



THE WAY FOR A BETTER TOMORROW

GAMANA

CHILD PROTECTION POLICY

2-76, Ananthavaram, Thullur Mandal, Guntur District – 522 236 Andhra Pradesh. INDIA

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PHILOSOPHY

Having understood that marginalization is the root cause for a certain sections of society to live in inhumane living conditions and undignified existence, GAMANA was setup to bring them into mainstream of development.

Thus, the context-based principle for its work is 'the self-development of marginalized communities by different means and approaches.' To realize its mission, GAMANA;

- ✚ Provides relief and welfare services, as an external agent to meet localized community needs and supplement the delivery system:
- ✚ As a partner/catalyst, like in the current project, facilitates empowerment and strengthening of linkages between the acquisition and the delivery systems by education and training of both such that community can meet its needs itself while the deliverer caters to the felt needs of the former and
- ✚ For future, it seeks to play a 'Background role' enabling marginalised sections to set directions for improvements in their lives, without depending upon others to do it for them.

VISION

GAMANA envisages a healthy society, which is self-reliant, equitable and sustainable environmentally sound and social justice with equal human rights and opportunities for all.

MISSION

GAMANA mission is to enable the under privileged and disadvantaged people to live independent and dignified life by creating a productive equitable and sustainable environment through the involvement of concerned stakeholders.

B. INTRODUCTION & BACKGROUND

1. According to the convention on the rights of the child (CRC), a child is a person who has not attained the age of 18 years unless under the relevant applicable law to the child, majority is attained earlier. In the context of GAMANA, a child is being benefited from our schools, tuition centres, orphanages, care centres, homes, hostels etc.
2. Child protection is a term that describes policies, standards and practices that seek to protect children from physical-harm, emotional, psychological and sexual or any other negligence. Harm can be caused by child supervisors, care workers, teachers and volunteers who are directly working with children. It may also include staff who may not be involved directly with childcare but working in the organization; and visitors, outsiders who come in contact with children.
3. The main purpose of the policy is to protect children from all forms of harm and create an enabling environment. It is also a tool to enhance the commitment of the organization to provide a child friendly environment through sensitizing persons associated and enforcing the policy. It is expected that the policy will also work as a tool to protect staff and the organization from risks associated with being in contact with children.
4. Therefore, this policy is meant for all staff members, team members and volunteers who work with or for the children. The above people are expected to show commitment to the policy and follow the guidelines and procedures of the child protection policy in their involvement with GAMANA.
5. The broad objective of the policy is to set minimum standards and procedures on child protection that seek to ensure that the schools, tuition centres, orphanages, care centres, homes, hostels and offices, maintain a safe environment for children. Specifically the policy seeks to protect children from abuse and exploitation by encouraging good practice among staff members and preventing behaviour that may be abusive to children.

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C. POLICY GUIDELINES

1. Child abuse prevention policy in schools, tuition centres, orphanages, care centres, homes/hostels, voluntary training centres etc. run by GAMANA.

- a. Child abuse is a state of emotional, physical, economic and sexual maltreatment meted out to a person below the age of eighteen and is a globally prevalent phenomenon.
- b. Child abuse has serious physical and psycho-social consequences which adversely affect the health and overall well-being of a child.
- c. GAMANA, as part of its objectives, run a number of initiatives in whom children are provided care and education.
- d. The 'Child Abuse prevention policy' is being adopted in GAMANA to prevent child abuse and to deal with incidents of child abuse, if any, in its initiatives.

2. In this policy, unless the context otherwise requires: 'Child Abuse' (source of reference: Ministry of Women and Child Development, Government of India) means:

- a. **Physical Abuse:** Physical abuse is the inflicting of physical injury upon a child. This may include burning, hitting, punching, shaking, kicking, beating or otherwise harming a child.
- b. **Sexual Abuse:** Sexual abuse is inappropriate sexual behaviour with a child. It includes fondling a child's genitals, making the child fondle the adult's genitals, intercourse, incest, rape, sodomy, exhibitionism and sexual exploitation.
- c. **Emotional Abuse:** Emotional abuse is also known as verbal abuse, mental abuse and psychological maltreatment. It includes acts or the failure to act, by teachers or caretakers that have caused or could cause, serious behavioural, cognitive, emotional or mental trauma. This can include teachers/caretakers using extreme and/or bizarre forms of punishment, such as confinement in a closet or dark room or being tied to a chair for long periods of time or threatening or terrorizing a child. Less severe acts, but no less damaging are belittling or rejecting treatment, using derogatory terms to describe the child.
- d. **Neglect:** It is the failure to provide for the child's basic needs. Neglect can be physical, educational or emotional. Physical neglect can include not providing adequate food or clothing, appropriate medical care, supervision, or proper weather protection (heat or cold) for the child residing in GAMANA's care centres, orphanages and homes.

3. Staff Recruitment Procedure

- a. Employees with direct or regular contact with children shall undergo a screening procedure to check for any child abuse related or any other heinous crime record.
- b. The job interview should include specific questions at the first stage on child protection issues to probe the applicant's attitude, experience and approach to working with children relevant to the post applied for.
- c. Two employment references should be taken up for applicants before appointment to post. These include (wherever possible) an employer who can comment on the applicant's work with children.
- d. During recruitment and induction that the candidate should be clearly told that a child protection policy exists and he/she shall be required to be abiding by it.
- e. Along with the appointment letter a copy of the child protection policy shall be given to the new employee to read and go through it. While signing and executing the Employment Contract the Employee declares and agrees that he/she has read the Child Policy and has understood the same and shall abide by the same at all count.

**4. Guidelines on Corporal punishment**

- a. Guidelines to be implemented in schools, tuition centres, non-formal schools, play-schools, Crèches or any other institutions where education or learning are being impacted by employees of GAMANA.
- b. Children are not to be subjected to corporal punishment and steps to be ensured that they receive education in an environment of freedom and dignity, free from fear.
- c. Corporal punishment involves, rapping on the knuckles, running on the school ground, kneeling down for hours, standing up for long hours, sitting like a chair, and beaten with a scale, pinched and slapped, child sexual abuse, torture, locking up children alone in classrooms, 'electric shock' and all other acts leading to insult, humiliation, physical and mental injury and even death.
- d. All children are to be informed through campaigns and publicity drives that they have a right to speak against corporal punishment and bring it to the notice of the authorities. They must be given confidence to make complaints and not to accept punishment as a 'normal' activity of the school.
- e. Every school must have a forum where children can express their views.
- f. A box where children can drop their complaints, even if anonymous has to be provided for in each school.
- g. There has to be a monthly meeting of the Parent Teacher Associations (PTAs) or any other body to review the complaints and take action.
- h. The PTAs are to be encouraged to act immediately on any complaints made by children without postponement of the issue and wait for a more grave injury to be caused. In other words, the PTAs need not use their discretion to decide on the grievousness of the complaint.
- i. Parents as well as children are to be empowered to speak out against corporal punishment without any fear that it would have adverse effect on children's participation in schools.

5. Communication about Children

In its communication and fundraising strategy, GAMANA may use images and recordings of children and field texts. GAMANA has a responsibility towards the children that are portrayed and should ensure that children are treated with dignity as human beings with rights, by avoiding the following:

- a. Inaccurate representation of children through words and images
- b. Communication that shames, degrades or victimizes children
- c. Taking pictures or statements from children without informed consent
- d. Depicting children in sexually provocative poses

D. ENQUIRY OF COMPLAINT AND PROCEEDINGS

1. Complaint - A complaint can be made by the victim, the child's legal guardian, any employee of GAMANA or any other authorized person on this behalf on a reasonable cause and belief. In the event any employee of GAMANA coming across or overhearing any instance of violation of this policy shall immediately lodge a complaint.
2. A complaint has to be lodged with your immediate superior in writing (in the event the complaint is not able to write then the immediate superior shall assist the complainant in writing the complaint in the presence of an independent witness) with a copy marked to the Director of GAMANA.
3. A complaint may be against;
 - a. an employee or
 - b. against a person who is not an employee or
 - c. Against an employee and a person who is not an employee.

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4. In the event the complaint is against a person who is not an employee or against an employee and a person who is not an employee, the Director shall immediately register or cause to be registered a complaint at the nearest police station to the place where the incident has been alleged to have taken place.
5. On receiving a complaint against an employee, whether written or verbal, of any instance of child abuse in GAMANA, the Director shall;
 - a. Place the concerned employee under suspension (hereinafter known as the 'Defendant') till the Committee (as defined here in below) submits its report, so as to protect the Complainant and witnesses against victimization and discrimination and mental or physical distress. And then;
 - b. Constitute a 'Committee of Enquiry' (hereinafter referred to as the 'Committee') to enquire into the complaint within 7 days of receiving the said Complaint.

6. Instituting the Committee of Enquiry

- a. The Committee, comprising of not less than three persons (two of which shall be women and further at least one of the Committee members shall not be an employee of GAMANA).
- b. The Committee shall be headed by a woman as a Chair-person.
- c. All members of the Committee, whether internal or third parties should be neutral and unbiased.
- d. The Committee once constitute its composition cannot be changed by GAMANA.

7. Procedure to be followed by the Committee in conducting of enquiry

- a. The Committee shall lay down its own procedure to be followed which shall be based on principles of natural justice and rationality.
- b. The Committee shall within seven days of being constituted shall peruse the complaint and all records; and shall within fifteen days record a finding,
 - i. That after perusal of records no cause of action exists and that the complaint is frivolous and exonerate the Defendant who then shall be reinstated to his/her job or
 - ii. That a prima facie case of violation of this policy is made out then it shall draw a formal charge sheet (containing definite charges) against the Defendant. The said charge sheet shall be served on the Defendant within fifteen days of the Committee recording its decision.

8. In the event the Committee records a finding that a prima facie case of violation of this policy is made out against the Defendant then;

The Committee shall proceed to examine the charges against the Defendant.

- a. In its proceedings the Committee shall examine all relevant records and witnesses.
- b. The Committee shall give the opportunity to the Defendant to be present in all proceedings and have access to all evidence that is produced before the Committee.
- c. The Defendant shall also have the right to submit evidence in his/her favour and cross examine witnesses.
- d. The Defendant shall also have the right to be represented by a representative.
- e. The Committee shall ensure that every reasonable opportunity is extended to the complainant and to the defendant, for putting forward and defending their case.
- f. The proceedings of the Committee shall be in Telugu, English, Hindi or any other language, whichever is convenient for all the persons involved in the enquiry and decided by the Committee.
- g. The venue of the enquiry shall be the place where the alleged violation of this policy has occurred.



h. The Committee shall as far as possible complete its proceedings within thirty days of the service of the charges on the Defendant.

9. On the conclusion of its proceedings the Committee shall record its findings on whether the complaint is to be dismissed or that the charges against the Defendant stand proven.

10. If the charges against the Defendant are proven then the Committee shall also recommend punishment to be awarded to the Defendant such as:

- a. Withholding or stoppage of Annual Increment/Promotion
- b. Suspension from work without pay for a period not exceeding 30 days
- c. Demotion to lower post/grade
- d. Termination of employment
- e. Filing of complaint with the police

11. The Committee shall record its findings under the signature of all or the majority of the members of the Committee and submit its report to the Director.

E. ON RECEIPT OF THE REPORT OF THE COMMITTEE THE DIRECTOR SHALL EXECUTE THE RECOMMENDATION MADE BY THE COMMITTEE.

F. THE GOVERNING BODY ON 26TH MAY 2022 DISCUSSED THE ZERO-TOLERANCE TERM WITH RESPECT TO 'CHILD PROTECTION POLICY' AND SUGGESTED TO AMEND IT WITH APPROPRIATE TERM ALIGNED WITH LAW OF THE LAND AND GAMANA REQUIREMENTS.

Following factors to be considered while taking actions:

- a) The severity, frequency and pervasiveness of the conduct
- b) Prior reports made by the compliant
- c) Prior reports against the defendant
- d) The quality and quantity of the evidences

SIGNATURE OF THE DIRECTOR

SIGNATURE OF EMPLOYEE