 7.1.4 Display Boards of the Members of Management Committee and the Children's Committee

Display boards with information of the members of the Management Committee and Children's Committee shall be fixed up in common rooms and/or dormitories where the child has an access.

##### 7.1.5 Information Board of Important Contact Names and Numbers

Information boards with contact information of important stakeholders (as listed in Annexure II) shall be put up in children's common rooms and/or dormitories in the Homes/Institutions.

##### 7.1.6 Well-lit Corridors/Bathrooms and Halls with Power Back Up

Institution/Home must have corridors, bathrooms and halls that are well lit. Provisions are to be made for power back up in the Homes/Institutions.

##### 7.1.7 Direct line to 1098 only for children

Provisions for a 'one way phone with direct line to 1098' should be made available either in the dormitory or near the bathroom, in an area which is easily accessible to children.

#### 7.2 Appropriate care measures for children under 6 years of age:

7.2.1 The house mother /matron/ aaya should accompany the child while bathing to ensure his/her safety and to give assistance if required.

7.2.2 Children should be under constant supervision of the in-charge.

7.2.3 Children should be provided with appropriate time to rest and relax (which may include a short nap after lunch) under supervision.

## **B: RESPONSE**

### **CHAPTER 8**

#### **8 Child Protection Committees**

All the Homes/Institutions shall constitute the following Child Protection Committees (CPCs):

1. The Management Committee
2. The Children's Committee

These Committees may be the same Committees as those formed in accordance with the *Juvenile Justice (Care and Protection of Children) Act, 2000*, known as Management Committees and Children's Committees with additional functions of the above mentioned Committees.

##### **8.1 Management Committee**

- 8.1.1 The Committee shall consist of adults with atleast one representative from the Children's Committee.
- 8.1.2 This Committee shall have the Officer-in-charge/Superintendent of the Home/Institution, as the Child Protection Focal Person responsible for reporting and following up, the case of child abuse with the local police, Chairperson, Child Welfare Committee and Director, DWCD/ Chief Functionary of the concerned NGO.
- 8.1.3 This Committee shall be constituted afreashevery six months.
- 8.1.4 The Committee shall ensure installation and the appropriate use of Children's Suggestion Boxes in their Homes/Institutions.
- 8.1.5 The Committee shall have monthly meetings to review the actions taken on reported cases of child abuse and suggestions from the Children's Suggestion Box.
- 8.1.6 The quorum for conducting the emergency meetings shall be five members, including two members of Children's Committees, Chairperson of the Management Committee, Member of Child Welfare Committee or the Juvenile Justice Board as the case may be and the Officer-in Charge of the institution<sup>22</sup>.
- 8.1.7 In the event of a serious allegation or complaint<sup>23</sup> against the Officer-in-Charge/Superintendent of the Homes/Institutions, s/he shall not be part of the emergency meeting and another available member of the Management Committee shall be included in his place<sup>24</sup>.

The constituting members of the Management Committee and its detailed roles and responsibilities have been illustrated in Annexure IV & V.

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<sup>22</sup> *Delhi Juvenile Justice (Care and Protection) Rules, 2009* s 55(7)(c)

<sup>23</sup> Serious allegation or complaint inter alia shall include allegations or complaints of physical violence, abuse and torture of any nature.

<sup>24</sup> *Ibid.* s 55(7)(d)

## **8.2 *Children's Committee***

- 8.2.1 Children's Committee shall be constituted by only those children who are residing in Homes/Institutions.
- 8.2.2 The Committee shall appoint one representative for the Management Committee.
- 8.2.3 The same representative shall be the Child Protection Focal Person for the committee to report the cases of child abuse to the Child Protection Focal Person of the Management Committee, i.e. the Superintendent/Officer in Charge of the Home/Institution.
- 8.2.4 This Committee shall be reconstituted every six months.
- 8.2.5 In case of any allegations against the Superintendent/Officer in Charge, report shall be made to any another member of the Management Committee by the Children's Committee.

## **CHAPTER 9**

### **9 Reporting**

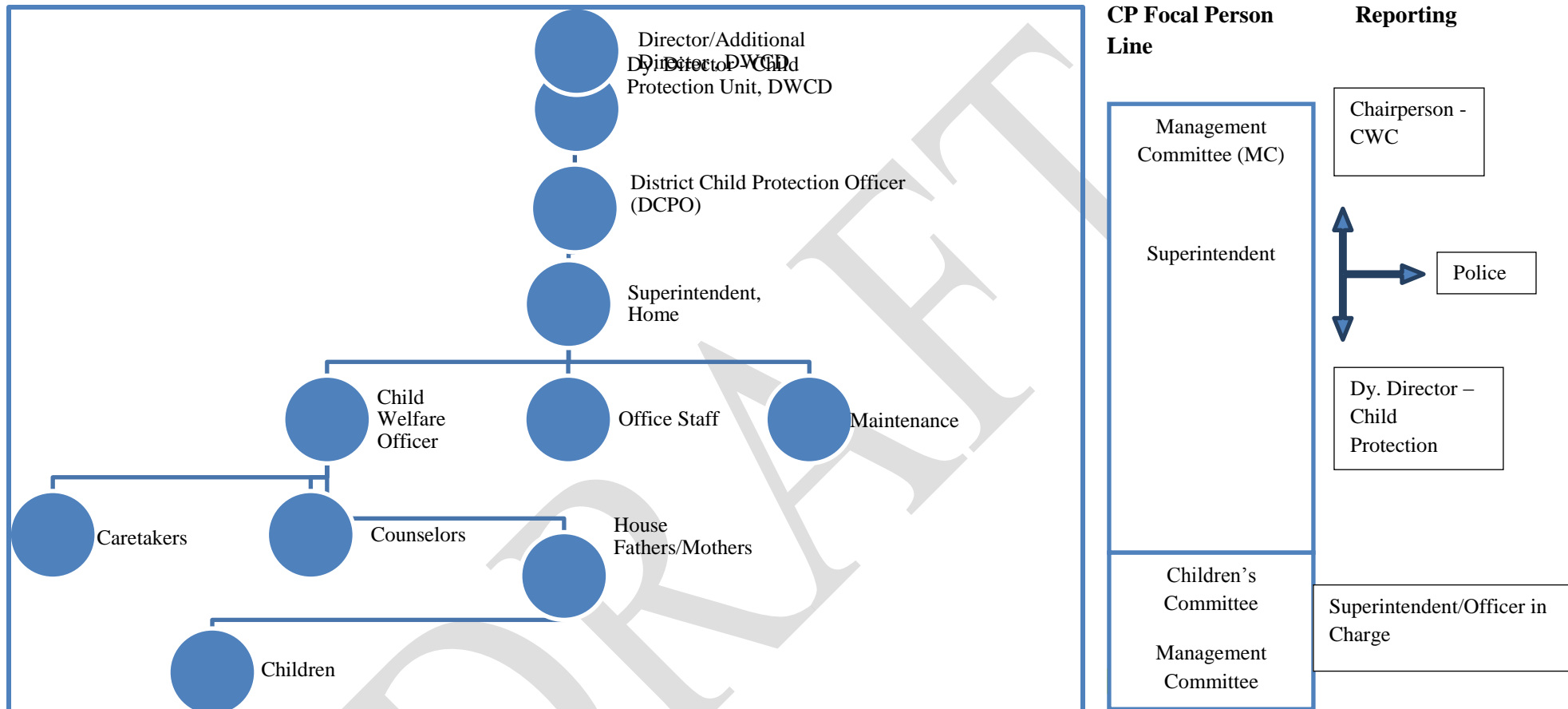
#### ***9.1 Reporting Procedure for Staff and Children***

- 9.1.1 Any information on suspected case or incidence of child abuse shall be immediately reported to the Welfare Officer, Superintendent/Officer in charge or Child Protection Focal Person of either of the Committees (Management Committee or Children's Committee).
- 9.1.2 If the initial report is verbal, the Reporting Form must be filled up by the Welfare Officer immediately.
- 9.1.3 The Reporting Form shall be submitted to the Superintendent no later than 6 hours from the incidence/knowledge of abuse (Form attached as Annexure I).

#### ***9.2 Action to be taken by the Superintendent/Officer in Charge***

- 9.2.1 In case of sexual abuse, the Superintendent/Officer in charge of the Homes/Institutions shall lodge a complaint/FIR with the police station in the jurisdiction of the institution without any loss of time.
- 9.2.2 A copy of the Reporting form shall be submitted to the police while filing the FIR.
- 9.2.3 Along with the reporting requirements, Management Committee shall commence an inquiry within 12 hours of receipt of information.
- 9.2.4 The Superintendent/Officer-in-Charge must immediately depute a counselor for the affected child in order to enable the child to deal with the trauma.
- 9.2.5 The Superintendent/Officer in Charge shall inform the CWC Chairperson and Director, DWCD/Chief Functionary of the organisation immediately on telephone or in person.
- 9.2.6 Following this, a written report shall be submitted to the Director, DWCD/Chief Functionary of the NGO/organisation within 6 hours of receipt of information by fax and e-mail.
- 9.2.7 The Superintendent/Officer in Charge shall provide complete cooperation to the police authority/SDM office/Court staff/CWC on any other statutory authority for purpose of inquiry/investigation.
- 9.2.8 *In the event of a serious allegation or complaint against the Superintendent/Officer-in-Charge of the Homes/Institutions, the higher authorities must immediately remove him from the post and substitute the position.*

## REPORTING FRAMEWORK for Government run Homes - 'Management Organization'



1. All children residing in the Homes/Institutions can report any case of abuse to any member of the Children's Committee or Management Committee
2. All staff residing in the Homes/Institutions shall report any case of abuse to the Superintendent /Officer in Charge of the Home.
3. In case the report is against the Superintendent/Officer in Charge, any other member of the Committee shall be informed.

### Reporting Line:

1. Respective Child Protection Focal Person will report to the designated person within the reporting line. In case the allegation is against the CP Focal Person, then reporting needs to be done to the next higher authority.
2. Superintendent needs to simultaneously report any case to the Police, Director, DWCD and Chairperson of the CWC.



## **C. MONITORING & BUDGET**

### **CHAPTER 10**

#### **10 Monitoring of Child Protection Policy Implementation**

- 10.1 A separate sheet of evaluation of the implementation of the Protection Policy will be included in the general inspection format for the monitoring of Homes/Institutions by Child Welfare Committees (CWC) / Juvenile Justice Boards (JJBs).
- 10.2 The Superintendent/Officer in charge shall submit a quarterly report on the implementation of the Protection Policy to the higher authorities.
- 10.3 The evaluation sheet for CWC/ JJB monitoring visit shall include both quantitative and qualitative indicators.
- 10.4 As per the service rules the Child Welfare Committee shall ensure that the Homes/Institutions implement the Protection Policy and Code of Conduct in letter and spirit.
- 10.5 A review of the policy shall be undertaken on an annual basis to keep the Protection Policy updated with current child rights legislation.

### **CHAPTER 11**

#### **Budget for the Implementation of Child Protection Policy**

The Department of Women and Child Development, Delhi Government commits to allocate the required financial, material and human resources, and their efficient and effective use, with transparency and accountability, to implement this Protection Policy.

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**Annexure 1**  
**CHILD PROTECTION REPORTING FORM**

**Case Number:** \_\_\_\_\_

**Child's Name:** \_\_\_\_\_  
*(To be kept anonymous where real name is not required)*

<b>A. Details of Person Reporting</b>	Name	Designation
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	Name of Institution	Address	Contact No.
	Date and time of concern raised/allegation made		
<b>B. Details of Personnel Receiving the Report</b>	Name:	Designation	
	Address	Contact No.	
	Institution/Home Location	Date and time of report received	
	Date and time of Incident Reported to Committee Member	Date and time of written report submitted to Superintendent/ Officer in Charge	
<b>C. Child's Details</b>	Child's Name:	Age:	Sex:
	Village:	Ward:	District:
	Present location of child:	School:	Class/Grade:
	Physically Challenged: <input type="checkbox"/> Yes <input type="checkbox"/> No	Mentally Challenged <input type="checkbox"/> Yes <input type="checkbox"/> No	Other Special Needs (specify)
	Type of Abuse/Exploitation: <input type="checkbox"/> Physical <input type="checkbox"/> Sexual <input type="checkbox"/> Verbal <input type="checkbox"/> Neglect <input type="checkbox"/> Other (specify)		Did Abuse take place in home/ institution? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Relationship to Suspect		Other Information:
<b>D. Alleged Perpetrator's Information</b>	Name:	Age:	Sex:
	Address:	Relationship to Child:	

	Current Location	
	<i>If employed by Home/Institution or other agency</i>	Name of Institution:
	Employment Details:	Nature of Job
<b>F. Incident Information</b>	Date & Time of Incident	Location of Incident
	Describe allegation of abuse ( <i>What, who, Where, When, Use child's words where possible</i> )	
	Was Medical Attention Required? <input type="checkbox"/> Yes <input type="checkbox"/> No Did the child receive the necessary medication attention <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable If so, by whom?	

**Completed by:** \_\_\_\_\_ **Time and Date:** \_\_\_\_\_

**Signed off by:** \_\_\_\_\_ **Time and Date:** \_\_\_\_\_

## Child Protection Policy

### Declaration of Acceptance

This form is to be completed and returned to the Officer in Charge/Child Protection Focal Person, and will be stored in the HR/Child Protection Policy file.

**I confirm that I have:**

Received written briefing materials informing about  
The Child Protection Policy

Received a face-to-face briefing on the Child Protection Policy

Had the opportunity to raise any questions, issues or  
concerns about the Policy

Had these questions, etc. answered satisfactorily

**I also confirm that:**

I understand the main principles, the purpose and the  
intentions of this policy.

I am clear on the responsibilities the policy places, to be  
aware and to protect children from abuse.

I am clear that there is a mandatory requirement to  
report any concerns I have about possible child abuse or  
risks to children.

I am clear that I must adhere at all times to the Child  
Protection Policy Code of Conduct.

If working in a management capacity, I understand I  
must ensure the Child Protection Policy is operating  
effectively and respond positively to any concerns.

I understand that any breach or failure to comply with  
the Policy may result in disciplinary action.

I have discussed the contents of the Policy with my  
line manager/Officer in Charge/Superintendent/  
Child Protection Focal Person and I agree to be  
bound by them.

**Name:**.....**Signed:**.....

**Date:**.....

**Position:**.....

## CHILD PROTECTION REPORTING FORM

**Case Number:** \_\_\_\_\_

**Child's Name:** \_\_\_\_\_

*(keep this anonymous, real name should be kept at field level)*

<b>A. Details of Person Reporting</b>	Name		Designation	
	Name of Institution		Address	
			Contact No.	
Date and time of concern raised/allegation made				
<b>B. Details of Personnel Receiving the Report</b>	Name:		Designation	
	Address		Contact No.	
	Institution/Home Location		Date and time of report received	
	Date and time of Incident Reported to Committee Member		Date and time of written report submitted to Superintendent/ Officer in Charge	
<b>C. Child's Details</b>	Child's Name:		Age:	Sex:
	Village:		Ward:	District:
	Present location of child:		School:	Class/Grade:
	Physically Disabled: <input type="checkbox"/> Yes <input type="checkbox"/> No		Developmentally Disabled <input type="checkbox"/> Yes <input type="checkbox"/> No	Other Disability (specify)
	Type of Abuse/Exploitation: <input type="checkbox"/> Physical <input type="checkbox"/> Sexual <input type="checkbox"/> Verbal <input type="checkbox"/> Neglect <input type="checkbox"/> Other (specify)			Did Abuse take place in home/ institution? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Relationship to Suspect / <b>alleged perpetrator</b>			Other Information:
<b>D. Alleged Perpetrator's Information</b>	Name:		Age:	Sex:

	Address:	Relationship to Child:
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	Current Location	
	<i>If employed by Home/Institution or other agency</i>	Name of Institution:
	Employment Details:	Nature of Job

<b>F. Incident Information</b>	Date & Time of Incident	Location of Incident
	Describe allegation of abuse ( <i>What, who, Where, When, Use child's words where possible</i> )	
	Was Medical Attention Required? <input type="checkbox"/> Yes <input type="checkbox"/> No Did the child receive the necessary medication attention <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable If so, by whom?	

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**Completed by:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signed off by:** \_\_\_\_\_ **Date:** \_\_\_\_\_



### *Annexure 3*

#### ***Dos and Don'ts for the STAFF of all Homes/Institutions:***

- ✓ The staff should be affectionate, caring and understanding of the requirements and needs of the children.
- ✓ The staff should be responsive in case any special need of the child arises such as health issues, emotional support.
- ✓ The staff should instill a sense of accountability, in order to deter poor practice or potentially abusive behavior.
- ✓ The children should be encouraged to reach out to the staff freely and without fear.
- ✓ Immediately report any suspicious behavior/suspected occurrence of abuse to the Management Committee (refer to Chapter 8 for structure and function of the committee).
- ✓ Remember that it is a criminal offence to conceal or abet incidents of child abuse and mandatory to report such offences<sup>25</sup>.

#### ***It is NOT appropriate for staff to:***

Spend excessive time alone with children away from others.

- ✗ Physically assault or physically abuse children.
- ✗ Use language that is discriminatory, abusive or hurtful to the child.
- ✗ Engage children in any work that is beyond their assigned task in the Homes/Institutions or that impedes their physical and mental development.
- ✗ Develop relationships with children that could in any way be deemed exploitative or abusive.
- ✗ Store obscene material (photographs, video clips) on their mobile phones and show it to children.
- ✗ Browse, publish or transmit material in any form which depicts children engaged in sexually explicit act or conduct.
- ✗ Create text or digital images and/or collects, seeks, browses, downloads, advertises, promotes, exchanges or distributes material in any electronic form depicting children in obscene or indecent or sexually explicit manner<sup>26</sup>.
- ✗ Show or talk of content that is sexual in nature or take photographs of children.
- ✗ Behave physically in a manner which is inappropriate or sexually provocative.
- ✗ Do not sleep with a child in the same bed, if need occurs to sleep in the same room.
- ✗ Do things for children of a personal nature that they can do for themselves which includes toilet training and bathing.
- ✗ Condone, or participate in, behaviour of children which is illegal, unsafe or abusive.
- ✗ Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse, discriminate against, show differential treatment towards, or favour particular children to the exclusion of others.

#### ***Code of Conduct for visitors:***

- vii. The visits should be made with the prior permission of the Officer in Charge/Superintendent and should be in presence of the officers not below the rank of Welfare Officers.

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<sup>25</sup> *Protection of Children from Sexual Offences Act, 2012* ss 19 and 21

<sup>26</sup> *Information Technology Act, 2008* s 67

- viii. The norms of the Home/Institution are to be followed by the visitors.
- ix. Visitors/outsideers can only interact with children in presence of a staff member and not without consent of the child and Officer in Charge/Superintendent.
- x. No photography/Videography will be allowed.
- xi. Visitors must be discouraged from giving gifts directly to children.
- xii. Provisions of the Juvenile Justice (Care and Protection) Act 2000 and Delhi Juvenile Justice Care and Protection of Children Rule, 2009 should be followed.

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**Management Committees:**

**Formation of Management Committee:**

In order to build a mechanism for response, the home shall establish a Management Committee that will play a key role in preparing the response plan. All matters of abuse of any child in home should be reported to the Committee.

1. Formation and Role of Management Committees

- (i) As per Section 55 of Delhi JJ Rules 2009, every home shall have a management committee composed of the following members:

1	District Child Protection Officer (District Child Protection Unit)	Chairperson
2	Officer-in-Charge/ Superintendent	Member-Secretary
3	Probation Officer or Child Welfare Officer or Case Worker	Member
4	Medical Officer	Member
5	Psychologist or Counsellor	Member
6	Workshop Supervisor or Instructor in Vocation	Member
7	Teacher	Member
8	Social Worker Member of Juvenile Justice Board or Child Welfare Committee	Member
9	A juvenile or child representative from each of the Children's Committees (on a monthly rotation basis to ensure representation of juveniles or children from all age groups)	Member
10	A representative from Senior Citizen forum and/or Resident Welfare Association	Member/s
11	One Non-Government Organization Representative	Member

- (ii) In addition to the responsibilities laid out as per Section 55 (5)a , the Management Committee shall include in their monthly meetings review of actions taken by the Superintendent of the home in reporting cases of sexual abuse as per the reporting format laid out under the Child Protection Policy issued by the State Government and in accordance to POCSO Act and Rules, 2012
- (iii) Management Committee shall ensure availability on Children's Suggestion Boxes in every home located away from the office and closer to children's residential facility. The committee shall support the Children's Committee in monitoring the proper usage of the suggestion box
- (iv) As per Section 55(7), the Chairperson of the Management Committee will be the focal person in checking, discussing and taking immediate action against a

complaint. The Chairperson is also responsible for maintaining Children's Suggestion Book as per Section 55(8) & (9)

- (v) As per Section 55(7) d, **in case a serious allegation or complaint has been made against the Officer in Charge, he shall not be part of the emergency meeting and another available member of the Management Committee shall be included in his place.**
- (vi) The Management Committee shall seek a report from the Officer-in-Charge on the setting up and functioning of the Children's Committees, review these reports in their monthly meetings and take necessary action where required.

### **Role of the Management Committee**

- The committee is to meet once every month and on an immediate basis in case of report of an incident.
- An appointed person from the committee is to review suggestion box every week and present concerns to forward to the committee.
- In case an offence against any child is apprehended by or comes to the notice of the management or staff of an institution or any other person, such person shall provide the relevant information regarding the offence to the Management Committee who will depute a counsellor and/or another adult who the child may be comfortable with, to counsel the child.
- The Committee referred to here in above will also proceed with the procedure for reporting of offences under the Protection of Children from Sexual Offences Act & Rules, 2012 as amended from time to time.
- The Committee may sit together as soon as possible but not later than 2 days from the day of the incident to confer on the same.
- A report should be given to the Special Juvenile Police Unit or local police which will contain the necessary details of the incident as well as a recommendation for a counselling mechanism for the child to commence at the earliest within 12 hours. The report to be given shall be prepared by the Child Abuse Monitoring Committee. A copy of this report shall be maintained with the institution.
- The Committee will recommend immediate removal from active duty of the person accused and then conduct an enquiry based on the child's version and statements of witnesses (if any). In these cases, the welfare and best interest of the child will be of paramount consideration. The burden of proof will lie with the adult to prove his/her