



Child Safety & Security in K-12 Schools

A Report, Toolkit and Primer

Child Safety & Security in K-12 Schools

A Report, Toolkit and Primer



Contents

1 Report Overview & Acknowledgements.....	07
2 Structure of the School Safety Report.....	08
3 Part One: How safe are our children in schools?.....	09
3.1 Ground Reality: A Numeric Overview.....	09
3.2 Reported Crimes Against Children: types of crimes, where & why is it happening?.....	10
3.2.1 Child Abuse.....	10
3.2.2 POCSO Cases.....	11
3.2.3 Risk Mapping Student Safety – ‘home to school to home’.....	12
3.3 Student Perception of Safety: ‘Our safety, Our Voice – by the children, of the children, for the children’.....	12
3.4 Key Safety Challenges Unique to Schools.....	13
3.5 Key findings on safety in general and in schools.....	14
4 Part Two: Policy Recommendations.....	15
4.1 Messages from Child Specialist and Child Protection Experts.....	15
4.2 Key Recommendations.....	16
5 Part Three: Overview of the legal framework – key legislation.....	17
5.1 Why are schools legally obliged to protect and safeguard children?.....	17
5.1.1 Rights of Children under the Constitution of India.....	17
5.2 How much safety must schools ensure?.....	17
5.2.1 Central Legislations & Policies.....	17
5.2.2 Educational Boards.....	19
5.3 What is the legal standard of care expected from schools?.....	19
5.4 Guiding Principles: Key Questions to Ensure Safety.....	20
5.5 Four Core Principles for all Safety Initiatives & Key Questions.....	20
5.5.1 Principle of Best Interest of the Child (art.3.1 UNCRC).....	20
5.5.2 Principle of Equality, Universality and Non-discrimination (art. 2):.....	20
5.5.3 Principle of Right to Survival and Development (art. 6):.....	20
5.5.4 Principle of Right to Participation (art.12):.....	21
5.6 Understanding Prevention of Children from Sexual Offences Act, 2012 (POCSO).....	21
5.6.1 Offences Covered.....	21
5.6.2 Reporting Obligation.....	21
5.6.3 Reporting Procedure.....	21
5.6.4 Consequences of Not Reporting.....	22
5.6.5 Children as Offenders.....	22
5.6.6 Consequences of False Complaints or Information.....	22

6	Part Four: The Safety Framework: 4 Essential Pillars.....	23
6.1	Prevention Tools to Develop a Framework.....	23
6.2	Student Safety Policy/ Child Protection Policy.....	24
6.3	Key Areas Every Policy Should Address.....	24
6.3.1	Corporal Punishment.....	24
6.3.2	Bullying, Cyber Bullying, Vandalism, Harassment, Sexual violence.....	24
6.3.3	Recruitment.....	25
6.3.4	School Access.....	25
6.3.5	Transport.....	25
6.3.6	Field Trips.....	26
6.3.7	Food.....	26
6.3.8	Field Trips.....	26
6.3.9	Disaster Management.....	27
6.4	Creativity in Implementing Safety: Sensitization, Training, Role Play & Workshops.....	27
6.5	Technology & Cyber Safety Framework for Schools.....	27
6.6	Roles & Responsibilities of External Stakeholders towards Student Safety.....	28
6.7	Incident Response Rules: Basic Response Procedure.....	29
6.8	The Response Rules/ Protocol.....	29
6.9	Mandatory Reporting.....	31
6.10	Consequences of False Complaints or Information.....	31
6.11	Media & Publicity.....	31
6.12	Confidentiality.....	32
6.13	Transfer Certificate/Exit Documents.....	32
6.14	Responding to the Accused.....	32
6.14.1	When the accused is a child.....	32
6.14.2	When the accused is an adult:.....	32
7	Toolkit Summary: Steps to get Started.....	33
7.1	Essential Documentation to Implement Safety.....	33
7.2	Suggested School Safety Committee (SSC) Membership.....	33
7.3	Month-wise Operational Framework.....	34
7.4	Safety Assessment & Audit Check List.....	35
8	Roles & Responsibilities of Key stakeholders.....	35
8.1	The Stakeholder Partnership.....	37
9	Knowledge Report Scope Limitations and Disclaimer.....	38
10	Annexures.....	38
10.1	Indicators/ Flags of abuse:.....	38
10.2	Examples of Good Practices in Interviewing Children.....	40
10.3	Tips for Counsellors and Teachers.....	41
10.4	Teacher/Staff Undertaking.....	41
10.5	Template for Student Safety Policy (SSP).....	42



Foreword



Children are our future. Their well-being and safety are of utmost importance for every parent and for all communities. Today's children are exposed to multiple kinds of man made threats ranging from physical to emotional to digital.

Schools are an important component of a child's eco-system. Surveys have revealed that children find schools as one of the safest places to be in. All schools carry the responsibility of offering a safe and secure environment to its students. Schools also share the responsibility along with parents and society of shaping young children into capable young adults who are able to handle the possible threats that surround them in today's world environment. It indeed has to be a three way partnership as a child on an average spends only about 18% of his/her time inside a school in a year.

Recent unfortunate incidents in schools have brought to focus the important issue of child safety in schools. Unfortunately these events have also led to knee jerk reactions from various authorities and a public test by the media. We need to look at the entire issue holistically. It is a fact that wherever there are human beings, some incidents are bound to happen. It is important to determine whether such incident has happened due to any negligence of the school or not. Furthermore, in incidents where victim is an innocent child, it is of utmost important for all stakeholders, be it the school, parents, community, authorities or the media to maintain caution and sensitivity. The race of being 'first to report' mostly leads to distorted facts and unwarranted sensationalisation. This might earn TRP's but it also leaves a permanent scar in a child's psyche.

Laws around safety such as POCSO, JJA and POSH etc. have been enacted by the legislature. Further there are multiple guidelines and checklists around child safety in schools issued by several authorities at central and state levels from time to time. Often newer regulations or guidelines are issued without having reference to previous ones. More often than that they overlap or contradict with each other due to lack of a consolidated child protection framework.

FICCI ARISE in collaboration with Mundkur Law Partners (MLP) has studied various legislations, guidelines and checklists issued by various authorities, tested them in real ground situation and has come out with a comprehensive manual and toolkit for child safety in schools. It is a consolidated manual in tunes with today's times as it strives to cover all kind of threats, physical, emotional, digital etc. There cannot be a one-size-fits-all solution as schools vary greatly in terms of their setting and access to resources. Yet one cannot discriminate safety of any child. The study and recommendations are holistic in nature. The manual lays down the basic minimum standard safety norms that should be 'mandatorily' applicable to all genre of schools. Further it also provides a set of 'recommended' items that schools can adopt as add ons.

With our true commitment to the motto 'Student First,' we are certain that schools and authorities alike would find this manual and checklist wholesome, useful and feasible to implement in the best interest of our school children.



Mr Prabhat Jain
Chairman, FICCI ARISE



Mr Naga Prasad Tummala
Co-Chair, FICCI ARISE



Mr Manit Jain
Co-Chair, FICCI ARISE

1. Report Overview & Acknowledgements

*Where the mind is without fear and the head is held high
Where knowledge is free
Where the world has not been broken up into fragments
By narrow domestic walls
Into ever-widening thought and action
Into that heaven of freedom, my Father, let my country awake*

Nurturing a “fearless mind” is as relevant today as it was when Rabindranath Tagore originally wrote this poem in the early 1900s. The mind requires an environment (physical, emotional, and social) that is safe and free from violence, abuse, neglect, harassment, social and economic exploitation, to grow to its full potential. Today, every child has a universally recognised inalienable legal right to a safe environment.

The question therefore is not whether schools should be a safe space for children. The question is knowing what to do, how and why it is done. The question is about identifying standards of accountability that key stakeholders - school, parent, community and State, may be held to.

This FICCI-FICCI ARISE-MLP report seeks to build a common platform of safety standards across the following areas.

- ▶ Safety Measures: minimum standards of safety that all schools should have;
- ▶ Implementation Approach: right methods to implement safety measures;
- ▶ Objectives & Expected Outcomes: what is in the best interest of the child; and
- ▶ Roles and Responsibilities of Stakeholders: legal rights and responsibilities of core stakeholders – the student, the school (including teachers and support staff), and parents.

To be effective, civic society efforts must be tied to a common philosophy on safety in schools where the child’s overall well-being and physical security is seen as a single objective. The information brought to the table by this report aims at providing a coordinated child-centric framework of action for safety in K-12 schools.¹

The FICCI-FICCI ARISE-MLP School Safety report would not have been possible but for the commitment of individuals and institutions dedicated to the cause of children. In particular the following contributions are acknowledged with gratitude and appreciation.

- ▶ The far sighted leadership of the FICCI-FICCI ARISE management led by Shobha Mishra Ghosh, Prabhat Jain, Manit Jain and Naga Prasad Tummala; insightful contributions of Manit Jain, Vedant Khaitan and Homeland Security and Private Security team of FICCI led by Sumeet Gupta.
- ▶ The consulting firm EY, Amitabh Jhingan, Parthajeet Das and Shruti Khanna for their assistance in obtaining third party data on school safety in India and providing a dedicated team to assist with data collation and ideating on document flow.
- ▶ The constructive feedback and support to the cause of child safety in schools from leading advocate and FICCI ARISE member, Mr Sushil Dutt Salwan.
- ▶ The generous feedback and contributions of Inventure Academy, Heritage Schools, Pathways and the Karnataka Operational Guidelines for Child Protection in Educational Institutions and its drafting team.
- ▶ Individual authors Kavita Ratna of Concerned for Working Children, Rakshit Tandon, Cyber Expert; and Ariana Heifetz for their expert piece;
- ▶ Ramanand Mundkur and Mundkur Law Partners for the commitment to pro bono community outreach initiatives that supported the time and resources required to produce this document and associates Ivana Chatterjee and Nandita Bhakta for their research and review.



Divya Balagopal
Education Law & Child Protection Specialist
MLP

¹This document is supported by a supplemental information pamphlet on pre-school/play school safety. Many of the elements in this K-12 schools may also be adapted for pre-primary and stand-alone playschools or any institution catering to children of 2.5 years to 4.5 years. For the purpose of this report, K-12 schools refer to institutions providing formal education to children of the age group of 4.5 years to 18 years

2. Structure of the School Safety Report

The FICCI-FICCI ARISE-MLP School Safety Report is a four-part document.

Parts One and Two of the Report is written for policy makers, legislators, governmental authorities and educational boards to provide a bird's eye view of safety in schools and help them make informed and integrated regulations.

Parts Two and Three of the Report is for schools, students and other interested stakeholders to provide understanding of why, what and how to implement and enhance safety in schools.

Part One: The State of Play: Overview of Safety in Schools

With the objective of understanding how safe are our school right now, this part examines safety in schools from the perspective of the following:

- ▶ Basic safety standards in schools;
- ▶ Reported crimes with particular reference to child abuse and POCSO cases understanding the different types, places and people that threaten child safety;
- ▶ Student perception of safety as stated in their own voice (included specifically in recognition their right to participation on matters that affect them); and
- ▶ Safety risks & challenges unique to schools.

Part Two: Key Policy Recommendations

Based on the state of play, this report makes certain key recommendations to make safety and security in all schools across the country a realisable objective.

Part Three: Regulatory Primer : Overview of the Legal Framework on School Safety

This section provides the legal overview of safety regulations by addressing three key questions:

- ▶ Why are schools legally obliged to protect and safeguard children;
- ▶ How much safety must schools ensure;
- ▶ What is the legal standard of care expected from schools.

Part Four: Implementation Tool Kit with Safety Self-Assessment Check List

This section provides a starter kit for schools to implement safety in their schools. The toolkit provides

- ▶ Introduction to the safety framework;
- ▶ Understanding essential policies;
- ▶ Steps to get started;
- ▶ Key documentation to have in place;
- ▶ Student Safety Policy Template;
- ▶ List of external support agencies.

Each of the four parts of this FICCI ARISE-MLP School Safety Report is capable of being used as a standalone section per the needs of the reader.

The entire FICCI-FICCI ARISE-MLP School Safety Report is supported by the FICCI-FICCI ARISE-MLP **School Safety Self-Assessment Checklist**, that collates safety regulations and tests school safety under eight heads of safety.

- ▶ INFRASTRUCTURE SAFETY CHECKLIST
- ▶ HEALTH CHECK LIST
- ▶ TRANSPORT SAFETY CHECKLIST
- ▶ STUDENT PROTECTION MECHANISMS CHECKLIST
- ▶ PERSONAL, SOCIAL, EMOTIONAL AND SEXUAL SAFETY CHECKLIST
- ▶ REPORTING AND RESPONSE MECHANISM CHECKLIST
- ▶ EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT CHECKLIST
- ▶ CYBER SAFETY CHECK LIST



Part One: The State of Play: Overview of Safety in Schools

3. Part One: How safe are our children in schools?

“The Study has indicated beyond doubt that schools as compared to other situations are the safest place for children therefore efforts should be made to increase enrolment and retention of children in school by adopting innovative, child friendly methods of teaching.”

- *The Study on Child Abuse: India 2007 report from the Ministry of Women and Child Development, p.124, para 8.2.1*

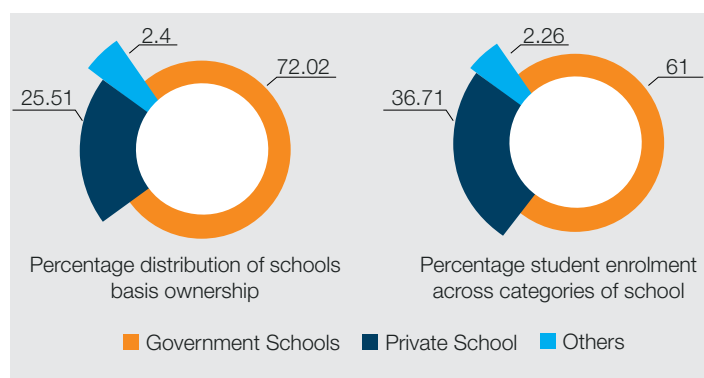
Almost unanimously, over 1100 children surveyed more recently in 2015 in Karnataka, also echoed the finding of the 2007 Report quoted above. The children stated that they felt more safe in school than they did on the streets and some, even more than they did in their homes.

The relative safety of children in schools compared to other environments however does not mask the growing rate of safety related incidents in school or the growing violence in schools across the globe and in India.² Familiar images of violence in schools today include corporal punishment, sexual abuse, bullying (including cyber bullying), peer-to-peer violence, self-harm, harassment and include its lesser known components such as violence in the form of neglect, verbal and emotional abuse.

The challenge lies in identifying ways to enhance the sense of security, safety and stability that schools have the potential to bring to the lives of students; and equip schools with necessary tools to address the changing nature and manifestation of violence in schools.

3.1 Ground Reality: A Numeric Overview

India has one of the largest school education systems in the world and certainly one of the most diverse. India has more than 1.7 million schools, ~10 million Cr teachers and 260+ million students³ across both government and private school systems. The distribution of number of schools and enrolment across government (which includes government aided schools), private and others (madrasas) is shown adjacent.



The higher share of enrolment in private schools points to an increasing preference and growth of private school system but the sheer volume of government school enables them to dominate the market. Irrespective of the ownership of the school, there is significant variance among the schools around resources such as infrastructure, teachers and funds available. A glimpse of the existing conditions of the schools with respect to basic amenities highlights the lack of basic safety conditions available in schools and the scale of the problem.

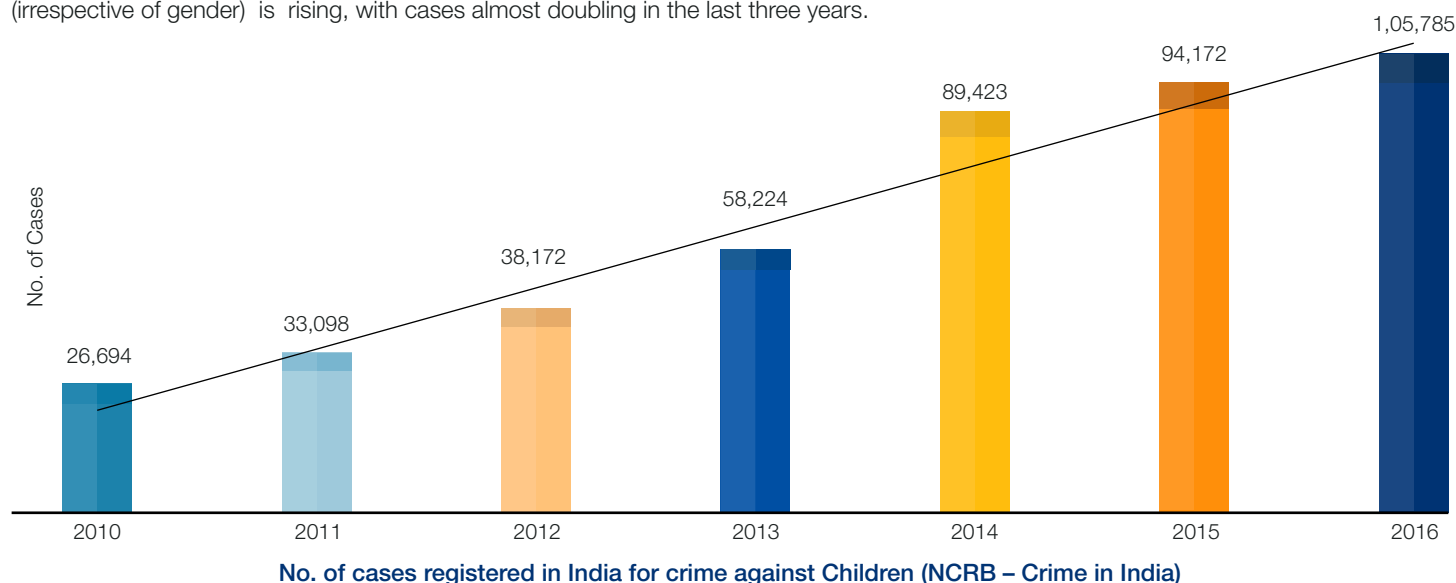
Single classroom schools	Single teacher schools	Schools without girls toilet	Schools without boys toilet	Schools without drinking water	Schools without electricity	Schools without boundary wall	Schools with ramp, if needed
3.7%	6.2%	2.2%	2.7%	2.8%	37.8%	33.1%	42.8%
63,509	6,35,840	38,711	47,116	49,295	6,44,427	5,64,637	

²Plan (2008) Learn Without Fear: The global campaign to end violence in schools. Working Plan, p.7 Available online at plan-international.org/publications

³NUEPA, Flash Statistics, U-DISE (2015-16)

3.2 Reported Crimes Against Children: types of crimes, where & why is it happening?

India is amongst the 11 countries with the highest rate of child abuse in the world.⁴ As per NCRB statistics, the rate of violence against children (irrespective of gender) is rising, with cases almost doubling in the last three years.



Factors leading to increased reporting

- ▶ Active Media: Increasing media penetration and reducing stigma attached to the reporting of child abuse have resulted in an increase in a number of child abuse cases being reported.
- ▶ New Criminal Laws: Introduction of POCSO in 2012 and the Criminal Law (Amendment) Act in 2013 and changes to the Juvenile Justice Act.

Type of crimes reported against children

Kidnapping & abduction	POCSO offense	Rape	Murder	Other Crimes
83,786	29,826	21,708	3,516	49,868

The statistic reflects that nearly half of the major reported crimes committed against children are kidnapping and abduction. As per Census 2011, India is home to 19% of the world's below the age of 18 population amounting to around 444 million children and constituting 37% of the total population of India. The increasing vulnerability of 37% of the population who are minors, has had a knock on effect on increased parental anxiety and demand for stronger safety measures for children. In order to address the spiking crime rate, detailed inquiry into the causes and places where children are most vulnerable needs examination.

3.2.1 Child Abuse

Child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.⁵

Child abuse may occur in different situations and for a range of reasons, however its effects are increasingly manifested in the school environment.

⁴<https://www.insidermonkey.com/blog/11-countries-with-the-highest-rates-of-child-abuse-in-the-world-353626/?singlepage=1>

⁵Report of the Consultation on Child Abuse Prevention, Geneva, 29-31 March 1999, World Health Organization, Social Change and Mental Health, Violence and Injury Prevention, pp. 13-17

Examples of varying environments include:

- ▶ Within the home and family: Includes infanticide, physical, psychological and sexual violence.
- ▶ Community and on the streets: Including children in conflict with the law, gang violence, and children and young people involved in organized crime, but not “war” situations. Also includes private security guards, death squads, and vigilantes, as well as harmful traditional practices.
- ▶ Institutions: Includes violence in alternative care situations such as orphanages, foster and other care homes, NGO shelters, and institutions for disabled children and young people.
- ▶ Schools and education settings: This includes violent and humiliating discipline, physical, emotional, and sexual violence and harassment, and bullying.
- ▶ Work situations: Includes children in domestic work, trafficking (for forced labour and sexual exploitation), commercial sexual exploitation, (includes sex tourism), and child labour in hazardous conditions.

Reasons for increasing abuse in varying environments

- ▶ Changing family structure: Nuclear families, working parents, more time with domestic help makes children vulnerable to abuse.
- ▶ Low conviction rate: Despite rise in the number of cases reported, justice is rarely served.
- ▶ Insensitivity towards child abuse victims: The insensitivity and the unhelpful attitude of the police, lawyers, and untrained hospital staff makes prosecution and conviction difficult.
- ▶ Increased use of technology: Easy access to gadgets and internet has made children more susceptible to different forms of online abuse like child pornography.

The following table provides examples of some different forms child abuses. According to the Centre for Disease Control, child abuse can cause improper brain development, impaired learning and emotional abilities, lower language development, severe anxiety and depression, post-traumatic stress disorder (PTSD) and a host of health issues, such as obesity, high blood pressure, and high-cholesterol.

Physical & Psychological	Neglect	Exploitation	Emotional Abuse
<ul style="list-style-type: none"> ▶ Bullying ▶ Abduction ▶ Corporal Punishment ▶ Kidnapping etc. 	<ul style="list-style-type: none"> ▶ Abandonment ▶ Deprivation ▶ Dangerous, harmful or hazardous work etc. 	<ul style="list-style-type: none"> ▶ Pornography ▶ Sex tourism ▶ Sexual exploitation ▶ Trafficking etc. 	<ul style="list-style-type: none"> ▶ Passive-Aggression ▶ Attempt to suicide ▶ Lack of attachment

Child sexual abuse is one of the most rampant forms of abuse that children below the age of 18 experience in India.⁶ A recent survey conducted by humanitarian aid organization, World Vision India with a sample of 45,844 children revealed that one in five children do not feel safe because of the fear of sexual abuse. In 2007 a national study was conducted by the Ministry of Women and Child Development where they studied the prevalence of child abuse in India. The study showed that 2 out of 3 Indian children report physical abuse and 62% of the corporal punishment experienced by the children was in government and municipal school. This data substantiates that physical violence is still accepted as a common punishment within households and schools.

3.2.2 POCSO Cases

The Protection of Children from Sexual Offense Act 2012 (POCSO), has criminalized any form of sexual assault, sexual harassment and pornography against children and made knowledge or even apprehension of the commission or attempt to commit the offence, mandatorily reportable. The statistical data below⁷ clearly shows that in a large number of cases the offenders were either relatives or someone known to the victim. According to the National Crime Records Bureau, 94.8% of child rape cases were perpetrated by someone the child knew, such as a family member or neighbour, not a stranger.

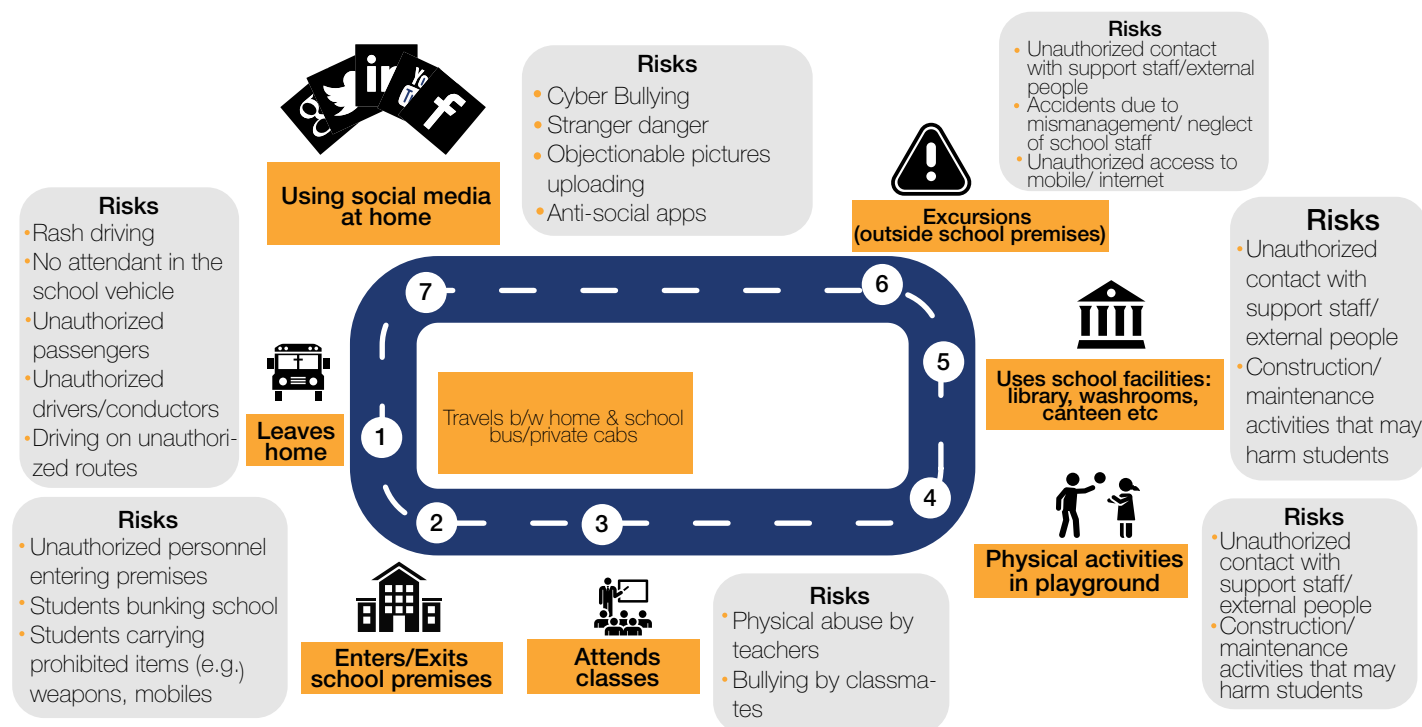
POCSO Cases	Numbers
No. of Cases in Which Offenders were known to Victims	8341
Cases in Which Offenders were known to the Victims - Grand Father/ Father/ Brother/ Son/etc.	138
Cases in Which Offenders were known to the Victims - Close Family Members	210
Cases in Which Offenders were known to the Victims - Relatives	581
Cases in Which Offenders were known to the Victims - Neighbours	3149
Cases in Which Offenders were known to the Victims - Employer/ Co-Workers	2227
Cases in Which Offenders were known to the Victims - Other Known Persons	2036
Offenders Not Identified by Victims	459
Total Cases under POCSO Act (Section 5&7 Only) (Col.4)	8800

⁶<https://www.hindustantimes.com/india-news/one-in-every-two-children-victim-of-sexual-abuse-says-survey/story-spc4MsZTJsmjyrITZJep7L.html>

⁷<https://data.gov.in/resources/state-ut-wise-offenders-relation-and-proximity-victims-reported-under-section-4-6-pocso>

3.2.3 Risk Mapping Student Safety – ‘home to school to home’

The various forms of potential risk around school ecosystem to which a child might be exposed are illustrated with the help of the following figure.



3.3 Student Perception of Safety: ‘Our safety, Our Voice – by the children, of the children, for the children’

A study carried out by a Bangalore based K-12 school, Inventure Academy called as ‘Our safety, Our Voice – by the children, of the children, for the children’ captured the voices of almost 1100 students children across Bengaluru from varied backgrounds to provide their perspectives on child safety & protection and a Student Charter on safety that was presented to the Government of Karnataka and included in the State’s Child Protection Policy. The children said:

I feel safe when...	I feel unsafe when...
<ul style="list-style-type: none"> I take self-defence classes. Public transport has CCTV camera. Police regularly patrol deserted public spaces especially at night. Schools has a helpline for emergency. 	<ul style="list-style-type: none"> When I am alone and can't reach my parents when I am not able to defend myself physically I feel unsafe on public roads when there is no light. I feel unsafe due to absence of surveillance measures in public places and public transport. Where there is no one outside to protect me. I feel unsafe due to lack of self confidence.

Some of the major points that came out very strongly were:

- Children unanimously want to be heard and consulted on their safety by government, police, and their parents and schools.
- Children, both boys and girls, across all economic and demographic categories, don't feel safe outside home and school. Younger students feel more unsafe than older ones.
- Children from less affluent backgrounds are willing to give up their independence in order to be safe. While children from more affluent backgrounds expect their freedom, while seeking safety.
- Both boys and girls - agree on most areas. Except girls want to see more women in senior positions of authority, and would like more stringent punishments to be meted out to child abusers.
- Children want stakeholders to be accountable for safety, but also recognise they have responsibilities which go hand in hand with their right to safety.
- Parental emotional and physical support is another important driver for a large group of students.

Nooraine Fazal leading educator and Managing Trustee of Inventure Academy and the creator of the “Our Voice” platform for children states “these responses show the difference between adult’s and children’s view on child safety. As one student articulated the sentiments of many children in these words - “We feel that measures like installing CCTV cameras and floor vigilance officers only create a false sense of safety and cannot actually stop incidents”. Not a single

child suggested that the solution lies in not having male teachers or support staff in schools. The government must realise that one solution does not fit every child/school. Different children from different backgrounds have varied needs and thereby the government cannot solve the issue of child abuse by creating general solutions.”

3.4 Key Safety Challenges Unique to Schools

S.No.	ISSUE	CHALLENGE	SOLUTION
1.	Multiple & Varied Vulnerabilities of Student Body	Most safety frameworks do not adequately recognise or address safety of vulnerable children, including disabled, street connected children, migrant and provides a ‘one-size-fits-all’ solution based on the assumed safety needs of children.	Include flexibility in regulation to address special needs of children as per their development. Adopt a rights-based approach for child protection.
2.	Lack of experienced teachers or certified personnel/safe recruitment systems	<p>► Training Lack of specialised training or standard prescribed child safety and protection curriculum on child protection in schools, and for key stakeholders including police, medical, social work, related NGOs and parents.</p> <p>► Recruitment Due to a lack of centralized professional records or registry it becomes difficult for schools to track past history and professional conduct of candidates being hired for teaching and non-teaching positions.</p> <p>► Service Providers Verification of safety and regulatory compliance of third party service providers pose great challenges for schools outsourcing specialized services such as vehicle hire on out station field trips.</p>	<p>► Training Child safety and protection curriculum to be included in B.Ed and other teacher training curriculum. Certification program for continuation teacher and related stakeholder education in this field to be considered.</p> <p>► Recruitment Centralized repository for teacher professional conduct and records comprising of academic details, working details and details pertaining to professional conduct, - e.g., Maharashtra has initiated the process of on-line recruitment of teachers and capturing of the essential data.</p> <p>► Service Providers A safety accreditation agency, or similar certifying system for third party services provided to schools.</p>
3.	Inadequate budgets and funds for child protection	According to the HAQ Centre for Child Rights, the share for children in the Budget 2017 remains the same as last year-3.2% of which the share for children protection in the budget even with a 55% increase from last year stands at only 0.05% of the total Union Budget.	Recognise child safety in schools as a separate budgetary head with allocable funds for qualitative and continuous development of safety curriculum, norms, training.
4.	Lack of child friendly justice system ⁸	Most children lack “immediate and confidential access to child-sensitive advice, advocacy and complaints procedures” and to special courts and integrated spaces with trained personnel in police and medical centres, which decreases reporting.	Efficient & child centric law enforcement is critical for protection of children to ensure speedy trials and justice for children.
5.	Regulatory conflict and lack of common minimum safety standards	Multiple laws, & guidelines from different agencies leading to regulatory conflict and inefficiencies.	Single agency with expert stakeholder representation to integrate school safety regulations.

⁸Importance of this measure and the words in quotation are extracted from the “World Report on Violence Against Children” (2006) prepared under the leadership of Paulo S. Pinheiro, Independent Expert for the United Nations, Secretary-General’s Study on Violence Against Children, p.140 available at <http://www.violencestudy.org>

3.5 Key findings on safety in general and in schools

- ▶ Most children find school a safe place.
- ▶ Increase in violence worldwide has also increased violence in varied forms in schools.
- ▶ Undisputable steady rise in the reported crime rates against children.
- ▶ Increased anxiety in parents.
- ▶ Majority of reported crimes against children occur outside of school.
- ▶ Insufficient data on safety-related incidents in schools.
- ▶ Child faces multiple risks in the home-school-home pathway.
- ▶ School specialunique factors need recognition consider to address student safety.

Based on the data available, the picture that emerges is one where the safety of child as a 'student' cannot be considered in isolation. The entire ecosystem around the child needs to work in partnership to ensure that the physical, emotional, social journey between home- and school-home is safe, secure and conducive to reach the child's full potential.

"Teachers are among any country's most important agents of social development and change...Good teacher recruitment and training should be at the very root of any country's long-term and comprehensive strategy to reduce violence...Teachers cannot carry the whole burden, so any assessment of their needs should look at ways in which education authorities, school head and other school staff, parents and communities may be undermining teachers' work, and at ways in which they could be doing more to support it."
World Report on Violence Against Children (2006) prepared under the leadership of, Independent Expert for the United Nations, Secretary-General's Study on Violence Against Children, p.143 available at <http://www.violencestudy.org>



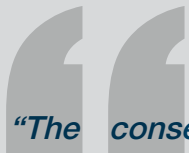
⁸Importance of this measure and the words in quotation are extracted from the "World Report on Violence Against Children" (2006) prepared under the leadership of Paulo S. Pinheiro, Independent Expert for the United Nations, Secretary-General's Study on Violence Against Children, p.140 available at <http://www.violencestudy.org>

Part Two: Key Policy Recommendations

4. Part Two: Policy Recommendations

4.1 Messages from Child Specialist and Child Protection Experts

Expert Voice:



“The consensus among leading educationalists is that reactive regimes are ineffective in the long run. Proactive regimes focus on prevention, and are generally based on careful research into what works and they establish a legal framework, clear policies, clear rules of conduct and mechanisms for enforcement. Those that are reactive are often based on ill-informed ‘blanket statement’ or assertions, and call for zero-tolerance and harsh punishments.” World Report on Violence Against Children (2006) prepared under the leadership of, Independent Expert for the United Nations, Secretary-General’s Study on Violence Against Children, p.143 available at <http://www.violencestudy.org>

Independent Expert for the United Nations, Secretary-General’s Study on Violence Against Children

“Children’s right to protection, in schools and elsewhere have to be viewed within the perspective of the Rights Framework - where Rights are indivisible, universal and the Agency of the rights holders are sacrosanct. In connection to protection of children in schools, this in effect means that all entitlements of children are respected along with their right to protection and that children themselves are actively engaged in creating and shaping the nurturing and safe environment for their learning and growing up.

Very often ‘protection systems’ restrain the rights holders in the guise of providing ‘safety’. Restrictions are often placed on those who are likely to be the victims, rather than those who are likely to be the perpetrators of abuse. Right to protection often supersedes that of ‘participation and agency’ and that is a matter of grave concern. We see this repeatedly happening in school safety as well - when schools and parents resort to making children wear salwar-kameez instead of skirts or when CCTV cameras become the numero-uno security measure.

The second large area of concern is the absence of accountability of the decision makers to children. There is a serious dearth of systems and complaints mechanisms that are child friendly, which can be pressed into action when required to address, prevent or preempt safety violations in schools. Presently such redressal systems in the exceptional states that do have them, such as crises helplines - are highly inadequate. Even the State Children’s Rights Commissions lack the wherewithal, the mandate and the resources to perform their role as the autonomous agencies protecting children’s rights.

Ensuring children’s protection has to be recognized as a realm that demands much more than putting in place a few school specific systems and protocols. While they are most certainly required, if they do not form a part of a larger systemic change process - including addressing social attitudes related to gender, discrimination, fear of authority, secondary victimization of the victims to name a few, it will remain a Band-Aid approach to a deeply entrenched imbalance of power where children remain passive and vulnerable ‘objects’ instead of being recognized as empowered subjects who are their own first line of defense.”

Kavita Ratna

Director Advocacy

The Concerned for Working Children (CWC)

“[I]t’s worth discussing the potential inadvertent negative effects of these hasty and technical intervention methods on children’s mental and emotional health. Given the epidemic of anxiety and depression amongst adolescents, increased surveillance on students can heighten the sense of being unsafe, exacerbate stress and self-consciousness, and erode trust within the school community. It fosters a culture of imprisonment where students learn to be fearful of the outside world and those within the school, and in turn could generate social isolation and unhealthy parental dependency. These potential harmful effects make these intervention options not only unproductive, but injurious to a child’s wellbeing. Unless energy and resources are focused on confronting the underlying reasons behind this epidemic of child abuse, the technical interventions are as useful as placing band-aids on gun-shot wounds.”

Ariana Abadian Heifetz

(Writer, artist, activist, trainer on adaptive leadership & gender-discrimination)

4.2 Key Recommendations

S.#	POLICY OBJECTIVE	RECOMMENDATION
1.	Ensure a rights-based protection policy for schools: inclusive of restorative justice practices, victim reintegration, a needs of vulnerable and special needs children in schools.	<p>Constitute a National and StateLevel Expert Committee which is a multi - stakeholder representative body at the Central and State level of child specialists to oversee policy and legislative coordination. The Committee would be responsible for:</p> <ul style="list-style-type: none"> ▶ Creating/reviewing a comprehensive state wide overarching child safety protocol and guidelines for schools; ▶ All guidelines issued by various authorities such as NCPDR, CBSE, MHRD, State Governments, Administration, Police etc. should be routed through the Expert Committee to reduce conflict and multiplicity; ▶ Membership, scope of work and tenure etc. to be framed. <p>Create Special court/tribunal for education with an arbitration/conciliation wing.</p>
2.	Reduce of Regulatory Conflict.	
3.	Institutionalisation of Accountability & Incentivising Schools/ Managements to adopt Safety Initiatives.	<p>Establish an Independent Safety Accreditation System - Use of the School Safety Self-Assessment Check to award Safe School Badge/Star/Rating; Safety Accreditation Authority(which can also be the same as the National/State Level Expert Committee) would be responsible for creating a safety rating system and would be responsible for the review and revision of safety standards prescribed in the “School Safety Self-Assessment Check List”.</p>
4.	Safety Regulations Training.	National/Stat Expert Committee to prepare safety training curriculum (along with visual collaterals) for staff and students in 5 key areas of safety (a) Infrastructural & physical safety (b) personal and emotional safety (c) social safety (d) cyber safety (e) emergency and disaster management.
5.	Increasing Awareness.	Use of radio, social media for key messaging on school safety; use of street theatre, art and literature to connect with students.
6.	Support Systems.	Provide additional support through online legal & knowledge repository ; Child Safety in School Helpline (separate or connected to Child Helpline).
7.	Creating Regional and Global Interlinkages to Learn Best Practices.	India as a Regional Hub for South Asian School Safety Alliance.

Part Three: Regulatory Primer : Overview of the Legal Framework on School Safety

5. Part Three: Overview of the legal framework – key legislation

Why are schools legally obliged to protect and safeguard children? How much safety must schools ensure? What is the legal standard of care expected from schools? Awareness of legal obligations and their context are critical components in framing adequate and enduring student safety measures.

5.1 Why are schools legally obliged to protect and safeguard children?

Children have a universally recognised, inalienable right to a protective environment. The Constitution of India has always recognised this right under various provisions (see table below). The United Nations Convention on the Rights of the Child, 1989 (UNCRC) signed and ratified by India in 1992 further refined and articulated this right.

Specifically, under Article 19 of the UNCRC, all signatories have a legal obligation to protect children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment

or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Children are placed in the care of educational institutions for more than 6 hours a day on average, for a minimum of 200-220 days in a year. Therefore, there is a legal obligation on State as well as institutions recognised and established by it, to ensure that the environment is free of any threat or actual harm of discrimination, violence, neglect, abuse, social or economic exploitation.

5.1.1 Rights of Children under the Constitution of India

Under the Constitution of India, the protection and safety of children is found in several provisions of the Constitution of India including the following.

Constitutional Provision	Right
Article 14	Fundamental right to equality and equal protection of the law
Article 15 (3)	Fundamental right to special provisions
Article 21	Fundamental right to right to life and personal liberty
Article 21 A	Right to free and compulsory elementary education for all children in the 6-14-year age
Articles 23 and 24	Fundamental rights against exploitation
Article 39 (e)	Right to health and freedom from abuse due to economic necessity
Article 39 (f)	Right to development with dignity and guaranteed protection of childhood and youth against exploitation and against moral and material abandonment
Article 46	Right of weaker sections to special educational care and protection from social injustice and all forms of exploitation
Article 47	Right to nutrition and standard of living and improved public health
Article 51A (k)	Duty of parents or guardians to provide opportunities for education

5.2 How much safety must schools ensure?

5.2.1 Central Legislations & Policies⁹

Under the Constitution of India, it is also the State that has the primary responsibility and the fundamental right under Article 15(3) of the Constitution of India to make any special provision for women and children. Included in these constitutional protections, is the mandate on the State under Article 21A to ensure fundamental right to education. In other words, the Constitutional mandate on the State requires the State to ensure the right to education and the right of every child to a safe and protected educational environment.

⁹For a more detailed list: please see "Chapter III: Instruments and Standards for Protection of Child Rights" in the Study on Child Abuse India 2007, produced by the Ministry of Women and Child Development, Government of India

As a result, a number of central and state legislations, policies and guidelines are framed from time to time. A few key legislations are highlighted below.

Legislation/Policy (In Reverse Chronological Order)	Overview
Right to Education: Consolidated guidelines on safety and security of children dated 11th September, 2017	In the wake of the school safety incidents in 2017, the Department of School Education & Literacy, MHRD, issued numerous safety guidelines which have been consolidated under this guideline.
The Juvenile Justice (Care & Protection of Children) Act 2015 (JJ Act) and Juvenile Justice Rules 2016	Founded on the principles of the UNCRC, the JJ Act provides a framework for the care, protection, treatment and rehabilitation of children in the purview of the juvenile justice system.
Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH)	A central legislation that seeks to protect women from sexual harassment at their place of work, however this Act has been interpreted to extend protection to the girl child in schools, workplaces or other similar environments.
The National Policy for Children, 2013 (NPC 2013):	The NPC 2013 drew extensively from and reiterated the commitments for upholding rights of children already enshrined in the Children's Charter and the NPA 2005. Guiding Principles X of the NPC 2013 emphasizes child protection and mandates that "children are to be protected from all forms of harm, abuse, neglect, violence, maltreatment and exploitation in all settings including care institutions, schools, hospitals, crèches, families and communities."
The Protection of Children from Sexual Offences Act and Rules, 2012 (POCSO):	Places an obligation on the state to prevent sexual violence against children, identify and respond to such violence and notify guidelines that must be adhered to by various stakeholders including the educational institutions. It seeks to protect all children from sexual assault, sexual harassment and pornography and provides for stringent penal action against offenders, including presumption of guilt.
The IT (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules 2011	Prescribes security standards for personally information stored electronically.
Right of Children to Free and Compulsory Education Act 2009 (RTE):	Section 17 prohibits physical punishment and mental harassment. Section 29(2) (f) while laying the procedure for curriculum transaction emphasizes making the child free from fear, trauma and anxiety and helping the child to express views freely. Under section 19 - Norms and standards for school may be prescribed which have to be mandatorily followed failing which under section 18, the school may be recognised and fined'.
The Integrated Child Protection Scheme 2009 (ICPS):	Launched by the Ministry of Women and Child Development, Government of India, to bring elements of all child protection programs under one umbrella, it set in place child protection mechanisms with trained personnel, from national to local level and for the first provided budgetary allocations as per the 12th Five Year Plan.
National Plan of Action for Children, 2005 (NPA 2005):	The NPA 2005 was formulated and adopted as India's response to the UN General Assembly Session on Children, set out in the "World Fit for Children" outcome document. India became a signatory to this UN session in May 2002 decisions and the NPA 2005 re-enforces State's commitment on protection issues highlighted in the outcome document.

Legislation/Policy (In Reverse Chronological Order)	Overview
The Commission for Protection of Child Rights Act 2005:	This provides for the constitution of a National Commission and State Commissions for protection of child rights and children's courts for providing speedy trial of offences against children or of violation of child rights and for matters or incidental to it. It also ensures the monitoring of implementation of legislation and policies at all levels of governance for upholding child rights and action for non-compliance.
The National Charter for Children in 2003 (Children's Charter):	This Charter emphasizes protection from economic exploitation and all forms of abuse; protection of the girl child; care, protection, welfare of children of marginalized and disadvantaged communities; and ensuring child-friendly procedures.
<i>Scheduled Castes and Scheduled Tribes Act, 1989</i>	Though the Act is not specific to children or does not have specific provisions for crimes against children, it does apply to all crimes committed against SC or ST children.
Other key legislations	See schedule.

5.2.2 Educational Boards

The safety framework for schools is also drawn by the various educational boards that affiliate schools at the central or state level. As these boards conduct regular inspections, they are well placed to ensure that the schools affiliated by them conform to the prescribed standards of safety.

5.3 What is the legal standard of care expected from schools?

The large number of applicable laws might make understanding the standard of care expected of school, difficult to comprehend or quantify. A glance at some of the applicable penal provisions and related case law helps in understanding that at the fundamental level – every effort must be (demonstrably undertaken) to ensure that there is no negligence. Schools are required to exercise all reasonable care to reduce risk and eliminate negligence.

Civil suits may arise (amongst under applicable provisions) for example under the principles of tort law, where a school may be

held vicariously liable for negligence and recklessness committed by their officials or under the provisions of the Consumer Protection Act, 1986, a school can be made liable for rendering deficient services to their consumers (students).

Criminal cases may arise for offences under the provisions of the Indian Penal Code, 1860 (IPC), a codified statute on criminal law and defines various criminal offences. Some of the IPC provisions placing criminal liability for crimes against a student may include the following.

Offence	Section
Abetment of suicide of child ¹⁰	S.306
Intentional omission to give information of offence	S.202
Sale of adulterated food ¹¹	S. 273
Rash or Negligent Driving	S. 279
Causing Death by negligence (unintentional)	S.319/ 320/ 323
Criminal Force/Assault/ Punishment	A. 350/351/354
Sexual Harassment	S. 354A
Rape/ Punishment/ Sexual intercourse by person of authority	S. 375/376/376-C
Cheating	418
Insulting the modesty of a woman	S.509

In conclusion, the legal framework on safety of students has a long history of a patchwork legislation. Recent events have resulted in efforts by state and central governments, educational boards and other stakeholders such as the authors of this report, to weave together a strong and coordinated legislative and policy framework for safety in school.

¹⁰In a case of suicide of a grade 12 student of a government school, Delhi HC passed an order allowing for a FIR to be lodged against the school for abetment of suicide of a child and due investigation to be done by the police. *Sangeeta Gupta v. State Government of NCT & Ors.*, Delhi High Court, and W.P. (CRL) 3550/2016 dated May 22, 2017.

¹¹Uttar Pradesh Amendment - shall be punished with imprisonment for life and shall also be liable to fine:

Provided that the Court may, for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment which is less than imprisonment for life.

5.4 Guiding Principles: Key Questions to Ensure Safety

Article 3 of the United Nations Convention on the Rights of the Child, 1989 (UNCRC) states the principle that the best interest of the child must be a primary consideration of all stakeholders while making any decision concerning the child.

As the list of safety to-dos can never be exhaustive, it is important for all stakeholders to develop certain core guiding principles that will help in implementation of all safety initiatives. Core principles provide guidance (as the “True North” in a compass), to guide the State/ the school/ other stakeholders especially while navigating areas that are unclear, unknown, or have no past precedent.

5.5 Four Core Principles for all Safety Initiatives & Key Questions¹²

5.5.1 Principle of Best Interest of the Child (art.3.1 UNCRC)

The Principle

This principle mandates that the best interest of the child must be the primary consideration of all stakeholders while directing any action concerning the child¹³. This requires that balancing the rights and duties of parents, guardians, educators and all other individuals legally responsible for child safety and protection, with the primary interest of the child.

Key questions to ask when applying the principle

How does my decision affect the student individually and students collectively; • Have I looked at all stakeholder perspectives – such as the child’s views and the parents/caregivers view; • Have I considered the safety of the child, child’s identity, impact on health, education and other rights; • In case of a conflict between rights can I write down all the reasons why my decision is in the best interest of the child – can I clearly identify the criteria and reasons to arrive at this conclusion.

5.5.2 Principle of Equality, Universality and Non-discrimination (art. 2):

The Principle

Under this principle all children shall be given equal opportunity and treatment. There shall be no discrimination against a child on any grounds including that of gender, religion, caste, class¹⁴, geographic area; disability etc. Based on this principle, safety must be equally applicable to all students, subject to any special provision made for the girl child or any other marginalized or particularly vulnerable section of children.

Key questions to ask when applying the principle

Does my decision or policy target any particular group of children and if so why? • Have I looked at the impact on individual and groups of children not involved; • How does my decision affect the student individually and students collectively; • Does this discriminate against any individual or group of children (including those in the target group).

5.5.3 Principle of Right to Survival and Development (art. 6):

The Principle

Combining all rights applicable to the right to survival and development, this principle emphasises the right to life taking in account living conditions, the quality of life and the right of every child to develop his or her maximum potential.

Key question to apply this principle

How does this initiative help increase safety and other rights; • Does it pose any risks • What measures protect the safety, dignity and well-being of the students? • How does it protect children with vulnerabilities?

¹² Questions framed from Child Rights Education Toolkit: Rooting Children in Early Childhood Education, Primary and Secondary Schools. First Edition, 2014

¹³ Article 3 of the UNCRC

¹⁴ The Right of Children to Free and Compulsory Education Act 2009 under Section 8(c) and 9 (c) provides for ensuring that the child belonging to economically weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds.

5.5.4 Principle of Right to Participation (art.12):

The Principle

Children have the right to be heard, listened to and participate in all matters that affect them, at almost all levels of society. This requires creating legal structures and a systematic practice of consulting children and listening to them. This right features in the Eleventh and the Twelfth Five Year Plan (2012–2017) documents, the NPC 2013 and the JJ Act, and State Rules and all child related international conventions.

Key question to apply this principle

Whose idea was it – student or adult? • Did the students have a say or were their views heard/considered; • To what extent were they involved in the planning, implementation monitoring or evaluation; • How has their participation contributed to changing attitudes and strengthening system in the medium and long term.

5.6 Understanding Prevention of Children from Sexual Offences Act, 2012 (POCSO)

The Prevention of Children from Sexual Offences Act, 2012 (POCSO) provides protection to all children from the offences of sexual assault, sexual harassment and pornography; a 'child' under POCSO means any person below the age of eighteen years.

5.6.1 Offences Covered

Sexual assault, sexual harassment and pornography are punishable offences.

Intent to commit an offence, even when unsuccessful for whatever reason, can be penalized. The attempt to commit attracts up to half the punishment prescribed for the commission of the offence. Abetment of the offence, is punishable in the same manner as the commission of the offence.

5.6.2 Reporting Obligation

Any person (including a child) who has knowledge that an offence under POCSO has been committed against a child or believes that it is likely to be committed or where there is an apprehension that a sexual offence is likely to be committed against a child, is required to provide such information to either the Special Juvenile Police Unit or the local police.

There is a special duty that has been imposed upon personnel working in the media hotels, clubs, studios, photographic facilities, and hospitals to report cases. If they find materials or objects that are sexually exploitative of children, they must report it to the police or the SPJU. The failure to report will attract imprisonment for a maximum term of six months and/or fine.

Children too are under an obligation to report offences but they cannot be punished for failure to report an offence.

5.6.3 Reporting Procedure

- ▶ Report must be given in writing.
- ▶ The child's statement can be recorded at his residence or any other place where he is comfortable, preferably by a woman police officer not below the rank of sub-inspector.
- ▶ Child's statement is to be recorded in the presence of parents or any other person child is comfortable with. Audi-video recording is permitted.
- ▶ No child to be detained in the police station in the night for any reason.
- ▶ Police officer must not be in uniform while recording the statement of the child.
- ▶ Under s. 24 (5) the police have a legal duty to protect the identity of the child from the public media.
- ▶ The statement of the child must be recorded as spoken by the child.
- ▶ Assistance of an interpreter or translator or an expert must be provided if needed and if the child is disabled a special educator or any person familiar with the manner of communication of the child should be used.
- ▶ Medical examination of the child to be conducted in the presence of the parent of the child or any other person in whom the child has trust or confidence.
- ▶ In case the victim is a girl child, the medical examination shall be conducted by a woman doctor.
- ▶ Within 24 hours the police will inform the Child Welfare Committee and the Special Court.
- ▶ Copy of the final police report must be provided to parents and child.

5.6.4 Consequences of Not Reporting

Any person who fails to report the commission of an offence under POCSO is liable to punishment of imprisonment (6 months) or fine or both. However, such punishment shall not apply to a child.

However, there is a higher penalty for those in charge of institutions. Failure on the part of a person in-charge of any company or institution in respect of a subordinate under his control will attract punishment of imprisonment up to 1 year and fine.

Please note that any person reporting such information in good faith shall not incur any legal liability for the same.

5.6.5 Children as Offenders

Cases against a child will lie before the Juvenile Justice Board as per procedures laid down under the Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act). The child cannot be tried by the Special Court and cannot be punished under POCSO Act. If the child is found to have committed an offence the Juvenile Justice Board could pass any of the following orders as per provisions listed under the JJ Act:

- ▶ Advice and admonish the child and send her/him home with parents or guardian after counselling.
- ▶ Direct the child to participate in group counselling and similar activities.
- ▶ Order the child to perform community service.
- ▶ Order the parent or the child to pay a fine, if such child is working and is above 14 years of age.
- ▶ Release the child on probation of good conduct after executing a bond and place the child in the custody of parent or guardian or fit person.
- ▶ Release the child on probation of good conduct and place the child in the custody of a fit institution for good behaviour and wellbeing of a child for not more than three years.
- ▶ Send the child to a special home for reformation for a maximum period of three years.

5.6.6 Consequences of False Complaints or Information

If a person (other than a child) provides any false information or false complaint in respect of an offence (committed under sections 3, 5, 7 and section 9) under POCSO, solely with the intention to humiliate, extort or threaten or defame him, such person shall be punished with imprisonment for a term which may extend to six months or with fine or with both.



Part Four: Implementation Toolkit

6 Part Four: The Safety Framework: 4 Essential Pillars

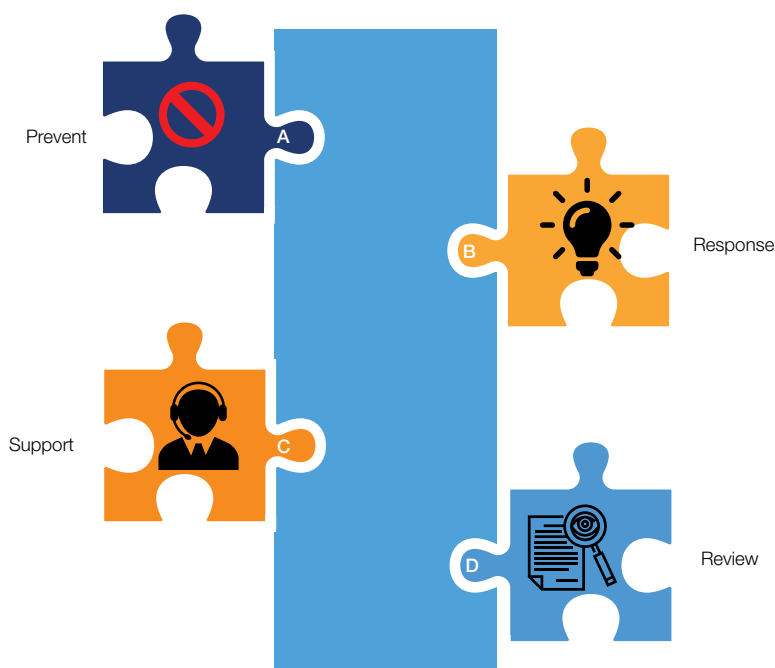
PREVENTION PRACTICES; RESPONSE RULES; SUPPORT SYSTEMS; REVIEW ROUTINE (PRSR)

► **Prevention:** When it comes to ring-fencing a school for safety, no idiom is better suited than the one attributed to the late 15th century Dutch philosopher Desiderius Erasmus, prevention is better than cure. A wholeschool approach to safety, requires that schools commence with an internal review of all processes and policies followed by a school to identify vulnerable pressure points and address each one adequately. For example, recruitment policies that clearly articulate a wide range of parameters including criteria such as familiarity with child protection issues, previous work experience in a school or other evidence to indicate interest in working in a school or being around children, being of an even temperament, etc. These criteria (in addition to the government prescribed recruitment guidelines) will ensure reduction in incidents of anger outbursts or actions due to lack of prior knowledge or training on child safety and protection etc. Similarly, reviewing student admission forms, daily school entry and exit criteria, infrastructural safety, student and parent safety workshops, etc., and introducing a robust safety policy, will strengthen the safety framework of the school. Key preventive criteria and sample policies are provided in schedule.

► **Response:** In the face of a safety incident, every school should know how to respond, what the roles and responsibilities of each member is and the flow of responsibility and communication. The key to building this pillar is to ensure that everyone is aware of the school's response mechanism. Students and staff must know whom to approach in case of an incident; the person receiving information or witnessing an incident must know how to respond; the school should know how to communicate to all parties concerned. Typically, all safety incidents fall into two broad categories: (a) incidents that constitute sexual abuse (fall under POCSO); and (b) all other safety incidents. A recommended response flow is provided in schedule.

► **Support:** The third critical pillar for school safety is to ensure that the school has a strong external and internal support system. External resources draw from the local community, such as schools with a good rapport with the local SJPU, or educational authorities and local community/ public services such as fire, electricity etc., are more likely to have a stronger safety framework for their school. Internal support system refers to the pastoral care given within the school and services available at the school. Support can be fostered through a blend of external and internal resources as well such as Schools with well-trained internal counsellors who are supported by a panel of external specialist counsellors have the ability provide a more holistic and timely intervention to children in distress. Similarly, the parent community can be called on to support school safety committees, conduct workshops. A non-exhaustive list of external resources is provided in schedule.

► **Review:** Ensuring safety is a dynamic, and ever evolving process for two reasons: (a) challenges to school safety are constantly changing due to technology, changing socio/familial patterns and other vulnerabilities; (b) every system is capable of improvement when it is tested in a live situation – therefore it is essential to conduct a lesson learnt exercise and conduct regular reviews of all safety measures, culminating in an annual safety audit.



6.1 Prevention Tools to Develop a Framework

To develop an effective Safety Framework, every school needs 3 sets of tools.

- **Knowledge Tools:** Example- Dept. of education Australia abuse indicators and the NIMHANS protocol for child abuse.
- **Process Tools:** A clear and simple, easy to remember process flow that is applied consistently.
- **Resource Tools:** Staying connected with all resource based connections such as parents, hospitals, counsellors, policy, fire/water/ electricity department, child help line etc. is critical to ensure that the right support is readily available.

“An analysis based on 83 studies of schools where violence had decreased concluded that duration and quality of programmes were important, and pointed to the effectiveness of four types of programmes:

- *Self-control improvement*
- *Social Skills Training*
- *Use of Multiple modes – different methods to do the same thing Administrative techniques – group conduct, clear behavior rules and norms Effective programmes are generally based on encouragement, and not on repression. For example, where military training style programmes have been introduced, they have failed to reduce the number of assaults”*

Extract from chapter on “Tackling violence in schools: what works” p. 47 Plan (2008) Learn Without Fear: The global campaign to end violence in schools Working Plan

6.2 Student Safety Policy/ Child Protection Policy

The school safety policy rests on four main pillars based on (a) prevention practices (b) response rules (c) support systems and (d) review routines. Some of the key elements of each pillar are set out below.

- ▶ The prevention practices mainly comprises of safe infrastructure, access control, off-site activity guidelines, workshops and awareness creation, student suggestion box, code of conduct for staff/ parents, safe recruitment practices, human resource policy, transport policy.
- ▶ The response practices addresses the way to respond if a safety incident occurs.
- ▶ Support systems refers to the external and internal sources that the school can rely on for support to ensure safety such as guidance and counselling centres.
- ▶ Review routines keep the policy live, current and effective; the school's Safety & Protection Committee would be responsible for conducting regular reviews and annual audits.

6.3 Key Areas Every Policy Should Address

6.3.1 Corporal Punishment

Corporal punishment is the physical use of force by someone in a position of authority against someone in his or her care with the intention of causing pain or discomfort. Examples include hitting with the hand, cane/stick, strap, kicking shaking, scratching, pinching, forcing children to stay in uncomfortable positions, locking up, tying up or forced ingestion such as washing mouth with soap.¹⁵

Corporal Punishment was banned in the 1986 National Policy and has been further enforced under Right to Education Act, 2009 which prohibits the use of any form of degrading and humiliating punishment. There is a legal mandate today to promote positive discipline.

6.3.2 Bullying, Cyber Bullying, Vandalism, Harassment, Sexual violence

The forms of behaviour must be addressed by the school. Policies with statements, and directions that directly address such behaviour needs to be included in the school safety framework. Behavioural policies must clearly state what adults and children must and must not do. For example the policy can state that all communication with children must be in public spaces and that care must be taken to ensure that appropriate language and action is used. Policy must also ensure standardisation of procedures so that students are aware of the support systems available, how to make a complaint and who to reach out to.

Useful Resource: UNESCO

toolkit on “Positive Discipline in the Inclusive, Learning-Friendly Classroom”

@<http://unesdoc.unesco.org/images/0014/001492/149284e.pdf>

¹⁵Plan (2008) Learn Without Fear: The global campaign to end violence in schools. Working Plan, p.7 Available online at planinternational.org/publications

Bullying is described as unwanted negative behaviour, verbal, psychological or physical, conducted by an individual or group against another person (or persons) and which is repeated over time. Placing a once-off offensive or hurtful public message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people is also regarded as bullying behaviour.¹⁶

Cyberbullying is bullying through the internet or mobile phone, often through social networking sites used by young people.

Key initiatives to increase reporting of bullying

- ▶ Conduct student and staff surveys to increase knowledge of types and forms of bullying.
- ▶ Add a “bully box”/suggestion or complaint box wherein students can drop a note to alert teachers and administrators.
- ▶ Establish a clear procedure to investigate reports of bullying.
- ▶ Focus on less-supervised areas (e.g., school yards, lunch rooms, toilets) and add trained supervisors spot bullying.
- ▶ Reduce students unsupervised time as most of bullying occurs during this time.
- ▶ Give identified bullies constructive tasks such as tutoring other students, sporting activities etc.
- ▶ Post classroom signs prohibiting bullying and listing the consequences.
- ▶ At the time of new admission get a declaration signed by student about anti bullying and its consequences.
- ▶ Provide teachers with effective classroom-management training.
- ▶ Encourage parent participation.
- ▶ Develop strategies to reward students for positive, inclusive behaviour.

The Comprehensive Measures to Address the Problem of Bullying, launched in Korea in 1994, involved the participation of national Parent- Teacher Associations. The program emphasizes interactions between teachers and parents to identify, prevent and eradicate bullying in particular schools.

6.3.3 Recruitment

An investigative approach needs to be taken for standardized recruitment, screening and selection process of all employees, contractors, trustees, officers and volunteers — whether paid or unpaid, fulltime or part-time, temporary or long-term — who have direct or indirect contact with children. Reference checks and inclusion of questions on child protection and safety, during interviews will help assess candidates on these issues.

6.3.4 School Access

Ensure that the school has a clear and robust visitor management system and staff/student identification and access-exit systems and protocols to ensure safety in schools.

6.3.5 Transport

All children must travel by parent authorised modes of transport and written instructions from parent must be obtained before permitting any change to normal scheduled travel routes.

Handover of child to a person not carrying the identity card must not be allowed, unless in exceptional circumstances where the teacher recognizes the parents or has been informed specifically either on phone or in person explaining the circumstances under which the person meeting the child could not be carrying the identification card. Teacher making the exception in handing over the child should document the reason provided.

In case there is a request during school hours to pick up a child due to an emergency, such exit should not be permitted unless the person requesting is the parent/guardian. In all other cases, permission to leave must be granted only with prior verified parental consent.

Ensuring safety for children using school buses:

- ▶ Follow Supreme Court Guidelines and RTO and other school bus safety regulations.
- ▶ Ensure safe passage from bus to school. If access into school premises is not possible, ensure that adults supervise and ensure safe passage of children from bus drop point to school gate.
- ▶ In case of encroachment of pavements on the road leading to the school (by unauthorized parking/ gardens/ shops, etc.) hindering safe walking path of children, it is the school's responsibility to bring this to the attention of local police station, who will liaise with the concerned authorities to rectify this.
- ▶ Ensure system is in place to confirm that every single bus has been emptied before buses move to park or leave the premises.
- ▶ Attendance of all children on a route must be taken. If any child who was present in the morning is missing at dispersal, the name must be immediately informed by the bus teacher to the bus-incharge so this can be tallied with special departure cases.
- ▶ Children leaving other than by the usual route must follow school procedure for special departures (such as provide a written message from parent to the Class teacher permitting such change).

¹⁶ Department of Education and Skills Guideline, Ireland
http://www.citizensinformation.ie/en/education/primary_and_post_primary_education/attendance_and_discipline_in_schools/bullying_in_schools_in_ireland.html

- ▶ Ensure presence of an adult female at the start or at the end of a journey. Care must be taken that at no time should a child (especially a female) remain alone in the bus with the driver and male conductor.
- ▶ The bus-in-charge will routinely monitor that all routes are being adhered to, by frequent monitoring of GPS tracking. In case at the end of the shift, there has been no confirmation from the teacher of the completion of a particular route, the location of the bus through GPS must be immediately identified and an alert sounded to ensure that nothing is amiss.

Safety of children travelling by private vehicles or other means:

- ▶ Parents must ensure that all private transportation arrangements made to take children to and from school complies with the Supreme Court directives on school safety and applicable road transport department guidelines.
- ▶ In case of students travelling by private vans hired directly by parents, the concerned parents may contact traffic police directly in case they are concerned about any violation by the private vehicles.

6.3.6 Field Trips

Parents must be provided complete information of the proposed trip whether it is a day trip or out of station overnight trip and parental consent must be obtained. Parents are required to update the school on the health of the child and the ability to participate in the proposed trip based on the child's health condition. Children must also be briefed on the proposed trip and safety norms prior to the trip such as not responding to the strangers, avoiding outside food items, be vocal in case of a medical emergency, wearing I-Cards all the times (good to memorize your parents number) etc.

Some of the guidelines for trips as given by Delhi Commission for protection of Child Rights are as below:

- ▶ Parents/guardians/caregivers written permission must be taken before children can be taken out of the institution premises for activities & outings.
- ▶ The exact route, destination, timings etc. must be communicated to parents well in advance.
- ▶ Participants must be made aware at least 3 days prior to the program, of safety precautions, helpline numbers etc.
- ▶ In case of public transportation, the school must ensure that all local rules in force applicable to public vehicles are adhered to.
- ▶ In case of outstation travel/trip, at least one female teacher must accompany the group, except if it is an all-boys trip.
- ▶ Whenever possible, no one day outing or trip should be initiated after dark.
- ▶ No outing or trip should be made compulsory for children.

6.3.7 Food

- ▶ Regulatory compliance and licence under FSSAI must be obtained and kept current.
- ▶ Canteen with healthy and hygienic food and alternative to junk food, may even include a trained dietician as Mid-day meal planner, where possible.
- ▶ Provision of clean and drinking water.
- ▶ Clean and rodent free kitchen facility, water tanks, toilets etc.

6.3.8 Field Trips

The children are exposed to various forms of risks while out for educational tours and excursions. Hence, it is necessary to instruct the children before excursion about ensuring their safety like not responding to the strangers, avoiding outside food items, be vocal in case of a medical emergency, wearing I-Cards all the times (good to memorize your parents number) etc.

Some of the guidelines for trips as given by Delhi Commission for protection of Child Rights are as below:

- ▶ Obtain written [informed] consent from parents/guardians/caregivers written permission before field trips.
- ▶ Communicate the exact route, destination, timings etc. to parents well in advance.
- ▶ Participants must be briefed at least 3 days prior to the program, of safety precautions, helpline numbers etc.
- ▶ In case of public transportation, the school must ensure that all local rules in force applicable to public vehicles are adhered to.
- ▶ In case of outstation travel/trip, at least one female teacher must accompany the group, except if it is an all-boys trip.
- ▶ Whenever possible, no one day outing or trip should be initiated after dark.
- ▶ No outing or trip should be made compulsory for children.

6.3.9 Disaster Management

Strengthening the security management and ensuring a quick action in case of a disaster is essential part of disaster management and emergency response system. A school disaster response team could be constituted consisting of members from the security, administration, teachers and senior students. The school's layout diagrams/maps should be current and evaluated for disaster and emergency management. All rooms should have safety exits indicated and safety exit signs displayed at all locations. For disaster risk management, schools should be fully equipped with fire safety measures like fire alarm, hose pipes connected to the water tanks, sprinklers and extinguishers are fixed on all the floors. Mock drills must be held regularly to ensure speedy evacuation of students and staff in case of earthquake/fire.

High risk areas such as science labs especially chemistry labs should have extinguishers and safety exits and an emergency shower in case of chemical spillages. The safety manuals. The National Institute of Disaster Management (NIDM) for training and capacity development provides training and capacity building support in the field of Disaster Management & Disaster Risk Reduction and has produced several manuals, safety checklists and other collaterals that can be used to inform, educate and train the school and its members.

6.4 Creativity in Implementing Safety: Sensitization, Training, Role Play & Workshops

Different approaches are required to bring a qualitative change in the learning-teaching environment. Since different children learn in different unique ways and often at their own pace, it is important for training to be on going and repetitive in different formats. This component is the most crucial to bring about change in the society. It is important to work with the key stakeholders who directly impact a child's well-being like parents and teachers. Trainings help in the overall development of the students with enhancement of their soft skills, readiness leading to increase in their confidence and self-esteem along with greater expertise in dealing with and identifying any form of abuse. The key here is to plan, schedule and budget for these trainings in advance of the school year. In addition to children, training and workshops must also be addressed to parents and support staff as well as management, teaching and non-teaching staff. Annual review of effectiveness of these sessions must also be included.

Creative ideas to enhance safety include:

- ▶ Self-reflection and use of dramatization, street theatre, art, music, poetry and any other creative forms of expression.
- ▶ Self-defence and self-protection training to students, mandatory daily physical activity at school.
- ▶ Teach resilience, emotions management, relationship building, sensitivity to difference etc.
- ▶ Classes for children on handling peer pressure, bullying, anger, exam pressure, harmful effects of drugs and tobacco; focus on life skills, yoga, meditation etc.

6.5 Technology & Cyber Safety Framework for Schools

Expert Voice: MESSAGE FROM CYBER SPECIALIST RAKSHIT TANDON

Ensuring cyber safety involves the active promotion of cyber safe behaviours based on the safe, respectful and responsible use of internet and mobile phone technologies, and the taking of specific measures to remove the risks of any inappropriate and harmful use of these technologies.

In an education setting, cyber bullying refers to the deliberate and repeated misuse of technology to harass, threaten, insult or ridicule students or staff. Examples include threatening texts, emails or instant messages, online denigration, vilification or defamation, derogatory websites, disturbing private pictures or videos, and online exclusion or impersonation. In schools and other education settings, victims of cyber bullying include both students and staff.

Also schools having their own Digital Infrastructures and ERP Systems to maintain data and information. Cyber Security Measures to Protect the school's own Systems, Servers, Apps and Data is also very important.

Effective and proactive procedures and practices for both preventing and dealing with cyber bullying are a key part of comprehensive intervention strategies to address bullying. Current research shows that the presence of formal whole school anti-bullying policy is an effective component of bullying prevention programs.

Such policies are emerging as effective strategies for reducing cyber bullying. However, because of the technological context of cyber bullying, there is a need to develop and implement specific strategies such as cyber safety education and promoting the positive uses of technology.

Effective cyber safety measures should be integrated into school's current policies and practices, including those dealing with ICT use, anti-bullying, harassment and discrimination. These measures need to be multi-disciplinary, whole school interventions and be integrated into student education programs and be the focus of specific staff training.

Regards,

Rakshit Tandon

Co- Founder/Chairman: A & R Info Security Solutions Pvt. Ltd.

Director Executive Council - Council of Information Security (CIS)

Cyber Security Consultant- Internet and Mobile Association of India

Advisory - Cyber Crime Cell (State Police)



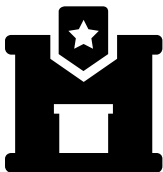

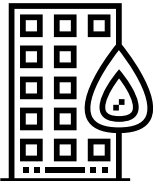
Cyber Safety for Children in Schools

- ▶ Education/Awareness Programs with Experts/ Law Enforcement Officers to explain the dangers and Implications of flouting the Law.
- ▶ Creation of Cyber Captains in Schools/Classes who will promote positive use of technology and also help peers with their Cyber Issues
- ▶ Cyber Safety Policy for Using technology in Schools.
- ▶ Teachers /ICT and Counselors to be trained on Cyber Safety and security.
- ▶ Cyber Hygiene/ Netiquettes to be made a part of curriculum.
- ▶ Awareness programs with parents on Cyber Threats to Children and Solutions.
- ▶ School should have a Helpline Mechanism for Victims of Cyber Bullying.

Cyber Security for School IT Infrastructure.

- ▶ Schools deals with sensitive information of children/parents on their digital ecosystem. online submission of fees, forms, results, curriculum etc. are on their digital network.
- ▶ Regular audits of networks with proper vulnerability assessment and pen testing has to be done to ensure data security and network security.
- ▶ Cyber Security Policy should be in place to ensure safety and security of their framework along with all their IT vendors.
- ▶ Schools giving wifi and internet facility in school campus should ensure proper firewall and maintain user details to ensure security.

6.6 Roles & Responsibilities of External Stakeholders towards Student Safety

	Neighbouring Hospital/ Medical Institutes & practitioners	<ul style="list-style-type: none"> ▶ Availability of on-call doctor/practitioner in case of medical emergency. ▶ Conducting Medical Camps in schools. ▶ Training of staff members in general First-aid and CPR.
	Transport Agency/ Authority	<ul style="list-style-type: none"> ▶ Mentor schools in ensuring implementation of safety measures like: <ul style="list-style-type: none"> • window grills in a school bus, • Valid fitness certificate and other documentation, • First-aid box in the vehicle, • Emergency exit window, Mentioning contact numbers on the backside of the bus etc. ▶ It can help schools in active and timely verification of qualified driver and conductor of the bus with no criminal background.
	Police Department	<ul style="list-style-type: none"> ▶ Organising workshop on Road safety lessons for students in order to avoid possible accidents. Timely communication by school management to the department. ▶ The trauma of the child to be kept in mind and not aggravated while conducting an enquiry. Submission of a safety plan to local police station.
	Child Welfare Committee (CWC)	<ul style="list-style-type: none"> ▶ CWC has authority to handle cases for care, protection, treatment, development and rehabilitation of the children and to provide for their basic needs and human rights.
	Fire Department	<ul style="list-style-type: none"> ▶ Conduct fire safety drill in schools. ▶ Conduct surprise audits to check if the staff is aware about use the equipment of fire fighting. ▶ Plan a visit of students to the fire station to give them live demo. ▶ Ensure that students understand that they need to run out in case of emergency.

6.7 Incident Response Rules: Basic Response Procedure

Every Response Protocol or Incident Action Plan must answer four questions:¹⁷

- ▶ What do we want to do?
- ▶ Who is responsible for doing it?
- ▶ How do we communicate with each other?
- ▶ What is the procedure if someone is injured?

Response rules can be divided into two major groups depending on the legal reporting requirements. Every school must have a written plan (Response Protocol or Incident Action Plan) that captures the detailed response/strategy to manage a safety incident (an incident being anything/occurrence that requires a response action to prevent or minimise loss, damage, injury etc.,).

▶ Response to Incident Response for Child Sexual Abuse or POCSO Cases:

Procedures & Protocols Recognizing the Nature of Violation: Child abuse may be in the form of physical, sexual or emotional abuse or may also be in form of a form of neglect. Trained personnel of the school, especially the teachers and supporting staff members shall be constantly alert to indicators of child abuse. Behavioural indicators may exist independently or maybe accompanied by physical signs. Teachers, staff members and managerial personnel of the school shall receive training to detect signs of child abuse.

Child sexual abuse is a severely punishable criminal offence under Indian law. The Prevention of Children from Sexual Offences Act, 2012 (POCSO) in particular provides protection to all children from the offences of sexual assault, sexual harassment and pornography; a 'child' under POCSO means any person below the age of eighteen years.

Intent to commit an offence, even when unsuccessful for whatever reason, can be penalized. The attempt to commit attracts up to half the punishment prescribed for the commission of the offence. Abetment of the offence, is punishable in the same manner as r the commission of the offence.

▶ Response to Safety Incident Response Other than for Child Sexual Abuse or POCSO Cases:

Procedures & protocols: Complaints or information regarding any safety incident occurring in the school or to student arising out of a school related issue may be reported as covered in the school's policy.

6.8 The Response Rules/ Protocol

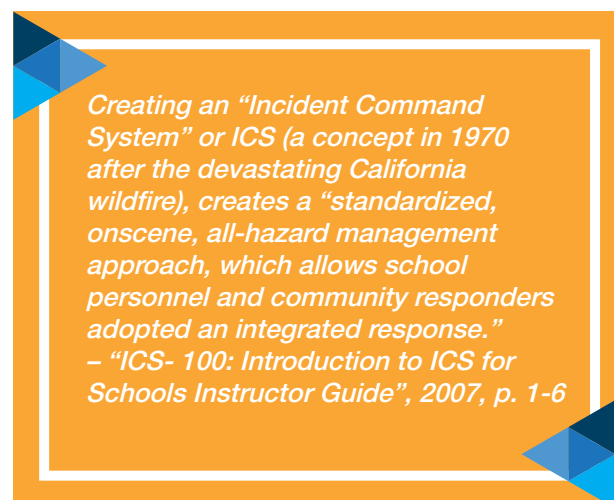
▶ **Step 1: receiving the information:** Person receiving the information or being aware of such a violation must inform CSO or the Head of Safety or any member of the Full-Time CSC immediately.

- Information from student: Any child in the school may report an incident of child abuse experienced by the child or observed by the child, to any personnel engaged by the school- teachers, staff, management personnel, and counsellor or contract staff.
- Information from Staff: Any teacher or any staff members observing, suspecting or witnessing an incident of child abuse must report the same to the CSO without delay.

▶ **Step 2: reassure child and ensure safety:** Remove child from imminent danger and reassure child safety. Do not conduct any invasive physical examination of the child.

▶ **Step 3: medical assistance/ first aid/CPR:** The school doctor (registered medical practitioner) addresses immediate needs and contacts nearest hospital. If the child has suffered sexual abuse, the staff or any management personnel of the school shall not examine the child.

▶ **Step 4: risk assessment:** If the child is at any kind of continued risk, the CPO shall inform the Child Welfare Committee (established under the Juvenile Justice (Care and Protection of Children) Act, 2015, without causing any unreasonable delay, and shall further ensure that the child is taken to a place of safety.



▶ **Step 5: inform parents/guardian:** The CSO should immediately inform parent/guardian.

▶ **Step 6: area access restriction:** The CSO shall secure the premises, Cordon off area of incident and preserve clothing or any other form of material evidence remove any person who might be responsible or contributed to any violation or incident.

▶ **Step 7: counselling support:** If necessary, arrange for expert counselling support for the abused child to help him/her cope with the situation.

¹⁷ICS-100: Introduction to ICS for Schools Instructor Guide", 2007, p. 3-25

► **Step 8: 1st 24-hour response:**

- Inform the head of institution and CSO/head of the Child Safety.
- Prepare an Initial Case Sheet (Any oral communication must be followed up in writing at the earliest).
- Based on the severity of the case, the Response CSC shall be convened immediately.
- In case any staff receives information of child sexual abuse, the same must be mandatorily reported to the jurisdictional SJPU or local police.
- The Head of Safety or school shall personally meet the parents/guardians of the child at the earliest possible instance, and shall further assure them of the school's full support, guidance and co-operation.
- The Head of Safety or school shall also ensure that the parents or guardians of the child mandatorily file an FIR with the SJPU/jurisdictional police station, either on the same day as the day of the incident or on the next day. The school authorities shall provide all possible guidance, advice and support to abused child and his/her parents to cope with the situation.

► **Step 9: the inquiry:** Response CSC should meet within 48 hours of a reported incident to discuss the incident and determine the next steps. Each case/incident will be determined on a case-by-case basis.

- If the alleged accused named in the FIR is a member of school staff, such member must be immediately placed on paid leave pending conclusion of enquiry.
- The Response CSC shall meet the child or the adult who has reported the incident of abuse, and if required he shall also meet other adults or children to document facts, reportage, observations and opinions of these persons, within 3 working days of such abuse being reported.

- The CSO shall prepare a detailed case report for the Response CSC.
- If other children in the school are affected by the incident, the Response CSC shall discuss the centre's action plan, progress of case filed (if any) with police/courts, and to assess risks to child/ other children/institution.
- A case file is created for each child.
- Response CSC shall make all reasonable efforts to conclude its enquiry within fourteen to 30 days working days of receiving notice of a reported incident.

► **Step 10: communication with jurisdictional education officer:** Head of the school shall make a report to the jurisdictional education officer, updating him about the present position of the case, within 15 days of reporting of incident.

► **Step 11: head of institution/ school management decision:** The Head of Safety shall on behalf of the School Management communicate its decision (based on the Response CSC recommendation) to concerned parties.

► **Step 12: closure**

- Cases of non-cognizable offense shall be closed within a maximum of 4 months.
- CSO shall make a report to the Block Education Officer, including status update of the case within 15 days.
- A case filed for a cognizable child safety violation or child sexual offence shall be kept open until such case is disposed by a court of law.

Receiving the Information	<ul style="list-style-type: none"> • Information from Student: Any child in the school may report an incident of child abuse experienced by the child or observed by the child, to any personnel engaged by the school - teachers, staff, management personnel, counselor or contract staff. • Information from Staff: Any teacher or any staff members observing, suspecting or witnessing an incident of child abuse must report the same to the CSO without delay. • Person receiving the information or being aware of such a violation must inform CSO or the Head of Safety or any member of the Full - Time CSC immediately.
Reassure Child and Ensure Safety	<ul style="list-style-type: none"> • Remove child from imminent danger and reassure child safety. Do not conduct any invasive physical examination of the child
Medical Assistance/ First Aid/CPR	<ul style="list-style-type: none"> • The school doctor (registered medical practitioner) addresses immediate needs and contacts nearest hospital. If the child has suffered sexual abuse, the staff or any management personnel of the school shall not examine the child.
Risk Assessment	<ul style="list-style-type: none"> • If the child is at any kind of continued risk, the CPO shall inform the Child Welfare Committee (established under the Juvenile Justice (Care and Protection of Children) Act, 2015, without causing any unreasonable delay, and shall further ensure that the child is taken to a place of safety.
Inform Parents/ Guardian	<ul style="list-style-type: none"> • The CSO should immediately inform parent/guardian.
Area Access Restriction	<ul style="list-style-type: none"> • The CSO shall secure the premises, cordon off area of incident and preserve clothing or any other form of material evidence remove any person who might be responsible or contributed to any violation or incident.
Counseling Support	<ul style="list-style-type: none"> • Information from Student: Any child in the school may report an incident of child abuse experienced by the child or observed by the child, to any personnel engaged by the school - teachers, staff, management personnel, counselor or contract staff. • Information from Staff: Any teacher or any staff members observing, suspecting or witnessing an incident of child abuse must report the same to the CSO without delay. • Person receiving the information or being aware of such a violation must inform CSO or the Head of Safety or any member of the Full- Time CSC immediately.

1 st 24 Hour Response	<ul style="list-style-type: none"> • Inform the head of institution and CSO/Head of the Child Safety. • Prepare an Initial Case Sheet (Any oral communication must be followed up in writing at the earliest). • Based on the severity of the case, the Responses CSC shall be convened immediately. • In case any staff receives information of child sexual abuse, the same must be mandatorily reported to the jurisdictional SJPU or local police. • The Head of Safety or school shall personally meet the parents/ guardians of the child at the earliest possible instance, and shall further assure them of the school's full support, guidance and cooperation. • The Head of Safety or school shall also ensure that the parents or guardians of the child mandatorily file an FIR with the SJPU / jurisdictional police station, either on the same day as the day of the incident or on the next day. The school authorities shall provide all possible guidance, advice and support to abused child and his/her parents to cope with the situation.
The Enquiry	<ul style="list-style-type: none"> • Response CSC should meet within 48 hours of a reported incident to discuss the incident and determine the next steps. Each case/incident will be determined on a case-by-case basis. • If the alleged accused named in the FIR is a member of school staff, such member must be immediately placed on paid leave pending conclusion of enquiry. • The Response CSC shall meet the child or the adult who has reported the incident of abuse, and if required he shall also meet other adults or children to document facts, reportage, observations and opinions of these persons, within 3 working days of such abuse being reported. • The CSO shall prepare a detailed case report for the Response CSC. • If the other children in the school are affected by the incident, the Response CSC shall discuss the centre's action plan, progress of case filed (if any) with police/ courts , and to assess risks to child/ other children/institution. • A case file is created for each child. • Response CSC shall make all reasonable efforts to conclude its enquiry within fourteen to 30 days working days of receiving notice of a reported incident.
Communication with Jurisdictional Education Officer	<ul style="list-style-type: none"> • Head of the school shall make a report to the jurisdictional Education Officer, updating him about the present position of the case, within 15 days of reporting of incident.
Conclusion	<ul style="list-style-type: none"> • Cases of non-cognizable offence shall be closed within a maximum of 4 months. • CSO shall make a report to the Block Education Officer, including status update of the case within 15 days. • A case filed for a cognizable child safety violation or child sexual offence shall be kept open until such case is disposed by a court of law.
Head of Institution's Decision	<ul style="list-style-type: none"> • The Head of Safety shall on behalf of the School Management communicate its decision (based on the Response CSC recommendation) to concerned parties.

6.9 Mandatory Reporting

Any person (including a child) who has knowledge that an offence under POCSO has been committed against a child or believes that it is likely to be committed or where there is an apprehension that a sexual offence is likely to be committed against a child, is required by law to provide such information to either the Special Juvenile Police Unit or the local police.

Children too are under an obligation to report offences but they cannot be punished for failure to report an offence.

6.10 Consequences of False Complaints or Information

If a person (other than a child) provides any false information or false complaint in respect of an offence (committed under sections 3, 5, 7 and section 9) under POCSO, solely with the intention to humiliate, extort or threaten or defame him, such person shall be punished with imprisonment for a term which may extend to six months or with fine or with both.

6.11 Media & Publicity

Except with the specific permission from the court, the media is not permitted to identify the child's name, address, photograph, family details, school, neighbourhood or any other particulars which may lead to disclosure of identity of the child (this is directed under s. 23 of POCSO).

6.12 Confidentiality

In the best interest of the child, and the child's right to privacy, all laws on confidentiality will be followed. As required under Section 21 of Juvenile Justice Act, the media will not be informed or entertained. In case of child sexual offence, POCSO also prohibits publicizing the identity of the child.

The implication, consequences of media presence shall also be explained to parents/ guardians. All staff and personnel shall be apprised of the law that prevails. If the matter has reached the press and electronic media, the Head of Safety shall address the media and assure them of school's stand, cooperation and support to the affected child and parents/ guardians, and co-operation with the police and other authorities in dealing with the case.

6.13 Transfer Certificate/Exit Documents

If the parent/ guardian wishes to remove the child who is victim of abuse at the school and re-admit the child to another institute, the CSO (Centre Director) shall provide such assistance as required to the parent/guardian of the child, and issue the transfer certificate or other exit document as applicable.

6.14 Responding to the Accused

6.14.1 When the accused is a child

When the alleged abuser is a child, then he/she must be treated as a child in conflict with law and the process of responding will be as per the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act). The case against the child lies before the Juvenile Justice Board. The child cannot be tried by the Special Court and cannot be punished under POCSO Act.

When the offence is cognizable, the school should follow the following procedure.

- The CPO shall inform the parent/ guardian of the child who has committed the offence and call them over to the school office and follow the mandated reporting obligations as per law.
- The school shall ensure that the alleged child is not intimidated in any manner or subjected to repeated questioning and interrogation.
- The alleged child may be restricted access to the centre until the inquiry process is completed by the police and Juvenile Justice Board.
- When the offence is non cognizable, the school will follow the following procedure.
- CPO shall talk to the child to understand what happened and why the child behaved in that particular way.
- School shall ensure that all measures are taken not to intimidate the child.
- The parents/ guardians shall be informed, called for a meeting and the matter shall be discussed with them.
- School shall refer such child for counselling to facilitate reformatory process.

Under no circumstances shall a child be subjected to corporal punishment.

6.14.2 When the accused is an adult:

Teaching or non-teaching staff of the school or associated with the school who is alleged of child abuse, shall be placed under suspension till completion of inquiry by the Response CSC. If the alleged abuser is convicted and sentenced by the court, the school shall formally terminate his/ her employment. For alleged abusers who are not employed by the school, the procedure and protocols to address safety incidents or child abuse shall be applied and all reporting obligations shall be followed.

7. Toolkit Summary: Steps to get Started

- ▶ **Draft and adopt customized Student Safety Policy (model provided)**
- ▶ **Constitute the Student Safety Committee.**
 - Appoint a Student Safety Officer/ Child Protection Officer.
 - Nominate or elect other members as recommended.
- ▶ **Notify the Response Rules – make visual collaterals where possible (Internal and External) Mechanisms.**
- ▶ **Conduct a risk assessment (can use the safety checklist to ascertain required preventive measures).**
- ▶ **Ensure basic prevention include procedures for the following.**
 - Staff recruitment and selection criteria.
 - Code of Conduct (address where possible issues of cyber bullying, vandalism, bullying and harassment, etc., separately).
 - Safe Transportation measures.
 - Capacity Building and Training.
 - Implementation of safety standards as per checklist on infrastructural, health, transport, cyber, emotional, social and sexual safety, emergency preparedness and disaster.
- ▶ **Calendar the following before the start of the academic year**
 - Capacity Building and Training (on the policy for staff, and on various aspects of safety for students and where possible for parents).
 - Regular meetings of the Student Safety Committee.
 - Report to the SMC, where applicable.
 - Annual report.

7.1 Essential Documentation to Implement Safety

Basic Documentation:

- ▶ Incident reporting and recording formats.
- ▶ Minutes of the Student Safety Committee meetings.
- ▶ Minutes/case files/ recording of Student Safety Committee enquiry meetings.
- ▶ Documenting and keeping the records of Complaint Box and Suggestion Book.
- ▶ Annual Report on Student Safety Policy.

Records to be maintained when a safety violation incident occurs:

- ▶ Student's complete case file with, Medical Reports, Counselling Reports and Student's Statement.
- ▶ Record of when and how the parent(s) were contacted.
- ▶ Case report: Child Abuse Reporting Form.
- ▶ FIR.

Records to be maintained when opening the Complaint/ suggestion Box

- ▶ Date and Time of Opening of the Box.
- ▶ Attendance Record of who were present during the opening.
- ▶ Issues noted down by the Student Safety Officer or Child Protection Officer to be discussed with Head of Institution and Student Safety Committee meeting. The slips need to be filed / stored.
- ▶ Based on severity of complaint, Student Safety Officer or Child Protection Officer will record if an Emergency Student Safety Committee meeting needs to be called.

Essentials of the Annual Report

- ▶ Purpose of report: information on the work done by school with regard to student safety and protection services should be included.
- ▶ Statistics (information on the following)
 - Number of Student Safety Committee meetings held.
 - Number of safety violations/ incidents.
 - Number of student complaints received and suggestions actioned.
 - Number of capacity building sessions held for staff, management, children and parents.
 - Modifications made to infrastructure and processes adopted as preventive measures.
- ▶ State if self-assessment or safety audit was conducted and include report if any.
- ▶ Identify proposals or changes needed to strengthen policy for the next year.
- ▶ Constitute Student Safety Committee for next year.

7.2 Suggested School Safety Committee (SSC) Membership

- ▶ **Chairperson:** Head of institution (Principal or the Head Master) S/he is the key nodal person.

- ▶ **Student Safety Officer (SSO) or Child Protection Officer (CPO):** The Head shall be assisted by a SSO/CPO, who may be nominated from amongst the teaching or non-teaching staff of the school. The CPO should not be a contract employee or a part-time employee. The CPO must be a permanent employee if possible with at least 5 years' service in the School and preferably, with a background in child psychology and counselling or experience of working with children and familiar with child protection concerns and procedures.

Faculty representatives: 2 or more representatives from the teaching or non-teaching staff. This could be also be broken down as follows

- One management representative.
- One faculty representative each from primary, middle and senior school.
- ▶ **Parent representatives:** 2 parents including where applicable one parent who is also a parent representative of the School Management Committee (SMC) or a Parent Teachers Association (PTA).
- ▶ **Student representatives:** 2 from senior school, preferably where possible one girl and one boy.

7.3 Month-wise Operational Framework

Timeline	Stages	What is to be done?	How it will be implemented?
Month 1	Current State Assessment	To conduct an internal capability assessment of schools.	<ul style="list-style-type: none"> Identify key stakeholders affecting the state education system. Kick off meeting with the stakeholders identified above for the formulation, implementation and monitoring of Child safety policy. Collect data and reports to undertake internal capability assessment of Schools. Conduct FGDs from whom the inputs can be valuable for policy formulation.
Month 2 & 3	Creation of Repository through online platform	Create a website and track child safety information through online Portal.	<ul style="list-style-type: none"> Conceptualize and develop web based knowledge and finalize the same based on stakeholder's inputs (information about children, staff, guidelines and policies, e-group formation, list of trainers, training materials etc.). In the absence of resources to take it online and offline repository can be maintained with the required information of key stakeholders. Develop the portal in dual language (English & Local). Update the portal/ repository regularly and keep a track of the website. Identify the stakeholders to keep a track of information upgradation on the portal. Online & automatic monitoring of technology equipment deployed for safety. Analytics and dash boarding: this should have correlation and risk analytics and Risk response tracking and aggregation.
Month 4	Helpline Number	Provision of 24*7 Helpline Number.	<ul style="list-style-type: none"> The helpline number will help teacher, student and parents primarily to raise their concerns & ask for direct guidance or help on an issue. The helpline number will have a separate gateway for parents, teachers and students. The numbers should be in operation at any point of time.
Month 4 & 5	Self-Assessment report based on checklist	Preparation of self-assessment report based on checklist.	<ul style="list-style-type: none"> The self-assessment of schools will be conducted based on the pre-defined parameter in a form of checklist. Format of self-assessment report should be uniform and consistent for all. Surprise inspection should be conducted by advisory committee to check the status of schools based on the report submitted. Drills should be conducted for students, teachers and other staff to check the response time. A training calendar to be maintained and implemented by each school. The schools can designate a member based on his/her credentials, who will be responsible to conduct selfassessment and this report should be finally assessed by the principal.
Month 6	Rating of schools based on assessment	Rating on the basis of assessment checklist.	<ul style="list-style-type: none"> Schools will rate themselves based on results of the checklist shared and pre-defined grading scheme. The inspection committee shall assess the results of schools self-assessment report based on interaction with the students. After assigning the rating, school shall upload the report and the results on the website.
Month 7	Verification of schools for Child Safety	Verification by inspection committee.	<ul style="list-style-type: none"> The verification committee shall conduct the inspection for "A grade" schools on yearly basis and for "B grade" schools on six months basis. The committee will submit their report to the head of education department and also upload the same on the portal created to monitor child safety measures.

Month 8 & 9	Action Plan	Preparation of action plan based on gaps identified	<ul style="list-style-type: none"> Schools shall prepare action plans for those falling short of baseline expectations. Plans to cover action items, timelines, responsible stakeholders and reporting guidelines. Conduct weekly meetings with schools to monitor progress Give impetus to the red category schools.
Month 10 & 11	Monitoring & Evaluation	Implementation of Monitoring & Evaluation Framework	<ul style="list-style-type: none"> Governance Risk and Compliance (GRC) technologies can be used as a platform to support enterprise view of risk and compliance and control execution and monitoring activities. Regulatory compliance like risk assessment should be in place. Centralised structure having document repository with multi-mandate support and risk control activity should be in place. Electronic workflow: it should have role based activity notification and automated completion of validation. Institutionalize mechanism for reassessment of security risks Site/service leaders will provide ongoing monitoring of their site's/service's compliance and report on elements of that compliance. Education Leaders will monitor reports provided by site leaders, support sites/services to address gaps in compliance and advise policy makers as required.

7.4 Safety Assessment & Audit Check List

A self-assessment checklist based on the Karnataka Operational Guidelines for Safety in Schools and modified to include key CBSE/CISE and certain state regulatory norms (Karnataka, Delhi, and Haryana) has been provided, in this FICCI-FICCI ARISE- MLP- Safety Report. The assessment reviews school safety over 8 main areas or critical indicators of safety.

- ▶ **Infrastructural Safety:** compound walls/roof, separate toilets/safe water/food storage.
- ▶ **Health Safety:** first aid kit/health records/health education/tie up with hospital.
- ▶ **Transport Safety:** background check/min 5 years' experience/attendants/autoricksaw safety.
- ▶ **Personal, Social and Emotional Safety & Sexual Safety:** objective: empower the child to be safe: workshops, class time, POCSO Focus: healthy peer relationships, life skills, sensitivity.
- ▶ **Child Protection Mechanisms:** covers provisions that a school can include such as child protection policy; safety committee; regular trainings; safe recruitment practices etc.
- ▶ **Response Mechanisms:** covers the protocols adopted by the school to respond to an incident.
- ▶ **Emergency Preparedness & Disaster Management:** what to do if wall collapses, sudden strike/bandh/earthquake.
- ▶ **Cyber Safety:** access to computer rooms, online behavior; parent education, disposal of e-waste.

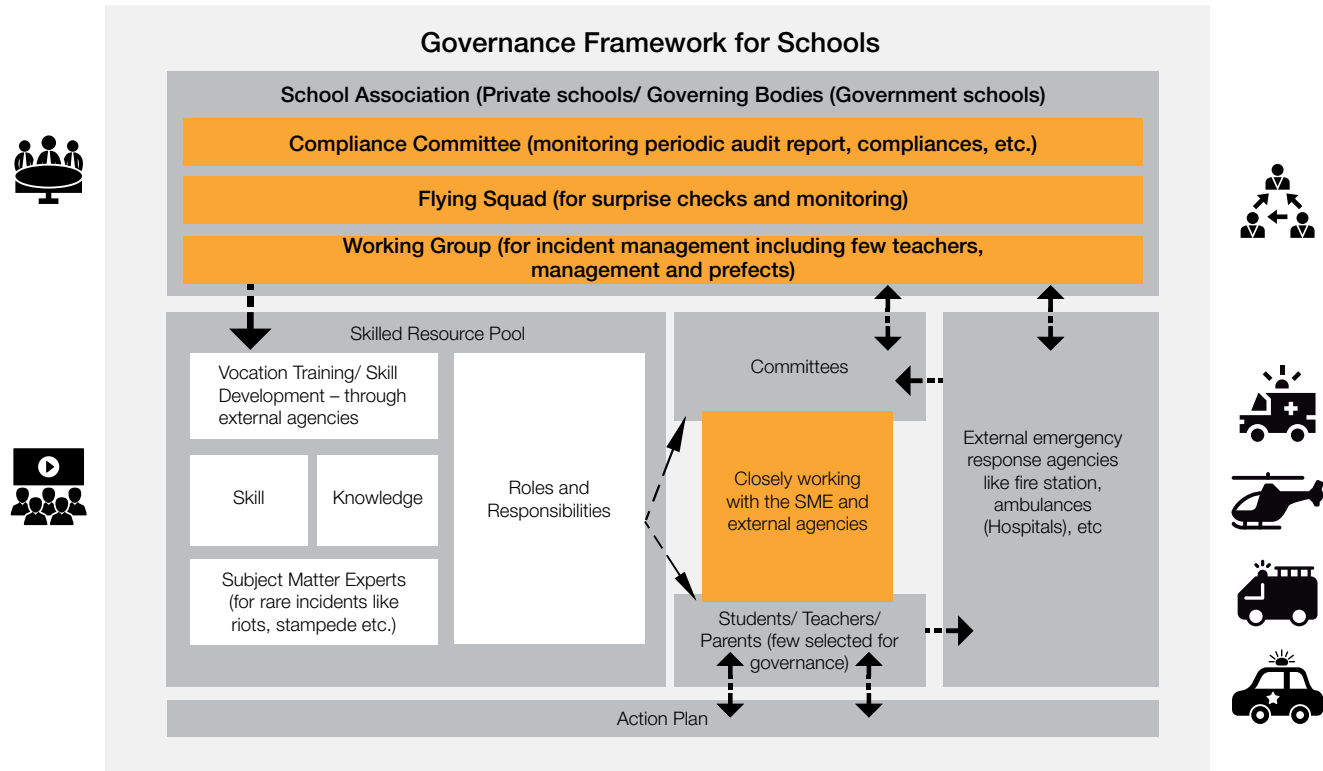
8 Roles & Responsibilities of Key stakeholders

The roles and responsibilities of key stakeholders are detailed below:

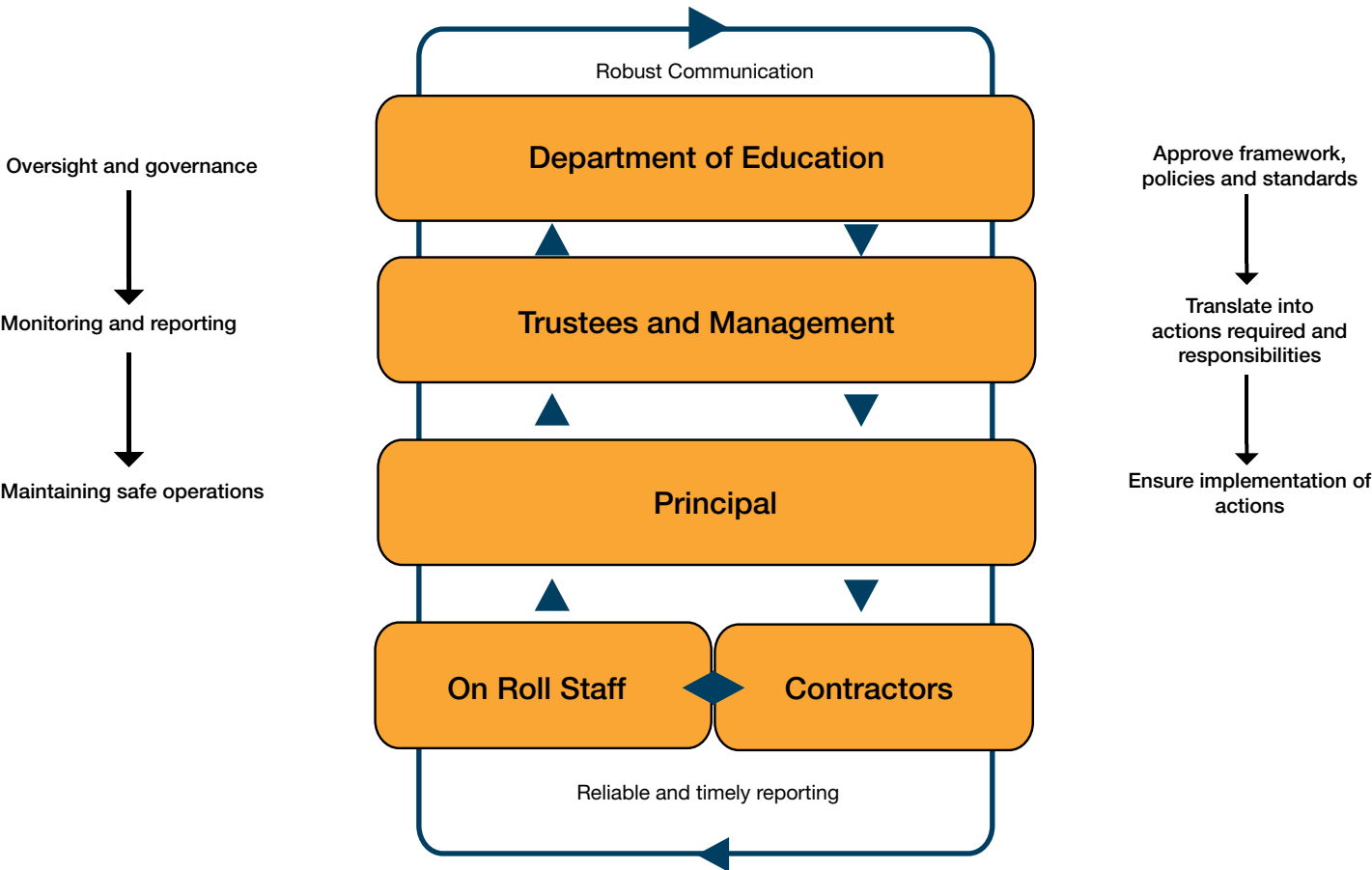
Primary Stakeholders	Key Responsibilities
School Management	<ul style="list-style-type: none"> The board must communicate a zero-tolerance policy towards issues of child abuse. Board members must interact with students, parents, teachers and other stakeholders to keep a check on the security standards of the school. Ensure regular compliance of the code of conduct within the premises. Organizing specialized workshops, programmes, and drills in coordination with other stakeholders. Maintenance of directory of doctors, hospitals, ambulance service, medical care units etc. Strengthen recruiting process of teaching and non-teaching staff or third party staff by making psychometric test and background verification check mandatory.
Teachers	<ul style="list-style-type: none"> To follow policies and guidelines implemented by the governing body. To encourage a climate of open communication with children so that information about abuse/violence does not remain 'secret' till too late. To assist the child in developing skills to cope with possible threats to their personal safety. To report any incident that may come to their attention. Ensuring complete assistance to students with special needs.

Non-teaching and contractual staff	<ul style="list-style-type: none"> • Access to specific areas of the school linked to the person's role only. • Active participation in various child safety programmes, workshops, disaster management exercises etc. • Responsibility to report any incident they may come to know of, or any suspicious behaviour on part of any other staff.
Parents/ Guardian	<ul style="list-style-type: none"> • Advice on good touch-bad touch. • Internet safety and importance of not disclosing personal details to strangers. • Empathising the child to discuss with the parents, if something is troubling them. • Awareness of behavioural indicators which traumatized children may demonstrate. • Active consultation and participation of families in child protection issues.
Secondary Stakeholders	Key Responsibilities
Neighbouring Hospital/ Medical Institutes & practitioners	<ul style="list-style-type: none"> • Availability of full-time medical assistance / practitioner at school premises with necessary medical facilities. • Availability of on-call doctor/practitioner in case of any medical emergency. • Training school staff members in basic first-aid activities like Cardiopulmonary Resuscitation (CPR) etc.
School Transport Agency & State Authority Authorities	<ul style="list-style-type: none"> • Installation of CCTV, GPS tracker, speed governors etc. in the school bus. • Ensuring implementation of safety measures like window grills in a school bus, valid fitness certificate and other documentation, first-aid box in the vehicle, emergency exit window, mentioning contact numbers on the backside of the bus etc. • Co-ordination or communication with state and private operators to stop and pick up from designated bus stops only and fleet operated through fixed routes only. • Employment of qualified driver and conductor of the bus with no criminal background.
Department of Education & Women & Child Development	<ul style="list-style-type: none"> • Conducting safety audits of the schools or educational institutions to address issues and ensuring compliance. • Introducing performance measure criteria or KRAs based on which ranking or ranking shall be given to each school on necessary and optional standards to improve services. • Sensitized society on the Child Protection Policy / Guidelines/laws and reporting mechanisms.
Department of Finance	<ul style="list-style-type: none"> • Sufficient budget allocation for child protection and development and transparency in expenditures made and providing guidance on alternative funding strategies. • Keeping schools/education institutions updated regarding further development or change in budget allocation (if any).
Department of Telecommunication & Information	<ul style="list-style-type: none"> • Utilizing their facilities and infrastructure to inform and educate people on child protection. • Developing programmes that highlight the importance of child protection on national television and broadcasting specialized programmes helping the psychological and behavioural development of a child.
Police Department	<ul style="list-style-type: none"> • Organising workshop on Road safety lessons for students in order to avoid possible accidents due to rash driving, road crossing, driving without helmets etc. • Timely communication by school management to the department and further timely initiation of action by the department. • In the event of occurrence of child abuse, follows a child-sensitive procedure of inquiry, in accordance with the law. The trauma of the child to be kept in mind and not aggravated. • Ensuring submission of safety plan to local police station by schools.
Judiciary	<ul style="list-style-type: none"> • Judiciary has a vital role to play in ensuring higher conviction rates and faster trials which has expanded remarkably in recent times due to massive increase in child abuse in India. • Appropriately responding to complaints of online harassment of children or cybercrime. Also, enhancing the forensic capacity to investigate online offences and inadequate cooperation by India for investigating international offences. • Cyber-bullying, sexting, social exclusion or exposure to inappropriate content must constitute legal offences under Indian law.
Non-Government Organisations (NGOs)	<ul style="list-style-type: none"> • Complimenting government and educational institutes in carrying out development programmes and workshops and provision of technical support. • Highlighting underdeveloped areas and resource mobilization for the same.
Educational and research organizations	<ul style="list-style-type: none"> • Undertaking research on various aspects related to Child protection & development. • Analysing and driving meaningful results and offer training on specialized skills and disciplines relevant to the needs of the department based on above research.
Labour Departments	<ul style="list-style-type: none"> • Ensuring child safety and wellbeing in settings where children are allowed to work under Child labour laws, Ensuring rescue and rehabilitation of children working in the prohibited settings, Ensuring that owners and other responsible adults are booked under the crimes.

8.1 The Stakeholder Partnership



Conceptual framework – primary stakeholders



9 Knowledge Report Scope Limitations and Disclaimer

This Knowledge Report summarizes the status of child safety issues, based on sample data and certain essential laws in India. The Knowledge Report does not advise on or summarize the position under all regulations, nor does it cover all child safety issues that may arise in India.

The views expressed in this document reflect the authors' general opinion on the underlying matter. They do not assure a result or guarantee an outcome. Moreover, this Knowledge Report should not be regarded as legal advice or a dispositive statement on the law discussed. Each user of this Knowledge Report must independently verify the legal provisions and the interpretations in question.

This Knowledge Report will not be updated or revised to reflect changes to facts or law after March 2018 (even if such changes may affect the legal analysis, legal conclusions or information in this document).

10 Annexures

10.1 Indicators/ Flags of abuse:

WHO definitions of the different types of child abuse (physical, sexual, emotional, neglect) may be used.¹⁸ The list below is reproduced from the Department of Education, Australia.

Most child abuse or neglect is not identified based on a single event or indicator. Indicators usually occur in clusters and in some cases there may be no indicators of abuse occurring. The following indicators may lead to a concern that a child is being subjected to abuse. Indicators should be considered in the context of the child's age, capabilities, medical and developmental history.			
Types of Abuse	Definition	Possible Physical Indicator	Possible behavioural Indicator
Physical Abuse	Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or a child's caregiver. It may also be the result of putting a child at risk of being injured. Some examples are: Hitting, shaking, punching; burning and scolding; excessive physical punishment or discipline; attempted suffocation; giving harmful substances.	<ul style="list-style-type: none"> • Bite marks • Bruises • Burns • Broken bones • Hair missing in tufts • Arms and legs covered by clothing in warm weather • Lacerations and abrasion (especially to the eyes, lips, gums and mouth) • Missing or loosened teeth • Welts • Female genital mutilation 	<ul style="list-style-type: none"> • Overly compliant, shy, withdrawn, passive • Uncommunicative • No or little emotion when hurt • Regression • Fear of parent/carer or relative • Avoidance of physical contact • Unexplained or unlikely explanation of injury • Little or no emotion when hurt • School attendance issues • Disclosure directly or indirectly through drawings, play or writing • Drug or alcohol abuse • Non-suicidal self-injury • Suicidal ideation • Attempted suicide • School attendance issues
Emotional Abuse	Emotional abuse occurs when an adult harms a child's development by repeatedly treating and speaking to a child in ways that damage the child's ability to feel and express their feelings. Emotional abuse includes psychological abuse and exposure to family violence. Some examples are: constantly criticising, shaming or threatening a child or showing little or no love, support or guidance.	<ul style="list-style-type: none"> • Eating disorders (anorexia or bulimia) • Lethargy or fatigue 	<ul style="list-style-type: none"> • Excessively compliant or passive • Excessively shy or withdrawn • Excessively neat or clean • Wetting, soiling, smearing • Low self-esteem • Poor peer relationships • Aggressive or delinquent behaviour • Reluctance to go home • Lack of trust • Highly anxious • Fearful when approached by an unknown person • Disclosure directly or indirectly through drawings, play or writing • Drug or alcohol abuse

¹⁸ World Health Organization (1999): Report of the Consultation on Child Abuse Prevention; Geneva
http://www.who.int/violence_injury_prevention/violence/neglect/en/

Family Violence	<p>Family violence is a reference to: (a) violence, or a threat of violence, by a person towards a family member of the person; or (b) any other behaviour by the person that coerces or controls the family member or causes the member to be fearful.</p> <p>A child is exposed to family violence or personal violence if the child sees or hears the violence or otherwise experiences the effects of the violence.</p> <p>Examples of exposure to family violence include: overhearing threats of death or personal injury to a person; or seeing or hearing an assault of a person; or comforting or providing assistance to a person who has been assaulted; or cleaning up a site after property damage; or being present when police or ambulance officers attend an incident involving the violence.</p>	<ul style="list-style-type: none"> • Injuries which are excused as accidents' • Easily startled • Lethargy • Wetting, soiling, smearing 	<ul style="list-style-type: none"> • Changes in personal behaviours, e.g. an outgoing student becomes withdrawn • Concentration difficulties • Highly anxious • Constant and abrupt absences from school • A fear of the parent • An extreme fear of conflict • Tendencies towards isolation and avoidance of friends and family • Sudden anger or violent outbursts • Hyper-vigilance • Disclosure directly or indirectly through drawings, play or writing • Drug or alcohol abuse • Non-suicidal self-injury • Suicidal ideation • Attempted suicide • School attendance issues
Neglect	<p>Omission of care neglect is when a child is not provided with adequate food or shelter, effective medical, therapeutic or remedial treatment, and/or care, nurturance or supervision to a severe and/or persistent extent where the health or development of the child is significantly impaired or placed at serious risk.</p> <p>Cumulative harm The term 'cumulative harm' refers to the effects of patterns of circumstances and events in a child's life. The unremitting daily impact of these experiences on the child can be profound and exponential, and diminish a child's sense of safety, stability and wellbeing. Cumulative harm may be caused by an accumulation of a single recurring adverse circumstance or event, or by multiple circumstances or events.</p>	<ul style="list-style-type: none"> • Poor hygiene • Dirty and unwashed • Lack of adequate or suitable clothing • Lack of medical or dental care • Development delays untreated physical or medical problems, e.g. sores, boils or lice 	<ul style="list-style-type: none"> • Always attends school even when sick • Frequent lateness or absence, early arrival at school or reluctant to leave • Falling asleep in school, constant fatigue • Dull, apathetic appearance • Steals, hoards or begs for food • Consistently hungry • Engages in vandalism • Frequent illness, minor infections or sores • Disclosure directly or indirectly through drawings, play or writing • Drug or alcohol abuse • Non-suicidal self-injury • Suicidal ideation • Attempted suicide • School attendance issues

Sexual Abuse	<p>Sexual abuse, in relation to a child, includes sexual behaviour in circumstances where</p> <ul style="list-style-type: none"> the child is the subject of bribery, coercion, a threat, exploitation or violence; or the child has less power than another person involved in the behaviour; or there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour 	<ul style="list-style-type: none"> Bruises or bleeding from external genitalia, vagina or anal regions Blood stained clothing Pregnancy Signs of pain, itching or discomfort in the anal or genital area Urinary tract infections Wetting, soiling, smearing 	<ul style="list-style-type: none"> Sexual behaviour or knowledge of sexual matters inappropriate to age or development Sexual behaviour that is harmful to self or others Disclosure of involvement in sexual activity directly to an adult, indirectly to a friend or in a disguised way, e.g. "I know a person who..." Decline in school performance Poor attention or school refusal Regression to infantile behaviour, e.g. thumb-sucking, rocking Unexplained fears Anxiety, sadness Running away from home Resistance to having contact with or fear of a parent/carer/relative Eating disorder Volatile substance use Criminal sexual behaviour Anger and defiance Deliberate cruelty to animals Helplessness Aggression Social withdrawal or isolation Disclosure directly or indirectly through drawings, play or writing Drug or alcohol abuse Non-suicidal self-injury Suicidal ideation Attempted suicide School attendance issues
--------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

10.2 Examples of Good Practices in Interviewing Children¹⁹

The Interview	DON'T ASK	CAN ASK
Must not contain the answer	Did it happen to you at X place? Was X there? Did he/she tell you not to tell anyone	Where did it happen? Who was there? What was said to you?
Must not contain a choice of answers	Was he/she wearing X type of clothing? Were you sitting up or lying down? Were you scared, angry or sad?	Tell me what he/she looked like? Where were you in the room? How did you feel?
Must not contain explicit details of the alleged abuse	Did he/she make you do X thing? Did some white stuff come out of his penis Which finger did he/she use to hurt you	What did he do next? Then what happened? What was it that hurt you?
Must not contain the interviewers assumptions	We are going to ask you some questions as to what happened to you: What kind of car did you go in? Was there a bed in the room? Tell me about your mom's house?	How did you get there? Can you tell me what was in the room? Tell me where your mom lives?

¹⁹ Source: Indian Council for Child Welfare, Chennai

10.3 Tips for Counsellors and Teachers

(Reproduced from the Child Protection Handbook for Teachers, Administrators and Board Members by ASIA (The Association of International Schools in African)²⁰

- ▶ Do not let a child swear you to secrecy before telling you something. You may need to report, which the child will view as breaking your trust with them.
- ▶ If a child asks to speak with you, try to find a neutral setting where you can have quiet and few interruptions.
- ▶ Do not lead the child in telling. Just listen, letting him/her explain in his/her own words. Don't pressure for a great amount of detail.
- ▶ Respond calmly and matter-of-factly. Even if the story that the child tells you is difficult to hear, it is important not to register disgust or alarm.
- ▶ Do not make judgmental or disparaging comments about the abuser - it is often someone the child loves or with whom he/she is close.
- ▶ Do not make promises to the child that things will get better.
- ▶ Do not confront the abuser. If the child does not want to go home, this should be considered an emergency. Report and handle immediately by contacting your school-based Support Team or the Community-based Multidisciplinary Team. Do not take the child home with you!
- ▶ Respect the child's confidence. Share with the Child Protection Team, but limit information from and with other staff.
- ▶ Explain to the child that you must tell someone else to get help.
- ▶ Try to let the child know that someone else also will need to talk with /her and explain why?
- ▶ Empower the student by as much as possible allowing the child a part in the process.
- ▶ Please note: teachers are not investigators. Your role is to listen and respond to disclosures in order to determine the next step for students to get the help they need. When appropriate, a request for an investigation must be completed.
- ▶ Case management standard reporting form (usually compiled by counsellor or case manager) should include:
 - Reporter's relationship to the child/victim.
 - Child's name, gender, age, address.
 - Information on parents/guardians.
 - Information about the reporter and school.
 - Nature and extent of injuries/maltreatment.
 - How reporter became aware (first-hand witness?).
 - Description of action taken (if any).
 - Other information that may be helpful.
 - Name of perpetrator, siblings at home, prior evidence.
 - Information about the cause, and those responsible.

10.4 Teacher/Staff Undertaking²¹

I will:

- ▶ Treat everyone with respect, patience, integrity, courtesy, dignity, and consideration.
- ▶ Never be alone with children and/or youth at school activities without another adult being notified.
- ▶ Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or youth.
- ▶ Maintain appropriate physical boundaries at all times and touch children – when necessary – only in ways that are appropriate, public, and non-sexual.
- ▶ Comply with the mandatory reporting regulations of [name of school] and with the [name of school] policy to report suspected child abuse.
- ▶ Cooperate fully in any investigation of abuse of children and/or youth.

I will not:

- ▶ Touch or speak to a child and/or youth in a sexual or other inappropriate manner.
- ▶ Inflict any physical or emotional abuse such as striking, spanking, shaking, slapping, humiliating, ridiculing, threatening, or degrading children and/or youth.

²⁰ <http://www.icmec.org/wp-content/uploads/2017/03/AISA-CP-Handbook-2016.pdf>

²¹ Source: <http://www.icmec.org/wp-content/uploads/2017/03/AISA-CP-Handbook-2016.pdf>

- ▶ Smoke or use tobacco products, or possess, or be under the influence of alcohol or illegal drugs at any time while working with children and/or youth.
- ▶ Give a child who is not my own a ride home alone.
- ▶ Accept gifts from or give gifts to children or youth without the knowledge of their parents or guardians.
- ▶ Engage in private communications with children via text messaging, email, Facebook, Twitter or similar forms of electronic or social media except for activities strictly involving school business.
- ▶ Use profanity in the presence of children and/or youth at any time.

I understand that as a person working with and/or providing services to children and youth under the auspices of [name of school], I am subject to a criminal history background check. My signature confirms that I have read this Code of Conduct and that as a person working with children and youth I agree to follow these standards. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in disciplinary action up to and including removal from [name of school].

SAMPLE BEHAVIOUR POLICIES THAT WILL PROTECT TEACHERS FROM FALSE ALLEGATIONS²²

- Avoid situations in which you are alone with a child. This includes not transporting youngsters alone in your car. When it is necessary to speak privately with a child, find a space out of earshot, but within sight of others for your conference.
- The privacy of children in situations such as toileting, showering and changing clothes should be respected. When it is necessary to supervise children in these situations, at least two adults should be present and intrude only to the extent that the health and safety of the children require. Adult volunteers should preserve their own privacy in these situations also.
- Avoid touching areas that are normally covered by swimming suits; breasts, buttocks, and groin.
- When hugging is appropriate, hug from the side over the shoulders, not from the front. Sexual jokes, comments of a sexual nature, kissing, sensual massages or sexual gestures are not appropriate behaviour for an adult staff member or volunteer.
- When volunteering to supervise overnight activities, adults should not share sleeping quarters with children other than their own.
- Revealing personal information about one's sex life by an adult volunteer or staff member is never appropriate.
- Do not use corporal punishment in any form.
- It is the adult's responsibility to set and respect boundaries. When a child attempts to involve an adult in inappropriate behaviour, the adult must reject the overture.

10.5 Template for Student Safety Policy (SSP)

(Adapted with modifications from The Operational Guidelines and Procedures for Educational Institutions under Karnataka State Child Protection Policy. Modifications drafted by MLP.)

PART ONE: INTRODUCTION

I. Safety Vision and Mission Statement

The safety to every student entrusted in the care of [School Name and Address] is an integral part of our vision for a safe, inclusive, nurturing, supportive and responsive environment that upholds rights and dignity of every child in the school. By this Student Safety Policy (SSP) we aim to provide a conducive and child sensitive learning environment where we engage with children to ensure safety.

Safety is achievable by establishing effective measures on prevention, early intervention and strengthening response mechanisms, support services and building partnerships with concerned agencies and child protection mechanisms.

II. Statement of Commitment

The school affirms its commitment to uphold the rights and development of all students in our care, uphold equity and equality and practice non-discrimination, as outlined by the UN Convention on the Rights of the Child. We oppose all forms of child safety violations including child abuse such as physical and sexual abuse, exploitation, emotional abuse, corporal punishment, and neglect. The safety of children guided by the best interest of the child shall be at the core of all activities.

III. Statement of Recognition of Child Safety Violations Including Child Abuse

We recognize that child abuse includes physical, emotional or psychological, sexual abuse, neglect, maltreatment, discrimination as described below.

²² Source same as above; also, see ISP Child Protection Policy - Version 1.2, September 2016

S.No	Types of safety Violation	Description
	Harm	An act or behaviour, often intentional, that hurts, causes grievous injury, pain or trauma to the child. Most often this is physical and sometimes could also be self-inflicted, such as cutting, burning, misuse of substances etc.
	Neglect	A condition where there is failure to protect the child from exposure to any kind of harm or danger that results in significant impairment in the health and development of the child. Neglect is often prolonged and includes starvation or not providing nutrition, not providing emotional support, leaving child unsupervised or not providing medical, educational, and other basic care such as shelter, clothing etc.
	Emotional Abuse	Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent effects on the child's emotional development, and may involve: Conveying to a child that she is worthless, unloved, inadequate, or valued only insofar as she meets the needs of another person. Imposing developmentally inappropriate expectations e.g. interactions beyond the child's developmental capability, overprotection, limitation of exploration and learning, preventing the child from participation in normal social interaction. Causing a child to feel frightened or in danger e.g. witnessing violence, seeing or hearing the ill treatment of another. Exploitation or corruption of a child. Some level of emotional abuse is involved in most types of ill treatment of children, though emotional abuse may occur alone.
	Physical abuse	Physical assaults that would be serious criminal offenses if committed by one person against another - for instance, hitting, slapping, or striking with an object.
	Sexual Abuse	Acts or behaviour that constitute an offence under the Protection of Children from Sexual Offences Act, 2012 (POCSO) and/or the Indian Penal Code, 1860.

IV. Applicability of the SSP

To whom does it apply: This SSP applies to all school staff, including teachers, management personnel and support staff members (permanent or temporary), students and parents.

Where does it apply: It applies to the entire school including extended premises when the premise is connected with the school by virtue of a specific activity related to the school (e.g. external venues, and field trips etc. travel).

When does it apply: This SSP Safety Policy applies at all times and is not limited to the official working hours of the school except in cases where safety incidents have occurred outside school premises or unrelated to any member of the school staff or student body. The school code of conduct and safety norms essential to secure the safety of the school, and its members shall be in force at all times.

V. Consequences of breach

Whole school safety will be implemented as per the terms set out in this SSP. Any violation will be addressed as per the process set out in the policy. Even a single incident, if found to be true after investigation as per this Safety Policy, will be met with disciplinary action. The consequences of violation may vary depending on the severity of the breach and may include immediate termination of employment of such teacher, managerial personnel or support staff. If required by law, the school may also report the incident to the jurisdictional police or other applicable authorities.

PART TWO: THE SAFETY FRAMEWORK

Our school safety framework rests on four key pillars based on (a) prevention practices (b) response rules (c) support systems and (d) review routines. Some of the key elements of each pillar are set out in this SSP. Additional policies as notified by the school from time to time shall be read as part of this overall SSP.

I. Prevention Practices

Safe infrastructure: Structural safety is ensured as per applicable law. Furthermore, the school shall take all reasonable measures to reduce risk of abuse of children by adults and among children themselves, through safe practices such as adequate lighting, adult attendants, peer support groups, separate toilets. In addition, adequate care in laboratories, sports equipment rooms, art rooms, counselling rooms, shall be followed at all times.

Access control: Clear entry and exit rules for students, parents, and visitors are in place and must be followed by every person entering or exiting the school. [School can add detail about their procedures on ID verification, gate pass, visitors register, rules for service providers, consultants, marketing personnel, etc.]

Off-site activity guidelines: When trips outside the school are undertaken including excursions/field trips (day or over-night), inter-school competitions, picnics, educational tours, processions, the following process shall be mandatorily followed.

- Written information on the proposed off-site activity shall be shared with parent/guardian providing all essential information on the purpose of the trip, date, duration and timings, accompanying teachers, contact number for emergencies.
- Written consent of the parent/guardian to be obtained along with information on any special needs of the student and contact numbers of parents/guardian for emergencies.
- Provide a safety orientation to students prior to departure.
- At least one adult trained in CPR, first aid, handling of off-site bathroom breaks, use of public transportation, etc., will be present and if girl students are part of the group a lady teacher will be present.
- Ensure adequate student-teacher ratio. In case of any specific event or program such as school day-trips, competitions, a particular person will have to be made responsible and accountable for the safety of the child. A lady teacher must accompany the group on off-site trips if girl students are part of the group.

Workshops and awareness creation: Regular workshops on various aspects of child safety will be calendared through the academic year and age appropriate information and training will be provided to students and teaching, non-teaching staff and support staff. Training calendars, schedules will be coordinated and integrated into the school calendar.

Student Suggestion Box: A suggestion box will be placed at a point in school premises where the student can access the Box in privacy and shall be opened at least once a week to enable speedy response. The box will have 2 locks; key to one shall be with the SSO and the other key with a student representative. The box will be opened and contents read in the presence of both, the student representative and member of the SSC.

In addition, students may be provided with a suggestion book and the suggestions together with complaints and action taken report shall be shared with students and reviewed once in three months by the SSC.

Responding to the suggestion/complaints in the box: In case of any child safety violation including child abuse issues, the SSO shall follow the process stated in the response rules stated in part 2(a) of this SSP.

Code of Conduct for Staff/Parents/Visitors: This Code of Conduct is to provide guidance on the standards of behaviour & conduct that all teaching and non-teaching staff and out-sourced personnel of our school and are bound and guided by this code of conduct. In addition, the code of conduct for parents and visitors also outline acceptable behaviour and conduct within school premises. [Please give a link to the school code of conduct; some code of conduct examples of the are given below].

- Communication, both verbal and non-verbal, with or related to children shall be child-sensitive, age appropriate and in no manner intimidating, offensive, humiliating or degrading to their self-respect and dignity. Communication shall also not demean or undermine their parents or guardians.
- Staff will refrain from any form of corporal punishment and will adopt guidelines of positive engagement with children as defined in "Guidelines for Eliminating Corporal Punishment in Schools", issued by the NCPDR.
- All our Staff shall ensure there is no discrimination of any child, children or community by other children or adults in the school setting on the basis of age, gender, caste, class, region, disability etc. Staff shall also ensure that no preferential treatment is provided to particular child/children, except when situation requires.
- Our Staff will refrain from subjecting any child to fear, trauma, anxiety, physical punishment, sexual abuse, and mental and emotional harassment.
- Any suspicion/knowledge of violation of Code of Conduct by some colleague or contract personnel from an outsourcing agency shall be reported to the CSO/Child Protection Officer immediately.
- Staff will protect the confidentiality of incident or information shared by the child or pertaining to the child.
- All adult interaction with children shall always be in visible settings (a door/ window open or room with transparent doors) and with at least one other adult or child present. Closed door meetings/discussions with a child shall always be in the presence of an authorized staff/parent/guardian.
- Physical contact shall only be need-based and contextual, and shall take into account the situation, gender, age, ability, stage of development and background of the child. Contact should be respectful and not be of a nature that the child experiences as uncomfortable, threatening, probing, or sexual.
- Privacy of the child shall be ensured during any personal/private activity such as bathing, changing, use of toilet, etc., and only contact to assist the child in medical emergencies or in situations as required.
- No school Staff shall have any contact with a child outside school hours or on holidays without approval of the School authority and knowledge of parents.
- All school Staff shall refrain from taking unauthorized photos, videos of child/children under any circumstances.
- School Staff will exercise caution and follow the Cyber Safety policy (provide link to school policy) when using information technology.
- School Staff shall refrain from divulging any information or CCTV footage to any person without authorization. Interaction or communication with children and parents/guardians using mobile applications, should be only through applications approved by the School management.

Safe Recruitment & Selection Guidelines: The school recruitment policy has been constituted as per applicable law and includes the following components.

For all in-house staff:

- Screening: All applicants are screened before recruitment. Screening includes reference checks from previous employers /reference providers (either oral and written), and includes verification suitability of the applicant to engage /work with children.
- Written application selection should be based on written application and personal interview to gauge attitudes towards children, safety and abuse.
- Police verification: Where applicable, information from the police department regarding any pending - criminal case against this person is sought. If such a case is registered, we do not recruit the applicant for any job that involves direct contact with children.
- On recruitment, ensure acceptance of the Code of Conduct through a signature of the recruited employee. All existing staff must also be provided a copy of this SSP and their written acceptance of the same must be placed on file. Employment of all staff (new and existing) shall be made subject to acceptance and conformity with this SSP.
- All documents/records of staff including vetting checks and interview report will be available with the School and the management until exit, retirement or termination whichever is earlier.

For Outsourced Personnel and third party vendors or service providers: Where the institution is outsourcing personnel, ensure that the agency providing the personnel has recruitment guidelines that encompass the above.

Human Resource Policy and Service Rules: The School's Human Resource Policy shall refer to this SSP and incorporate information about child safety measures of the institution. The consequences of non-compliance to the CPP and non-adherence to the Code of Conduct should be specified clearly in the Human Resources Policy, including immediate termination without notice or compensation in case of gross safety violation of child abuse.

- Any teaching or non-teaching staff when under investigation for safety violation or abuse in School must be placed under suspension, pending inquiry.
- If any teaching or non-teaching staff is proven guilty of child abuse/safety violation in a court, s/he must be terminated immediately, with a notation on the dismissal letter recording the reason for such termination.
- Annual appraisal should include compliance with this SSP.

Transport: The school's transport policies are framed in line with the orders of the Hon'ble Supreme Court and state government regulations such as the following.

- A contact person for all transport arrangements and queries has been provided.
- Adult supervision as per applicable law is provided on all buses from student pick-up to drop off.
- Buses have functional GPS & CCTV facilities.
- Driving licenses and driver verification has been conducted by the transport provider.
- Vehicle owners that owners are solely responsible for violation of norms by drivers.
- Strict instructions are issued to drivers to stay in vehicles or designated areas. Driver are warned against unnecessary movement in school premises and engaging in needless conversations with children.
- All private vehicles used are advised to ensure compliance with basic, compulsory safety measures such as seat belts, bell to ring for emergency, emergency contact phone numbers, etc. [Schools can make this mandatory for giving clearance for a private vehicle to be employed for student use. These requirements should be inspected and violations should result in warning or de-recognition depending on the severity of the offence/omission].
- Emergency preparedness & disaster management: School policies shall be framed as per the National Disaster Management Guidelines.
- Other policies.
- K-12 schools can highlight or provide a link to other safety policies that are in place such as food safety, disaster management, medical etc.

II. Response Rules

- Any safety violation or incident or apprehension of an incident of child abuse may be reported at any time to a member of the SSC or the child safety/protection officer.
- Incidents brought to the notice of the school will follow the procedures and protocols stated in the response flow chart provided the end of the document. Schools may review the suggested flow chart in the FICCI-FICCI ARISE MLP Knowledge Report and customise it as per their needs.
- Procedures for reporting of child sexual abuse: Refer POCSO Act, Rules and Guidelines.
- Responses to allegations of staff offences: Depending upon the nature of allegation the school will respond as per the procedures within the purview of applicable law, as per the POCSO Act and The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 and Rules as notified under the school's anti-sexual harassment policy.

III. Support Systems

The school shall provide a network of internal and external resources to ensure safety.

Internal measures: Guidance and Counselling Centres: Guidance and Counselling Centres setup in all Schools to be operational and should be functioning effectively. It is also important that certified counsellors are appointed in or accessible to Schools. Counselling Services to be provided through sessions as and when required. In case counsellors are not available, a teacher can be trained in child counselling skills. The school should refer students affected by abuse and violence to professional counselling sessions. Group counselling may be provided if more than one child is affected by a safety incident. It is advisable for schools to maintain a consolidated list of list other support systems available in the school such as – Nursing/Infirmary/trained doctor/onsite ambulance/ peer support systems/ helpline in school etc.

External resources: A list of external resources to assist the school's safety framework is provided in schedule [•]

IV. Review & Audit

The implementation of this SSP shall be monitored by the SSC through self-evaluation procedures.

Periodic checks and review to be conducted to ensure child safety.

[The school safety shall be subject to a safety audit]

PART THREE: THE SAFETY ADMINISTRATION STRUCTURE

I. The Student Safety Committee (“SSC”):

Structure

Our school shall have a Student Safety Committee (“SSC”) with the following composition:

- Head of the Institution: Chairperson.
- Child Safety/Child Protection Officer: should be a permanent employee, preferably a woman, with at least 5 years' service.
- Additional members of the school (teaching and non-teaching)- members should ideally represent primary, middle and senior school.
- Two parents (preferably one woman; and one who is also a member of the e a parent member of the SMC).
- Two students from class 8 or higher classes, one of whom is a girl.
- Any other member (external or internal) as the school requires.

Roles & Responsibilities

General Responsibilities:

- SSC shall meet once in three months and whenever a violation is reported.
- The quarterly meeting should have on its agenda review of the previous quarter, any threats/risks discovered during that period and additional measures to be taken to strengthen child protection measures in the institution.
- SSC shall focus only on the complaints/suggestions received on student safety violations/abuse and not on any school administrative issues.
- SSC shall discuss the concerns, record the same and give appropriate recommendations to the management for further action.
- SSC shall ensure the concerns are addressed and closed within a specified time.
- SSC shall maintain all registers, files and folders and documents related to child safety and protection.
- SSC shall seek external expert help as and when required.
- The tenure of the CPC shall be two academic year. Vacancies if any should be filled within one month of vacancy or start of academic year, whichever is earlier.
- SSC will follow all guidelines prescribed by in this CPP.
- Additional Responsibilities when a safety incident occurs.
- Follow the response rules as stated in the SSP.

The SSC and the school's management shall cooperate with the police, judiciary and local administration in investigation of the reported incident, to the extent applicable by law, while keeping in mind the safety, security, right to privacy and confidentiality in the best interest of the child.

The SSC shall also assess and address the impact of the incident on other students, adults working there and on the school as a whole.

The SSC shall perform a lessons-learned analysis to understand the factors that contributed to the abuse and recommend, in its wisdom, refresher training for the institution (adults, students, children, Board/management team, service providers).

Roles and responsibility of the Chairperson:

- Ensure that the school adopts a customized SSP.
- Constitutes the SSC annually.
- Calendars and plans a roll-out of all capacity building programs related to the SSP.
- Reviews all documentation of safety violations including child abuse in the prescribed manner.
- Ensures that a self-assessment on safety is conducted annually.
- Reviews the SSP annually and notifies any changes to the entire school including parents.
- Roles and responsibility of the SSO/Child Protection officer:
 - To ensure that all response rules are followed, including ensuring mandatory reporting in case of child abuse wherever legally mandated and coordinating with the police and local authorities and ensure that there is no attempt to cover up the incident, or influence the child's parents/guardian or other authorities.
 - To receive all complaints of safety violations including child abuse, whether verbal or written and ensure confidentiality and record it in a register.
 - To maintain case files and records pertaining to the complaints/incident.
 - To follow procedures where there are allegations of child safety violations or child abuse including against the Head of the institution/ Chairperson of SSC.
 - To coordinate the capacity building training related to SSP.

Coordination with the School Management Committee (SMC):

In the event the school has an SMC established as per guidelines prescribed by the appropriate authority, the safety committee (SSC) and the SMC shall work harmoniously and ensure that there is no conflict or overlap in the functioning of the two committees.

The parent represented of the SMC on the SSC shall be the point person for communication between the two committees.

It is clarified that all safety related issues will be addressed by the SSC and SMC may provide its input through the parent representative. For the purposes of ensuring student confidentiality and privacy, details relating to the identity or details of the incident may be limited to members of the SSC and shall not be shared with the SMC without prior permission of the SSC.

The SMC may share any safety concerns and recommendations directly with the SSC through its common parent representative member.

The annual report on the SSP will be shared with the SMC and recommendation of the SMC will be considered by the SSP.

PART FOUR: MISCELLANEOUS

I. Procedures for parents, visitors, consultants, volunteers, service providers

In order to ensure safety of children at all times, our school has laid out clear rules and norms for parents, visitors, consultants, volunteers, service providers that are to be strictly adhered to. Violation of the same shall attract stringent penalty. ID cards for parents, visitors wherever possible, or accompanied into school by one school non-teaching staff. All circulars on this issue to be sent to all concerned for enforcement.

II. Communication about and to children

Age and class appropriate communication to children about the SSP, through Notice Board, school website, school assembly will be undertaken. Every child, parent and staff/personnel should be aware of the SPP. Ignorance of the Policy will not absolve a person of the offence committed.

III. False complaints or allegations

Misuse or abuse of the SSP in the form of false allegations or complaints by any personnel, students, parents or others out of personal anger, vendetta etc., if found to be true will be dealt with severely and disciplinary measures can be initiated. Please note that any person reporting information in good faith shall not incur any legal liability for the same.²³

IV. Media & Publicity

Except with the specific permission from the court, the media is not permitted to identify the child's name, address, photograph, family details, school, neighbourhood or any other particulars which may lead to disclosure of identity of the child.

V. Confidentiality

In the best interest of the child, and the child's right to privacy, all laws on confidentiality will be followed. As required under Section 21 of Juvenile Justice Act, the media will not be informed or entertained. In case of child sexual offence, POCSO also prohibits publicizing the identity of the child. The implication, consequences of media presence shall also be explained to parents/ guardians. All staff and personnel shall be apprised of the law that prevails. If the matter has reached the press and electronic media, the Head of Safety shall address the media and assure them of the school's stand, co-operation and support to the affected child and parents/ guardians, and co-operation with the police and other authorities in dealing with the case.

²³ Section 19, Prevention of Children from Sexual Offences Act, 2012.

V. Confidentiality

In the best interest of the child, and the child's right to privacy, all laws on confidentiality will be followed. As required under Section 21 of Juvenile Justice Act, the media will not be informed or entertained. In case of child sexual offence, POCSO also prohibits publicizing the identity of the child. The implication, consequences of media presence shall also be explained to parents/ guardians. All staff and personnel shall be apprised of the law that prevails. If the matter has reached the press and electronic media, the Head of Safety shall address the media and assure them of the school's stand, co-operation and support to the affected child and parents/ guardians, and co-operation with the police and other authorities in dealing with the case.

VI. Transfer Certificate/Exit Documents

If the parent/ guardian wishes to remove the a student who is a victim of a safety violation, the school shall provide such assistance as required to the parent/guardian of the child, and issue the transfer 24 Section certificate or other exit document as applicable as per school procedure. [School can provide a link to its exit policies]

VII. Changes to the SSP

This SSP is subject to change in accordance with applicable law. Any change will be notified to all school members.

VIII. Inquiries

For any inquiries on this safety policy please send an email message with your inquiry to [•].

PART FIVE: DECLARATION OF COMMITMENT BY ALL STAFF

I have read, understand, and agree to comply with the contents of the School Safety Policy. I am aware of my obligations and responsibilities towards the safety, protection and well- being of children, and to abide by the professional conduct, both inside and outside of the School. I further accept that compliance with this School Safety Policy forms an essential part of my employment contract and any breach of this policy may be construed as a material breach of the terms of my employment.

Staff Name: _____

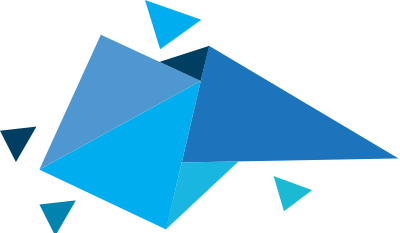
Staff Designation: _____

Staff Signature: _____

Date: _____

Place: _____

[Original to be kept on file with school].



FICCI Alliance for Re-Imagining School Education (FICCI ARISE) is a collegium of members representing various facets of the education ecosystem who have come together to promote the need of quality education for all and the role independent schools can play in achieving this. The primary focus of the alliance is defining norms for standards and transparency, augmenting quality for 21st century readiness, policy advocacy and facilitating Capacity Building and access. The alliance advocates for a progressive policy environment that brings together public and independent schools to achieve Universal Quality Education in India.

FICCI ARISE endeavours to unify the sectors' voice at States and National level.

We have a national footprint through our National Committee and five Regional Committees. Our members and affiliates are education experts and represent leading schools, industry associations, consulting firms, think tanks, and foundations.



Mundkur Law Partners (MLP) is a boutique, multi-award winning corporate law firm, based in Bangalore. It has extensive, specialized expertise in the areas of education, international corporate transactions, biotech, fintech and regulatory policy development. With in-depth experience in complex, multi-party and cross-border assignments, MLP assists a variety of clients ranging from multinationals to emerging business; NGOs to international organizations and governments to social entrepreneurs and innovators and assures each of its clients complete partner-level involvement in every area of engagement. The firm's partners hold advanced law degrees from the world's leading law schools and have extensive international experience (including prior careers at the United Nations and International Monetary Fund). The partners are also certified as commercial arbitrators by the Indian Institute of Arbitration and Mediation. In addition, MLP has a deep commitment to community service, extending regular pro bono legal services in its core practice areas.



Established 90 years ago, FICCI is the largest and oldest apex business organization in India. Its history is closely interwoven with India's struggle for independence, its industrialization, and its emergence as one of the most rapidly growing global economies.

A non-government, not-for-profit organization, FICCI is the voice of India's business and industry. From influencing policy to encouraging debate, engaging with policy makers and civil society, FICCI articulates the views and concerns of industry, reaching out to over 2,50,000 companies. FICCI serves its members from large (domestic and global companies) and MSME sectors as well as the public sector, drawing its strength from diverse regional chambers of commerce and industry.

The Chamber with its presence in 14 states and 10 countries provides a platform for networking and consensus-building within and across sectors and is the first port of call for Indian industry, policy makers and the international business community.

CONTACT US:

Security Team

✉ psi@ficci.com

Education Team

✉ education@ficci.com