

KSHAMTALAYA FOUNDATION

Child Protection Policy

Version 2.0 | 2026–27

Version	Review Date	Approved by	Next Review Due
2.0	20 May 2026	Director- Anjali Gupte	Annual (by May each year)

This policy must be read, signed, and accepted by all staff, consultants, fellows, interns, volunteers, and implementing partners before commencing any work involving children. Signed declarations are to be retained by HR (see Section 14).

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Glossary:

Abbreviation	Full Form
UNCRC	United Nations Convention on the Rights of the Child
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
POCSO Act	Protection of Children from Sexual Offences Act, 2012
JJ Act	Juvenile Justice (Care and Protection of Children) Act, 2015
RTE	Right to Education Act, 2009
NCPCR	National Commission for Protection of Child Rights
CPP	Child Protection Policy
CPO	Child Protection Officer
CPC	Child Protection Committee
SJPU	Special Juvenile Police Unit
DCPU	District Child Protection Unit
CWC	Child Welfare Committee
PTM	Parents Teachers Meeting
DPDP	Digital Personal Data Protection Act, 2023
EFL	Educate for Life
TFI	Teach for India

1. About Kshamtalaya

Kshamtalaya is a not-for-profit organisation founded in 2016. We work in three tribal rural blocks, Kotra, Gogunda, and Pindwara in Rajasthan, as well as in Delhi and Bihar, towards bringing excellence in the domains of Learning, Wellbeing, and Governance to transform the quality of public education at the last mile.

Our primary stakeholders are children (Grade 1-12), teachers, community members, education functionaries, and partner organisations. The nature of this work places Kshamtalaya in a position of trust and responsibility towards children, and demands the highest standards of safeguarding practice.

2. Policy Statement

Kshamtalaya is committed to providing a safe, nurturing environment where children and young people can thrive through our work. We value their growth and safety and are dedicated to shielding them from all forms of abuse.

It is in this light that Kshamtalaya has formulated this Child Protection Policy (CPP), which seeks to protect and safeguard all persons below the age of 18 years who form an integral part of our vision, mission, and work.

This Policy applies to all individuals who interact with children through Kshamtalaya's programmes, including employees, fellows, interns, consultants, volunteers, and the staff of implementing partner organisations. It is grounded in the following legal frameworks:

- The Protection of Children from Sexual Offences Act, 2012 (POCSO Act)
- The Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act)
- The Right to Education Act, 2009 (RTE Act)
- The United Nations Convention on the Rights of the Child (UNCRC)
- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- Guidelines of the National Commission for Protection of Child Rights (NCPCR)

Given Kshamtalaya's direct involvement with children, it is crucial for everyone involved to recognise their duty to protect children from harm and to report any incidents of abuse.

The aim of this policy is thus:

- Preventing child abuse in all work situations;
- Providing strategic guidance on how to protect children;
- Improving co-operation between Kshamtalaya and partner organisations in their work with children;
- Developing a clear understanding of the functions, duties, responsibilities, and key tasks that all stakeholders must fulfil; and
- Establishing and promoting norms and good practices that make organisations working with and for children, child-safe and child-sensitive.

An important note on POCSO: Under Section 19 of the POCSO Act, any person with knowledge that a sexual offence has been or is likely to be committed against a child is legally required to report this to the Special Juvenile Police Unit (SJPU) or local police. Failure to report is a criminal offence under Section 21. This obligation applies to every member of Kshamtalaya's team.

3. Guiding Principles

The following principles shall guide the organisation, its decisions, and its interactions with children:

Principle of Safety	All measures shall be taken to ensure that children are safe and are not subjected to any form of harm, abuse, or maltreatment in the context of Kshamtalaya's work. This includes physical, sexual, emotional, and psychological harm.
Principle of Participation	Every child shall have the right to be heard and to participate in matters affecting their life. This includes the right of a child to report concerns or abuse in their own voice, and the right to be kept informed of what is being done on their behalf.
Principle of Equality, Non-Discrimination and Non-Stigmatisation	All children shall be treated equally. There shall be no discrimination or stigmatisation against any child on grounds of gender, caste, religion, disability, ethnicity, or any other characteristic. Children with disabilities, children from marginalised communities, and girl children shall be afforded additional care and protection.
Confidentiality	Children's right to privacy and confidentiality shall be protected in cases of abuse and in accordance with the law. Information shall be shared only on a need-to-know basis and only to the extent necessary to protect the child.
Child-Centred Planning and Implementation	A child-centred approach shall guide the planning and implementation of all our programmes. Children's views shall be given due consideration in accordance with their age, maturity, and evolving capacities.

Good Governance and Accountability	An efficient and effective child protection system requires transparent management and decision-making, and accountable individuals and institutions. Kshamtalaya holds itself accountable to the children it serves, their families and communities, and its funders and partners.
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Scope of this policy:

This policy applies to all children directly associated with Kshamtalaya's projects and services. It covers cases involving direct or indirect members of Kshamtalaya. Direct members include our employees, fellows, and interns; indirect members include staff from partner organisations or anyone introduced to the children through Kshamtalaya.

4. Definitions

The following definitions apply throughout this policy:

Term	Definition
Child	Any person under the age of 18 years. (UNCRC; POCSO Act)
Child Abuse	All forms of physical abuse, emotional ill-treatment, sexual abuse, psychological abuse, exploitation, and neglect that result in actual or potential harm to a child's health, development, dignity, or survival.
Physical Abuse	Any act that causes physical pain, injury, or discomfort to a child. Includes hitting, kicking, shaking, burning, or any use of physical force. Corporal punishment in any form constitutes physical abuse.
Emotional / Psychological Abuse	Persistent emotional ill-treatment that causes severe and lasting adverse effects on a child's emotional development. Includes repeated shaming, humiliation, belittling, threatening, rejecting, or isolating a child. Verbal abuse, including use of hurtful or discriminatory language, is a form of emotional abuse.
Sexual Abuse	Any sexually motivated touching of a child, whether actual or threatened, including all forms of sexual activities, exposure to pornographic material, and online/cyber sexual exploitation. POCSO Act definitions apply.
Neglect	Persistent failure to meet a child's basic physical, emotional, educational, or medical needs in a manner likely to result in serious impairment of the child's health or development.
Exploitation	Commercial or other use of a child through activities that the child performs for the benefit of a third party. Includes exploitative child labour, trafficking, child marriage, and use of a child's image or story without proper consent.
Corporal Punishment	Use of physical force with the intention of causing a child to experience pain, for the purpose of correction or control. Corporal punishment is prohibited in all Kshamtalaya contexts.
Bullying	Repeated harmful acts by a person or group against a child, including physical, verbal, relational, or online (cyberbullying) forms.
Grooming	Actions taken by a person to prepare a child (and sometimes their family or community) to facilitate sexual abuse, exploitation, or harm. Can occur in-person or online.

CPO	Child Protection Officer: the designated person within Kshamtalaya responsible for receiving reports of child protection concerns and co-ordinating the organisation's initial response.
CPC	Child Protection Committee: the multi-member committee responsible for conducting inquiries, making findings, and recommending action in cases of alleged child protection violations.
SJPU	Special Juvenile Police Unit: the designated police unit at district level responsible for receiving reports under the POCSO Act and other child protection legislation.
DCPU	District Child Protection Unit: the government body at district level responsible for implementing child protection programmes under the JJ Act. A key external referral point.
CWC	Child Welfare Committee: a statutory body under the JJ Act that has jurisdiction over children in need of care and protection.

5. Prevention

Kshamtalaya shall undertake various preventive measures (as laid out below) to protect and safeguard children associated with its programmes or visiting its offices or other work locations, and encourages its implementing partners to do the same.

The Non-Negotiables-

5.1 Staff Recruitment and Background Verification

At Kshamtalaya Foundation, ensuring the safety and protection of children is paramount in our recruitment process. To maintain a secure environment for the children we serve, our recruitment procedure involves the following steps for all roles that involve contact with children:

- **Position Clarity:** All job descriptions clearly state the requirement to work with children and the obligation to comply with this Policy.
- **Comprehensive Application:** All applicants complete a detailed application form, including a self-declaration confirming no prior history of child abuse, exploitation, or relevant criminal convictions.
- **Interviews with Child Safety Focus:** Interviews include a structured assessment of the candidate's understanding of child protection principles and their commitment to a safe environment for children.
- **Reference Checks:** At least two references are obtained and verified. For roles with direct unsupervised contact with children, at least one reference must specifically address the candidate's suitability for child-contact work.
- **Disclosure and Self-Declaration Form:** All appointed staff must sign a disclosure form confirming no history of child abuse or relevant criminal convictions before commencing duties.
- **Police Verification:** A police verification certificate must be obtained for all staff in roles involving direct, regular, or unsupervised contact with children, prior to commencement in that role. Where this is not practicable before the start date, it must be completed within the first 30 days. HR and the CPO should identify which roles require police verification and maintain a register of completions.

- **Child Protection Training and Induction:** All new staff receive induction training on this Policy before commencing any child-contact work (see Section 5b).
- **Probationary Period and Ongoing Monitoring:** During the probationary period, a manager or designated senior staff member specifically monitors the new staff member's interactions with children and their adherence to this Policy.

5.2 Training and Sensitisation

To ensure last-mile compliance of the organisation's CPP, annual (and also need-based) orientation and sensitisation training shall be conducted with employees, partners, children, and other stakeholders associated with our programmes.

- Orientation on the CPP, along with a written brief from HR for all new recruits, shall be held at the earliest and no later than 15 days from the date of joining.
- Annual refresher training shall be held for all staff in child-contact roles. Attendance is mandatory and logged.
- Additional training will be provided after any significant incident, change in law, or identified gap in understanding.
- Implementing partner organisations are required to complete CPP orientation before commencing joint work involving children.

The aim and objective of such training is to:

- Strengthen the capacity of all employees at all work locations to help them safeguard children and manage the implementation of this Policy.
- Strengthen their understanding of what constitutes child abuse, how to identify signs of abuse, and how to report it.
- Help them understand their responsibilities towards children, the conduct expected of them, and the procedures to follow to ensure child protection.

Training records (attendance registers, materials used, facilitator) shall be maintained by HR and reported in the Annual Report. Completion of CPP training is a prerequisite for confirmation of employment following the probationary period.

5.3 Code of Conduct for Interacting with Children

(i) For all Employees, Fellows, Interns, Consultants, and Volunteers

Do:

- **Respect and Dignity:** Treat every child with respect, dignity, and kindness, irrespective of their background, abilities, gender, caste, religion, or any other characteristic.
- **Safety First:** Prioritise the safety and well-being of children in all circumstances. Actively assess environments and activities for potential risks, and take proactive measures to mitigate them.
- **Professional Boundaries:** Maintain professional boundaries with children at all times, avoiding any behaviour or language that could be perceived as inappropriate or crossing personal boundaries.
- **Active Listening and Support:** Listen actively to children and take their concerns seriously. Never dismiss a concern raised by a child about their safety or well-being.
- **Reporting Concerns:** Report any suspected or observed case of abuse, neglect, or harmful behaviour towards a child to the designated CPO or CPC member promptly and confidentially. (See Section 8.)

Don't:

- **No Isolation:** Personal interactions with children must always be in the presence of at least one other adult. One-on-one unsupervised contact is strictly prohibited.
- **No Physical Harm:** Do not physically assault or abuse children in any way, not even as a joke or a form of correction.
- **No Verbal or Emotional Abuse:** Do not use discriminatory, abusive, hurtful, shaming, humiliating, belittling, or threatening language towards a child. Verbal abuse is a form of emotional abuse and a policy violation.
- **No Corporal Punishment:** Using corporal punishment on children is unacceptable in any form.
- **No Sexual Behaviour:** Any sexually motivated behaviour towards a child, including grooming, inappropriate physical contact, or exposure to sexual content, is absolutely prohibited.
- **No Alcohol and Substances:** Do not consume alcohol, tobacco, or any controlled substances in the presence of children or during any activities involving them.
- **Non-Exploitative Requests:** Do not ask children to perform personal services, errands, or any work that is not part of the educational programme.
- **Respect Physical Boundaries:** Refrain from inappropriate or culturally insensitive physical gestures like hugging, patting, or touching. Where touch is necessary (for example, in a medical or safety situation), ensure it is in the presence of others and with the child's awareness.
- **No Personal Photographs:** Do not take personal photographs or recordings of children on personal devices. All photography for programme or communications purposes must comply with Section 5(d).
- **Avoid Inappropriate Material:** Do not store, show, share, or create obscene or pornographic material involving children.
- **No Isolation or Neglect:** Do not isolate or neglect any child, and ensure equal treatment and attention to all children without discrimination.

(ii) For Visitors (in addition to the above)

- Permission for visits is mandatory from the person in charge of the premises.
- Visitors must sign into the entry register with their name, organisation, purpose, date, and times of entry and departure.
- As far as possible, interactions with children should be held in the presence of a staff member, unless the visit has been specifically arranged and authorised as a mentoring or structured engagement.

5.4 Social Media and Communications

At Kshamtalaya Foundation, we acknowledge the significant impact and influence of social media on the lives of children and the importance of maintaining a safe and responsible online environment. The following guidelines apply to all staff, partners, and associates:

- **Professional Conduct:** Staff must maintain a professional and respectful presence on social media, refraining from posting any content that could compromise their professional integrity or reflect negatively on the organisation.
- **Privacy and Consent:** Prior to posting any content involving children, written consent from the child's parent or guardian must be obtained using the photography consent form (see Enclosure 4). Consent must specify the purpose for which the image will be used, and must be renewed if the purpose changes. No personal details that could lead to the identification of a child (full name, address, school) should be shared publicly.
- **Group Consent at Events:** For large-scale events like Learning Festivals or annual functions, where individual consent forms are not practicable, a group consent notice must be communicated to parents in advance and displayed prominently at the venue.
- **No Personal Contact with Children:** Staff are prohibited from establishing personal social media connections with children under 18.

- **Storage of Images:** All images and recordings of children must be stored on Kshamtalaya's authorised organisational platforms, not on personal devices or personal cloud accounts.

Note: The Digital Personal Data Protection Act, 2023 (Section 9) requires verifiable parental consent for all processing of children's personal data, including photographs and recordings.

5.5 Awareness Generation

Kshamtalaya takes upon itself the critical role of spreading awareness on child protection issues, existing laws, and the obligations of its employees and partners under this policy. We also expect all employees and partners to promote such awareness through their actions and various platforms they use while carrying out their work.

Some of the measures the organisation shall undertake include:

- Display boards in prominent areas in all offices and project locations, highlighting key aspects of this policy, the Do's and Don'ts, and emergency contact information.
- Organising sessions on CPP in PTMs, Teacher's Training Workshops, Learning Festivals, and other events based on the context of the locations of our programmes.
- Regular communication to parents and community members about their rights and how to raise concerns.

5.6 Inclusion and Protection of Children with Special Needs

At Kshamtalaya, we are committed to creating a safe, respectful, and inclusive environment for all children, including children with special needs and disabilities. Every child matters equally and has the right to dignity, care, learning, and protection. Children with disabilities may be at higher risk of abuse and may face additional difficulty in reporting it. All staff must:

- Treat every child with respect, patience, and sensitivity, recognising their unique needs, abilities, and strengths.
- Use simple, clear, and supportive communication; seek guidance from caregivers, teachers, or specialists when needed. Do not discuss a child's concerns in front of the child.
- If you notice any signs of neglect, abuse, or discomfort in a child with special needs, report immediately to the concerned authority. This can be parents, teachers, or the Child Protection Committee. Follow the same process as for all children as in Section 8.
- Do not isolate, ignore, or exclude any child from activities. Ask about their interests and try to include them in suitable and meaningful ways.
- Do not touch any child with a disability inappropriately or without clear consent and genuine necessity.
- Do not use stigmatising, stereotypical, or derogatory terms about a child's disability or make fun of any of their functional aids like wheelchairs, spectacles, or hearing aids.
- Maintain confidentiality about a child's disability; do not share this information without the consent of the child's parent or guardian.

6. Risk Assessment

In order to ensure the safety of children in all programme activities, Kshamtalaya requires a risk assessment to be completed before any planned activity involving children.

- All activities with children shall be well planned in advance to minimise risks. Such planning must be reflected in the work plans prepared by all team members, particularly those managing, supervising, and teaching children.
- Team members are encouraged to use the risk assessment tools and checklists provided in Enclosures 1 and 2, keeping in mind the wide variety of activities undertaken in the course of programme implementation.

- For home visits, at least two staff members must be present, or the visit must be conducted with the knowledge and presence of a community contact. The date, time, purpose, and attendees of all home visits must be recorded.
- Risk assessment records must be retained by the programme team and are subject to review by the CPO.

7. Protection

In striving towards creating a culture of zero tolerance for child abuse and violation of child rights, the organisation shall take every possible measure to encourage its employees, children, and their communities to report abuse. Necessary measures will also be taken to address suspected and known cases of child abuse brought to the organisation's knowledge without delay.

For ensuring protection, the following areas will receive particular attention:

- **Emotional and Psychological Well-being:** Kshamtalaya shall organise anti-bullying and emotional support discussions in its programmes, and ensure staff are equipped to identify and respond to signs of emotional distress in children.
- **Health and Hygiene:** The organisation shall implement disease prevention protocols whenever necessary and maintain strict hygiene practices at all programme locations.
- **Medical Emergency Response:** Upon a child's injury or medical emergency, immediate first aid will be provided or medical facility transport arranged based on need. Quick communication with the child's family will follow, with continuous support and clear updates throughout the recovery.
- **Support for Children Following an Incident:** Where a child has been a victim of, or witness to, abuse or harm, Kshamtalaya shall ensure their immediate physical safety, facilitate access to counselling support, and apply a trauma-informed approach throughout, minimising the number of times a child is asked to recount the events.
- **Whistleblower Protection:** Any person who reports a child protection concern in good faith shall be protected from retaliation or adverse employment consequences as a result of making that report. Any retaliation against a good-faith reporter is itself a serious policy violation.

All staff in project locations, schools, and training centres are required to maintain and be aware of a list of the following authorities and individuals to be approached in the event of an emergency:

- Address of the children
- Nearest hospital or health centre
- Nearest police station
- Local ChildLine number (1098)
- DCPU (District Child Protection Unit) contact
- CPC contact (see Section 9)

8. Reporting

Reporting child protection concerns promptly and correctly is one of the most important things anyone at Kshamtalaya can do for a child's safety. At Kshamtalaya Foundation, the reporting of any child protection concerns is crucial for ensuring the well-being of children under our care.

An important note on POCSO: Where a concern relates to a suspected sexual offence against a child, Section 19 of the POCSO Act creates a mandatory legal obligation to report to the SJPU or local police within 24 hours. Delay or failure to report is a criminal offence under POCSO Section 21. This is not discretionary.

Who Can Report

Anyone can and should report a child protection concern. This includes staff, fellows, interns, volunteers, visitors, parents, guardians, community members, and children themselves. All reports will be taken seriously and treated with confidentiality.

How to Report

- Reports should be made verbally and then confirmed in writing using the Child Protection Case Reporting Form (Enclosure 3) within 24 hours.
- If the concern relates to the CPO, report directly to the Presiding Officer of the CPC.
- If the concern relates to the Presiding Officer, report to the Director or Board of Kshamtalaya.
- Reports can also be made to the external EFL contact (Akshay Patel, ash@educateforlife.org.uk) if the reporter does not feel comfortable reporting internally.

Reporting Timeline and Protocol

Timeline	Action Owner	Action	Notes
Immediately	Any staff member/witness	Ensure immediate safety of the child. Do not investigate yourself or confront the alleged perpetrator.	Child's safety is the only priority at this stage.
Within 24 hours	Staff member	Submit written complaint to CPO using the Case Reporting Form (Enclosure 3). If the CPO is the alleged perpetrator, report directly to the Presiding Officer of the CPC.	Written complaint is mandatory before the CPC inquiry begins.
Within 24 hours (POCSO cases)	CPO / Presiding Officer	Report to SJPU or local police. This is a mandatory legal obligation under POCSO S.19. Failure to report is a criminal offence under POCSO S.21.	Non-negotiable.
Within 3 days	CPO	Acknowledge receipt of complaint. Brief the CPC. Notify parents/guardian of the affected child (unless doing so would increase risk to the child).	
Within 7 days	CPC Presiding Officer	CPC convenes first meeting. Appoints inquiry officer. Implements interim protective measures (see Section 9c).	
Within 30 days	CPC	Complete inquiry and submit final report with recommendations to organisational leadership.	

9. Child Protection Committee

9.1 Criteria for Nomination

A CPC shall be constituted in every office and project location, including all training and educational institutes where the programmes of the organisation are carried out. In the event of any misconduct or

misbehaviour towards a child, you may reach out to the following members of the Child Protection Committee:

Role	Name	Phone	Email
Presiding Officer	Anjali Gupte	9828229050	anjali@kshamtalaya.org
General Member	Abhishek Kumar Tiwari	9621268926	abhishek@kshamtalaya.org
General Member	Tina Agrawal	9971213440	tina@kshamtalaya.org
General Member	Pradeep Singh	9680167541	pradeep@kshamtalaya.org

If you have any significant concerns you need to discuss, please also contact our additional resource person: **Akshay Patel | Phone: +44 754 038 3057 | Email: ash@educateforlife.org.uk**

Criteria for CPC nomination:

- Members should be senior enough to take decisions with organisational authority.
- At least one member should have formal training or significant experience in child protection.
- Members should represent gender diversity.
- Members should not have any current disciplinary proceedings or complaints pending against them.

9.2 Roles and Responsibilities of the CPC

- **Policy Implementation and Compliance:** The CPC is responsible for the effective implementation of this Policy and ensuring that all staff members, volunteers, and stakeholders comply with its provisions.
- **Risk Assessment and Mitigation:** Conducting regular risk assessments to identify potential threats to the safety and well-being of children, and developing strategies to mitigate identified risks.
- **Reporting Mechanisms:** Establishing and maintaining clear, confidential reporting channels, and ensuring that all staff are aware of the reporting procedures.
- **Response and Support:** Co-ordinating the organisation's response to reported cases of abuse, including facilitating immediate interventions, investigations, and appropriate disciplinary actions.
- **Documentation:** Maintaining accurate and confidential records of all child protection incidents, investigations, and actions taken.
- **Training Oversight:** Ensuring annual CPP training is planned and delivered.

9.3 Interim Protective Measures

Upon receipt of a written complaint, and before the inquiry is complete, the CPC shall consider and implement interim protective measures to ensure the child's safety. These may include:

- Removing the alleged perpetrator from child-contact duties pending investigation (with pay, if an employee);
- Changing the working location or reporting line of the alleged perpetrator;
- Ensuring the affected child is not required to continue working with or in the presence of the alleged perpetrator.

Interim measures are protective, not punitive, and do not constitute a finding of guilt.

9.4 Disposal by the CPC

- On receiving the inquiry report, the CPC shall, at the earliest and not later than seven (7) working days from the date of receipt, convene a meeting to review the inquiry report and arrive

at its final decision and recommendations within fifteen (15) working days from the date of that meeting.

- One or more meetings may be convened to conclude the inquiry and prepare a final report with recommendations.
- If more than two-thirds of the members of the CPC conclude that the allegations are substantiated on a balance of probabilities, a Final Report with findings and recommendations shall be prepared and sent to the organisation within seven (7) working days. If the allegations cannot be substantiated, a Closure Report shall be prepared with reasons.
- If the CPC needs additional documents or material from either party, the same shall be communicated with a clear timeline. A final conclusion shall be made after receiving all additional materials.
- A copy of the Final Report or Closure Report shall be sent to the parties concerned within seven (7) working days from the date of the final conclusion.

9.5 Process Where Allegations Are Made Against a CPC Member

If an allegation is made against a CPC member, that member must immediately recuse themselves from all CPC proceedings related to the matter. If the allegation is against the Presiding Officer, the most senior remaining member shall chair the process, and the matter shall also be reported to the Director or Board.

9.6 Appeals

The accused person may submit a written appeal against the Final Report's findings or recommendations within 14 days of receiving it. The appeal shall be reviewed by the Director or Board, whose decision shall be final.

9.7 Removal and Grounds for Disqualification

A CPC member shall be removed on one or more of the following grounds:

- Conviction or ongoing criminal proceedings for an offence under any applicable law;
- Abuse of their position as a CPC member;
- Three or more substantiated complaints against them in their role as a CPC member; or
- Resignation or inability to fulfil the role.

10. Penalties

Any form of harassment or child protection violation will not be tolerated at Kshamtalaya Foundation. If an investigation shows that a violation has occurred, the person found guilty will be subject to disciplinary action as described below. The degree of penalty will be decided by the CPC and may include one or more of the following:

First offence and minor violation of the policy

- **Formal apology** and undertaking from the person held guilty that such person shall refrain from harming any child or subjecting a child to any form of abuse;
- **Written warning** to the perpetrator; a copy is maintained in the employee's file; and mandatory retraining.

Second offence and/or moderate violation of the policy

- Withholding of promotion, pay rise, or increments;
- Change of role or work location of the employee found guilty.

Repeated offences and/or severe violation of policy or child rights

- Immediate suspension pending investigation;
- Termination of services upon a finding of guilt;

- Mandatory referral to police/SJPU/DCPU (non-discretionary in cases involving POCSO offences).

Note: A formal apology alone is never a sufficient response to any act that causes physical, sexual, emotional, or psychological harm to a child. For violations involving POCSO offences, external referral to police or SJPU is mandatory and cannot be waived.

11. Privacy and Confidentiality

- Secrecy and confidentiality of the aggrieved child, any accused who is a minor, and the proceedings, shall be observed by all persons involved.
- Disclosure of the contents of the complaint, or any information that could identify the parties, to any person not directly involved in addressing the matter, is strictly prohibited and liable to a fine of INR 5,000/- to be deposited with the organisation.
- Where information must be shared with external authorities (such as the SJPU, DCPU, or CWC) for child protection purposes, this is permitted and required by law. The child and their family shall be informed that such sharing has occurred or will occur, unless doing so would increase risk to the child.
- It is our policy to inform the victim, wherever possible, that their case details will be shared with a select group of authorised persons to ensure their safety. We assure that this information remains confidential within the team and is not disclosed publicly.
- Breach of confidentiality in a child protection matter is a serious disciplinary offence.

12. Online and Digital Safeguarding

Kshamtalaya recognises that children face risks in online and digital environments as well as in-person settings. The following standards apply:

- **Cyberbullying and Online Harm:** Staff who become aware of cyberbullying, online grooming, sexting, or any other form of digital harm involving a child connected to Kshamtalaya's programmes must report this through the same process as any other child protection concern (Section 8). Online harm is treated with the same seriousness as in-person harm.
- **Staff Use of Devices with Children:** Staff must not use personal devices to communicate privately with children under 18. Any digital communication with children for programme purposes must be through Kshamtalaya's official platforms and must be visible to a supervisor or team lead.
- **Digital Learning Platforms:** Where children use Kshamtalaya's Moodle or other digital learning platforms, accounts must be created with parental consent. Platforms must be configured to prevent advertising, behavioural profiling, and any form of commercial targeting of children.
- **Safe Use of Devices at Programme Locations:** Where children have access to devices at Kshamtalaya programme locations, appropriate internet safety measures (content filtering, supervision, age-appropriate access controls) must be in place. Children must be taught about online safety as part of programme activities.

13. Monitoring, Review and Accountability

- This Policy shall be reviewed annually (not less than once every year) by the HR team in consultation with the CPO and CPC. The previous review cycle of three years is insufficient for a child protection policy and has been replaced with an annual cycle. Early review shall also be triggered by: a change in applicable law; a significant incident; or a finding from an audit or external review.

- All other policies of the organisation having a bearing on the implementation of this Policy shall be revised accordingly.
- The organisation reserves the right to amend, abrogate, modify, or reinstate any part of this Policy at any time, provided that any changes are communicated to all relevant parties.
- It shall be the duty of the organisation to monitor the implementation of this Policy on a quarterly basis, with the CPO reporting findings to the CPC and organisational leadership.
- The Annual Report of the organisation shall include a report on the implementation of this Policy, covering: number of CPP complaints received; number resolved and how; cases pending for more than 90 days; number of mandatory POCSO referrals made; number of staff who completed CPP training; number of CPP awareness sessions held; number of partner organisations with an active CPP; and any significant policy changes made during the year.
- All implementing partner organisations are required to have a Child Protection Policy aligned with Kshamtalaya's standards as a condition of partnership. The CPO shall verify partner CPP compliance at the start of each programme cycle.
- A CPP training register shall be maintained by HR recording the name, role, date of training, and trainer for every session. This register is available for review by funders and external auditors.

14. Declaration and Enclosures

DECLARATION - CHILD PROTECTION POLICY

I _____ associated with Kshamtalaya Foundation as a _____ hereby declare that I will abide by the rules laid out in this policy and I am aware and consensual of the same.

Employee Signature:

For Kshamtalaya Foundation:

Name:

Name:

Designation:

Designation:

Date:

Date:

List of Enclosures

- Enclosure 1: Classroom Risk Assessment Checklist
- Enclosure 2: External Location Risk Assessment Checklist
- Enclosure 3: Child Protection Case Reporting Form

- Enclosure 4: Photography / Recording Consent Form (New – To be prepared)
- Enclosure 5: Staff Background Verification Checklist (New - To be prepared)

Enclosure 1: Classroom Risk Assessment Checklist

Particulars	Headers	Remarks: Prepared/Unprepared	Comments
Ensure the classroom is physically safe, with no hazards such as sharp objects, unstable furniture, or harmful substances accessible to children.	Environment Safety		
Confirm appropriate adult-to-child ratios for effective supervision. Ensure that children are never left unattended.	Supervision		
Review all planned activities to ensure they are age-appropriate, culturally sensitive, and suitable for all children.	Activity Appropriateness		
Familiarise with emergency procedures, including evacuation routes, first aid kits, and emergency contacts.	Emergency Preparedness		
Know the procedure for reporting any concerns or incidents related to child safety or well-being.	Reporting Concerns		

Enclosure 2: External Location Risk Assessment Checklist

Particulars	Headers	Remarks: Prepared/Unprepared	Comments
Ensure the location is appropriate and safe for the planned activities.	Venue Suitability		
Adhere to standard safety measures when constructing stages, tents, etc.	Safe Construction		

Ensure all equipment used by children meets safety standards.	Equipment Safety		
Develop and implement safe transport strategies and plans.	Transport Planning		
Have arrangements in place for fire, first-aid, and major incidents.	Emergency Preparedness		
Ensure the venue is accessible to children with disabilities.	Accessibility for Disabled Children		
Make entry, exit, and other important timelines known to all participants.	Clear Timelines		
Ensure everyone is aware of key decision-making staff and how to approach them.	Key Staff Identification		
Raise awareness among all participants about alerting procedures in case of emergencies.	Alerting Procedures		
Identify and make known meeting points for activity completion or in case of emergencies.	Emergency Meeting Points		

Enclosure 3: Child Protection Case Reporting Form

Section 1: Reporter's Information

- Reporter's Name:
- Relationship to Child (e.g., staff, volunteer, parent, guardian):
- Contact Information (Phone, Email):
- Preferred Method of Contact:
- Is concern being raised directly or on behalf of someone else? If on behalf of someone else, provide their details:
- Date of concern raised:

Section 2: Child's Information

- Child's Name:
- Child's Age/Date of Birth:
- Child's Gender:
- Child's Address:

Section 3: Incident Details

- Date and Time of Incident:

- Location of Incident:
- Detailed Description of Incident (include any relevant observations or interactions leading up to the incident):

Section 4: Persons Involved

- Name(s) of alleged perpetrator(s) (if known/applicable):
- Relationship of alleged perpetrator(s) to the child:
- Were there any witnesses? (Yes/No) If yes, provide their names and contact information:

Section 5: Additional Information

- Is there any other relevant information that may assist in the investigation of this case? This may include any previous incidents, concerns, or patterns of behaviour.

Section 6: Confidentiality Statement

- I understand that this report is confidential and should be shared only with those directly involved in addressing the issue.

Section 7: Reporter's Declaration

- Reporter's Signature:
- Child's Guardian is aware of this concern being raised (Yes/No):
- Date:

References

- NCPCR: Guidelines for Organisations Working with Children.
- POCSO Act, 2012 (Ministry of Women & Child Development).
- Juvenile Justice (Care and Protection of Children) Act, 2015.
- Digital Personal Data Protection Act, 2023.
- Tech Mahindra Foundation: Child Protection and Safeguarding Policy, 2019.
- Rati Foundation for Social Change: Child Protection Policy, 2023.
- Educate for Life: Safeguarding Policy, 2023.
- Teach for India: Safeguarding Policy (internal best practice reference).
- Save the Children: Child Safeguarding Framework.