



SATYARTHI

KAILASH SATYARTHI CHILDREN'S FOUNDATION

**Child Safeguarding and
Protection Policy**

**Kailash Satyarthi Children's
Foundation US (KSCF US)**

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US

DEFINITION & ACRONYMS

A. Child or Children: Anyone under 18 years of age.

B. Child Abuse: Anything which individuals, institutions or processes do or fail to do which directly or indirectly harms children or damages their prospect of safe and healthy development into adulthood. The main categories of Child Abuse are Physical Abuse, Emotional Abuse, Neglect/Negligent Treatment and Sexual Abuse/Sexual Exploitation.

1. Physical Abuse: The use of physical force that causes actual or likely physical injury or suffering (e.g., hitting, shaking, burning, female genital mutilation, torture).

2. Emotional Abuse: Any humiliating or degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation.

3. Neglect/Negligent Treatment: Persistent failure to meet a child's basic physical and/or psychological needs, for example by failing to provide adequate food, clothing and/or shelter; failing to prevent harm; failing to ensure adequate supervision; or failing to ensure access to appropriate medical care or treatment.

4. Sexual Abuse/Sexual Exploitation: All forms of sexual violence, including incest, early and forced marriage, rape, involvement in pornography, and sexual slavery. Child sexual abuse also may include indecent touching or exposure, using sexually explicit language towards a child and showing children pornographic material. Sexual Exploitation is any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. This includes exchange of assistance due to children benefiting from KSCF US and its sister organizations' programming. The sexual exploitation of a child who is under the age of consent is child sexual abuse and a criminal offense.

C. Representatives of KSCF US: Employees, volunteers, interns, consultants, Board members, partners and others who work with children on KSCF US' behalf, visit KSCF US' or its sister organizations' programs, or who have access to sensitive information about children in KSCF US and its sister organizations' programs.

D. Child Safeguarding: The set of policies, procedures and practices that we employ to ensure that KSCF US is a child safe organization.

POLICIES

1. Policy on Commitment to Children

The Kailash Satyarthi Children's Foundation US is committed to conducting its programs and operations in a manner that is safe for the children it serves and helping protect the children with whom KSCF US and its sister organizations are in contact. All KSCF US representatives are explicitly prohibited from engaging in any activity that may result in any kind of child abuse.

In addition, it is KSCF US' policy to create and proactively maintain an environment that aims to prevent and deter any actions and omissions, whether deliberate or inadvertent, that place children at the risk of any kind of child abuse.

All KSCF US representatives are expected to conduct themselves in a manner consistent with this commitment and obligation. Any violations of this policy will be treated as a serious issue and will result in disciplinary action being taken, including termination and any other available legal remedy. In furtherance of this policy, KSCF US has adopted procedures, described below, to promote:

- a. Prevention of Child Abuse:** Striving, through awareness, good practice and training, to minimize the risks to children and take positive steps to help protect children who are the subject of any concerns.
- b. Reporting of Child Abuse:** Ensuring that all representatives know the steps to take and whom to contact where concerns arise regarding the safeguarding of children.
- c. Responding to Child Abuse:** Engaging in action that supports and protects children when concerns arise regarding their well-being; supporting those who raise such concerns; investigating or cooperating with any subsequent investigation; and taking appropriate corrective action to prevent the recurrence of such activity.
- d. Training to Promote Awareness of Child Safeguarding Obligations:** Ensuring that all representatives are notified of and made aware that they are expected to comply with the policy.

2. Policy to Comply with Applicable Laws and Regulations

It is KSCF US' policy to ensure compliance with host country and local child welfare and protection legislation, or international standards, whichever affords greater protection, and with U.S. law, where applicable. The requirements of this child safeguarding policy

are in addition to any other applicable legal requirements, including without limitation, to US federal law.

3. Policy Regarding Sexual Activity with Children

It is KSCF US' policy that any individual under the age of 18 is a child and is "underage", regardless of the legal age of consent of the country in which s/he lives and/or in which the offense occurs. An underage child cannot legally give informed consent to sexual activity. Sexual activity with a child with or without their consent will be treated as a serious issue and will result in disciplinary action being taken, including termination, and the pursuit of any other available legal remedy.

Consensual sexual activity with a child over the legal age of consent of the country in which s/he lives and/or in which the offense occurs, but below 18 years will be treated as a serious issue and may result in disciplinary action being taken, including termination, and the pursuit of any other available legal remedy.

4. Policy on Accountability of KSCF US Management

KSCF US management is committed to taking all appropriate corrective actions, including disciplinary, legal or other actions in response to any violation of the child safeguarding policy, with respect to relevant individuals (including those who committed a child safeguarding violation and/or anyone who knew of such child safeguarding violation but failed to act), and taking steps following any findings of a violation of the child safeguarding policy to review the applicable policies, procedures, and protocols to identify and address any gaps or weaknesses.

5. Policy on Confidentiality in Child Safeguarding Matters

KSCF US has a duty to manage sensitive information in a manner that is respectful, professional and that complies with the applicable law. Staff must keep all information about any suspected or reported incidents strictly confidential, and must divulge only that information to senior staff and law enforcement personnel directly involved in the investigation (and in the case of incidents occurring overseas, to relevant senior leadership team members), except as may be required by law.

PROCEDURES

1. Prevention of Child Safeguarding Incidents

Mitigating Child Safeguarding Risks in Project Planning And Implementation

A. Where possible and practical, the 'two-adult' rule, wherein two or more adults supervise all activities where children are involved and are present at all times, should be followed.

B. Representatives must never:

- hit or otherwise physically assault or physically abuse children;
- engage in sexual activity or have a sexual relationship with anyone under the age of 18 years regardless of the age of majority/consent or custom locally (mistaken belief in the age of a child is not a defense);
- develop relationships with children which could in any way be deemed exploitative or abusive;
- act in ways that may be abusive in any way or may place children at risk of abuse;
- use language, make suggestions or offer advice to children which is inappropriate, offensive or abusive;
- behave in a manner which is physically inappropriate or sexually provocative;
- stay alone overnight with one or more children involved in a KSCF US or sister organization program who are not part of their family, whether in their house, project premises or elsewhere;
- have a child beneficiary stay overnight at their home;
- sleep in the same bed or same room as a child beneficiary;
- do things for child beneficiaries of a personal nature that they can do themselves;
- condone, or participate in, behavior of children which is unsafe or illegal;
- act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse;
- discriminate against, show unfair differential treatment or favor to particular child beneficiaries to the exclusion of others;
- spend excessive time alone with child beneficiaries away from others in a manner which could be interpreted as inappropriate;
- expose child beneficiaries to inappropriate images, films and websites including pornography and extreme violence;
- place themselves in a position where they are made vulnerable to allegations of misconduct.

This is not an exhaustive or exclusive list. Representatives should at all times avoid actions that may allow behavior to be misrepresented or constitute poor practice or potentially abusive behavior.

2. Reporting of Child Safeguarding Incidents

All representatives should know the steps to take and whom to contact when concerns arise regarding the safeguarding of children. Failure to report a reasonable suspicion of misconduct in accordance with this policy will be treated as a serious issue and may result in disciplinary action. If a child is in danger or in harm's way, call 911 or the local authorities immediately.

Reporting Specifics

A. U.S. Programs employees and all other Representatives that have direct contact with children must submit incident reports by email to anjali@satyarthi.org within 24 hours. The report should include:

- Date, time and location of the incident
- Type of incident (physical abuse, emotional abuse, neglect/negligent treatment, sexual abuse/sexual exploitations) and nature of what happened
- The relevant actions that are happening at the time of the report
- Any immediate help or actions requested of KSCF US

B. All other Representatives covered by this policy must report any suspicion of misconduct covered by this policy to their direct supervisor (if an employee). If you feel you cannot raise the concern with your direct supervisor for any reason, or if you are a non-employee representative, you should reach out to akravis@kraviswurgaft.com (KSCF US' general counsel). All reports must be made within 24 hours.

C. Manager Responsibilities

Any manager who receives a report of any allegation of a violation of this child safeguarding policy must forward the report immediately to the Executive Director of KSCF US or the Chair of the Board of Directors.

D. Staff Overseas

When travelling or working overseas in KSCF US' sister organization offices, you are required to report any allegations of child abuse to KSCF US in accordance with KSCF US' child safeguarding reporting procedures.

E. Reporting to Senior Management Team

On a quarterly basis, the General Counsel shall report aggregated incident data to the Senior Management Team, and the General Counsel shall report such data at a minimum annually to the Board of Directors. The General Counsel shall report immediately all exceptional cases, as defined below, to appropriate members of the Senior Management Team and the Board of Directors.

3. Responding to Child Safeguarding Incidents

A. Child Safeguarding Training

KSCF US staff shall be trained on the specifics of the processes around child safeguarding.

B. Investigating and Follow-up of Child Safeguarding Allegations

KSCF US takes every allegation of a violation of our child safeguarding policy seriously. Representatives covered by this policy must cooperate fully with any investigation or inquiry by KSCF US and preserve all records relating to any alleged violation of this child safeguarding policy. Although we cannot guarantee confidentiality, we will keep reported concerns confidential to the extent possible.

1. **Initial Assessment:** Upon receipt of a report, an initial assessment will be conducted by a senior staff member of KSCF US. A full account of the matter and any further action will be recorded. The Executive Director and senior management team of KSCF US will consider the circumstances of the report, seek professional advice as needed and determine next steps.

2. **Reporting to Applicable Authorities:** In the US, referrals can be made to children's services or the police as soon as possible but must be within one working day. Be advised that nearly all U.S. states impose penalties in the form of fines or imprisonment for a mandated reporter who fails to timely report suspected child abuse, neglect or maltreatment of a child. If the incident happens abroad, then it will be the responsibility of the relevant authorities there to organize an investigation. Irrespective of the local outcome, KSCF US staff must report (verbally and in writing) to a senior staff member at the organization/project where they are working or visiting.

C. Investigation in Exceptional Cases: In cases where the allegations are likely to result in serious harm to a child, reputational injury, or other exceptional cases (collectively, "Exceptional Cases"), the Executive Director shall consult with the General Counsel and others within the senior management team, as appropriate, on how the investigation should proceed, including to determine whether KSCF US should retain an external party to investigate the allegations.

4. Training to Promote Awareness of Child Safeguarding Obligations

All KSCF US staff must undertake an initial training on the child safeguarding policy within the first three months after induction to KSCF US and must take refresher trainings every two years.

Managers at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy and are given trainings as described above.

Other trainings may be required dependent on job specific responsibilities.

5. Agreements with partners

All agreements with partners (as defined above) must include the requirements of the policy and must include a provision in which the partner agrees to comply with this policy (subject to the Exception Approval Procedure contained herein).

Partners that receive funding from external sources additionally must comply with the relevant funder's child safeguarding requirements.

6. Communications Materials (interviews, photography and filming)

Any communications materials that include images of or information about children are subject to the Communications Guidelines attached as Annex I and included as part of this Child Safeguarding Policy.

7. Guests on Project Visits

All representatives of KSCF US on project visits involving children are subject to the program visit child protection guidelines attached as Annex II and included as part of this child safeguarding policy. As a condition to their visit, all representatives visiting projects involving children in KSCF US and its sister organization programs are required to read Annex II of this child safeguarding policy prior to their visit.

ANNEX I

COMMUNICATIONS GUIDELINES

Guidelines for ethical reporting about children

We have a responsibility to the children we represent to tell their stories in a responsible and ethical manner. The child's best interest should always be our primary consideration. We work with some of the world's most vulnerable children and communities. We want to share the stories of these children and communities but must respect the dignity and humanity of the children we serve, and we must not exploit their situation in order to raise funds or attract attention for our cause.

Children and young people have all the rights of adults. In addition, they have the right to be protected from harm. Reporting on children and young people carries this added dimension and restriction, especially in the current era when it is nearly impossible to limit a story's reach. This document is meant to support the best intentions of ethical reporting – serving the public's interest for truth without compromising the rights of children.

In some instances, the act of reporting on children places them or other children at risk of exploitation, retribution or stigmatization. When in doubt, we must err on the side of caution and ensure the right of the child to be protected from harm.

Guidelines for interviewing children

- 1) Do no harm to any child. Avoid questions, attitudes or comments that are judgmental or insensitive to cultural values, that place a child in danger or expose a child to humiliation, or that reactivate a child's pain and grief from traumatic events.
- 2) Ensure that the child and guardian know they are talking with a reporter. Explain the purpose of the interview and its intended use.
- 3) Assess any potential risks to the child or children, including:
 - a) Reprisals,
 - b) Stigmatization, rejection or attacks by family or communities,
 - c) Legal prosecution,
 - d) Misguided or malicious attempts by outsiders to "rescue" the child from a difficult situation.

4) No staging: Do not ask children to tell a story or take an action that is not part of their own history. Do not ask children to promote products contributed by corporate supporters.

5) Obtain permission from the child and her or his guardian for all interviews, videotaping and, when possible, documentary photographs. When possible and appropriate, this permission should be in writing. Permission must be obtained in circumstances that ensure the child and guardian are not coerced in any way and understand they are part of a story that might be disseminated locally and globally. This is usually ensured only if the permission is obtained in the child's language and if the decision is made in consultation with an adult the child trusts.

6) Pay attention to where and how the child is interviewed. Limit the number of interviewers and photographers. Try to make certain that children are comfortable and able to tell their story without outside pressure, including pressure from the interviewer. In film, video and radio interviews, consider what the choice of visual or audio background might imply about the child and her or his life and story. Ensure that the child will not be endangered or adversely affected by showing their home, community or general whereabouts.

7) If a child discloses bad practice during an interview (such as abuse, criminal activity or a violation of KSCF US policy), the person carrying out the interview should know the local procedures for reporting this. Staff should also be familiar with KSCF US' Child Safeguarding Policy.

8) No payments or any other form of compensation are to be provided to children or parents in exchange for their interview, photo or consent.

Guidelines for reporting on children

1) Do not further stigmatize any child. Avoid categorizations or descriptions that expose children to negative reprisals – including additional physical or psychological harm, or to lifelong abuse, discrimination or rejection by their local communities.

2) Always provide an accurate context for the child's story or image.

3) Do not give any information that could lead to a child being identified or traced. For example, if the child is from a small village, it might be easy for the child to be identified by another villager. Provide the region or district where the child lives, rather than naming the village. Do not name the school the child attends. Use first names only.

4) Always change the name and obscure the visual identity of any child who is identified as:

- a) A victim of sexual abuse or exploitation,
- b) A perpetrator of physical or sexual abuse,
- c) Charged or convicted of a crime,
- d) A current or former child combatant,
- e) HIV positive, living with AIDS or has died from AIDS, unless the child, a parent or a guardian gives fully informed consent,
- f) Or any child who does not wish to be named and identifiable, or whose parent/guardian does not wish the child to be named and identifiable.

5) Always change the name and consider obscuring the visual identity of a child identified as:

- a) An asylum seeker, a refugee or an internally displaced person,
- b) Being part of a KSCF US domestic program or a resident of a U.S. community,
- c) Orphaned, abandoned or separated from parents/guardians. In the case of orphans, please be sure to mention when they are in the care of relatives or guardians.

6) Do not change a child's identity when it is important to the child and the story. In certain cases, using a child's identity – name and/or recognizable image – is in the child's best interests. However, when a child's identity is used, he/she must still be protected against harm and supported through any stigmatization or reprisals. Some examples of these special cases are:

- a) When a child initiates contact with the reporter, wanting to exercise their right to freedom of expression and to have their opinion heard.
- b) When a child is part of a sustained program of activism or social mobilization and wants to be so identified.
- c) When a child is engaged in a psychosocial program and is claiming their name and identity as a part of their healthy development.
- d) When a child has died and the parent/guardian wants the child's name to be used in order to raise awareness of a problem or change policy.

7) When changing a child's name to protect their identity, ask them at the time of the interview what name they would prefer to be known as. If the child does not state a preference for a certain name, work with someone from the community to select a name that is culturally appropriate given the child's gender, ethnicity, religious background, etc. Whenever possible, choose a name that is short and easily pronounced/understood by an audience that may be unfamiliar with the child's culture.

8) Confirm the accuracy of what the child has to say, either with other children or an adult, preferably with both.

9) When in doubt about whether a child is at risk, report on the general situation for children rather than on an individual child, no matter how newsworthy the story.

10) Do not invent a tragic future the child may face "if we don't help". If the child's image or story are to be used in this way, the child and parent or guardian must see the creative treatment and give additional consent.

Guidelines for use of videos and photos including children

Quality Indicator Definitions:

- Clarity – Please take clear photos and videos, test sound quality and write conversationally while remaining grammatically correct.
- Composition – Videos, stories and images should convey a story with a clear beginning, middle and end or imagery that conveys emotion or action.
- Context – Include setting or background for the story or reference that references KSCF US' or its sister organization's work. Describe the problem we are trying to solve or the solution to a problem. For example, feeding a hungry child or distributing books at a library.
- Compelling – Take pictures and videos that would make you want to stop what you are doing and take action.

Compliance Indicators

Protection:

- Coverage (No private parts, ever. Very strict discretion around shirtless children to ensure asset does not serve as fodder for pedophiles.)
- Dignity (Is the subject portrayed as a helpless victim, or as a brave survivor who is contributing to his/her own success?)
- Care (Children in grave health or dangerous situations are not to be depicted without care – e.g. a baby alone and crying; under attack, severe acute malnutrition, fresh wounds or extreme physical trauma)
- Released (Releases are required, some verbal in case of emergencies. Releases include informing the subject of the intended use of the photo and protecting the identity of high-risk children such as those in conflict settings, exploited workers, former slaves and those affected by deadly infectious diseases including HIV/ AIDS and Ebola.)

ANNEX II

PROGRAM VISIT CHILD PROTECTION GUIDELINES

Standards & Procedures for Child Safeguarding and Site Visits

All visitors include staff, interns, consultants, volunteers, vendors, policymakers, talent, corporate or foundation partners, board members, etc. must uphold KSCF US' and its sister organizations' child safeguarding policy standards.

Before Site Visit

- Visitors will be provided a copy of KSCF US and its sister organizations' child safeguarding policy

Adhere to the two-adult rule, as outlined in the Child Safeguarding Policy.

During Site Visit

- Children must never be left alone with visitor(s). KSCF US staff must adhere to the two-adult rule: two or more adults are required to supervise all activities where children are involved and are present at all times.

Protect the privacy and sensitive personal information of children and families.

During Site Visit

- Do not share children's full names or locations on social media. Turn off location devices that automatically populate the location on social media. Please follow KSCF US' and its sister organizations' safeguarding guidelines for social media and communications.

After Site Visit

- Do not share children's full names or locations on social media. Please follow KSCF US' and its sister organizations' child safeguarding guidelines for social media and communications.

Ensure all site visits are authorized, and visit procedures are followed.

During Site Visit

- Visitors must not stay overnight with one or more children involved in KSCF US or its sister organizations' programs who are not part of their immediate or extended family, whether in their house, project premises or elsewhere.

ANNEX III
CHILD SAFEGUARDING ACKNOWLEDGEMENT

I acknowledge that I have been provided with and have reviewed the Kailash Satyarthi Children's Foundation's policy on child safeguarding.

I agree to comply (both in letter and spirit) with all aspects of the policy, and I understand that my ongoing compliance with the policy is a condition required for my participation in any visits to KSCF US or its sister organization program sites or any other KSCF US related activities.

This child safeguarding acknowledgement shall have effect for a period of one (1) year from the date on which it has been signed as indicated below.

Signature: _____

Name: _____

Date: _____