

Child and Vulnerable Adults Protection and Safeguarding Policy

1. Introduction

Empathy and integrity are among the core values at Point Of View and our code of conduct, given below, is in line with these values. This policy outlines our agreement to protect the health, well-being and human rights of individuals, especially children and vulnerable adults – to live free from abuse, harassment, harm and neglect, online and on-ground. POV believes that it is crucial to ensure a discrimination free safe space for children, vulnerable adults and marginalized groups.

POV is committed to raising awareness about abuse of children and vulnerable adults and of what is expected of the team and others in relation to safeguarding children and vulnerable adults. POV has thus adopted a Child and Vulnerable Adults Protection and Safeguarding Policy to ensure necessary protection to every child and vulnerable adult who comes in contact with the organisation in the course of its work and to provide for sensitive procedures that encourage reporting and redress of violations. All actions as laid down within the policy will be taken in the best interest of the child and vulnerable adult.

POV is familiar with, and adheres to, the UN Convention on the Rights of the Child, the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the UN Convention on the Rights of Persons with Disabilities (CPRD) as well as relevant local, national and international laws pertaining to safeguarding the rights and protection of children and vulnerable adults.

The policy requires that all children and vulnerable adults to be treated with dignity and respect regardless of age, gender, sexuality, caste, ethnic grouping, faith, culture, disability, or other opinion, national, ethnic or social origin, birth or other identity or status

2. Need for Child and Vulnerable Adult Protection and Safeguarding Policy?

In many of its programmes, POV works directly, or through its community-based partner organisations, with children and vulnerable adults. It is necessary for POV to have a Protection and Safeguarding Policy for the following reasons:

- It is the duty of POV to ensure that the promotion of the rights of children and vulnerable adults specifically includes protecting them from accidental harm as well

as deliberate abuse within the organisation or as part of programmes intended for their benefit. This policy will assist in fulfilling this duty.

- POV works closely with vulnerable adults especially those from marginalised genders and communities (persons with disabilities/HIV, queer, sex workers, transgender) and the policy shall extend to vulnerable adults.
- Girl children are especially vulnerable to abuse, exploitation, and ill treatment at the hands of carers, other project workers, and those with access to their personal information.
- The policies can help build confidence of children and vulnerable adults in POV and its processes. It further provides them an enabling and empowering environment for meaningful participation in POV's project activities..
- Organisations without protection policies, guidelines and systems are more vulnerable to false or malicious accusations of abuse.

3. What is included in the protection and safeguarding policy?

The Policy lays out POV's commitment to ensuring the safety and protection of all children and vulnerable adults with whom the organisation engages.

- Promoting the welfare of children and vulnerable adults, and enabling them to achieve their fullest potential.
- Minimising harm through proactive measures to identify and mitigate risks.
- Protecting children and vulnerable adults by responding effectively whenever there is a risk of harm or abuse.

Definitions

This policy covers all forms of physical abuse, emotional ill treatment, sexual abuse, neglect, commercial or other exploitation that results in actual or potential harm.

Child:

For the purposes of this policy, a "child" is defined as anyone under the age of 18, in line with Indian law and the United Nations Convention on the Rights of the Child (1989)

Vulnerable Adults:

This will include vulnerable adults, especially from marginalised genders and communities (queer, persons with disability/HIV, sex workers, transgender, marginalised castes and tribes). The list of vulnerable adults is not exhaustive and is subject to being amended from time to time and on a case basis

Abuse:

This constitutes all forms of physical, emotional ill treatment and sexual abuse resulting in actual or potential harm to the child's/vulnerable adult's health, survival, privacy, and development. It also includes abuse of power and trust by those in positions of responsibility.

The definition of abuse therefore points to:

- Physical abuse: including hurting or injuring, inflicting pain, poisoning, drowning, or smothering etc.
- Sexual abuse: that it implies both contact and non-contact based abuse that is sexual in nature and includes direct and indirect sexual exploitation as well as threats to involve a person in inappropriate sexual activities. The question of consent is immaterial in case of sexual activities involving children.
- Emotional abuse: humiliating or denying them their worth and rights as human beings.
- Neglect: the persistent lack of appropriate care of children, including love, stimulation, safety, nourishment, warmth, education, and medical attention.
- Online abuse: violence perpetuated through technology and/or the internet broadly. This can include emotional and psychological cruelty, threat of physical violence, threats to safety of the child and vulnerable adult and even their family/people close to them.

4. Scope of the Policy

The policy applies to everyone working for, or associated with, POV and includes:

- **POV staff and personnel** at all levels: Any person who is employed by POV for any work on regular, temporary, consultancy, ad hoc or daily wage basis, either directly or through an agent with or without the knowledge of the employer, and may be

working for remuneration or on a voluntary basis, has a responsibility to ensure the protection and safeguarding of children and vulnerable adults.

- **POV associates:** all board members (international and national), interns, volunteers, researchers, consultants, advisors and representatives of partner organisations and local governments who POV works with on the ground in its programmes with children, adolescents, and vulnerable adults.
- **POV visitors:** donors, journalists, media, celebrities, and others, who may come into contact with the children and vulnerable adults that POV works with.
- **POV partners:** partners of POV who are in contact with children or vulnerable adults are expected to have their own safeguarding policies and procedures in place and if not, adhere to the safeguarding policies of POV
- **All staff,** partners and associates are bound by the obligations of reporting a case of child sexual abuse under the Protection of Children from Sexual Offences (POCSO) Act and must commit to abide by the same.

5. Code of Conduct

POV is committed to ensuring that its staff and representatives apply high standards of behaviour with children and vulnerable adults within their professional and private lives. The code of conduct outlines expected standards of behaviour for employees, consultants and others. The list is not exhaustive and decisions about conduct should be made in the spirit of common sense with the best interest of the child and the vulnerable adult as the primary consideration.

The code of conduct includes but is not limited to the following:

- Avoid language or behaviour towards children and vulnerable adults that is harassing, abusive, or demeaning.
- Use of corporal or physical form of punishment on children and vulnerable adults by staff is completely unacceptable behaviour in personal and professional life.
- Never develop, induce, or support physical, romantic or sexual relationships with children in any way.
- Never develop any form of relationship or arrangement, which could in any way be deemed to be exploitative or abusive.

- You all are accountable to let the organisation know about any relationship with an adult that could create a conflict of interest with the organisation and its work with children and vulnerable adults.
- Never place a child or vulnerable adult at risk of abuse or exploitation. If you are aware of this, report it.
- Any individual who is aware of any staff member engaging in behavior that physically, sexually or emotionally harms a child or vulnerable adult, report the matter immediately, after securing the safety of the child / vulnerable adult.
- Don't disrespect the views of children or vulnerable adults, and allow them access to information through different mediums like online platform, stories, training and learning materials (TLMs)
- Staff, interns, consultants, volunteers and visitors must behave in a respectable way with children and vulnerable adults in communities.
- Personnel, including staff, volunteers, interns and consultants, should not allow children who are part of any POV programme to visit their homes under any pretext without the prior knowledge and agreement of their supervisors.
- Staff will not employ children as domestic workers in their homes.
- Never abuse, exploit, act, or behave in any way that places a child or a vulnerable adult at risk of harm.
- Actively contribute to an environment where children and vulnerable adults are respected and encouraged to discuss their concerns and rights.
- Always ask individuals' permission (in the case of children, also ask their parent or guardian) before taking images (e.g. photographs, videos) of them. Respect their decision to say no to an image being taken. (refer to Annexure 2).
- If consent to use of images or video etc is revoked at any point, POV will cease to use the individual's images as far as possible.
- Ensure that any image taken is respectful. Images of children or vulnerable adults in sexually suggestive poses, or those which may impact negatively on their dignity or privacy, are not acceptable. Stories and images of children and vulnerable adults should be based on their best interest.

- POV's storage of children's photographs and videos and the use of archives is maintained on an encrypted server.
- Complete identities, contact information, and addresses of children and vulnerable adults are not disclosed publicly, unless such disclosure is in their best interest and in compliance with the applicable law of the land.
- The policy ensures the use of the 'Two Adult Rule' when interacting with or conducting activities with children such that another adult is present or within reach.

POV staff and associates are required to read and understand POV's Safeguarding Policy and abide by it in their programme implementation and personal conduct. POV does not intend to dictate the belief and value systems by which POV staff conduct their personal lives.

6. Accountability

POV will ensure that:

- Any breach of its safeguarding procedures is taken seriously. Failure to comply with this policy may incur possible dismissal, termination of contracts or partnerships and, where appropriate, referral to the police or other relevant authorities.
- A Protection and Safeguarding officer (PSO) is appointed from within the team, who will be the focal point for all protection and safeguarding concerns that arise in POV.
- An Inquiry Committee (IC) comprising seasoned members of the team is appointed to investigate allegations/complaints of abuse of children or vulnerable adults. **(annexure 1)**
- All staff and consultants have read the policy prior to commencing work with POV, and know when and how to report any breach of the Code of Conduct.
- All partners working directly with children or vulnerable adults adhere to the Code of Conduct.
- All visitors receive a briefing about protection and safeguarding policy, which includes the Code of Conduct, and specific information on appropriate behaviour in the communities they are due to visit.
- The Code of Conduct is discussed with vulnerable adults, children, and their caregivers to ensure it reflects their expectations of staff and other POV

representatives and that they know who to speak to about any concerns and how to report any breach.

- In the event of harm occurring, POV will take the required action as laid out in the policy, and report to appropriate authorities where mandated as per law, to prevent any further harm and ensure justice.
- The organisation takes a clear and unambiguous stand on different forms of exploitation and abuse of children, especially on child labour, child marriage, child trafficking, child sexual abuse and online child safety and makes it available in public domain.
- The policy requires all staff to be aware of child online safety and the interface between online and offline safety, and requires all staff to promote online safety of children who are associated with the organisation's activities.
- Protecting privacy and confidentiality of children is a non-negotiable requirement under the policy and is applicable to all employees, consultants, volunteers and interns associated with the organisation.
- POV will keep a record of the number of complaints handled, complaints pending and complaints disposed of, along with all the training and awareness programmes conducted by POV with respect to this policy.

7. Recruitment and Staff Capacity

POV will ensure that:

- Recruit staff, both permanent and contract, only after obtaining adequate background verification from references and POV's own sources for any history of exploitation, neglect and abuse.
- Ascertain aptitude, interest and sensitivity of staff in working with children and vulnerable adults, and ensure that volunteers appointed by community-based organisations, interns, consultants, the Board and Society members are informed of POV's Child and Vulnerable Adult Protection and Safeguarding Policy at the start of any recruiting process, and they are also screened similarly.
- Enhance capacities of staff working with children and vulnerable adults, to effectively deal with issues of rights and advocacy, to promote rights of children and vulnerable adults and to provide protection from exploitation, neglect and abuse.

- Ensure that all work and activities of staff, both permanent and contract, supports the protection of all in communities from any form of exploitation, neglect and abuse.
- Ensure that POV representatives exercise behaviour protocols consistent with the policy.
- Ensure all staff and consultants have read the Code of Conduct prior to commencing work with POV, and know when and how to report any breach of the Code of Conduct.
- Ensure additional capacity building in the form of regular training is provided by POV where necessary, to ensure that protocols for child and vulnerable adult protection and safeguarding are adhered to by staff and consultants.
- All staff, consultants and partners are required to sign and commit to adhering to the POV's child and vulnerable adult protection and safeguarding policy as a condition of employment or service contracts and agreements.

8. Children and Vulnerable Adults' Participation

POV will ensure the following:

- **Consent** :POV will discuss the content of it's workshop with relevant partners. POV will also confirm responsibilities of partners towards the children who will be participating in POV workshops. No child may participate independent of the knowledge of their parent/caregiver/partner organisation. **(Annexure 2)**
- **Training & Support**: Staff and consultants have the appropriate level of skills to facilitate participation safely. As a minimum, staff receive a briefing on safeguarding to ensure they are aware of all safety measures and how to report concerns. The policy encourages not just children, vulnerable adults but also young people, parents, employees, and volunteers to speak up about issues that affect them.
- **Feedback**: Children and vulnerable adults are encouraged to provide feedback about their involvement, including any concerns or complaints they may have. This should include the opportunity to provide anonymous feedback through the provision of comment boxes at training events and other group meetings.

9. Partner Organisations

POV will ensure that:

- All written agreements with partner organisations include a clause referring to this policy and the expectation that the partner organisation will have a similar policy of its own or agree that its staff will abide by the code of conduct outlined in this policy.
- Where necessary, POV provides additional capacity building to ensure safeguarding measures are adhered to by partners.
- Where partners sub-contract certain activities to other organisations, they must ensure that the sub-contractor complies with all safeguarding measures agreed in this policy.
- All partners are informed that POV may request documentary evidence of compliance (e.g. consent forms).

10. Safe Communication

POV will ensure that:

- All content, publications and presentations both online and offline featuring children or vulnerable adults are reviewed to prevent harm, or any perceived harm.
- Where children or vulnerable adults are survivors of violence or human rights violations, their faces are not displayed, and no information is shared which could lead to their identification. Content will clearly stipulate that 'the names and locations have been changed for protection and privacy purposes'.

11. Reporting incidents

A Protection and Safeguarding Officer should be a designated staff member appointed as a 'Protection and Safeguarding Officer' (PSO) and his/her/their name and contact details should be informed to all POV staff, volunteers, consultants, partners and the same should also be displayed at all prominent places within the office, online and offline, and all project locations including areas where children & vulnerable adults are involved. The POV PSO will have access to specialist advice when needed to carry out their responsibility (**Annexure 3**). POV will ensure that adequate human and financial resources to ensure the implementation of the policy are made available.

On receipt of a complaint/allegation (from any source) as per **Annexure 4**, POV shall initiate inquiry proceedings as per the below guidelines and in case of violations that are covered under any law for the time being in force, proceed with informing the police or appropriate authority as per the requirements of such law.

The Protection and Safeguarding Officer (PSO) for POV will be **Debarati Das**, whose contact number is +918240026942 and email ID is Debarati@pointofview.org. In case the focal person is on leave or is not available, an interim PSO will be appointed by the Programme Lead. If there are any issues concerning the focal person, please contact the committee directly.

POV will take appropriate action to protect the child/adolescent/vulnerable adult in question from further harm during and following an incident or allegation.

Any incident of violation of the policy by staff, volunteers, consultants, partners and reports can be made to the Protection and Safeguarding Officer (PSO) by either the child, vulnerable adult, parents, caregivers, staff themselves.

The PSO has 10 days to ascertain the facts of the complaints, make a brief statement/report and pass it on to the Inquiry Committee. The committee has 90 days to conduct the inquiry and submit the detailed report to the head of the organisation. In case of genuine reason or exceptional circumstances a 30-day extension shall be given to the Committee to carry out the investigation.

The reporting and response procedure when on field and for digital platforms is as below:

- a) The Protection and Safeguarding Officer (PSO) and the Inquiry Committee will keep the case confidential. They will not disclose identifying information unless it is necessary to conduct the investigation. They will remind all parties of the need for confidentiality at the beginning of the investigation.
- b) The PSO will conduct a preliminary investigation to ascertain the facts of abuse or violation that is reported.
- c) The Inquiry Committee will conduct a thorough interview with the person who brings the allegation forward, as well as the accused person(s) and any witnesses.
- d) The complainant can be the child, vulnerable adult or their caregivers, parents, partners also.
- e) If the complainant is unsure or uncomfortable with regard to filing a report, they can share their grievance with another member of staff whom they feel safe with. The

staff member can then assure them, support them, give them guidance if needed and bring the matter to the PSO's attention for further investigation.

- f) The Inquiry Committee may proceed with an internal investigation into an alleged incident.
- g) They will interview any relevant POV staff as witnesses that the accuser, the accused or other person identifies as necessary to conduct a thorough investigation. If any non-staff witnesses are identified, the investigator will make reasonable efforts to interview them.
- h) The Inquiry Committee will take notes and statements during interviews with the accuser, the accused and any witnesses and will prepare a written report that summarises the steps taken during the case, the complaint, the allegations of the accuser, the response from the accused(s), the evidence from any witnesses, and the evidence gathered.
- i) An incident report form is provided in this policy as an annexure. The incident report form will be filled post the reporting of the incident, and after due assessment of the actual or perceived harm to the child or vulnerable adults. The accused will have the opportunity to respond to the specific allegations raised.
- j) The Inquiry Committee will send its inquiry report to the Programme Lead at POV within 10 days of finalisation of the report.
- k) It shall be the responsibility of the Programme Lead at POV to act on the recommendations of the Inquiry Committee in each case within 60 days of receiving the Inquiry Committee's report.
- l) The Programme Lead shall be the custodian of the records and POV shall provide a safe space for storing of the same at the head office. Copy of the complaint or details about the incident along with record of the investigation, referral form, given in **Annexure 5** along with a copy of the investigation report, summary of results of the investigation and the copy of any corrective action taken shall be stored. All investigation records will be kept confidential and will not be disclosed unless necessary to investigate an incident or complaint of child abuse, to take corrective action, or otherwise as required by law.

POV will take necessary action and/or dismiss or suspend any staff that is alleged to have violated this policy, pending the outcome of an inquiry, and will sever any ties with its associates and visitors who are proven to have committed abuse against children and

vulnerable adults. This may include reporting the incident to the police. POV will take appropriate action to protect the child and vulnerable adults in question from further harm during and following an incident or allegation. The policy and all corresponding procedures take into consideration the prevalence and pervasive impact of a trauma.

If a legitimate concern about an abuse is raised, which proves to be unfounded upon inquiry conducted on the basis of due process and principles of natural justice, no action will be taken against the reporter/complainant. However, any staff, associate or visitor who makes false and malicious accusations of child abuse will face legal or other action as deemed fit.

12. Monitoring and review

Regular monitoring of risks, risk mitigation and the effectiveness of the safeguarding measures need to be incorporated into the organisation's normal monitoring processes and activities. This policy will be as far as possible peer reviewed at minimum every 3 years or when it is shown necessary that additional issues need to be identified and addressed through this policy. The policy shall be gender and child sensitive and inclusive. Project related risks and needs assessments shall be carried out periodically to address any new concerns and gaps that may arise.

This policy is keeping in line with POV's institutional policies, and can be cross-referenced with other policies like Anti-Fraud and Whistleblowing, and Prevention of Sexual Harassment at Workplace.

Annexure 1: Members of the Inquiry Committee

Sr No	Position	Name	Email Id	Contact No.
1	IC Member	Debarati Das	debarati@pointofview.org	+918240026942
2	IC Member	Sameera Iyengar	sameera@pointofview.org	+919820151835
3	IC Member	Zahra Gabuji	zahra@pointofview.org	+919820521940
4	IC Member	Mamta Matani	mamta@pointofview.org	+919833237280

Annexure 2:

Consent Form to be used especially for children and vulnerable adults

Point of View’s (PoV) work is funded through grants from various sources in the public domain. PoV has to submit appropriate appeals/ applications and reports to its donors and to that end PoV needs to use images/ videos/ descriptions to promote its work.

PoV will also use these images and stories to create awareness through its annual reports, newsletters, posters, social media and any web-based mediums, corporate folders and brochures.

As part of PoV’s ongoing work we therefore ask that as an individual/ Parent/ Guardian you give your consent to the use of your own/ your child’s / your wards images and video’s solely for the above mentioned purposes.

Please read and sign this form to indicate your consent.

.....

I acknowledge that I/ my son/daughter (s) have been photographed or filmed by or on behalf of Point of View (PoV)

I understand and agree that PoV may use my/ my son’s/daughter’s image/ and description and any audio-visual recordings to promote its work in supporting marginalised voices of women, girls and any other gender. This may be online, in a film, an exhibition or any other medium and anywhere in the world only under the supervision and approval of PoV.

I give my due consent and understand that all images/ descriptions will be used sensitively and with respect and I can withdraw my permission at any time.

- 1. Name of service user/ beneficiary/ participant.....
- 2. DoB.....
- 3. Age.....
- 4. Name of service user (if 18 and above).....
- 5. Signature of service user (if 18 and above).....
- Or
- 6. *Parent/Guardian’s Name.....
- 7. Parent/ Guardian’s Signature.....
- Or

- 8. *Organisations Representative’s Name.....
- 9. Organisations Representative’s Signature.....

Please state here if there are any ways in which you do NOT want us to use photo(s) of you / your child:

.....
.....
.....
.....

Sign **Date**.....

*If photo and video content features children, a parent or caregiver must also provide documented consent.
*If the child is under 18 years of age, the parent or caregiver must provide permission in this section.

For internal use only:

Name of partner organisation (if any):

Location:

Consent collected by:

Annexure 3

Reporting Concerns Framework

The following procedures should be followed if you are concerned about the safety and welfare of a child. This framework should be displayed at a strategic location in Point Of View's office.

1. What are the circumstances of your concern?

Witnessed child abuse	Yes / No
Suspect someone of child abuse?	Yes / No
Someone alleged abuse of a child?	Yes / No
Someone disclosed abuse of a child to you?	Yes / No

2. Does the concern fit any of the following categories of abuse?

Do you think a child may have been neglected?	Yes / No
Do you think a child may have been physically abused?	Yes / No
Do you think a child may have been emotionally abused?	Yes / No
Do you think a child may have been sexually abused?	Yes / No

Your concern is justified if you answered yes to any of the questions above, your duty is to report your concerns to the following person:

Annexure 4: Incident Report Form

1. Details of the person making the report.
2. Details of incident (include dates and times of any specific incidents; mention the name of the witness(es), if any).
3. Observations - mention the physical signs, behavioural signs or indirect signs, if medical attention is needed.
4. What does the child or vulnerable adult want from the investigation?
5. Is there a trusted adult/caregiver/partner/legal heir that we can contact in case of a child or a vulnerable adult? If yes, share details.
6. Were there any immediate actions taken during the incident?
7. Any other information related to the incident?
8. Description of actions in light of the investigation carried out along with decisions regarding the incident taken by the Inquiry Committee.
9. Closure: reason for closure of the case.
10. Closure approved by: (senior management)

Annexure 5: Referral Form

CONFIDENTIAL: Please restrict access to this document and keep it stored safely.

Note: Please share copies of filled out referral forms with the complainant/ survivor and keep a copy for the organisation’s internal records and follow-up.

Referring agency	
Agency/org:	Contact:
Phone:	Email:
Location	

Receiving agency	
Agency/org:	Contact:
Phone:	Email:
Location	

Complainant/ Survivor information	
Name:	Phone:
Address:	Age:
Sex	Nationality:

Language:	ID number
If survivor is a minor (under 18)	
Name of primary caregiver:	Relationship to child:
Contact information for caregiver:	Is child separated or unaccompanied? c Yes c No
Caregiver is informed about referral? c Yes c No (If no, explain)	

Background Information/Reason for referral and services already provided	
Has the survivor been informed of the referral? c Yes c No (If no, explain below)	Has the survivor been referred to any other organization? c Yes c No (If yes, explain below)

Services requested		
c Mental Health Services	c Protection Services	c Shelter
c Psychosocial Support	c Legal Assistance	c Material Assistance
c Social Services	c Education	c Nutrition
c Medical Care	c Livelihood Support	

		c Support for children born as a result of SEA
Please explain any requested services:		

Consent to release information. (Read with survivor/ caregiver and answer any questions before s/he signs below. Sign on behalf of survivor/caregiver if consent is given verbally and survivor/caregiver cannot sign.)

I, _____(survivor name), understand that the purpose of the referral and of disclosing this information to _____(name of receiving agency) is to ensure the safety and continuity of care among service providers seeking to serve the client. The service provider, _____(name of referring agency), has clearly explained the procedure of the referral to me and has listed the exact information that is to be disclosed. By signing this form, I authorize this exchange of information.

Signature of responsible party (survivor or caregiver if a child):

Date (DD/MM/YY):

Details of Referral

Any contact or other restrictions? c Yes c No (If yes, please explain below)

Referral delivered via: c Phone (emergency only) c E-mail c Electronically (e.g., App or database) c In Person

Follow-up expected via: Phone E-mail In Person. By date (DD/MM/YY):

Information agencies agree to exchange in follow up:

Name and signature of recipient:
(DD/MM/YY):

Date received