

**Policy Number:**

|  |  |
| --- | --- |
| Prepared and Proposed By | Deepa Murali – Advisor |
| Reviewed and Recommended By | John Alex – Trustee |
| Approved By | Board of Trustees |
| Date of Approval | 06 – 09 - 2025 |

**Purpose**

The Protection of Children from Sexual Offences (POCSO) Act, 2012, aims to safeguard children from sexual assault, sexual harassment, and exploitation through pornography, and provides for special courts to ensure speedy trials of such offences. It's a gender-neutral law designed to protect all children under 18, regardless of gender. Additionally, the law includes provisions to ensure the care, protection, and rehabilitation of child victims throughout the judicial process.

Varshini Illam Trust (VIT) which works closely with children, acknowledges the critical importance of implementing a robust POCSO Policy to ensure their protection and safety.

**Scope**

The policy applies to all employees, interns, probationers, retainers, consultants, trainees at VIT, and those contracted to work at, or for, VIT or its subsidiaries.

**Version Control**

|  |  |  |
| --- | --- | --- |
| 1.0 | 06 – 09 -2025 | Board of Trustee |

1. **INTRODUCTION**

Children are equal citizens of the nation, and it is imperative to safeguard them from any threats to their life, dignity and development. Recognizing the critical importance of safety and protection for all children, the Constitution of India guarantees fundamental rights to every child, ensuring equality and non-discrimination on basis of gender, (dis)ability, age, religion, ethnicity etc., or any other status.

Further the United Nations Convention on the Rights of the Child (UNCRC),1989 to which India is a signatory, under Article19 declares:

“State parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.”

In line with this international commitment, the National Policy for Children, 2013

in its Preamble (Clause 2.2) affirms that,

* “All children have equal rights irrespective of place of birth, sex, religion, caste, class, language, and disability, social economic or any other status;
* All children have the right to a loving family, a dignified life free from exploitation and that families are to be supported by a strong social safety net in caring for and nurturing their children.
* 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”

# Varshini Illam Trust (VIT) also upholds the right of every child to protection and recognizes the legal safeguards provided by various child-specific legislation in India particularly:

* The Juvenile Justice (Care and Protection of Children) Act, 2015;
* The Protection of Children from Sexual Offences (POCSO)Act, 2012;
* The Prohibition of Child Marriage Act, 2006;
* The Child and Adolescent Labour (Prohibition and Regulation) Act 2016

1. **PURPOSE OF THE POLICY**

The purpose of this policy is to create awareness on Child Protection and to guide all stakeholders of **Varshini Illam Trust (VIT)** on how to prevent, identify and report any form of child abuse.

As a Trust working in the fields of adoption and therapy for children with delayed development in India , VIT is deeply committed to the well- being of every child and maintains a strict **zero-tolerance policy** towards all forms of child abuse and exploitation. This policy is inconsonance with the UN Convention on the Rights of the Child (1989).

This policy is also a testament of VIT’s commitment to all four core sets of children’s rights i.e. The Right to Survival, Development, Protection and Participation. It is founded on the principles of the best Interests of the child, non-discrimination and the right of every child to be heard.

VIT also undertakes special measures to protect particularly vulnerable children, considering factors such as age, (dis)ability, gender, geographical location, ethnicity, religion and socio-economic status, to ensure that these children are not further marginalised or left unprotected.

1. **VARSHINI ILLAM TRUST’S INTERFACE WITH CHILDREN:**

**Programmes**:

1. VIT runs a Special Adoption Agency (SAA) located in Anna Nagar, Chennai. The Agency is approved by the Central Adoption Resource Authority (CARA) and the State Adoption Resource Authority (SARA), and functions in accordance with the Juvenile Justice (Care and Protection of Children) Act, 2015. VIT’s adoption home has the capacity to house up to 10 children, aged 0 to 6 years, who are abandoned, placed under the care of the SAA by the Child welfare committee(CWC).
2. VIT also implements Project ViThai, a program providing therapy to children aged 0 to 6 years with developmental disabilities. This program operates through mobile therapy vans and in one physical centre, that serve underserved communities. The project is approved under the Community-Based Rehabilitation (CBR) program by the Department for the welfare of Disabled Persons, Government of Tamil Nadu.

In both these programs, children are the primary focus. They are also key participants and beneficiaries during field visits, discussions and other community interactions.

**Campaigns and Social Media Awareness** –VIT uses various communication tools such as posters, brochures, handouts, videos and direct mailers that feature children’s images and stories to highlight the work carried out in project areas of Project ViThai.

**Children of the employees of VIT**: VIT acknowledges and respects the dignity and rights of the children of its employees, ensuring their protection and well-being in all Circumstances.

1. **SCOPE:**

Drawing inferences from the programs and activities outlined above, this policy applies to

the following groups associated with Varshini Illam Trust:

Varshini Illam Trust: All members of the Board, staff, consultants, interns, and volunteers.

Project partner organizations: All their staff (both part-time and full-time), board members, consultants, interns, and volunteers.

Other associates: All vendors, suppliers, and donors (both institutional and individual) engaged with VIT.

1. **DEFINITIONS**
2. *Child*

For the purpose of this policy, any person under the physical age of 18 years would be deemed to be a Child and as defined by the UN Convention on the Rights of Children andThe National Policy for Children 2013.

1. *Child Protection*

Child Protection means and includes:

* Protecting a child from any real or perceived risk or danger to their life, their personhood, and childhood.
* Reducing their vulnerability to harmful situations and protecting them against social, psychological, and emotional insecurity and distress.
* Ensuring that no child is left out of the social safety net and those who do, receive necessary care and protection to be brought back into the safety net.
* Believing that a child is entitled to express her/his opinion and to participate in decisions affecting them, in accordance with their age and maturity.

1. *Child Abuse*

* Child abuse refers to all forms of physical abuse, emotional abuse, sexual abuse, neglect or negligent treatment, commercial 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.
* Physical abuse of a child refers to any action or failure to act, that results in actual or potential physical harm to a child. This harm must come from an interaction, or lack of an interaction, which is reasonably within the control of a parent, care giver, or any person in a position of responsibility, power or trust. Physical abuse may occur as a single incident or through repeated actions over time.

1. *Emotional Abuse*

* Emotional abuse includes the failure to provide a developmentally appropriate, and supportive environment that is essential for a child’s emotional and social growth. This includes the absence of a stable attachment figure and that the failure to nurture the child’s ability to develop emotional, moral and social competencies suited to their potential and cultural context.

There may also be acts towards 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. These acts are reasonably within the control of the parent or person in a relationship of responsibility, trust or power. Acts include restriction of movement, constant belittling, and denigrating, threatening or scaring the child, discriminating, isolating, ridiculing, rejecting or ignoring the child’s needs or other non-physical forms of hostile, controlling or emotionally damaging treatment.

1. *Sexual Abuse*

* Child sexual abuse (as also defined in Section 2 of The Protection of Children from Sexual Offences Act 2012) is 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 violates the laws and social and cultural norms. Child sexual abuse involves any sexual activity between a child and an adult or another child, who by age or relationship holds a position of responsibility, trust or power over the child. This activity is intended to gratify or satisfy the needs or desires of the adult or the other person involved. This may include but not limited to:
* The inducement, coercion or manipulation of a child to engage in any unlawful sexual activity.
* The exploitative use of children in prostitution or other unlawful sexual practices.
* The exploitative use of children in pornographic performances, materials and media.

1. *Exploitation*

* Commercial or other exploitation of a child refers to using a child in work or other activities primarily for the benefit or profit of others. This includes, but is not limited to, child labour (as defined under the Child Labour (Prohibition and Regulation) Act 2016, child trafficking for commercial sexual exploitation or other illegal purposes (as defined under Section 370 of the Indian Penal Code).These activities are detrimental to the child’s physical, and mental health, as well as their education and spiritual, moral or social-emotional development.

1. *Neglect or Negligent Treatment*

* Neglect is the failure to provide for the development of the child in all spheres: health, education, emotional development, nutrition, shelter, and safe living conditions, considering the resources reasonably available to the family or caretakers. This failure causes or has a high probability of causing harm to the child’s health of physical, mental, spiritual, moral or social development. Neglect also includes failure to properly supervise and protect the children from harm to the extent that is feasible.

Child Protection Violation in this policy includes: -

* Any act or behavior that puts a child at risk of abuse.
* Any act or behavior that could potentially increase the risk of abuse.
* A failure to act in a situation where a child is being abused.
* Failure to follow the code of conduct or any other prescribed protocol without a valid justification.
* Failure to report any act of abuse or exploitation to the appropriate authorities for due and lawful action.

1. *Guiding Principles*

* **Recognition of children’s rights:** The rights of all children must be protected and promoted as set out in the Constitution of India and the UN Convention on the Rights of the Child. This includes the fundamental right of children to live free from abuse and exploitation. VIT is fully committed to upholding these rights and recognizes that the children under our care are particularly vulnerable. Child Protection is an integral part of all VIT’s work.
* **Zero tolerance of child abuse:** VIT is committed to protecting the children we serve or work with. Child abuse will not be tolerated in any form. We will not knowingly engage, either directly or in directly, any individual who poses an unacceptable risk to children, nor will we partner with or work alongside any organization or individual who does. When collaborating with partners, it is their responsibility to adhere to the minimum standards of child protection.

1. *Code of Conduct:*

All staff, interns, volunteers, consultants, partners and visitors shall:

* Establish an atmosphere conducive to the development of children through respectful words, deeds and demeanour. This includes actively listening to children and valuing their opinions.
* Respect the local cultural norms and behave appropriately and respectfully toward children.
* Not allow project children to visit the homes of any staff, interns, or others unless there is an urgent safety threat to the child.
* Not have the project children stay overnight in the homes of VIT personnel except in our CARA approved Adoption home.
* Not employ children as domestic workers in staff or others’ homes. Should not take services provided by child labour or engage in any activity/action that contribute to child labour.
* Take active steps to prevent the marriage of children before the

legal age of marriage.

* Never engage in any form of physical punishment of children
* Avoid being alone with a child, in a personal capacity; interactions should always include another adult who can observe. Exceptions are made for professionally trained counsellors, teachers, or doctors
* Always be calm during the interaction between an adult and a child even when it appears that a child is acting provocatively.
* Never touch a child’s private parts of the body, or any area that could

cause discomfort to the child.

* Never hit, physically assault, or abuse children in any way.
* Never develop physical/sexual relationships with children or any relationships, which could be deemed exploitative or abusive.
* Not use language, make suggestions or offer advice that is inappropriate, offensive or abusive to children.
* Avoid actions intended to shame, humiliate, belittle, degrade or emotionally abuse children.
* Not discriminate against or favour a particular child to the exclusion of others.
* No staff will document/ take picture/video of children, which shows the child in distress and undignified condition. Always obtain proper consent from the child’s parents or guardians before taking photos or videos.

The list is not exhaustive. The objective is that staff should avoid actions or behaviour, which may constitute poor practice or potentially abusive conduct.

## It is important for all staff and others working with children to:

* Be vigilant about situations, which may pose risks to children and manage them proactively.
* Plan and organize work and environment to minimise risks as far as possible.
* Ensure that a culture of openness exists where issues or concerns can be raised and discussed freely.
* Promote accountability so that poor practices or potentially abusive behaviours are addressed and challenged promptly.

1. *Implementation:*

# VIT is committed to effectively implementing its Child Protection Policy by ensuring that all stakeholders are aware of their responsibilities and the mechanisms available to prevent and respond to child protection concerns.

**Creating Awareness –** A concentrated effort would be made to generate awareness on Child Protection among all stakeholders at various levels within VIT.

# During induction: At the staff level

# Child Protection will be a core component of the staff induction program. This training will be facilitated by the HR team and will include the organization’s child protection principles, expected behavior, reporting procedures, and consequences of policy violations.

# Information to the Vendors

# The HR team shall ensure that all vendors and service providers associated with VIT are informed about the organization's stance on child protection. They will be made aware of their responsibilities and expected conduct when working with or around children.

Dissemination of information in general:

Along with communicating the organization’s stance on child protection, VIT will also take structured awareness efforts on whistle blowing, complaint & redressal mechanisms. These efforts will be delivered through multiple channels, including staff induction programs, distribution of policy documents, and dissemination of contact details of the Child Protection Committee.

VIT shall ensure that both the Child Protection Policy and the details of the Internal Committee constituted under Sexual Harassment of Workplace Prevention, Prohibition and Redressal) Act are easily accessible to all employees, interns, volunteers, and other stakeholders.

VIT is committed to maintaining a complaints process that is well-informed, transparent, and responsive to the needs of each situation—ensuring that all concerns are addressed with sensitivity, urgency, and accountability.

# **PREVENTION AND REDRESSAL MECHANISM**

1. **Committee for Awareness, Monitoring and Redressal**

A dedicated Child Protection Committee (CPC) / Child Abuse Monitoring Committee (CAMC) shall be set up within the organization. This committee will be constituted in accordance with the POCSO policy and will also be responsible for ensuring the implementation of all aspects of the Child Protection policy.

. Role of the Committee:

* The Committee will provide recommendations to the board of Trustees regarding matters related to child protection.
* The committee shall ensure availability of the contact details for registering complaints related to child protection violations are clearly and widely communicated through various mediums (e.g., notice boards, emails, staff handbooks and the organization’s website).
* The committee will work in collaboration with the social media Team to ensure that any images or content featuring children are used responsibly, respectfully, and with appropriate consent in compliance with child protection standards.
* The actions/ redressal measures undertaken by the committee will be reported to the Board of Trustees annually for transparency and accountability.
* The committee will be responsible for investigation, monitoring and evaluation of all reported cases of Child Protection Violations ensuring timely and appropriate action, is taken in line with legal and organizational protocols.

**Responsibility and Authority of all VIT Staff in Child Protection**:

All staff at VIT—regardless of role, seniority, or employment status—have a shared duty of care to protect children from harm, abuse, exploitation, and neglect. The following outlines the specific delegated responsibilities and authorities to ensure accountability at all levels of the organization.

|  |  |  |
| --- | --- | --- |
| **Activity** | **Who** | **When** |
| Report concern, suspicion, disclosure or witness of incidents of child abuse or breaches of the Code | All Staff | As per reporting procedures. |
| Investigate incidents | 1. Program Manager 2. Advisor   (With support from Child Protection Committee / Child Abuse Monitoring Committee) | Investigate within 24 hours of receipt of report. |
| Decision to refer incidents to external authority. | Advisor | As required. |
| Register incidents | Child Protection  Committee / Child Abuse Monitoring Committee | As received. |
| Report on incidents and breaches of  the policy and code to the Director- Operations. | Child Protection Committee / Child Abuse Monitoring Committee | Quarterly |
| Report, as part of the Annual Program Report, on the application of child protection policies and procedures, as they relate to beneficiaries | Advisor | Annually |
| Ensure all field office staff have  access to and participate in Child Protection training | Advisor | Annually or more  frequently if required. |
| Ensure all VIT team members have access to and actively participate in Child Protection training | Advisor | Annually or more frequently if  required. |

\*\*\*In all cases of suspected or confirmed sexual abuse, reporting must be made promptly to the appropriate authorities in accordance with the Protection of Children from Sexual Offences (POCSO) Act.

1. **REDRESSEL OF NON-COMPLIANCE/GRIEVANCE**

All VIT Staff and partners, by the nature of their work, interact with vulnerable communities and children and therefore should be aware of sensitive information concerning children. In situations, where there is evidence of harm such as impairment of health, physical injury, sexual exploitation, criminal activity or threats, these concerns must be reported immediately to statutory child protection agencies or equivalent authorities. Such information may be used as evidence during child protection investigations or to inform decision-making processes. VIT and partner staff may become aware of infringements of children’s rights, allegations thereof, or accounts that raise suspicion of such infringements. In cases where circumstances or intuition suggest possible violations, these situations will also be thoroughly investigated.

1. VIT staff/ partners who have firsthand knowledge of child abuse must inform the child protection committee. Confidentiality will be strictly maintained for each case.
2. All children, VIT employees, partner staff, volunteers, consultants will be informed about the Redressal mechanisms and communication processes to report cases of child abuse and exploitation.
3. All incidents of abuse, complaints, inquiry proceedings, and redressal of it would be documented formally and monitored on regular basis. These records will be shared periodically with staff to help establish and maintain best practices in Child Protection within the organization.
4. Disciplinary measures will be initiated against any Staff member found to be engaged in the following acts:
   * Inducing or coercing a child to engage in sexual activity
   * Exploitative activities involving children, including child labour or trafficking
   * Use of children’s photographs for pornographic or other inappropriate purposes
   * Subjecting any child to torture or other cruel, inhuman or degrading treatment or punishment
   * Mistreating or depriving the child *in any manner*

Disciplinary measures would include

* + Suspension pending investigation by the Child Protection Committee, with HR communicating the outcome and reinstatement decision.
  + In case the committee recommends legal action, then the organisation will pursue a legal case against the person.
  + Issuing a public apology to the affected child and community,

where appropriate

* + Additional measures as recommended by the Child Protection

Committee and relevant bodies

1. Any partner/ vendor suspected or found to be engaged in the above acts will be reported to the relevant authorities at the discretion of VIT. Proven allegations against partners or vendors will result in immediate discontinuation of the partnership.

Staff are encouraged to exercise sensitivity and respect the cultural identities of children in all communities where VIT operates.

1. **REVIEW OF POLICY**

This policy will be reviewed annually to ensure it remains current and aligned with evolving standards and practices.