**POCSO- POLICY**

**Policy Number:**

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| Reviewed and Recommended By | John Alex – Trustee |
| Approved By | Board of Trustee |
| Date of Approval | 27 – March – 2025 |

**Purpose**

The Protection of Children from Sexual Offences (POCSO) Act, 2012, aims to safeguard children from sexual assault, sexual harassment, and 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, and includes provisions for the care and support of victims.

Varshini Illam Trust (VIT) works with children so recognizes the importance of POCSO Policy.

**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**

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| 1.0 | 27- March - 2025 | Board of Trustee |

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1. **Introduction:**

This is a policy for ensuring the ‘Protection of children from sexual offences’.

1. **Objectives:**
2. To uphold the fundamental right of a child to safe & secure in all environments.
3. To liberate children from any form of physical or emotional abuse or harassment.
4. To create awareness & synergy among employees, beneficiaries, their children and families about the POCSO ACT & its implications.
5. **Background:**

It is a fundamental right of a child to lead a happy life in an environment where he/she feels safe and is free from any form of physical or emotional abuse or harassment .The challenges of gender inequality, eve teasing and sexual abuse in our society calls for increased awareness and creating synergy among staff and beneficiaries. Our Government has instituted the POCSO ACT 2012 for protection of children and all people associated directly or indirectly with children should be aware of the ACT and its implications. According to the POCSO ACT, ensuring the well-being of the child is of paramount importance at every stage, to ensure healthy physical, emotional, intellectual and social development of the child and it is our joint responsibility to ensure child safety.

1. **Scope of Policy:**

The VIT POCSO policy shall cover the following.

1. Code of conduct for VIT employees who are working with children directly or indirectly.
2. Awareness campaigns for VIT beneficiaries (Mothers, fathers, grandparents) about POCSO, the terminologies, identifying victims of sexual abuse in family, reporting to authorities, counselling support and help line details.
3. Awareness campaigns for children of VIT beneficiaries that will make them understand the myths and facts about sexual abuse, empower them with right information so that they can protect themselves.

**Salient features:**

1. Formation of Child Abuse Monitoring Committee(CAMC) at VIT
2. Employee Orientation to create awareness of the provisions of POCSO ACT and address abuse cases efficiently.
3. Employee orientation on the code of conduct to be adopted during interactions( Agreement signing)
4. Orientations for beneficiaries about child sexual abuse, its prevention and POCSO ACT
5. Sensitization of children about sexual abuse and gender equality.
6. Ensure the provision of guidance & counselling by a child counsellor.
7. Equip children in self-defence so that they can be confident and stand for themselves
8. Equipping children to effectively handle situations and communicate appropriately.
9. Outline procedures that VIT work centres shall follow for effective prevention of child abuse.
10. Understand Legal implications of POCSO ACT and create its awareness among all people associated with VIT
11. Conduct half-yearly Impact study, analyse and revise strategies.
12. CAMC shall submit half-yearly report to VIT on the POCSO cases received, along with the corrective and preventive measures undertaken to bridge the gaps.

This policy is in effect since March 2025 and will be reviewed every year in March to ensure the complete safety and security of children associated under VIT initiatives.

1. **VIT POCSO POLICY –ANNEXURE**
2. **Child Abuse Monitoring Committee (CAMC)**

The committee shall be formed of 7 members comprising of

1. Chairperson of the committee
2. CAMC secretary
3. Child counsellor
4. POCSO trainer- Male
5. POCSO trainer - Female
6. One female child rights activist from the local child welfare centre/ from an NGO
7. 1 member from VIT

**2. Procedures that VIT shall follow for effective prevention of child abuse:**

* 1. The background of all employees shall be investigated and verified before recruitment.
  2. VIT will not knowingly engage – directly or indirectly – anyone who poses an unacceptable risk to children.
  3. All Employees will be oriented on the provisions of POCSO Act and its legal implications arising there under in case of non-compliance and post incident protocols.
  4. Every employee shall sign their acceptance and agreement to having read and understood the VIT POCSO policy and the implications for any breach in code of conduct.
  5. VIT shall maintain a complete profile of male staff and a copy shall be readily available for reference.
  6. Child helpline number 1098 and the details of CAMC members with their telephone numbers shall be displayed at prominent places in the VIT centres/ Mobile Vans.
  7. Every VIT work place shall have a dedicated POCSO complaint box .One CAMC member shall be in charge of operating the POCSO complaint box on a daily basis.
  8. VIT centre shall notify the competent authority immediately of any complaint received regards child abuse & safety issues.
  9. The CAMC and all the employees shall maintain utmost confidentiality of information received about any kind of child abuse and inform only to the Secretary of POCSO committee who will take it forward.
  10. When any member of VIT receives a complaint in person from the victim or any other child or parent, the information is treated as ‘confidential’ and informed directly to CAMC secretary.

**3. What action should the VIT take against the person who commits the offence?**

* 1. An employee alleged to have committed a sexual offence shall be removed from active duty with immediate effect pending enquiry as per the process established by law under POCSO Act 2012.
  2. If the abuser/ offender is not a member of VIT, Secretary of CAMC shall call the concerned parents and intimate in confidence to discuss next steps as per POCSO act..
  3. If the offender is found to be another minor child in the centre, the same shall be notified to CAMC Secretary for further action.
  4. It is of utmost importance to maintain confidentiality at all times.

**4. Guidelines to be followed when a complaint is notified:**

* 1. A child who either is subjected to or observes or notices sexual harassment may report the same to the CAMC as early as possible by using the compliant box .
  2. The Committee will register any complaint received from either the victim or an informant and record the same.
  3. While ensuring confidentiality, it will initiate investigation, forward its findings and recommendations to the competent authority and simultaneously initiate counselling of the affected student.
  4. Based on the recommendations of the Committee, Competent authority will initiate appropriate action against the abuser, which may extend up to filing the case in the police station, if found guilty.
  5. Any complaint brought to the notice of the Committee shall be resolved within 45 days from the date of the complaint.

**5.** **Orientations for beneficiaries about POCSO ACT and its provisions to be adopted for their children when they are at school and home.**

VIT shall conduct an orientation for beneficiaries twice a year to bring clarity on child sexual abuse, protection and prevention as below.

* 1. What is POCSO? How is it relevant to children?
  2. What do you mean by sexual abuse or offence?
  3. How can we ensure that children are safe?
  4. What should parents do when the child confides in them about any sexual offence to self or to others?
  5. Whom should parents contact?
  6. How can parents support their child when abused and help them to recover?

**6. Equipping children to handle situations and communicate appropriately.**

VIT shall orient children on child sexual abuse, its protection and prevention below:

1. What do you mean by sexual abuse or offence?
2. What precautions should children take to keep themselves safe always.
3. What should they do when they are abused?
4. Whom should they contact and how?
5. How can class peers and teachers support when someone is abused?
6. **Legal implications of POCSO ACT:**

**Child Sexual Offences under POCSO Act, 2012 & Punishment thereof**

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| **Offence & description** | **Punishment** | |
| **Penetrative Sexual Assault**  Inserting body part or object in a child, or making a child does this with another. | Not less than seven years of  imprisonment which may  extend to imprisonment for  life, and fine | |
| **Aggravated Penetrative Sexual Assault**  1. It includes penetrative sexual assault which physically incapacitates the child or causes child to become mentally ill, causing grievous hurt or bodily harm and injury to the sexual organs of the child, making girl with HIV or any other life threatening disease  2. penetrative sexual assault more than once penetrative sexual assault on a child younger than 12 years, by a relative, owner / manager or staff of any institution providing services to the child, by a person in a position of trust or authority over the child. | Not less than ten years of imprisonment which may extend to imprisonment for  life, and fine |
| Sexual Assault  With sexual intent touching the private parts of a child | Not less than three years of imprisonment which may extend to five years, and fine | |
| Sexual Harassment of the Child With sexual intent:   showing any object/body part, or   making any gesture aimed at a child   making a child exhibit her body   enticing or threatening to use a child for pornography | Up to three years of imprisonment and fine | |
| Use of Child for Pornographic Purposes | Imprisonment up to five years and fine and in the event of subsequent conviction, up to seven years and fine | |
| Penetrative sexual assault by directly participating in pornographic acts. | Not less than ten years of imprisonment, which may extend to imprisonment for life, and fine. | |
| Aggravated penetrative sexual assault by directly participating in pornographic acts. | Rigorous imprisonment for life and fine | |
| Sexual assault by directly participating in pornographic acts. | Not less than six years of imprisonment which may extend to eight years, and fine | |
| Aggravated sexual assault by directly participating in  pornographic acts. | Not less than eight years of imprisonment which may extend to ten years, and fine | |
| Storage of pornographic material involving a child for commercial purposes. | Three years of imprisonment and / or fine | |
| Punishment for failure to report or record a case by (i) Any person; (ii) Any person, being in charge of any company or an institution. (This offence does not apply to a child) | (i) Imprisonment of either description  which may extend to six months or with  fine or with both  (ii) Any person, being in charge of any company or an institution (by whatever  Name called) who fails to report the commission of an offence in respect of a subordinate under his control shall be punished with imprisonment for a term, which may extend to one year and with fine. | |
| (1) Punishment for false complaint or false information in respect of an offence committed solely with the intention to humiliate, extort, threaten, or defame him.  (2) False complaint or providing false information against a child knowing it to be false, thereby victimizing such child in any of the offences under this Act. (This offence does not apply to a child) | (1) Imprisonment for a term, which may extend to six months or with fine or with both.  (2) Imprisonment which may extend to one year or with fine or with both | |

**D) POCSO POLICY AUDIT REPORT TEMPLATE- Monthly.**

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| **For Safety & Protection of children** | | | |
| **Sl.** | **Indicators** | **Yes/No** | **Remarks** |
| **1** | The complete centre/Bus is under CCTV surveillance and all cameras are in working condition |  |  |
| **2** | VIT has complete details of all employees with emergency contact numbers & employee Aadhar. |  |  |
| **3** | VIT centre maintains updated list of contacts of parents/guardians, change of address and emergency contact numbers for every child. |  |  |
| **4** | The Child Safety Poster is on display in prominent locations of the centre. |  |  |
| **5** | All children are regularly oriented on child abuse, its prevention and safety measures periodically. |  |  |
| **6** | VIT has on board a qualified Child Counsellor/Psychologist – part time or full time or on call consultant to handle any cases arising out of child abuse and also to provide counselling services. |  |  |
| **7** | Centre conducts awareness programs to sensitise students on the dangers of substance abuse, gender sensitivity, social responsibility and consequences of behaviour or action, including penalisation under POCSO law. |  |  |
| **8** | All Employees on roll & contractual are sensitized on the POCSO Act & guidelines and a signed declaration is collected from every employee, agreeing to compliance to the POCSO guidelines. |  |  |
| **9** | All beneficiaries have been sensitized on the Child Protection Policy/Guidelines/child laws and reporting mechanisms |  |  |
| **10** | There is a recruitment and verification protocol and procedure in place for all staff appointments, prior to appointment. |  |  |
| **11** | CAMC committee members are available as per policy in all VIT centres/ Mobile Vans |  |  |

# **Periodicity of Review of the Policy**

The Board shall review this policy at annual intervals or at such intervals as may be required on the regulatory and other exigencies.