



CHILD PROTECTION

Policy and Procedures

Updated: March 2022

Contents

Rationale	1
Purpose.....	2
Local Legislation	2
Accrediting Bodies	3
Applicability and Scope	4
Language	4
Abuse	5
Definition	5
Types of Abuse.....	5
Indicators of Abuse.....	6
Prevention.....	7
Recruitment.....	7
Employee Training.....	8
Student lessons (within curriculum).....	8
Parent Training	8
Visitor & Vendors	8
Travel and School Events.....	8
Intervention.....	9
Reporting Sexual Abuse.....	9
Record Keeping [Maintaining Confidentiality].....	10
Reporting Protocol for Non- Sexual Abuses	12
Child Protection Committee at School	12
Multi-Disciplinary Team.....	13
Public Announcement Templates	14
Peer-to-Peer Sexual Abuse	15
Framework and Legislation, exclusions	15
Age of Consent	15
Types of Peer-Peer abuse	15
Reporting/observing – role of the adults	16
Disclosure to parents (both parties)	16
Keeping the parties safe	17
Investigation & disciplinary action including exclusion	18
Redressal, counseling, support.....	18
Related Documents.....	19
Staff Code of Conduct.....	19

Intimate Care Policy.....	19
Recruitment Policy	19
Field Trip Policy.....	19
Sports handbooks.....	19
Works Cited.....	20
Appendices	21
Child Protection Concern Form: Step 1 Identification	21
Child Protection Concern Form: Record of Disclosure	22
Reporting Map	23
Sexual Behaviors Traffic Light Tool	24
Graphics in Host-country languages	26
Child Protection Working Group.....	28
Annual Review	28

Rationale

Child abuse and neglect are growing concerns in schools throughout the world and are violations of a child's human rights. Abuse and neglect are obstacles to a child's education as well as their physical, emotional, and spiritual development.

Schools fill a special institutional role in society as protectors of children and need to ensure that all children in their care are afforded a safe and secure environment in which to grow and develop. Educators, having the opportunity to observe and interact with children over time, are in a unique position to identify children who need help and protection. As such, educators have a professional and ethical obligation to identify children who are in need of help and protection and to take steps to ensure that the child and family avail themselves of the services needed to remedy any situation that constitutes child abuse or neglect.

MIS endeavours to create a safe space for all adults and students on its campus. In alignment with the school's vision to create *'an empowered, innovative and agile community of learners who achieve and contribute positively within and beyond the school'*, MIS has developed this policy to guide our community in prevention, education and response to any child protection issues.

The health, safety and well-being of all our children is of paramount importance. Our children have the right to protection, regardless of age, gender, race, culture or disability. Reporting any act committed by a parent, guardian or any other person on or off campus, to a child enrolled in the school which results in neglect, physical or emotional injury or sexual harm is priority, and all reporting has to follow the protocol mentioned contained in this policy.

Purpose

Local Legislation

This policy is a crucial part of promoting the welfare of our students; it is designed to inform our staff regarding the signs of child abuse, to equip them with the knowledge on what to do in the event of suspected abuse and code of conduct to prevent them from being in vulnerable situations. This policy defines abuse, outlines signs of abuse, code of conduct and explains the procedures for prevention, intervention, investigation and reporting of suspected cases.

This policy should be read in conjunction with **Anti-Bullying Policy, Staff Code of Conduct (Secondary & Primary)** and the **Diversity, Equity, Inclusion and Justice Policy**, developed by the school.

The Child Protection Policy is based on national and international law and the United Nations Convention on the Rights of the Child of which India was a signatory in 1992. The two key articles are:

Article 19 - Protection from abuse and neglect - The State shall protect the child from all forms of maltreatment by parents or others responsible for the care of the child and establish appropriate social programs for the prevention of abuse and the treatment of victims.

Article 34 - Sexual exploitation The State shall protect children from sexual exploitation and abuse, including prostitution and involvement in pornography (Child Rights International Network).

Within the context of India, the main two legislations related to child protection are POCSO (Protection of Children from Sexual Offences) Act (2012, 2019) and the Juvenile Justice Act (2016). These acts serve to define both sexual offenses (POCSO) and general child welfare (Juvenile Justice Act 2000, 2016).

Accrediting Bodies

In addition, accreditation organizations are addressing the issue of protecting children as demonstrated from the statements of the Council of International School (CIS) and the New England Association of Schools and Colleges (NEASC) which accredit MIS. CIS published guidelines for Child Safeguarding in 2016 as a result of the work of the International Task Force on Child Protection including the [Essential Questions](#) and [Expectations](#) for schools. These are also reinforced by key accreditation standards:

A4. The guiding statements provide clear commitment to well-being, conform to the CIS Code of Ethics, and demonstrate commitment to the values inherent in the UN Convention on the Rights of the Child (1990). (CORE)

E2. The school has clearly documented and effectively implemented policies and procedures relating to child protection and safeguarding. (CORE)

E2i. Policy and procedures to safeguard and protect students are effectively implemented and well understood by all constituent groups, and these exceed, where necessary, local regulatory requirements.

E2ii. The school's policies and procedures to safeguard and protect students are consistent with, and cross reference, wider school policies relating to issues that are engaged by these policies such as data protection and privacy, disciplinary and whistleblowing policies, and acceptable use policies.

E2iii. The school monitors the safeguarding concerns for individuals and groups of students and provides social and emotional support to these students and their parents.

E2iv. Policy and procedures for safeguarding and child protection are monitored, evaluated and reviewed regularly (annually in the case of child safeguarding) with the needs of all students in mind and in light of the specific risks facing the school's students.

E2v. The school has taken steps to prepare for an allegation of abuse made against a member of staff or another adult in school and responds to concerns and allegations of abuse against these individuals in accordance with a clearly-defined and internationally-recognised protocol.

E2vi. The school develops meaningful and effective relationships with external law enforcement and child protection agencies and other organisations that provide appropriate support, advice, and professional development on matters of safeguarding and child protection.

E2vii. Record-keeping allows the school to identify concerns at an early stage and reports of suspected or disclosed abuse, and any actions taken by the school, are recorded and securely archived, regardless of the outcome.

F2. Thorough background checks have been carried out for all staff and volunteers to confirm their identity, medical fitness, right to work in the country, previous employment history, criminal record, qualifications and suitable references. This information has been taken into account in determining whether their appointment will be confirmed. (CORE)

F2i. Thorough background and criminal record screening is undertaken for all members of staff (whether employed, self-employed, or sub-contracted), volunteers and governors/owners, in a systematic way and according to a published schedule.

Applicability and Scope

The scope of this policy covers the responsibility of school authorities including management, teachers, staff and others having access to children, towards safety and protection of children:

1. Within the school premises during school hours and after school hours including holidays.
2. In relation to transportation organized by the school
3. Events organized by the school authorities or when students represent schools at events outside the school premises.
4. During online and digital learning procedures (Virtual Learning)

The policy is applicable to all stakeholders who come in direct or indirect contact with children.

- **Direct Contact with Children:** Those personnel who are with and in the physical presence of a child or children as part of their professional or school related work, be it regular, occasional, temporary, or long term.
- **Indirect Contact with Children:** Those whose work does not require them to be in the physical presence of a child but have a supervisory/ administrative role or has access to personal and sensitive personal information of the children such as photographs, case files etc.

Exclusions

This policy does not cover the following aspects related to child safety:

1. Risks to physical safety and infrastructure safety hazards
2. Health and hygiene related safety of the child within school premises
3. Risks from natural and manmade disasters and fire
4. Bullying scenarios

Language

This policy is written and updated in English, the common spoken and written mode of communication among our school community. However, we understand that members of our community may best communicate about sensitive topics in other languages. Regular staff training is conducted in host-country languages. Material, posters and infographics are also provided for support staff in host country languages. Samples of these materials can be found in the appendix.

Abuse

Definition

The World Health Organization (WHO) has defined 'Child Abuse' as a violation of basic human rights of a child, constituting all forms of physical, emotional ill treatment, sexual harm, neglect or negligent treatment, commercial or other exploitation, resulting in actual harm or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power. Abuse can be conducted by an adult or another child who is developmentally superior to the victim.

Types of Abuse

- **Physical Abuse** - Physical abuse is defined as non-accidental physical harm caused to a child due to interaction with an individual. It may involve hitting, punching, shaking, throwing, poisoning, biting, burning or scalding, drowning, hair-pulling, pinching, suffocating or severe corporal punishment that leads to injury or the need for medical attention.
- **Emotional Abuse** - Emotional abuse is defined as persistent emotional ill treatment or failure to provide a supportive and primary attachment figure for a child, which has an impact on the child's emotional development. Emotional abuse is also the act of causing harm to a child's development, where it could have been within reasonable control of a person responsible for the child. It may involve: conveying to children that they are worthless or unloved; that they are inadequate or valued only insofar as they meet the needs of another person; age or developmentally inappropriate expectations being imposed on children; threatening, restricting movement, discriminating, ridiculing, continually threatening the child with physical harm or forcing the child to witness physical harm inflicted on a loved one, keeping the child at home in a role of subservient or surrogate parent.
- **Sexual Abuse** - Sexual abuse is engaging a child in any sexual activity that he/she does not understand or cannot give informed consent for or is not physically, mentally or emotionally prepared for. Abuse can be conducted by an adult or another child who is developmentally superior to the victim. This includes using a child for pornography, sexual materials, prostitution and unlawful sexual practices, penetration, fondling and violation of body privacy.

According to POCSO (2012), child sexual abuse encompasses the following: (i) penetrative sexual assault, (ii) aggravated penetrative sexual assault, (iii) sexual assault, (iv) aggravated sexual assault, (v) sexual harassment, (vi) using child for pornographic purpose, and (vii) trafficking of children for sexual purposes. The above offences are treated as "aggravated", when the abused child is mentally ill or when the abuse is committed by a person in a position of trust or authority *vis-à-vis* the child (Math, S., Moirangthem, S. and Kumar, N., 2015).

- **Neglect** - Neglect is persistent failure to meet the child's basic physical or physiological needs by the caregiver. Neglect or negligent treatment is purposeful omission of some or all developmental needs of the child by a caregiver with the intention of harming the child. This includes the failure of protecting the child from a harmful situation or environment when feasible. Neglect can include unattended medical needs, poor hygiene, consistent hunger, inappropriate dressing or failure to enroll a school-age child in school or to provide necessary education. It may have an impact on the child's health or development.

Exploitation can be commercial or otherwise, whereby the child is used for some form of labor or other activity that is beneficial for others. For example, child labor or child prostitution.

Indicators of Abuse

Possible behaviors that could indicate abuse are marked by a sudden change in behaviors for no clear reason along with developmentally inappropriate sexual awareness or behaviors.

Some examples of changes in behavior can be:

- Sudden resistance in interests and following usual routines
- Sudden change in intensity and dynamics in social relationships without evident reasons.
- Unexplained bruises and marks, injuries.
- High frequency of absences or withdrawal from activities
- Sudden and severe weight loss or weight gain
- Sudden change in attention span and low productivity
- Sudden change in behavior and mood [inappropriate intensity or unexpected]

To check if behaviors of sexual nature are developmentally appropriate, please use the **Behavior Traffic Light Tool** that categorized behaviors according to age and severity. The traffic light tool is found in the appendix of this document.

Prevention

Recruitment

MIS recognizes the point of recruitment as one of the key times when child safety can be upheld. Preventing access to our community is a significant prevention strategy.

The CIS standards for accreditation underpin this work:

F2. Thorough background checks have been carried out for all staff and volunteers to confirm their identity, medical fitness, right to work in the country, previous employment history, criminal record, qualifications and suitable references. This information has been taken into account in determining whether their appointment will be confirmed. (CORE)

F2i. Thorough background and criminal record screening is undertaken for all members of staff (whether employed, self-employed, or sub-contracted), volunteers and governors/owners, in a systematic way and according to a published schedule.

The Recruitment policy was created with this in mind and informed by the International Task Force on Child Protection as well as our own internal audit process (PWC). The following is excerpted from the Recruitment Policy;

MIS is committed to providing the best possible care and education to our students and to safeguarding and promoting the welfare of everyone in our community. The School will collect information on candidates' professional, criminal and personal backgrounds from a variety of sources.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding practices.

Data collection processes: *Candidates will be required to submit a letter of application, current CV, contact details of three confidential referees including professional email addresses and telephone numbers, copies of credentials and academic degrees and recent criminal background checks. The school can avail the use of a service such as [Verifacts](#) to check for any records around criminal offenses or violations of child safety.*

Reference checks: *Open reference letters will not be considered in evaluating candidates. Confidential references submitted directly to the school from an established, professional email domain (not a personal email) or submitted to a recruitment database will be considered. Direct follow-up with at least 2 confidential referees is required in all cases. In addition to questions about professional competence, the school must verify the following:*

- *Do you have any concerns about this candidate's behavior around children, or working unattended with children?*
- *Do you have any concerns about this candidate's health or fitness to live and work in India?*
- *How has this candidate influenced the social climate in your school?*
- *Anything else I should know?*

Employee Training

Employee training will be undertaken by the counseling department in collaboration with the Principals/Directors. Trainings should include trainings for all staff, including Support Staff.

The Training conducted in school should cover the following topics:

- Understanding the definition and types of abuse
- Understanding the signs and indicators of abuse
- Dealing with disclosure
- Procedure for reporting to Child Protection Committee
- Local laws on Child Protection
- Code of Conduct – On Campus Protocol (Please refer to the Staff Code of Conduct)
- Code of Conduct – Virtual Learning (Please refer to Virtual Learning Protocol)

Student lessons (within curriculum)

This will draw on best practice and local and international laws via the Advisory lessons in all secondary grades (MYP1-DP2) and PSE lessons in the primary grades. It will include age-appropriate aspects of child safeguarding, personal boundaries and responding appropriately.

Parent Training

Parent and Caregiver training will be conducted through workshops, newsletters, weekly updates and the website to communicate standards, practices and commitment of the school to Child Protection.

Visitor & Vendors

There is an overview at the security gate that informs all vendors and visitors of key behaviors that are expected on our site. This will be given to all guests before they are admitted on campus.

All vendors MUST be accompanied on site when students are present.

Travel and School Events

When organizing and supervising school internal events, due consideration of Child Safeguarding must be a factor in planning and preparation. This includes planning risk assessments and permission forms that clearly address the risks related to child protection and safety. During the event, care must be taken to ensure that students are supervised at all times and that there is an adequate teacher student ratio. Facilities that are not part of the event must be locked or made unavailable to students. Consideration for issues such as dress code, transportation arrangements, procedures for guest students and adults, and vulnerable situations must be included in planning. Additional caution should be taken by adults to ensure that a single adult and child are not alone in a private space.

Intervention

Reporting Sexual Abuse

Reporting Protocol

Steps to be followed for reporting are as follows (*see Appendix*):

- Once a student reports any incident or shows behaviors that suggest potential abuse or harassment, the employee should, within that day, fill out the STEP 1: Identification Form (*see Appendix*) in a hard copy, seal it and give to the School Principal/School Counsellor/School Director - whichever is accessible the fastest.
- The informed personnel must then bring it to the notice of the other members of the Child Protection Team [School Principal/School Counsellor/School Director] within 24 hours.
- The school counsellor must then speak to the student individually and fill out the STEP 2: Disclosure Form (*See Appendix*) and write out everything in a verbatim form for first-hand information.
- The Child Protection Team then meets to discuss outcomes based on evidence gathered. This should be completed within 24 hours of the school counsellor meeting with the student. There can be three possible outcomes:
 - **Outcome 1 - Not inappropriate, not abuse:** The Child Protection Team concludes, given the circumstances that the behavior was appropriate and is not indicative of abuse. No further action is taken, and the case is closed. Follow up with the student for required skill training and responsibilities is carried out by school director/principal and school counsellor.
 - **Outcome 2 - Inappropriate but not abuse:** The Child Protection Team concludes that the behavior is inappropriate but does not account as abuse - either physical, verbal or sexual in nature; then there is an internal disciplinary action that is taken. This disciplinary action will be decided by the School Principal and Director where the consequence can be ranging from professional training to release from contract based on context, severity, and number of complaints.
 - **Outcome 3 - Inappropriate and abuse (sexual):** The Child Protection Team concludes that the behavior is categorized under violation of authority and power/harassment/abuse and has intention to assault; the Child Protection Team consults with the director and a mandatory formal complaint is filed at the nearest police office. The case then goes into police custody and all subsequent investigation is handled by the police.
 - At the school level, the counsellor is involved in making sure all involved students and parties are comfortable in school and learning is supported.
 - Everybody involved in the case is made aware of their right to legal representation.
 - A public acknowledgement letter is sent to the staff by the school director.
 - A public acknowledgement letter is sent to the community by the Human Resource Manager. All communication with the public must be streamlined and responded to by one individual only.

Note 1: All concerned should be made aware of their confidentiality obligation and ensure the name of the victim is protected and the importance of not making any statement to the press or any external agency without prior approval of head of school.

Record Keeping [Maintaining Confidentiality]

Documents involved:

- Step 1: Identification Form - To be filled by adult who the “abuse has been reported to. This is either hand-written, sealed and submitted to the CPO, Section Principal or Director or submitted via an online form. [based on fastest access and school operating mode].
- In case of Virtual Learning, staff is expected to fill the Microsoft form ‘Identification Form’ online which is accessible through [this link](#):
- Step 2: Disclosure Form - This form is completed in conjunction with an in-person verbal interview handwritten/typed (in case of Virtual Setting) by the counsellor.

Documentation of reported abuse should include, wherever possible and useful to the report, the following:

- Reporter’s relationship to the child/victim
- Child’s name, gender, age, address, nationality, languages spoken.
- Any useful information on parents/guardians
- Information about the reporter and school
- Nature and extent of injuries/maltreatment (if any)
- How reporter became aware (firsthand witness?)
- Name of perpetrator, siblings at home, prior evidence
- Date and time of the incident
- Date and time of the record being made.

This will be written using a descriptive nonjudgmental style, employing phrases such as ‘X reported that...’; ‘Y said that’. If determined that the case warrants making a report to local authorities or agencies, this report should be documented using applicable forms.

- Minutes of Child Protection Case Management Team - This document should have a timeline of actions taken and should including decision or actions recommended and a final update of the conclusion of the case.

Case Summary Form

Once a child protection case investigation has been concluded or the case handed over to the authorities, the full documentation will be submitted to the Director and placed in the secure confidential records. A case summary form should be included as the front page of all associated documentation and include the following information:

- Date the report/concern was received
- Name of the person who initially received the report or observed the concern
- Name of the child(ren) involved
- Name of the adult(s) involved
- Nature of the incident
- Name of the Child Protection officer
- List of those involved in the investigation
- Outcome of the investigation

Guidelines on Storage and Confidentiality:

- All documents in a Child Protection Case must be handwritten and kept in a separate sealed envelope in a confidential lockable space in the Director's office. In the event of a transition in this role, a specific handover will take place of these files.
- All records of child protection concerns, disclosures or allegations are to be treated as sensitive information and should be kept together securely and separately from the child's general school records.
- The information should be shared with all those who need to have it, whether to enable them to take appropriate steps to safeguard the pupil, or to enable them to carry out their own duties, but it should not be shared wider than that.
- It is important to make it clear to pupils that any disclosure they make will be treated with sensitivity but may need to be shared with other professionals if it is considered necessary to protect the child or someone else from harm.
- The school should retain the record indefinitely in the confidential file. If the pupil transfers to another school, and reference requests ask for safeguarding information, we will disclose any relevant details only when asked.
- The child who is the subject of a child protection record has a right to access their personal record, unless to do so would affect their health or well-being or that of another person or would be likely to prejudice an ongoing criminal investigation.
- Parents (i.e those with parental responsibility in law) are entitled to see their child's child protection file on behalf of their child, unless to do so would affect the child's health wellbeing or that of another person.

Reporting Protocol for Non- Sexual Abuses

- Monitor the situation - A formal complaint may not be made but is being referred to by students or is a cause for concern. Relevant staff, nurse etc to monitor - discuss weekly report to CPO
- Parental involvement - If the case is not extreme but is due to negligent or careless parenting. Parents can be called, and a contract can be established with CPO/Counselor where the situation is then monitored. Parents and student can be referred for family counselling from an external provider.
- Referral (Non Sexual) - Involve Childline and local agencies using their expertise to interview and report. For non-sexual concerns, a police report is optional and may be made if severity demands it.

Child Protection Committee at School

The Child Protection Committee comprises of the School Director, the Secondary School Counsellor, the Primary School Counsellor, the Section Principal and the Doctor (if required).

Multi-Disciplinary Team

ChildLine India Foundation: Provides guidance on reporting child abuse

Main Office (Mumbai) - 022-2495 2610, 2495 2611, 2482 1098 / 2490 1098/ 2491 1098, 2490 3507

Regional Office (Mumbai) - 022-6118 9800

dial1098@childlineindia.org.in

Child Protection Lawyer: Vaishali Bhagwat

+91 2025511816

vabhagwat@gmail.com

Child and Adolescent Psychiatrist: Dr Bhooshan Shukla

Trimiti Clinic -

Aundh - 88880 06064 10am – 8pm (Mon, Wed, Fri)

Karve Road – 77220 44644, 10am – 8pm (Weekdays)

Trauma Therapist: Ms. Barkha Bajaj

9860528798

Aks Foundation, Sacred World, Jagtap Chowk, Pune – 40.

barkha.bajaj@aksfoundation.org

POCSO E-Box Complaint System: Minors to register complains directly to the NCPCR

<https://ncpcr.gov.in/index.php?lang=1>

Public Announcement Templates

Model Communication to Faculty & Staff

Dear MIS Faculty and Staff,

Unfortunately, I need to share with you an ongoing situation that we are currently investigating. We have received a report of misconduct between a teacher and a student which took place on campus last week. The teacher has been suspended pending the formal inquiry and will have no further contact with students on campus during the course of the investigation. We have also reported the incident to the authorities as required by law.

At MIS, we take seriously, as educators and advocates for children, the responsibility to prevent misconduct from occurring and we investigate and respond appropriately to all concerns about misconduct brought to our attention.

If you are contacted by any parents about the incident or investigation, I would request that you refrain from discussing it as the matter is still under investigation. You may use the following statement if needed.

“Thank you for getting in touch. I understand your concerns and we are aware of the inquiry. As per our Director, we must respect the integrity of the process and the privacy of our students. Please direct specific questions to the Director.”

If you are contacted by the media, please be even more reluctant about your communications. You may use the following statement if needed.

“Thank you for getting in touch. I am not a school spokesperson. Please contact the Director.”

Model Communication to Parents

Dear MIS Community,

Unfortunately, I need to share with you an ongoing situation that we are currently investigating. We have received a report of misconduct between a teacher and a student which took place on campus last week. The teacher has been suspended pending the formal inquiry and will have no further contact with students on campus during the course of the investigation. We have also reported the incident to the authorities as required by law.

At MIS, we take seriously, as educators and advocates for children, the responsibility to prevent misconduct from occurring and we investigate and respond appropriately to all concerns about misconduct brought to our attention.

Model Communication to Media (as needed)

At MIS, we take seriously, as educators and advocates for children, the responsibility to prevent misconduct from occurring and we investigate and respond appropriately to all concerns about misconduct brought to our attention.

Peer-to-Peer Sexual Abuse

Framework and Legislation, exclusions

This policy is supported by the Protection of Children from Sexual Offences Act (POCSO) of 2012, the Juvenile Justice Act 2015 as well as school behavioral policies. While behavioral infractions such as bullying may indeed be considered abusive, the definitions of abuse in the context of this policy will be those defined above under the POCSO Act. They include Sexual Harassment, Sexual Assault and Aggravated Sexual Assault.

“Non-Physical Contact’ Forms of Child Sexual Abuse can also occur without contact between the offender and the child such as showing pornographic videos or pictures to the child, using the child in pornographic material, verbal abuse, making lewd gestures to the child, playing sexualized games, stalking the child or chatting with sexual intent with the child over the Internet, etc. The POCSO Act would still apply where the offence is committed by a child, the only difference is that the procedure would be as per the Juvenile Justice (Care and Protection of Children) Act, 2015.” Handbook on Implementation of POCSO Act, 2012 for School Management and Staff, page11 ([Link](#))

Abusive behaviors including racist acts, bullying, emotional abuse and physical abuse are covered in the school's behavioral policies, particularly the anti-bullying policy. The Peer-to-Peer Sexual Abuse policy is not intended to cover the above types of misconduct although they are taken seriously by the school and will result in serious consequences for any individuals who exhibit such behaviors.

Age of Consent

The Age of Consent in India is 18 years of age as defined by the POCSO Act of 2012. This implies that any sexual acts falling under the definitions of abuse by POSCO cannot be considered ‘consensual’ regardless of the willingness of those involved as long as one or more involved individual is under 18 years of age. Specifically,

- This act provides justice without any gender discrimination as every person under the age of 18 who are incompetent to give their consent. Hence, any person, involved with any sexual act covered under this act and the victim involved is under the age of 18, the offence is punishable as it is considered to be violation of this Act.
- Section 34(1) states on offence committed by the offender, who is a child himself, shall be tried under the provisions of the [Juvenile Justice \(Care and Protection of Children\) Act, 2000](#).
- Sec. 19 of the Act encourages and make it obligatory to report such crime to the Special Juvenile Police Unit or the local police enshrined in POCSO, failure of which is punishable with imprisonment of either description which may extend to six months or with fine or with both.

Types of Peer-Peer abuse

It is recognized that Peer-Peer abuse may take similar forms to adult-child abuse, particularly if a significant age difference exists or the interaction is characterized by a power relationship or difference in developmental maturity. However, there are some types of abuse which may be more prevalent between peers. This includes the use of inappropriate sexual language, inappropriate role play, sexual touching, sexting, upskirting and other uses of technology for sexual activity as well as sexual assault/abuse.

In determining abusive sexual interactions, the Hackett Sexual Behaviors Continuum (Similar to the Traffic Light Tool) may be useful.

Normal	Inappropriate	Problematic	Abusive	Violent
<ul style="list-style-type: none"> • Developmentally expected • Socially acceptable • Consensual, mutual, reciprocal • Shared decision making 	<ul style="list-style-type: none"> • Single instances of inappropriate sexual behaviour • Socially acceptable behaviour within peer group • Context for behaviour may be inappropriate • Generally consensual and reciprocal 	<ul style="list-style-type: none"> • Problematic and concerning behaviours • Developmentally unusual and socially unexpected • No overt elements of victimisation • Consent issues may be unclear • May lack reciprocity or equal power • May include levels of compulsivity 	<ul style="list-style-type: none"> • Victimising intent or outcome • Includes misuse of power • Coercion and force to ensure victim compliance • Intrusive • Informed consent lacking, or not able to be freely given by victim • May include elements of expressive violence 	<ul style="list-style-type: none"> • Physically violent sexual abuse • Highly intrusive • Instrumental violence which is physiologically and/or sexually arousing to the perpetrator • Sadism

(Hackett)

Reporting/observing – role of the adults

Concerns related to Peer-Peer inappropriate behavior whether directly observed or reported to an adult by a child, must be responded to promptly.

If the behavior falls clearly into the school’s behavior policies, especially the anti-bullying policy, the behavior must be reported to the division Principal.

If the behavior or concern falls into the domain of ‘abuse’ as defined by POCSO or if the abuse has a sexual component to it, a safeguarding report must be initiated following the Child Protection Policy reporting guidelines. The report should be submitted to the Child Protection Officer, Director or Section Principal immediately. The Child Protection Committee will follow the procedures and, depending on the outcome, it may result in reporting to external authorities including the police.

If a member of staff thinks for whatever reason that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should discuss their concern with the CPO without delay.

If a child speaks to a member of staff about peer-on-peer abuse that they have witnessed or are a part of, the member of staff should listen to the child and use open language that demonstrates understanding rather than judgement.

Disclosure to parents (both parties)

As essentially all students in the school are minors (under the age of 18), parents must be informed promptly.

Keeping the parties safe

The immediate need once an adult has become aware of the abuse situation is to prevent any further harm during the investigation phase. This may mean isolating all involved parties from each other, a suspension for the accused pending investigation or other intervention.

Once the outcome of the incident(s) has been established it is necessary to ensure future incidents of abuse do not occur again and consider the support and intervention required for those involved.

For the young person who has been harmed

What support they require depends on the individual. It may be that they wish to seek counselling or one to one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends; in which case it is necessary that this young person continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the young person may need support in improving peer relationships with other young people, or some restorative justice work with all those involved may be required.

Other interventions that could be considered may target a whole class or year group for example a speaker on online bullying, relationship abuse etc.

If the young person feels particularly vulnerable it may be that a risk assessment can be put in place for them whilst in school so that they have someone named that they can talk to, support strategies for managing future issues and identified services to offer additional support.

For the young person who has displayed harmful behaviour

It is important to find out why the young person has behaved in such a way. It may be that the young person is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support such as one to one mentoring or counselling may also be necessary.

Particular support from identified services may be necessary through an early help referral and the young person may require additional support from family members.

It may be that the behaviour that the young person has displayed may continue to pose a risk to others, in which case an individual risk assessment may be required. This may mean additional supervision of the young person or protective strategies if the young person feels at risk of engaging in further inappropriate or harmful behaviour.

If there is any form of criminal investigation ongoing it may be that this young person cannot be educated on site until the investigation has concluded.

Investigation & disciplinary action including exclusion

Once the Child Protection Committee has reviewed the case they will determine one of the following outcomes.

- 1) The incident does not constitute a form of Sexual Abuse and does not violate the school code of conduct. The case can be closed and the records submitted to the Head of School to be stored in the confidential file. Involved students may return to normal school activities although follow-up counseling may be required.
- 2) The incident does not constitute a form of Sexual Abuse but is in violation of the school's code of conduct. In this case, further action may be taken as a matter of school discipline. This can include expulsion, suspension or the issuing of a warning letter.
- 3) The incident is sexually inappropriate but not abuse. In this case, school disciplinary actions may be taken. This can include expulsion, suspension or the issuing of a warning letter.
- 4) The incident constitutes abuse as defined by POCSO and requires mandatory reporting by law. The school will inform the parents immediately and promptly report to the authorities as required by law.

Redressal, counseling, support

It is understood that after a serious abusive incident, the individuals involved as well as their peer group will need support in returning to a normal school day.

There may be a need to address the event in the grade level or school division, especially if other students witnessed the abuse. A clear statement of the offense, the corrective action and further education will be needed.

Related Documents

Staff Code of Conduct

The Staff Code of Conduct resides in the Personnel Policies and forms a key resource for describing the professional behaviors expected of staff. Review of the Staff Code of Conduct is carried out on an annual basis as part of the Annual Child Protection Training.

Intimate Care Policy

Details about expectations and procedures for interventions with children that may require removing clothing, cleaning a child after a toileting accident, administration of medical treatment and first aid or other such functions can be found in the intimate care policy.

Recruitment Policy

Recruitment is at the front line of prevention of abuse and deterring abusers from entering our community. The recruitment policy outlines the stages of screening, police verification and reference checks that must be conducted before appointing a new member of staff.

Field Trip Policy

Staff supervising Field Studies have duty of care **in loco parentis**. They have full legal and ethical responsibility for the wellbeing, physical and emotional safety for all students in their care. It is recognized that this responsibility extends beyond the working day to the entire duration of the excursion.

Principles of Child Safeguarding are paramount in all decisions regarding supervision of students. This includes interactions with other students, other members of staff and independent providers.

It is recognized that field trips, especially overnight trips, pose different types of risks to Child welfare and potential threats to Child Safeguarding. The Field trip policy outlines the additional specific responsibilities assigned to chaperones and Trip Leaders when traveling with students.

Sports handbooks

The School's Sports Handbooks outline specific precautions related to traveling for sports or other inter-school competitions or events. This includes overnight supervision, expectations for host families and duties of coaches and chaperones. This policy applies equally to our school and to other schools involved in the events. Respective Heads of School, Athletics Directors and Coaches are all informed and must agree with the terms of this policy.

Works Cited

Hackett, S., Branigan, P. and Holmes, D. (2019) Harmful sexual behaviour framework: an evidence-informed operational framework for children and young people displaying harmful sexual behaviours. 2nd ed. London: NSPCC.

Appendices

Child Protection Concern Form: Step 1 Identification

Child Protection Concern Form: Step 1 Identification	
<i>Use this form to record any concerns about a student's welfare and give it to the counselor, principal or director within 12 hours. If you suspect the student may be suffering abuse or neglect, or you have received a disclosure of abuse from a student, or you have heard about an allegation, you must complete this Child Protection Concerns form and hand it to a counselor today.</i>	
Student Name:	Grade Level:
Why are you concerned about this student? Click or tap here to enter text.	
Is this the first time you have been concerned about this student? Click or tap here to enter text.	
Have you spoken to anyone else about your concerns? Who? Click or tap here to enter text. Are the parents/caregivers aware of your concern? Click or tap here to enter text.	
What have you observed and when? Click or tap here to enter text.	
What have you heard and when? Click or tap here to enter text.	
What have you been told and when? Click or tap here to enter text.	
Have you spoken to the student? What did they say? Use the student's own words. Click or tap here to enter text.	
Signed:	Date and time Submitted CPO/School Principal: Click or tap here to enter text.

Action:

- **ONLINE COMPLETION OF Step 1 Identification form IS REQUIRED IMMEDIATELY,**
- Investigation Complete-No further action
- Investigation Complete-Concern Identified-Step 2
- Substantiated Case-Step 3

Case Manager:

Upon completion, the Director will place this form in the confidential school file.

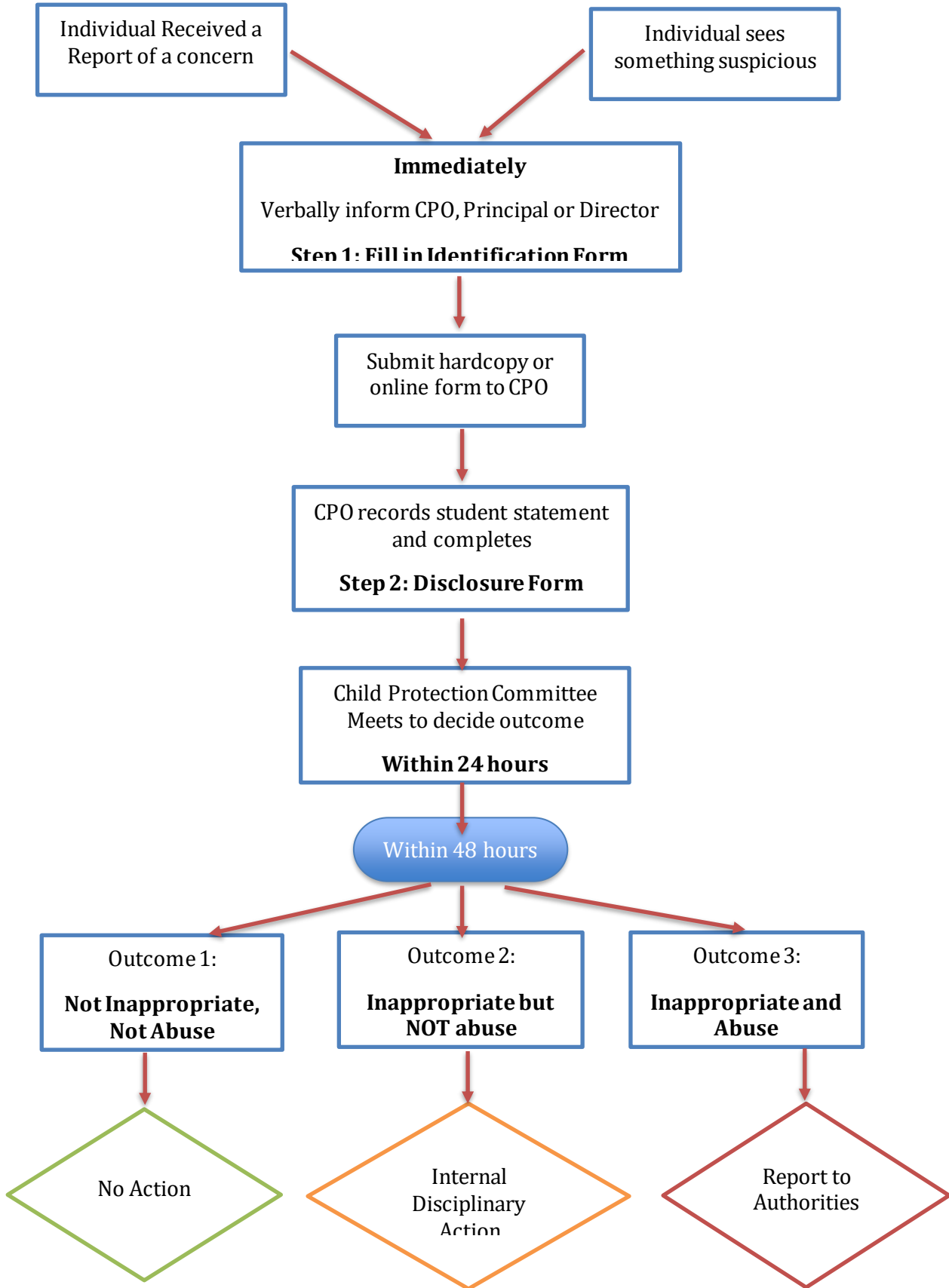
Child Protection Concern Form: Record of Disclosure

Child Protection Concern Form: Record of Disclosure	
Student Name: Click or tap here to enter text.	Grade Level: Click or tap here to enter text.
Recording Adult: Click or tap here to enter text.	Date & Time: Click or tap here to enter text.
<p>Important Instructions:</p> <ul style="list-style-type: none"> • Be calm, reassuring and receptive. Do not rush. • Record exactly what the student said and what you said. • Remember not to lead the child and record the conversation verbatim. • Do not convey your opinion or offer any comments or jump to conclusions • Ensure that you do not promise confidentiality. <p>Suggested form of words:</p> <p><i>"I will keep our conversation confidential and agree with you what information I can share, unless you tell me something that will affect your personal safety or that is illegal or that is required to be disclosed by me under law. But I will tell you if I am going to pass the information on and who to. "</i></p>	
<p>Record full interview notes here: (Use additional sheets if required and attach)</p> <p>Click or tap here to enter text.</p>	
Signed: Click or tap here to enter text.	
Date: Click or tap here to enter text.	

Action: Form is completed and given to a counselor/Principal/Director

Counselor will include this form with a record of further action

Reporting Map



Sexual Behaviors Traffic Light Tool

Age Range	Green Behaviors	Amber Behaviors	Red Behaviors
0-5	<ul style="list-style-type: none"> holding or playing with own genitals attempting to touch or curiosity about other children's genitals attempting to touch or curiosity about breasts, bottoms or genitals of adults games e.g. mummies and daddies, doctors and nurses enjoying nakedness interest in body parts and what they do curiosity about the differences between boys and girls 	<ul style="list-style-type: none"> preoccupation with adult sexual behaviour pulling other children's pants down/skirts up/trousers down against their will talking about sex using adult slang preoccupation with touching the genitals of other people following others into toilets or changing rooms to look at them or touch them talking about sexual activities seen on TV/online 	<ul style="list-style-type: none"> persistently touching the genitals of other children persistent attempts to touch the genitals of adults simulation of sexual activity in play sexual behaviour between young children involving penetration with objects forcing other children to engage in sexual play
5-9	<ul style="list-style-type: none"> feeling and touching own genitals curiosity about other children's genitals curiosity about sex and relationships, e.g. differences between boys and girls, how sex happens, where babies come from, same-sex relationships sense of privacy about bodies telling stories or asking questions using swear and slang words for parts of the body 	<ul style="list-style-type: none"> questions about sexual activity which persist or are repeated frequently, despite an answer having been given sexual bullying face to face or through texts or online messaging engaging in mutual masturbation persistent sexual images and ideas in talk, play and art use of adult slang language to discuss sex 	<ul style="list-style-type: none"> frequent masturbation in front of others sexual behaviour engaging significantly younger or less able children forcing other children to take part in sexual activities simulation of oral or penetrative sex sourcing pornographic material online
9-13	<ul style="list-style-type: none"> solitary masturbation use of sexual language including swear and slang words having girl/boyfriends who are of the same, opposite or any gender interest in popular culture, e.g. fashion, music, media, online games, chatting online need for privacy consensual kissing, hugging, holding hands with peer 	<ul style="list-style-type: none"> uncharacteristic and risk-related behaviour, e.g. sudden and/ or provocative changes in dress, withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing verbal, physical or cyber/virtual sexual bullying involving sexual aggression LGBT (lesbian, gay, bisexual, transgender) targeted bullying exhibitionism, e.g. flashing or mooning giving out contact details online viewing pornographic material 	<ul style="list-style-type: none"> exposing genitals or masturbating in public distributing naked or sexually provocative images of self or others sexually explicit talk with younger children sexual harassment arranging to meet with an online acquaintance in secret genital injury to self or others forcing other children of same age, younger or less able to take part in sexual activities sexual activity e.g. oral sex or intercourse presence of sexually transmitted infection (STI)

		worrying about being pregnant or having STIs	<ul style="list-style-type: none"> evidence of pregnancy
13-17	<ul style="list-style-type: none"> solitary masturbation sexually explicit conversations with peers obscenities and jokes within the current cultural norm interest in erotica/pornography use of internet/e-media to chat online having sexual or non-sexual relationships sexual activity including hugging, kissing, holding hands consenting oral and/or penetrative sex with others of the same or opposite gender who are of similar age and developmental ability choosing not to be sexually active 	<ul style="list-style-type: none"> accessing exploitative or violent pornography uncharacteristic and risk-related behaviour, e.g. sudden and/or provocative changes in dress, withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing concern about body image asking and sending naked or sexually provocative images of self or others single occurrence of peeping, exposing, mooning or obscene gestures giving out contact details online joining adult-only social networking sites and giving false personal information arranging a face to face meeting with an online contact alone 	<ul style="list-style-type: none"> exposing genitals or masturbating in public preoccupation with sex, which interferes with daily function sexual degradation/humiliation of self or others attempting/forcing others to expose genitals sexually aggressive/exploitative behaviour sexually explicit talk with younger children sexual harassment non-consensual sexual activity use of/acceptance of power and control in sexual relationships genital injury to self or others sexual contact with others where there is a big difference in age or ability sexual activity with someone in authority and in a position of trust sexual activity with family members involvement in sexual exploitation and/or trafficking sexual contact with animals receipt of gifts or money in exchange for sex
What is it?	<p>Green behaviours reflect safe and healthy sexual development. They are:</p> <ul style="list-style-type: none"> displayed between children or young people of similar age or developmental ability reflective of natural curiosity, experimentation, consensual activities and positive choices 	<p>Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be:</p> <ul style="list-style-type: none"> unusual for that particular child or young person of potential concern due to age, or developmental differences of potential concern due to activity type, frequency, duration or context in which they occur 	<p>Red behaviours are outside of safe and healthy behaviour. They may be:</p> <ul style="list-style-type: none"> excessive, secretive, compulsive, coercive, degrading or threatening involving significant age, developmental, or power differences of concern due to the activity type, frequency, duration or the context in which they occur
What can you Do?	Green behaviours provide opportunities to give positive feedback and additional information.	Amber behaviours signal the need to take notice and gather information to assess the appropriate action.	Red behaviours indicate a need for immediate intervention and action.

Graphics in Host-country languages

Aggravated Offences Part 1

POCSO SIMPLIFIED

The following individuals will get maximum punishment for sexual offences against children

WHOEVER IS:

- Owner or management or staff of any institution providing services to children
- A person in position of trust or authority of a child & commits the offence in an institution, home or anywhere else



Police Officers



Armed Forces or Security Forces



Public Servants







MANAGEMENT OR STAFF OF

Hospitals, Educational Institutions, Religious Institutions, Remand home, protection home, observation home and other places of custody of children

Continue to Part 2



Aggravated Offences Part 2

POCSO SIMPLIFIED



WHOEVER COMMITS

Gang Sexual Assault

Sexual assault using deadly weapons, fire, heated and corrosive substances



COMMITTS SEXUAL ASSAULT ON A CHILD

- More than once
- Below the age of 12
- During communal or sectarian violence
- Knowing that the child is pregnant
- & attempts to murder the child
- & makes the child to strip and parade naked in public
- & has been previously convicted under any law that punishes sexual offence



Makes the child physically or mentally ill or takes advantage of child's disability



Inflicts the child with HIV or other life threatening disease



गंभीर अपराध - भाग १ (गुरुतर ढंग से किये हुए अपराध)

पोक्सो कानून सरल भाषा में

पोक्सो कानून के तहत निम्नलिखित व्यक्तियों को बच्चों के खिलाफ यौन अपराधों के लिए अधिकतम सजा मिलेगी

जो कोई:

- बच्चों को सेवाएं प्रदान करने वाली किसी संस्था का कर्मचारी, मालिक, या प्रबंध
- किसी बालक के न्यायी या प्राधिकारी के पद पर होते हुए बालक की किसी संस्था या गृह या कहीं और अपराध करता है



पुलिस अधिकारी



सशस्त्र बल या सुरक्षा बल के सदस्य



सरकारी कर्मचारी







अस्पतालों, शैक्षिक संस्थानों, धार्मिक संस्थानों, रिमांड होम, संरक्षण घर, प्रेक्षण घर और बच्चों की हिरासत के अन्य स्थानों के प्रबंधन या कर्मचारी हों

भाग २ में जारी



गंभीर अपराध - भाग 2 (गुरुतर ढंग से किये हुए अपराध)

पोक्सो कानून सरल भाषा में

पोक्सो कानून के तहत निम्नलिखित व्यक्तियों को बच्चों के खिलाफ यौन अपराधों के लिए अधिकतम सजा मिलेगी

जो कोई:

सामूहिक लैंगिक आक्रमण

घातक हथियारों, आग, गर्म और संक्षारक पदार्थों का उपयोग करते हुए लैंगिक आक्रमण

बालक पर लैंगिक आक्रमण करता है

- एक से अधिक बार
- 12 वर्ष से कम उम्र के बालक पर
- जातीय या सांप्रदायिक हिंसा के दौरान
- यह जानकर कि बालक गर्म से है
- और बालक की हत्या के प्रयास करता है
- और बालक के कपड़े उतरवाना और सार्वजनिक स्थान में नग्न अवस्था में घुमाना
- और पहले भी किसी कानून के तहत दोषी पाए गए हों जो लैंगिक अपराध के लिए दंडित हों

अपराध किया हो जो



बालक को शारीरिक या मानसिक रूप से बीमार बना देता है या बालक की शारीरिक विकलांगता का फायदा उठाता है



एच.आई.वी या जीवन के लिए अन्य खतरनाक बीमारी से बालक को नुकसान पहुंचता है



बालगृहा मध्ये होणारे बाल लैंगिक शोषण

भाग-1

मुलांचे शोषण करू शकणा-या व्यक्ती

संस्थेतील व्यक्ती



व्यवस्थापक / कर्मचारी (पण / अर्धवेळ, निवासी / अनिवासी, पाहण शिक्षक, व्यवस्थापक, प्रमुख)



प्रशिक्षणाधी, स्वयंसेवक, देणगीदार(भारतीय/परदेशी) कंचाटी कामगार, माळी / कामगार



मुला बरोबर राहणारी / शिकणारी अन्य मुले

संस्थेबाहेरील व्यक्ती

संस्थेबाहेरचे शिक्षक, कर्मचारी, प्रशिक्षक, सहला दरम्यान संपर्कित येणारी व्यक्ती



बालकाचे कुटूंब, नातवाईक, रोजारी राहणारी व्यक्ती

Continue to Part 2



बालगृहा मध्ये होणारे बाल लैंगिक शोषण

भाग-2

मुल संस्थेमध्ये होणा-या लैंगिक शोषणा बददल चर्चा / संवाद कोणाशी करू शकतो



कुटुंबिय



समुपदेशक



शिक्षक





बाल कल्याण समिती सदस्य



सहविद्यार्थी(मित्र / मैत्रिणी) संस्थेतील / संस्थेबाहेरील



संस्थेस भेट देणारे संस्थेबाहेरील व्यक्ती


Continue to Part 3

बाल गृहा मध्ये होणारे बाल लैंगिक शोषण


भाग-3

बाल लैंगिक शोषणाविरोधात संस्थेनी करावयाची प्रक्रिया


बाल लैंगिक शोषणाच्या गन्हाची जवळील पोलिस ठाण्यामध्ये तक्रार नोंदविणे अनिवार्य आहे. तसे न करणा-या व्यक्ती/ संस्थाना पोक्सो कायद्याअंतर्गत शिक्षेस पात्र असतील




मुलाशी सखोल चर्चा व समुपदेशाचाही सल्ला घ्यावा




संस्थेतील व संस्थेबाहेरील वरिष्ठ अधिकार्यांना त्वरीत कळवावे




जिल्हा महिला व बाल विकास अधिकार्यांना त्वरीत कळवावे



सजान / विश्वास व्यक्तीच्या उपस्थितीमध्ये बालकाची जवळील रुग्णालयात वैद्यकीय तपासणी करावी



मुल राहत असलेल्या जवळील स्थानिक पोलिस अथवा विशेष पोलिस यनिट कडे तक्रार नोंदविण्यात यावी



जिल्हा बालकल्याण समितीस कळविणे, तसेच पोक्सो कायद्या अंतर्गत पोलिसांनी संबंधीत माहिती जिल्हा बाल कल्याण समितीस कळविणे बंधनकारक

Child Protection Working Group

The Child Protection Working Group was started in school year of 2017-18 as a voluntary group for staff members to come together and work on extending the existing Child Protection Policy. This group continued into the school year of 2018-19 as well, although most members were different from one year to another. In the latter year, a representative of different sections of the school were involved to ensure a holistic perspective - School Counselor, Section Principal, Primary member of staff, Pre-School member of Staff, Secondary member of staff, Secondary male member of staff, Human resources (Admin) and a Non-Teaching staff member.

The working group came together once every alternate week with a pre-set agenda by the chair of the group. In both years the group was lead by the school counselors, ie., Ms. Tanya Mangwani in 17-18 and Ms. Shambhavi Singh in 18-19. The working group ran through the academic year.

The policy has come together by referring, researching and reflecting on key practices that have informed child protection practices around the world. The first year saw a growing awareness of key criteria and pointers to add into the policy. the following year, much work was done towards writing the same. Some useful sources of information were CIS, International School Counselor Association, United Nations International School of Hanoi, International Centre for Missing and Exploited Children (ICMEC), International Task Force on Child Protection (ITFCP) and the AISA Child Protection Checklist.

The Child Protection Policy grew as more expertise was sought through the year and was informed by the CIS workshops Level 1: Foundation Course - Child Protection (2018) and Level 2: Deep Drive - Managing Allegations (2019). A workshop with lawyer, Ms. Vaishali Bhagwat allowed the policy to be in tangent with the local laws. Following which, the school staff went through an induction to Staff Code of Conduct and Support Staff Code of Conduct.

The AISA Checklist has been employed to get the policy ready and will continue to be a checkpoint for all further adjustments in order to adhere to world standards and local laws.

Annual Review

This policy is subject to annual review lead by the Child Protection Officer in consultation with the school leadership team.

The 2021-22 Annual Review included the following aspects:

- Review of alignment with other school policies
- Review of the language used for consistency
- Edits to the reporting forms
- Review of the 'Code of Conduct'

The 2020-21 Annual review included the following aspects.

- The appointment of a Board Member delegated as a Child Protection lead.
- External audit by a Trustee-appointed lawyer and incorporation of specific language on advice of the lawyer.
- Incorporation of key elements from the Mahindra Schools master Child Safeguarding policy
- Incorporation of peer-to-peer abuse into the policy
- Review of recruiting practices, application safeguarding screening questions, interview questions and reference checking questions. Revision of the self-declaration form questions as well as implementation timeframe.
- Identification of the need for a whistle-blower policy
- Review of the case record-keeping procedure and organization of all past cases in the confidential file.