

POCSO- POLICY- EDIT

What is POCSO:

This is a policy framed to ensure the 'Protection of children from sexual offences' by ensuring complete awareness among all persons who may be interacting with the children directly or indirectly through their association with EDIT. This policy applies to all children up-to the age of 18 years.

Objectives:

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

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.

Scope of Policy:

The EDIT POCSO policy shall cover the following.

1. Code of conduct for EDIT employees who are working with children directly or indirectly.
2. Awareness campaigns for EDIT 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 EDIT 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 CAMC at EDIT- HO
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. Sensitisation of children about sexual abuse and gender equality.
6. Equipping children to effectively handle situations and communicate appropriately.

7. Procedures that EDIT work centres (skill development) shall follow for effective prevention of child abuse.
8. Legal implications of POCSO ACT.
9. Impact study.Halfyearly

EDIT POCSO POLICY –ANNEXURE

1. CAMC committee list:

Chairperson of the committee, Child counsellor, child rights activist from the local child welfare centre, Counselling trainers - external member from an NGO.

2. Employee Orientation to create awareness of the provisions of POCSO ACT and address abuse cases efficiently.

- a. Create awareness among leadership team about the provisions of POCSO Act.
- b. Conduct workshops and trainings for employees on the provisions of POCSO Act, the legal framework and the serious implications arising there under in cases of non-compliance and post incident protocols.

3. Sensitisation of children about sexual abuse and gender equality:

- a. Provide for guidance and counselling facilities.
- b. Conduct sessions on self-defence for girls.

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

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

- a. What is POCSO? How is it relevant to children?
- b. What do you mean by sexual abuse or offence?
- c. How can we ensure that children are safe ?
- d. What should parents do when the child confides in them about any sexual offence to self or to others?
- e. Whom should parents contact?
- f. How can parents support their child when abused and help them to recover?

5. Equipping children to handle situations and communicate appropriately.

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

- a. What do you mean by sexual abuse or offence?
- b. What precautions should children take to keep themselves safe always.
- c. What should they do when they are abused?
- d. Whom should they contact and how?
- e. How can class peers and teachers support when someone is abused?

6. Procedures that EDIT shall follow for effective prevention of child abuse:

1. The background of all employees staff shall be thoroughly investigated and verified before recruiting them.
2. Orientation of all employees about the provisions of POCSO Act and on the legal implications arising there under in cases of non-compliance and post incident protocols.
3. Every employee shall sign their acceptance and agreement to having read and understood the POCSO ACT and its implications for any breach in code of conduct.
4. EDIT shall maintain a complete profile of male staff and a copy shall be readily available for reference.
5. Display of toll free number and child helpline on notice board with names of CAMC members designated to handle such cases.
6. Centralised Child helpline number 1098 shall be displayed at prominent places in the EDIT centres.
7. Every EDIT 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. EDIT centre shall notify immediately the competent authority 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 EDIT receive a complaint in person from the victim or any other child or parent, first and foremost is to maintain confidentiality and inform directly to CAMC secretary.

8. 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.
6. The appropriate authority shall review the implementation and impact of the guidelines annually based on surveys and other monitoring mechanisms.
7. The appropriate authority shall revise the guidelines, if so required, annually.
8. On a six-monthly basis, the management shall report to the Audit Committee a summary of all complaints received and the action taken on the same.

9. What action should the EDIT take against the person who commits the offence?

1. When a centre receives an employee's name as the one who has committed the offence, the person so alleged shall be removed from active duty with immediate effect pending enquiry as per the due process established by law under POCSO 2012 act 2012
2. If the abuser/ offender is not a member of EDIT, Secretary of CAMC shall call the concerned parents and intimate in confidence to discuss next steps. Further action will be undertaken as per government POCSO act 2012.
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.

16. Legal implications of POCSO ACT:

Child Sexual Offences under POCSO Act, 2012 & Punishment thereof

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: <ul style="list-style-type: none">▪ 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

17. POCSO POLICY AUDIT REPORT TEMPLATE- Monthly.

For Safety & Protection of children			
Sl.	Indicators	Yes/No	Remarks
1	The complete centre is under CCTV surveillance and all cameras are in working condition		
2	EDIT centre maintains updated list of contacts of parents/guardians, change of address and emergency contact numbers for every child.		
3	The Child Safety Poster is on display in prominent locations of the centre.		
4	All children are regularly oriented on child abuse, its prevention and safety measures periodically.		

5	EDIT 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.		
6	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.		
7	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.		
8	All beneficiaries have been sensitized on the Child Protection Policy/Guidelines/child laws and reporting mechanisms		
9	There is a recruitment and verification protocol and procedure in place for all staff appointments, prior to appointment.		

18. CAMC- Child Abuse Monitoring Committee

S. NO.	Member - Role
1	Principal (Secretary of CAMC committee)
2	POCSO trainer & Complaint box in-charge
3	Any 1 coordinator / teacher
4	Gurukul child counsellor
5	Local Child Welfare Centre (CWC) member
6	One Social Activist
7	One officer of All Women's police station
8	One management/HO/CoAE representative
9	One PTA member
10	One student representative (Girl student)