



**MIRACLE**  
**FOUNDATION**

Child Safeguarding Policy



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# STRATEGIC FRAMEWORK

## 1. INTRODUCTION

<b>Policies and Procedures Reference No.</b>	Version 1 Child Protection Policy , 2013 Version 2 Child Safeguarding Policy, 2020 Version 3 Child Safeguarding Policy, 2022- 2023
<b>Policy Title</b>	Miracle Foundation - Child Safeguarding (“Child Safeguarding Policy” or CSP)
<b>Owner</b>	Miracle Foundation
<b>Oversight</b>	Regional Director and CEO (India), Director of Global Programs, Mental Health Consultant (US), Sr Director Government Partnerships & Strategic Alliance (India), Associate Director: Curriculum & Program Design (India)
<b>Reviewer</b>	Mr. Shashank Shekhar, Advocate, Supreme Court of India Ms. Alexa A. Chally, Associate Lawyer, Vinson and Elkins, USA
<b>Approver</b>	Board of Directors, US and India
<b>Purpose And Description</b>	<p>Miracle Foundation is committed to safeguarding children and their rights, and creating a culture of safety for children where children can express their concerns freely to trusted adults.</p> <p>The policy supports the organization’s ethical, moral and legal obligations and ensures that its staff, operations, and programs keep children safe, promote their well-being, and do no harm to children. Additionally, they do not expose children to the risk of harm and abuse, and that any concerns the organization has about children’s safety within the communities they work, are reported to the appropriate authorities following the prescribed protocols.</p>
<b>Guiding Principles</b>	<p><b>Principles championed by Miracle Foundation Child Safeguarding Policy:</b></p> <ul style="list-style-type: none"> <li>● All children have the right to have agency over their own safety and equal rights to protection from harm, abuse, and exploitation.</li> <li>● Everybody has a responsibility to ensure that children are protected and safe.</li> <li>● Organizations have a duty of care to children with whom they work, are in contact with, or who are affected by their work and operations.</li> <li>● If organizations work with partners they have a responsibility to help partners meet the requirements on protection as outlined in this policy.</li> <li>● All actions on child safeguarding are taken in the best interests of the child, which is a paramount value.</li> <li>● Organizations should take into consideration and be sensitive to child friendly culture, social and economic issues that may affect child safeguarding</li> <li>● Aim to empower children and young people to speak out and report abuse, and should provide age appropriate information on how to keep themselves safe.</li> </ul>



	<p>This policy supersedes any cultural or social beliefs or norms not limited to child marriage or early marriage, child labor or corporal punishment prevalent in any geographical area(s) of Miracle Foundation’s work and is a binding document.</p>
<b>International laws and Legal Instruments</b>	<p>The United Nations set a common standard on human rights with the adoption of the Universal Declaration of Human Rights in 1948. The Child Safeguarding Policy adheres to the spirit and principles of the instruments of the international human rights framework – i.e. the Universal Declaration of Human Rights and the nine core treaties including the Convention on the Rights of the Child 1989.</p> <p>The UNCRC Article 19 (<b>Protection from violence, abuse and neglect</b>) states that the Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents, caregivers or anyone else who looks after them. The UNCRC and its Optional Protocols are the principal instruments concerned with children. These include:</p> <ul style="list-style-type: none"><li>● Convention on the Rights of the Child 1989</li><li>● Optional Protocol to CRC on Sale of Children, Child Prostitution, Child Pornography</li><li>● Optional Protocol to CRC on involvement of Children in Armed Conflict</li><li>● Amendment to the Article 43(2) of the CRC 1995</li><li>● Convention on Consent to Marriage, Minimum Age for Marriage, Registration of Marriages 1962</li></ul> <p>Country specific legal framework - Refer <b>Annexure H</b> “India”</p>
<b>Best Standards &amp; Practices</b>	<p>This Version (2023) of the Child Safeguarding Policy has referred to the child safeguarding standards of :</p> <ol style="list-style-type: none"><li>1. Keeping Children Safe<sup>1</sup></li><li>2. Save the Children<sup>2</sup></li><li>3. The Hunger Project<sup>3</sup></li><li>4. Karl Kubel Institute for Development Education (KKID)<sup>4</sup></li><li>5. Child Hope , UK<sup>5</sup></li></ol>
<b>Revision Date</b>	August 11, 2023

<sup>1</sup> <https://www.keepingchildrensafe.global/>

<sup>2</sup> <https://www.savethechildren.org>

<sup>3</sup> <https://thp.org/>

<sup>4</sup> <http://www.kkfindia.com/>

<sup>5</sup> <https://www.childhope.org.uk/>



## 2. BACKGROUND & PURPOSE OF THE POLICY

Miracle Foundation is committed to recognizing and protecting the rights of all children, as well as ensuring their well-being through implementation of child-centered activities that are based on the following principles of the United Nations Convention on the Rights of the Child (Right to Survival, Right to Development, Right to Protection and Right to Participation) and the United Nations Declaration of Human Rights, 1948:

- Best interest of the child;
- Non-discrimination;
- Respect for children's opinions in matters affecting them by ensuring their participation.

Miracle Foundation does not tolerate any form of child abuse, specifically exploitation, neglect or discrimination based on gender, class, caste or ethnicity in the implementation of its programs or projects.

The Right to Safety and Protection is a human right and a guiding principle for Miracle Foundation. The organization is committed to ensuring the safety of children it works with in the course of its programs, and protecting them from all forms of exploitation, harm and abuse. This commitment reflects in all aspects of the organization's work, practices and activities.

In order to uphold the rights and interests of children in its programs, Miracle Foundation has constituted its Child Safeguarding Policy (CSP). Child Safeguarding at Miracle Foundation is a commitment to creating safe spaces for children to grow and thrive. The purpose of this policy is to ensure that all individuals in the organization are aware of different facets of child abuse, exploitation, discrimination, children's rights and protection. Everyone in the organization is expected to:

- be aware of and adhere to the provisions and procedures set out in the CSP document,
- safeguard children from any harm,
- report instances where possible breaches are observed in the code of conduct,
- respond appropriately when the Code of Conduct is breached, and
- follow the procedures and mechanisms in place to ensure protection of the interests and rights of children.

***Adherence to the Miracle Foundation Child Safeguarding Policy is considered as a non-negotiable practice***

## 3. SCOPE OF THE POLICY

This policy applies to all:



- Children in Miracle Foundation's programs (directly and through partner organizations) and events organized by Miracle Foundation
- Staff of Miracle Foundation, Miracle Foundation India, and Affiliated Persons (explained in Clause 4 of this policy document) are expected to comply with this policy. Upon joining Miracle Foundation and subsequently whenever amendments/revisions are made in the policy, they are required to sign the Code of Conduct which indicates that they have read and understood the policy.
- The Chief Functionary or Head of the Partner Organizations that have a contract with Miracle Foundation to execute the program are also required to sign Miracle Foundation's Code of Conduct which indicates that they have read and understood the policy, and will adhere to either their own policy which is comparable, or follow Miracle Foundation's policy. If adhering to their policy, a copy must be provided. This is required for initial partnership with Miracle Foundation, and subsequently whenever amendments/revisions are made in the policy.
- Staff and persons associated with the Partner Organization are required to comply and adhere to the policy of their organization or Miracle Foundation's policy, whichever applies.

Miracle Foundation Staff, Affiliated Persons and Partners follow certain norms and ethical guidelines in their professional and personal capacities while dealing with children in that they do not violate child rights, that they take necessary measures to prevent child abuse, they see to it that abuse does not go unreported, and that the respective children are able to find help and seek appropriate redressal and protection when needed.

All representatives must demonstrate the highest standards of behavior and conduct towards children, both in their private and professional lives, 24 hours a day and 7 days a week.

## 4. DEFINITIONS

### Staff (Miracle Foundation)

An adult who is employed and paid by Miracle Foundation or Miracle Foundation India. It refers to all full-time and part-time staff members.

### Affiliated Person

An affiliated person is anyone officially affiliated with Miracle Foundation. It refers to trainers, consultants, volunteers, visitors and/or interns under direct supervision of staff including Governing Board members, and any other person who is officially contracted to represent Miracle Foundation for providing services to the partner organizations and Miracle Foundation for eg: marketing agencies, financial services, agencies providing Life Skills training, Psycho Social Support, career counseling etc.

### Partner/Partner Organization (either government or NGO)



A Partner Organization is anyone associated or perceived to be associated with the organization through a partnership agreement. The term refers to the partner's full-time and part-time staff members, Governing Board members, trainers, consultants, volunteers, visitors and/or interns under direct supervision of staff of the **partner** organization whether government or non government, and any other person who is officially contracted to represent the partner organization eg: marketing agencies, financial services, agencies providing Life Skills training, Psycho Social Support, career counseling etc.

## Child

In accordance with the definition provided in Article 1 of the UNCRC, a child means every human being below the age of eighteen years (not completed the 18th birthday) unless under the law applicable to the child, the majority age is attained earlier.

## Child Safeguarding

Child safeguarding refers to how we protect children from harm. It is the responsibility that organizations have to make sure their staff, operations, and programs keep children safe, promote their well-being, and do no harm to children. That is, that they do not expose children to the risk of harm and abuse, and that any concerns the organization has about children's safety within the communities in which they work are reported to the appropriate authorities.

## Child Protection

Child protection is an aspect of child safeguarding and refers to how we respond to harm to a child. It includes:

- Protecting a child from any perceived risk or danger to their life, their personhood, and their childhood psychological, and emotional insecurity and distress.
- Ensuring that no child falls out of the social security and safety net, and those who do, receive necessary care and protection to be brought back into the safety net.
- Reducing their vulnerability to harmful situations and prevention and response to violence, exploitation and abuse of children in all contexts.
- Recognising that a child is entitled to express her/his opinion and can take decisions for herself/himself, and act accordingly.

## Child Protection System

A child protection system is defined as certain structures, functions, and capacities that have been assembled to respond against abuse, violence, neglect, and exploitation of children.

## Child Abuse

Child abuse refers to all forms of abuse perpetrated by someone who is in a position / relationship of responsibility, trust or power vis-a-vis the child. It includes abuse of a physical, emotional or sexual nature. It also includes neglect or negligent treatment, commercial





exploitation, or grooming resulting in actual or potential harm to the child's health, survival, development or dignity. Refer Annexure A for categories of abuse as per World Health Organization.

### Direct Contact with Children

Being in the physical presence of a child or children in the context of the organization's work, whether occasional or regular, one time or long term.

### Indirect Contact with Children

- Having access to information about children in the context of the organization's work, such as children's names, locations (addresses of individuals or projects), photographs and case studies.
- Planning/guiding programs that support the children.
- Partnering with or providing funding for organizations that work directly with children. Albeit indirectly, this nonetheless has an impact on children, and therefore confers upon Miracle Foundation responsibility for child protection.

### Informed Consent

Capacity to freely give consent based on all available information, according to the age and evolving capacities of the child. For example, if you seek consent from a child or his/her parent, guardian, or caregiver regarding taking their photograph and using it for publicity purposes, their participation in any event or webinars, the child is informed as to how the photograph/representation will be used and is given the opportunity to refuse. The identity of the child shall not be disclosed as per this policy and any applicable law.

## 5. GUIDING VALUES AND PILLARS

### Guiding Values

The guiding values for Miracle Foundation's Child Safeguarding Policy are as follows:

**Child Centeredness:** At Miracle Foundation, a child-centered development approach is the guiding force to ensure that the rights and the best interests of the child are paramount and within the organization's operational framework. The children are consulted at all stages and their understanding is valued at all times ensuring participation.

**Child-Sensitive Behavior:** At Miracle, we adopt the approach that accommodates children's development age, their rights, and protects their dignity. We acknowledge that our work should not compromise the need for confidentiality of the child or a related case of child safety or protection concern.

**Key Reporting Principles:** The investigation of child safety concern will be child centered, i.e.,



keeping in mind the needs of the child and the priority in terms of his/her growth and development. Reporting the concern to the appropriate authority immediately, acting swiftly, and responding to the immediate needs of the child are some of the guiding principles for Miracle when it comes to reporting.

**Culture of Child Protection:** Miracle Foundation promotes an environment of child protection within the organization. All staff will be made aware of the policy and all existing/ new staff will be trained on it when they join and then on an annual basis.

Additionally, all children in our program will undergo sessions to raise their level of awareness on child protection and understanding abuse/ neglect or exploitation. A culture of child protection will be built through open discussions, feedback and raising awareness. This we expect will contribute to prevention of child abuse and minimize the risk to children.

### Pillars to Child Safeguarding

The four cardinal pillars of child safeguarding are as follows:

#### Awareness:

Ensuring that all engaged with Miracle Foundation are aware of the high standards of behavior and conduct expected of them in their private and working lives, and to protect children from any form of abuse and exploitation. This entails communication and awareness strategies in place to ensure staff, children, families, communities, and others are well informed regarding the problem of child abuse and the risks to children.

#### Prevention:

Creating a culture of safety for children, ensuring, through awareness, trainings and good practice, that all working with Miracle Foundation take all measures in minimizing the risks of any form of child abuse and exploitation, including but by no means limited to conducting relevant vetting and background checks of staff as part of the recruitment process. This also entails emphasizing the need for children to be active agents in their own protection, whenever possible, through promoting children's identity, life skills, and participation.

#### Reporting:

Providing a safe environment for children where they can easily report any concerns, issues or incidents to the proper authority without retribution. Ensuring that all working with Miracle Foundation are clear on what steps need to be taken, where suspicions or concerns arise regarding allegations of child abuse or exploitation. Mandate timely reporting steps to be followed keeping child sensitivity in mind.

#### Responding:

Responding to children in a child-sensitive way suitable to their development and individual



preferences. Ensuring that appropriate and effective action is taken to identify and address reports of child abuse and exploitation, and to ensure the safety and well-being of the children involved. This also entails timely review, analysis and strategies to mitigate prevention of risk to children.

## IMPLEMENTATION FRAMEWORK

### 6. AWARENESS AND PREVENTION COMPLIANCE WITH CSP

#### 6.1 Dissemination

- This policy is available on Miracle Foundation’s website and in the policy handbooks. It is provided to all Staff and Affiliated persons as part of their orientation.
- Summary forms of this policy (such as posters in local languages) and a link to the full policy is provided to all Partners.
- Partner organizations implementing child-centric programs supported by Miracle Foundation are informed of the CSP via a clause on child protection in the written agreement between both organizations.
- Children and families are informed of the policy through their training on child safeguarding through the implementing partner locally as needed or as appropriate.
- CSP is displayed in all country/regional offices and a file maintained with signed Code of Conducts of all country/regional offices by
  - all Staff and Affiliates at the time of joining
  - all Partners at the time of contracting
  - anyone else who comes in contact with the children, before actual contact

#### 6.2 Training on Child Safeguarding

Over the years, Miracle Foundation has spearheaded several initiatives directed towards training, educating and empowering stakeholders on child safeguarding. It is essential that all those employed or engaged by Miracle Foundation as mentioned under the heading of Scope, have access to training on child safeguarding that is appropriate for their roles and responsibilities, at the induction/orientation stage, with a focus on prevention.

Prevention: Through awareness raising, implementation of procedures, and good practices across program operations, there will be effective strategies to mitigate harm, abuse, and exploitation. Staff and managers will receive support to ensure that they create a safe, healthy environment where children’s rights are respected and child abuse is prevented.

- Miracle Foundation staff and Affiliated Persons undergo training on the CSP on an annual basis whereas Partners undergo training on the CSP upon joining and as needed. Any changes in the policy will be accompanied by appropriate training.
- An orientation session on child protection issues for all new recruits (staff members, affiliated persons) shall be organized within one month of their joining; they shall also



receive a copy of the CSP for reference purposes immediately upon joining.

- Staff training needs are monitored and evaluated regularly by the designated official.
- Children and their families are informed of the standards of behavior they can expect from our representatives and of how they can raise a concern.
- Resource kits on CSP are made available in the appropriate format and language to be accessible by all children and caregivers supported directly by Miracle Foundation

### 6.3 Code of Conduct

Code of Conduct as outlined below aims to promote good practices by defining what is and is not acceptable behavior when working with children. This, in turn, helps to provide a safe environment and one that removes opportunities for child maltreatment. In addition to the general principles of good practice in working with children, staff and others should recognise that they, as adults, have a responsibility to take all actions to protect the safety of the children with whom they work. *Refer to Annexure B for Code of Conduct which will be signed by all Miracle Staff, Affiliates and Partners*

#### Safety and Protection:

Miracle Foundation strives to ensure a child-friendly environment that provides safety and protection of children from any form of abuse or child rights violation and exploitation. It is expected that no one shall engage in behavior towards children, which is illegal, unsafe, and abusive, or that exposes the child to danger; any such behavior shall not be condoned.

Given below is a checklist of Do's and Don'ts with respect to children's safety and protection.

#### **DO's**

All must ensure that:

- Activities involving children are planned keeping in mind their safety. This applies to decisions regarding the timing, location, venues, and travel arrangements for all activities. Particular precaution is needed for activities conducted in homes.
- Vendors/contractors do not come in direct contact with children, to the extent possible.
- Donors and visitors provide advance information about their visits, and allow any organizational/partner visits only once consent from appropriate authorities of the group/ individual to be visited has been taken. Ensure that Miracle Foundation staff representatives/partner staff accompany the donors/visitors for the visit.
- Relatives/friends/people unrelated to Miracle Foundation are allowed to visit a project site only after informing and obtaining the permission of senior program staff in the state and national office.
- At the time of rescue, restoration and follow-up, a girl child is accompanied by a female staff member as mandated in relevant child related law.
- To the extent possible, girls and boys are allowed to choose whether they wish to interact with a male or female staff member. Gender may be considered, such as in case of counseling or medical check-ups.



- There must be compliance with the child labor laws of the respective country of operation. It is ensured that all provisions for working children, such as age limit, working conditions, and minimum facilities, are followed.
- Be aware of situations which may present risks and manage these appropriately.
- Report any suspected abuse to the appropriate person as per Miracle Foundation Child Safeguarding Policy.
- Discuss with children directly supported by Miracle Foundation their rights, what is acceptable and unacceptable, and what they can do if there is a problem.

### **DONT's**

Below is a checklist of behaviors and actions that all must completely abstain from, at all costs; they must also prevent these from occurring under their watch:

- Engaging in any form of child abuse, whether sexual, physical, emotional; neglect, harassment or exploitation, via verbal, non-verbal, digital or other means.
- Engaging children under the age of 18 years in any form of sexual activity, exploitation including paying for sexual services. Sexual abuse as defined in *Annexure A "Terminologies"*
- Engaging in any form of grooming with a child. This includes, but is not limited to, singling one child out and treating them as 'special', taking an excessive interest in a child or their family/caregivers, spending more time with them than required, isolating a child from other adults or children, insisting on showing physical affection even when the child does not want it.
- Consuming alcohol, drugs, cigarettes or any other intoxicant in the presence of children or interacting with children in a state of intoxication.
- Displaying behavior that encourages children to consume intoxicants of any kind.
- Using any computers, mobile phones, video cameras, cameras or social media to sexually exploit or harass children, or access child exploitation material through any medium.
- Using physical or emotional punishment on children.
- Sleeping in the same room alongside any individual child of the opposite sex regardless of the circumstances.
- Develop relationships with children which could in any way be deemed exploitative or abusive.
- Act in ways that may be abusive or may place a child at risk of abuse.
- Use language, make suggestions or offer advice which is inappropriate, discriminatory, offensive or abusive in terms of the child's race, culture, age, gender, disability, religion, sexuality or political views.

### **Respect and Non-Discrimination:**

All must be respectful and non-discriminatory in their interactions with children. More specifically, they must:

- Treat all children with respect, regardless of their caste, class, race, color, gender, language, religion, opinions, nationality, ethnicity, disability, sexual orientation or other



status.

- Never use language or behavior towards children that is inappropriate, harassing, abusive, provocative (sexually or not), demeaning or culturally inappropriate.
- Abstain from using inappropriate slang words or abusive language in the presence of children.
- Observe the behavior of children with patience and attention, and make all possible efforts to understand them, especially in the context of background and upbringing.
- Refrain from comparing children with each other.
- Value the views of children, and listen to them seriously and objectively.
- Encourage children to express their feelings as well as to participate in decision-making processes that affect their lives, ensuring confidentiality and privacy at all times.
- Work with children in ways that enhance their capacities and capabilities and help them to develop their potential.
- Act on children's concerns and problems promptly.
- Express appreciation for the children's good efforts and results so as to reward them and reinforce their determination to strive further.
- Give equal attention to each child, irrespective of gender and other characteristics and without prejudice or favoritism.
- Promote the use of positive ways of managing the behavior of children that does not involve physical punishment or other forms of degrading or humiliating treatment.
- Give enthusiastic and constructive feedback rather than negative criticism.
- Make sure that you inform children with disabilities prior to any necessary physical contact and ensure that they are comfortable with that.

#### Supervision:

It is the duty of all to see to it that every child under their care or purview is fully supervised at all times; they must follow the guidelines below:

- Wherever possible, they must ensure that another adult is present when working near or among children.
- Unaccompanied children must never be invited into private residences, unless they are at immediate risk of injury or in physical danger. Even then, every effort must be made to ensure the presence of another adult.
- Children must be taught how to physically care for themselves i.e., washing, bathing, undressing, using the toilet, and so on. Children need to learn how to become self-sufficient and are entitled to their privacy.
- Children must never be engaged to carry out the personal work of adults.
- Under no circumstances should children be left unsupervised in the company of non-professional and unauthorized adults/members of the organization.

#### Observation and Disclosure:

It is incumbent on all to be keenly vigilant and observant about their own behavior and that of others towards children. This includes:



- Avoiding actions or behavior that could be perceived by others as child exploitation and abuse.
- Disclosing all charges, convictions and other allegations brought against them for an offense that relates to child exploitation and abuse.
- Reporting immediately, to the senior management or a member of the Child Safeguarding Committee, any allegations or concerns that relate to any situation involving a fellow Staff, Affiliated Person or Partner, where their words, actions or behavior may be interpreted as a breach of this Policy.

#### Gifts and Benefits:

Extreme caution must be exercised by all while giving or taking gifts. More specifically,

- Children or their families/caregivers should not be given/promised verbally or non-verbally any favors, monetary or non-monetary, without the knowledge and permission of Miracle Foundation management,
- No gifts can be accepted from children or other stakeholders involved in Miracle Foundation's programs. In case the refusal to accept the gift could be seen as culturally disrespectful or offensive, a small token of appreciation in the form of a flower/ drawing or similar item could be accepted with clear communication that taking gifts of any kind is strictly prohibited by policy of the organization. Any such gift should be declared to the line manager/supervisor.
- It is to be communicated in advance to any visit that the families should not prepare food/ beverages/gifts . This is with the recognition that the families have limited resources.

## 6.4 Behavior/Protocols for Visitors & Children

### Standard Behavior/Protocol for Visitors/Guests

Any visits to Miracle Foundation project location(s), either for the purpose of capturing reports, progress, cross learnings, trainings, mentoring or donor visits that may be one-time or recurring visits, must adhere to standard protocol:

- Child Safeguarding Policy of the respective child care institutions (CCIs) or community partners shall be understood, signed and abided by the visiting team/person(s) to CCIs or community projects.
- Prior intimation regarding the purpose and written permission from concerned authorities are prerequisites for a visit that involves interactions with children.
- Physical contact with children, if any, must be age-appropriate and considering personal space relevant to the circumstances and in accordance with the above guidelines of Do's and Don'ts.
- Interaction with children must occur only in the presence of staff members designated to facilitate and monitor the process.
- Visitors/guests must not give gifts or take any child out of the institution on any kind of excursion.





- Recording the personal history of any child, regardless of the form of the recording, is forbidden without obtaining prior permission of the relevant staff member and the child, and stating the purpose of the request.
- For purposes of case studies, a fictitious name will be chosen and no personal information furnished with regard to the identity and whereabouts of the child.
- Photo- or video-documentation of children will be strongly discouraged unless it is followed as per the CSP guidelines indicated in *Annexure E - Communication Policy and Annexure F- Consent Form and Guidelines*
- Texts relating to the project and the lives of children should never sensationalize or manipulate facts, and foremost importance will be given to maintaining the dignity of the child.
- Using offensive language with children or staff is completely forbidden.
- The convenience of the children will be the prime consideration while deciding on a time for them to interact with visitors and guests.
- Visitors/guests may not solicit any personal contact information of children they interact with during field visits. This includes phone numbers, social media handles and addresses; nor are they permitted to share any of their own contact details for future communication.
- They are strictly prohibited from sharing any details of an individual in any public forum without explicit consent of the appropriate authorities (ie, designated child protection officials)

## 6.5 Recruitment and Selection Compliance

Miracle Foundation applies the highest standards in its recruitment and vetting policies across the organization to ensure that recruitment processes help keep children safe, including robust safety checking. While hiring staff, volunteers, consultants, vendors and other associates, the organization strictly adheres to the following processes as is applicable. Safe recruitment means:

- *Advertisements:* Recruiting materials, including advertisements, must refer to Miracle Foundation's Child Safeguarding Policy.
- *Interview and references:* Candidates must undergo an in-depth interview/interaction to assess their aptitude, interest and sensitivity towards working with children, as well as their previous work with children. All recruitment interviews must include a discussion on child protection, to assess the candidate's understanding of the subject.
- Candidates must provide the name and contact information of two character references (excluding family members). These are preferably an employer or supervisor from recent or current work places, who have knowledge of the candidate's experience and suitability to work with children.
- *Role Description:* Shall include a statement on the position or role's responsibilities to meet the requirements of Miracle Child Safeguarding Policy.
- Volunteers must undergo the same level of recruitment if their role involves direct contact with children and/or access to personal information about children in all cases.
- *Undertaking:* Adherence to Miracle Foundation's Child Safeguarding Policy forms part





of the organization's employment contracts. All newly recruited staff/consultants will read and sign the Code of Conduct at the beginning of their engagement with Miracle Foundation. The signed document will be safely archived by the organization.

- *Background Check: All paid staff will undergo a background check*
  - India: All staff, consultants, volunteers and interns will sign a personal declaration, regarding any criminal convictions. (see Annexure H.6)

In the event that any such criminal conviction takes place while employed with Miracle Foundation, the concerned staff member shall immediately inform the Child Safeguarding Committee of the same.

## 6.6 Compliance by Partners

Partnerships include:

- working with local communities and small organizations – e.g., children's groups, local community structures, Community Based Organizations (CBOs) Civil Service Organizations (CSOs) to plan and deliver programmes.
- working through larger and more established organizations (NGOs, coalitions, INGOs) which act as implementing partners, i.e., delivering programs and projects and managing these on a daily basis
- a hybrid category, i.e., working with a larger, established partner organization (e.g., Government, Ministry, UN agency, other NGOs, consultants), normally described in terms of collaboration and governed by formal written agreements.

Agreements with partners must include a statement that all partners must either comply with their own policy if available and in line with Miracle's policy, or when not available, adhere to the norms of Miracle Foundation's Child Safeguarding Policy as a condition of the partnership within one year of such an agreement.

Miracle Foundation should ensure that:

- The partners are clear about the nature of the partnership relationships that they enter into.
- There is a sound assessment/due diligence process of the partner agency that is leveraged to understand the partner agency in terms of their work with children and how they keep children safe.
- An agreement is reached on how Miracle Foundation and the partner will support one another to achieve compliance and competence around child safeguarding, including the provision or exchange of resources.
- There is clarity in partnership agreements on reporting and responding to child safeguarding concerns. For instance: what is the line of responsibility for reporting between partners; what are the implications for the partnership, etc.

Miracle Foundation must make it clear to any potential or existing partners that if poor practice or mishandling of abuse exists within the agency or organization as defined under the



country-specific legislation, Miracle Foundation will be unable to continue any partnership arrangements. A self-assessment tool is conducted with partners annually to evaluate the implementation of CSP standards in their respective organizations as needed.

## 6.7 Compliance in Program Design

The inherent approach of Miracle Foundation's work has been about capacity building and strengthening the existing systems to support the Government and civil society organizations in family strengthening (FS), family-based alternative care (F-BAC) .

Miracle Foundation is committed to the design and delivery of programs that are safe for children. Ensuring that operations, programs, research, monitoring & evaluation (M&E), campaigns, marketing & communications, and all other organizational activities are safe for children takes precedence over all other considerations.

*See Annexure C for Guidelines for Program Design and Delivery.*

*See Annexure H.5 (India specific) for Informed Consent for the Use of Thrive Scale™ Case Management Processes.*

## 6.8 Compliance in Communication – Use of Images and Children's Information

In the use of information, social media, and visual images, both photographic stills and video, Miracle Foundation's overriding principle is to maintain respect and dignity in portrayal of children, families and communities. Miracle Foundation takes into consideration long-term consequences, always envisioning how the children and families themselves might perceive the exposure, both now and in the future.

*See Annexure E for our Communications Policy and Guidelines, which details our procedures. (Signed by all Miracle staff and Affiliates)*

*See Annexure F for the Consent Form.*

# 6. REPORTING & RESPONDING COMPLIANCE WITH CSP

## 7.1 Reporting Mechanism

At Miracle Foundation, the principle of the best interest of the child and the desire to secure the best outcomes for the child will always govern decisions regarding suitable action to be taken in response to the concerns. Children and families directly supported by Miracle are provided with information on where to go for help and advice pertaining to abuse, harassment and bullying.

It is important for Miracle Foundation to monitor all concerns regarding child abuse, and to be aware of any specific cases as they arise. Issues that may at first appear to have only localized impact, may well have wider implications for the organization as a whole,



therefore requiring a more coordinated response. This is undertaken as part of the regular reporting and review process.

Miracle Foundation will post clear information in each of its offices with instructions for how to report any witnessed, suspected or alleged misconduct. This includes contact information of the country-specific Miracle Foundation Child Safeguarding Committee.

The process to report any witnessed, suspected or alleged misconduct will be as follows:

- It is mandatory for all to report any witnessed, suspected or alleged misconduct by a Staff, Affiliate or Partner, whether the incident occurred at the workplace or in a community setting. Complaints should be made to the Child Safeguarding Committee (India-specific: report as per reporting flow of the incident in the prescribed format *Annexure H.3 - India specific*). The complaint must be made in writing and may be shared via email or handwritten/typed physical letter/note to any member of the Child Safeguarding Committee.
- Complaints against a member of the Child Safeguarding Committee shall be sent in writing to the CEO/Country Director. (*Annexure H.2 – India specific*)
- Partners can make a complaint to Staff or the Child Safeguarding Committee directly. In the case of the former, it is the responsibility of the individual to whom the complaint has been made to bring it to the attention of the Child Safeguarding Committee immediately. Partners are also required to make a complaint in writing and may be shared via email or handwritten/typed physical letter.
- All must report child related misconduct performed by a person at any time in their life as per the reporting flow of becoming aware of the misconduct.
- A unique safeguarding email, [childsafety@miraclefoundation.org](mailto:childsafety@miraclefoundation.org), is established for concerns to be automatically directed to the country Child Safeguarding Officers/Committees.
- Any person, irrespective of whether they are affiliated with Miracle Foundation, may file an anonymous complaint as per local law. (*Annexure H.2 - India-specific Whistleblower guidelines*)

## 7.2 Confidentiality

Miracle Foundation will take reasonable steps designed to maintain the confidentiality of the complainant, the accused individual, the victim, any witnesses, and each of their statements and records, to the fullest extent possible and appropriate under the circumstances.

The contents of the report of the investigation of any case received by the Miracle Foundation Child Safeguarding Committee shall be kept confidential to the extent possible. If the confidentiality is deliberately violated, the management of Miracle Foundation may take disciplinary action against the person responsible for this breach.



It must be clarified that this policy does not ensure absolute confidentiality. Therefore, information may be disseminated to assist with securing justice for a victim. For example, Miracle Foundation may disclose any confidential information if it is in the best interest of the child or if it is legally obligated to, including to authorities as per law of the land or in judicial proceedings. Any case of breach of this policy by a Miracle Foundation staff member, volunteer or intern will be documented and placed on record in the personnel files maintained by the organization. Information about the breach of this policy will also be disclosed for purposes of background checks or references by prospective employers of the person in question.

In addition to the above guidelines with respect to confidentiality, all are mandated to observe the following rules specifically in relation to the use of children's data and photographs for external communication as provided in *Annexure F*.

**Confidential Record Keeping –** Child abuse is a very emotive subject and so care must be taken to complete all forms as comprehensively and objectively as possible.

Records must be as detailed and precise as possible, giving an exact account of what was said, especially where it is a child who is disclosing abuse or making an allegation. The report must include the details as disclosed or alleged, including who was present and what happened, the sequence of events, and so on. All subsequent action must also be documented.

Safe handling, storage and disposal of all records/ evidence associated with children must be ensured until the period stated in the applicable law (India specific: 3 to 5 years as per JJ Act) and otherwise in accordance with Miracle Foundation's data backup procedures. Records must be kept securely locked in a place to which access will be restricted. If information is held on a computer then these must be password-protected. Managers and Child Safeguarding Officers have a particular responsibility in maintaining the confidentiality of these records and must ensure that the records, or any information they contain, are made available only in accordance with applicable law to the appropriate parties. The transfer of information – verbally, through the mail or electronically, must be done in such a way to take steps to ensure confidentiality is maintained.

### 7.3 Responding Mechanism

Miracle Foundation will ensure disclosures are taken from children with sensitivity and we will strive not to re-traumatize children in handling complaints. If a child or young person states that they are being, or have been, abused we will:

- Listen to and accept what they say, but will not press for information.
- Let the child know what we are going to do next and that we will let them know what



happens.

- Not investigate and not inform, question, or confront the alleged abuser at this stage.
- Take the alleged abuse seriously.
- Record carefully what we have heard on the Child Protection Incident Form (*Annexure G*) Any report will be treated seriously and with confidentiality, and the priority will always be the safety and best interests of the child. Identifying information about children will be shared on a “need to know” basis only. Any staff member who raises concerns of serious malpractice in good faith will be protected as far as possible from victimization or any other detrimental treatment.

#### 7.4 Disciplinary action

Action will be taken against any person affiliated or associated with Miracle Foundation who is found to have:

- engaged in conduct that has violated this policy;
- failed to report a case of child exploitation, abuse or harassment;
- intentionally made a false allegation;
- obstructed an internal investigation; or
- breached confidentiality.

Affiliated Person: If we are made aware of the complaint related to the affiliated person violating the Child Safeguarding Policy, Miracle Foundation will take appropriate action (India-specific: as per reporting flow chart *Annexure H.3 for India*) and inform the relevant authorities (such as police, State Commission for Protection of Child Rights, Child Protective Services)

Partner: If we are made aware of the complaint related to the person violating the Child Safeguarding Policy, Miracle Foundation is bound to inform the relevant authorities (such as police, State Commission for Protection of Child Rights, Child Protective Services) of the geographical jurisdiction for further action.

Depending on the seriousness of the offense, Miracle Foundation’s Child Safeguarding Committee may recommend responsive or disciplinary action. Responsive action may include training or counseling. Disciplinary action may include, but is not limited to:

- warning
- reprimand
- withholding of a promotion or pay increase
- reassignment
- immediate temporary suspension/ termination, and/or pressing charges, that Miracle Foundation believes to be appropriate under the circumstances
- termination of all relations including employment, contractual or partnership agreements. In such a case, Miracle Foundation is not obliged to provide the offender a notice period or make any payment in lieu of termination of contract; and
- reporting to relevant authorities (such as police, State Commission for Protection of



Child Rights, Child Protective Services) if it is suspected that an offense/crime has been committed against a child/children. In addition to any disciplinary action taken by Miracle Foundation, Affiliated and Associated Persons may be held personally liable for monetary damages if a civil action is brought against them.

Deliberate false allegations are a serious disciplinary offense and will be investigated. The subject of the complaint (alleged perpetrator) and all witnesses must cooperate fully and openly with internal assessments (limited to information gathering) and external statutory investigations and hearings. Their confidentiality will be protected and information which could identify them will be shared on a need to know basis only.

Appropriate disciplinary measures will be taken in the event that the allegation is found to be true. If the allegation is found to be without basis, appropriate steps will be taken to minimize damage to the reputation of the individual accused.

## 7.5 Closure

Actions taken in response to the complaint will be documented in Annexure G - Child Protection Incident Form. Discipline may take many forms, and those who raise concerns should not assume that disciplinary measures have not been implemented simply because Miracle Foundation does not publicize such measures.

# MONITORING & EVALUATION FRAMEWORK

## 7. REVIEW & MONITORING OF THE POLICY

### Monitoring of the Policy

- Miracle Foundation's Child Safeguarding Committee will assess and actively manage the risks of all child-related activities, and evidence of such risk management activity will be made available.
- For the effective monitoring of this policy, Miracle Foundation will maintain a record of the following:
  - Miracle Foundation Staff, Partner and Affiliates signing the Code of Conduct indicating that they have read and agree to comply with the policy;
  - Miracle Foundation visitors signing this policy online or offline before they visit the project site and interact with children; and
  - training/briefing sessions held with names, dates, content of the training

### Review of the Policy

- Every incident will trigger a review of the CSP in order to determine if, and which, change in the policy and practices could avoid a repeat of the same situation. New policies, white papers, training and recommendations from peer organizations or donors



will be considered to improve the policy.

- Miracle Foundation will review the policy once in a year or as and when there are changes or any amendment in the applicable laws with respect to the CSP. Miracle Foundation will utilize its risk assessment and self-assessment tools for the process to be conducted. Miracle Foundation representatives will extend full cooperation during such audits, if conducted by external/internal/evaluators to monitor the level of compliance in implementing the standards as described in this policy.

## 8. ACCOUNTABILITY

Miracle Foundation is committed to the effective implementation of this policy. The responsibility for timely and rightful implementation lies with the Child Safeguarding Officer/Child Safeguarding Committee of Miracle Foundation under the guidance of CEO.

The Board of Directors shall:

- Ratify and approve subsequent amendments to this policy as and when proposed by Miracle Foundation. As and when necessary, they may also, suggest measures to the Child Safeguarding Committee to strengthen this policy and its implementation;
- Retain child safeguarding as a standing meeting agenda item where aggregate data on all cases will be reported as well as any updates made or needed to the policy.

The CEO/Country Director will ensure that:

- Amendments in this policy by Miracle Foundation, as and when they take place, are adopted and implemented;
- Provide direction or recommendations pertaining to a particular case that has been filed;
- The ultimate responsibility of the safety of children rests with senior executives (Directors & Managers) and Child Safeguarding Committee
- Develop a case dependent communication strategy between the safeguarding committee, Director of Marketing, CEO, and the Board Liaison in the event of a safeguarding incident.
- Nominate a Liaison to the Board of Directors with responsibility for monitoring child safeguarding and informing the Board of cases involving Miracle Affiliates and Associates
- All necessary support is ensured to the Child Safeguarding Committee in order to facilitate its effective functioning; and
- An annual report on the situation of Child Protection at Miracle Foundation is placed before the Board of Directors.

Child Safeguarding Officers/Committees will :

- Establish an annual organization-wide event where Affiliates and Partners discuss safeguarding issues, case studies, emerging challenges, and innovative approaches as appropriate and necessary.
- Take appropriate measures instituted by Miracle Foundation to enable and ensure adherence to this policy;





- Ensure a thorough risk assessment is made and appropriate mitigation measures are instituted to enable effective implementation of this policy by Miracle Foundation;

**Important Note:**

This Child Safeguarding Policy contains information about Miracle Foundation practices and procedures relating to its treatment and protection of children. The practices and procedures contained in this Child Safeguarding Policy represent guidelines only. Miracle Foundation reserves the right to interpret and administer this Child Safeguarding Policy and its Annexures, including amending, modifying, or terminating them, at any time with or without notice. Oral statements or representations cannot supplement, change, or modify the provisions in this Child Safeguarding Policy. This Child Safeguarding Policy does not create, and is not intended to create, any contractual obligations, express or implied, including any third-party beneficiary rights, between any of the following persons or entities: Miracle Foundation, its Directors, its employees, or any other person or entity. Nothing in this Child Safeguarding Policy creates, or is intended to create, any legal obligation for any person or entity separate or distinct from any pre-existing statutory or common law legal obligations.

This Child Safeguarding Policy is framed keeping in view the law of the land, hence can never supersede the law of the land.





## ANNEXURE A: TERMINOLOGY

### Categories of Abuse:

**Physical Abuse:** actual or potential physical harm perpetrated by another person, adult or child. It may involve hitting, shaking, poisoning, drowning and burning. Physical harm may also be caused when a parent or caregiver fabricates the symptoms of or deliberately induces illness in a child.

**Sexual Abuse:** forcing or enticing a child to take part in sexual activities that he/she/they does not fully understand and has little choice in consenting to. This may include, but is not limited to, rape, oral sex, penetration, or non-penetrative acts such as masturbation, kissing, rubbing and touching. It may also include involving children in looking at, or producing sexual images, watching sexual activities, and encouraging children to behave in sexually inappropriate ways.

**Sexual Exploitation:** is any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes including but not limited to profiting monetarily, socially or politically from the sexual exploitation of another. Be aware that technology is a tool sometimes used to sexually exploit a child. The sexual exploitation and abuse of children under the age of 18 is child abuse and a policy violation. It may also constitute a criminal offense.

**Neglect and Negligent Treatment:** allowing for context, resources and circumstances, neglect and negligent treatment refers to a persistent failure to meet a child's basic physical and /or psychological needs, which is likely to result in serious impairment of a child's healthy physical, spiritual, moral and mental development. It includes the failure to properly supervise and protect children from harm and provide for nutrition, shelter, education, and safe living/working conditions. It may also involve maternal neglect during pregnancy as a result of drug or alcohol misuse and the neglect and ill treatment of a disabled child.

**Emotional Abuse:** persistent emotional maltreatment that impacts on a child's emotional development. Emotionally abusive acts include restriction of movement, degrading, humiliating, bullying (including cyber bullying), and threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment. This may involve conveying to children that they are worthless or unloved, inadequate, or valued only when they meet the needs of another person. It may also involve unrealistic expectations being placed on the child, overprotection or preventing the child from undertaking normal activities. Emotional abuse also includes watching or hearing the ill-treatment of another person, bullying and frightening a child, as well as any form of corruption and exploitation.

**Corporal Punishment:** the use of physical force causing pain, but not wounds, as a means of discipline (includes spanking, rapping on the head and slapping).

**Commercial Exploitation:** exploiting a child in work or other activities for the benefit of others and to the detriment of the child's physical or mental health, education, moral, or



social-emotional development. It includes, but is not limited to, child labor.

**Bullying:** when an individual or group of people with more power, repeatedly and intentionally causes hurt or harm to another person or group who feel helpless to respond.

#### Categories of Bullying:

**Physical bullying** includes hitting, kicking, tripping, pinching and pushing, or damaging property.

**Verbal bullying** includes name calling, insults, teasing, intimidation, homophobic or racist remarks, or verbal abuse.

**Social/emotional bullying** refers to when a person or group leaves another person out on purpose, spreads rumors or gossip about another person, mimics unkindly, plays nasty jokes, or tries to break up friendships of others. It is designed to harm someone's social reputation and/or cause humiliation.

**Cyberbullying** involves using digital technologies to send messages including abusive or hurtful texts, emails, posts, images, or videos, or deliberately excluding others online, or imitating others online or using their log-in.



## **ANNEXURE B - CODE OF CONDUCT, RECEIPT & ACKNOWLEDGMENT OF POLICY**

**(Signed by all Staff, Affiliates & Partners)**

The Child Safeguarding Policy aims to promote good practices by defining what is and is not acceptable behavior when working with children. This, in turn, will help to provide a safe environment and one that minimizes opportunities for child maltreatment. In addition to the general principles of good practice in working with children, staff and others should recognise that they, as adults, have a responsibility to take all actions to protect the safety of the children with whom they work.

### **Safety and Protection**

Miracle Foundation strives to ensure a child-friendly environment that provides safety and protection of children from any form of abuse or child rights violation and exploitation. It is expected that no one shall engage in behavior towards children, which is illegal, unsafe, and abusive, or that exposes the child to danger; any such behavior shall not be condoned.

This is to acknowledge that I have received a copy of Miracle Foundation's Child Safeguarding Policy. I have read, and familiarized myself with the policy and will adhere to its provisions. I further understand that any breach of its clauses on my part will be addressed as per the procedures set out in the Policy.

I accept that Miracle Foundation reserves the right to amend, modify, rescind, delete, supplement or add to the provisions of this policy as it deems appropriate from time to time. I also understand that Miracle Foundation will notify me of any changes as and when they occur.

**Partners:** *All partners must either comply with their own policy if available and in line with Miracle's policy, or when not available, adhere to the norms of Miracle Foundation's Child Safeguarding Policy. If adhering to your own policy, please attach a copy.*

**Name:**

**Organization:**

**Contact number:**

**Signature:**

**Date:**



## **ANNEXURE C: GUIDELINES FOR DESIGN & DELIVERY OF PROGRAMS**

Miracle Foundation includes keeping children safe as a specific goal in the foundation of all of its program designs. All program planning includes an assessment of children's vulnerability, resources and coping mechanisms. Child protection issues are an important ongoing focus, and specific procedures incorporated into the program design to address the same.

- Participatory processes used in program design, carried out by staff who have been trained in child protection. They are well aware of the reporting process for suspected child abuse.
- Children are involved in program design to make sure and make clear that they are listened to, and that their hopes and aspirations are respected.
- Prevention and awareness activities on child protection are included in the program plans, particularly where assessment has indicated that children are vulnerable.
- Keeping children safe is a guiding principle of all program design. The special protection needs of especially vulnerable groups are a priority in all program design.
- The program design refers to the country-specific child protection standards that are followed in program implementation. Consequently, a program proposal should:
  - specify exactly which child protection guidelines and standards are being followed in both design and implementation.
  - specify how those standards will be monitored during the implementation phase of the program.

Miracle Foundation believes that every action should be based on data and should also result in measurables. "Thrive" methodology helps social workers, institutions and Governments to provide the right support to the children and their families, Miracle Foundation ensures that the internal processes and mechanisms to do that are safe and effective keeping child safety paramount.



## ANNEXURE D: TRAINING

Training on Child Safeguarding Policy is an integral component for any Staff, Affiliated or Partner contacts of Miracle Foundation. The training is multi-tier and it starts during the initial stages of employment/association or partnership with Miracle Foundation. Refresher courses are recommended from time to time as per the table below as a mandate or as per the changes that occur in the policy.

Children and families also come under the purview of the training on Child Safeguarding elements. Hence the policy looks at an all-encompassing curriculum that addresses the requirements, roles and responsibilities of the stakeholders involved, while keeping children as the center of the work. All the training may not be necessarily facilitated by Miracle Foundation directly. The partners associated with Miracle Foundation such as partnered CCIs, LSE/Career consultants, designated volunteers of the CCIs can take up the training as per the need.

Participants	Training	Purpose	Frequency	Trainer
Staff (Full or part time employee with Miracle Foundation)	<p>Child Safeguarding and Protection Training Unit</p> <p>Orientation on the Child Safeguarding Policy and resources (Miracle Foundation CSP Overview PPT)</p> <p>Training of CSC on reporting &amp; responding</p>	<p>Understand the importance of prevention and how prevention strategies are embedded in the work of Miracle Foundation</p> <p>Understand what is abuse, types of abuse</p> <p>Understand the provisions and annexures in the CSP</p> <p>Understand the roles and responsibilities vested while managing a Child Safeguarding situation</p>	<p>During induction/amendment of the Policy and on an annual basis</p> <p>Refresher as and when needed</p>	Child Safeguarding Officer for respective country
Affiliated Persons (Governing Board, Trainers, Consultants, Volunteers, Visitors, Interns, Contractors such as LSE Trainers, PSS)	Orientation on the Child Safeguarding Policy and resources (Miracle Foundation CSP Overview PPT)	<p>Understand the importance of prevention and how prevention strategies are embedded in the work of Miracle Foundation</p> <p>Understand the provisions and annexures in the CSP</p> <p>Understand the roles and responsibilities vested while managing a Child Safeguarding situation</p>	<p>During induction/amendment of the Policy</p> <p>Refresher as and when needed</p>	Child Safeguarding Officer for respective country



Support, Career Consultants)				
Partners  (All Partners organizations and their Governing Board members, trainers, consultants, volunteers, visitors and/or interns under direct supervision of staff, and any other person who is officially contracted to represent the partner organization.)	<p>Orientation on the Child Safeguarding Policy</p> <p>Available district-level Child Protection and Child Rights structures</p> <p>Training on Child Safeguarding modules for staff and management</p> <p>In Depth training on 4 key components - Awareness, Prevention, Reporting and responding</p>	<p>Understand the importance of CSP, implementation in their organization</p> <p>Bring in the child protection lens in the different phases of the Case Management Process</p> <p>Understand the requirement of Psycho Social Support (PSS) training and capacity building in case management process</p>	<p>Annual Training</p> <p>Integrate the CSP aspect in the Monthly/Quarterly Facilitation and Observation meetings and visits as refreshers.</p>	Miracle Program Team
Community Leaders	<p>Training on Child Rights</p> <p>Training on Child Safeguarding</p> <p>Means to address Child Safeguarding concerns</p> <p>Training on Child Participation</p>	<p>Understand the Rights of Child envisaged by the UN and talk about it in different forums especially the district-block- and village-level Child Safeguarding Committees</p> <p>Support children in forming collectives and ensure children's participation.</p>	Annual training in selected villages and refresher as per the requirement.	Case worker/ social worker of partner CCI or district Resource Centers
Partner organization - District Authorities	<p>Present the policy - CSP externally</p> <p>Training on Guiding Principles of Child Safeguarding Policy</p>	Integrate key principles of child Protection and Child Rights in the programs designed and executed by the departments and District	Once followed as per need	Miracle Team/District Resource Centers



	Means to address Child Safeguarding concerns	Child Protection Functionaries		
Children	<p>Training on Child Safeguarding for Children ( age specific )</p> <p>Means to address Child Safeguarding concerns at child’s level</p> <p>Helping Children Be Strong (safe touch/unsafe touch; just say no; stranger danger)</p> <p>Appropriate sexual education/terminology Reporting Abuse Anti-Bullying</p>	<p>Children understand the abuse, type of abuse, how to respond and report</p> <p>Children can voice out the concerns – if any – and help them make fair decisions regarding transition</p> <p>Talk about Child Protection and Child Rights in collectives at the village level related to prevention and gatekeeping</p>	Quarterly	Followed by Case Worker/Social Worker of partner CCI or District Resource Centers after first training lead by Miracle District team
Parents/Guardians	<p>Training on Child Safeguarding</p> <p>Means to address Child Safeguarding concerns at the child’s level</p> <p>Available district-level child protection structures</p>	Understand the level of responsibilities to prevent separation and while making permanency plan for reintegration	Throughout the phases of Case management process	Case worker/ social worker of partner CCI or District Resource Centers



## ANNEXURE E: COMMUNICATION POLICY & GUIDELINES

(Signed by all Staff and Affiliates )

### Purpose:

Miracle uses real-world examples to accurately represent the nature of the system and environment. The purpose of this policy is to outline the guidelines for depiction of children, families and child care institutions (CCIs) on social networking sites (Facebook, Twitter, blogs, Instagram etc.), donor communications, and general media (website, reporting, broadcasting, publication of news, programs, documentaries, etc.).

### Guiding Principle:

The guiding principle of Miracle Foundation is to protect the privacy, dignity, and physical/emotional development of children and families. Miracle Foundation takes into consideration long-term consequences, always envisioning how the children/families themselves might perceive the exposure, both now and in the future.

### Publicity, Media and Communications Guidelines:

- Respect the dignity of the subject and prioritize their safety
- While sharing any stories/pictures with Miracle Foundation's communication team, relevant written permissions from appropriate authorities (ie Partners/District/State Government etc ) wherever applicable shall be obtained by the concerned program team. The program team should be mindful of regional/local laws/agreements as applicable in respective states and districts
- Local tradition must be respected and adhered to before photographing or filming a child, family or community
- For children who are part of Miracle Foundation's program, the organization shall, in writing, seek consent from the children and their parents/guardians for use of their photographs/videos/case studies/testimonials or any identifying information for the duration of that program. At any point during the duration of the program, if so desired, the children / families may withdraw consent by informing the concerned Miracle program team. This should be communicated to the children/ guardians at the time of seeking consent. **The printed copy of the consent form will be retained by the partner organization and one copy will be handed over to Miracle Foundation state team.**
- The purpose of photos, videos and interviews should be explained to the child/family and their informed consent obtained
- None of the photos/case stories taken shall use any type of identifier that reveals the identity of a child. **Front shots of the children to be avoided; instead take group pictures from the back of children/family in a group.**  
Example: Take a picture of a garden or community or back of children or family sitting in a group. This must be shared along with consent form (*Annexure F*) No





*pictures of children who have been victims of sexual abuse/ violence should ever be taken or published by Miracle Foundation on any media.*

- Permission to take photographs or video should be sought prior to events. Children for whom we do not have permission for photographs should not be included in individual or group photographs. Where possible, event photographs should be taken in group settings at prearranged times. As a courtesy, permission should be sought before taking any pictures to confirm that the subjects are comfortable with this.
- Special consideration should be given to photographs depicting children with disabilities, refugees and those in situations of conflict and disasters, to accurately portray context and maintain dignity.
- Recorded images should focus on an activity and, where possible, feature groups of children/adults rather than individuals. Miracle encourages use of illustrations rather than taking pictures. However, we recognize in some cases it may be necessary to tell the story to safeguard children in the long run. In such cases, use of common digital photo banks is better than using photos of actual children, wherever possible. Some case studies may use pictures, with explicit consent of the appropriate person(s).
- All children should be appropriately dressed according to their country/state of origin.
- Where the risk of harm and stigma is high, take mitigating steps; for example, by concealing faces, using pseudonyms and vague geographical locations, and by non-disclosure of personal information (eg. HIV status).

### Never Exploit the Subject and Maintain Confidentiality

- While posting any kind of stories/ pictures – even with consent form obtained – the identity of the Child/CCI/Project name/district/village will never be disclosed. For example, say, “This is the story of Ramesh (name changed) from one of the projects in the state of Tamil Nadu.” This includes disclosure through file labels, meta data, or text descriptions when sending or publishing media in any form.
- When posting on social media sites, location services must be disabled by going into the settings and privacy options on the device.
- File labels, meta data or text descriptions must not reveal identifying information about a child when images are sent through electronic means externally (i.e, to any individual/entity outside of Miracle Foundation) or when images are published in any form.
- Fictitious names must be used for any child featured in case studies, images, videos, testimonials that are published or circulated externally (through donor reports, website, brochures, annual report, social media, or any other means). It must be ensured that no personal information is provided through which the child or his/her residence might be identified and tracked.
- All Miracle Foundation staff/consultants/volunteers/interns shall ensure complete confidentiality of information pertaining to children Miracle Foundation works with, at all times. A child’s identity and residence will not be revealed to any third party, except in special circumstances when third parties are involved in rescue,



or ensuring safety of the child. These may include, but are not limited to, government-appointed child protection officers and law enforcement agencies. Photographs and videos of children Miracle Foundation works with will not be shared with any third party unless necessary to comply with Miracle Foundation's legal obligations.

- Ensure confidentiality (with respect to identity and location of the child) when sharing case studies with the media. No information regarding a child in general, and sensitive incidents, in particular, must be shared with media personnel through any medium. There must be complete clarity about the purpose of media interviews. Children must be adequately briefed and guided prior to any interaction with media personnel and parental or guardian consent must be received prior to such interaction.
- Program staff have access to data of children by virtue of delivering programs. They are bound by the Child Safeguarding Policy and shall ensure they take all steps not to divulge any information to any unauthorized third party, under any circumstances.
- Even within the organization, there is a defined way of data sharing and that has to be strictly maintained. Except for people interacting/ interfacing with the children and social workers and the Monitoring & Evaluation verticals, all others will have access to only aggregated/ anonymised and randomized data. Refer to Miracle's Data policy on the same.
- Any concerns regarding inappropriate use of the images or information of children should be reported to the organization.

### Portray Images Truthfully

- Images and videos should not be edited in a way which misleadingly distorts the reality of the situation.(eg, portraying the situation in a more dire manner)
- All photographs, films, videos, and digital distribution must present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be appropriately clothed and must not be photographed in poses that could be seen as sexually suggestive.
- Images must be honest representations of the context and the facts being documented.
- Children's privacy must be respected. Images of children must never be taken without their permission; nor must they be photographed – while they are taking a bath or changing clothes

### On Sharing and Publishing Media

- Social media posts shall be limited to those published by the Communication Team or reposting of those images by other Miracle Team Members.
- Fundraising imagery may only include images pre-approved by the Marketing Team.
- Any photographer hired by Miracle Foundation is subject to this Policy and shall be contractually obligated to grant ownership of all photographs taken during the photography session to the organization.



- Any media coverage of children, families, and CCIs will be conducted only under **the express permission of the following:**
  - CCI's Chief Functionary
  - Miracle Foundation's Child Safeguarding Officer
  - Children and families being covered

All information and material (including case studies, photographs, videos, and stories) that is captured during a visit with children must be approved by Miracle Foundation's Communications Team before being published.

I have read the Miracle Foundation Communications Guidelines and understand them to be an essential component of the Miracle Foundation Child Safeguarding Policy. I agree to abide by these guidelines.

**Name**

**Signature**

**Date**

**Location**



## **Annexure F - Consent for Photographing, Filming , Conducting Case Management & Interviewing Children and Adults**

Dear Children, Young People, Parents and Guardians,

Miracle Foundation is dedicated to protecting and promoting children's rights. In line with our Child Safeguarding Policy and Communications Policy and Guidelines, we endeavor to protect all children and families from harm. We use photographs, videos and stories to spread awareness, create impact and raise support from stakeholders to meet the organizations' vision which is in line with our Child Safeguarding Communication guidelines.

**This material may be used in print, broadcast and online publicity, on social media, in newspapers, presentations and magazines.**

We are determined to carry out our work in a manner that keeps children's and families' safety, privacy and dignity as the top priority. For this reason we commit to the following:

- We will always explain that your photos/videos may be used in print, broadcast and online publicity such as in newspapers, presentations, magazines, social media and will provide specifications, wherever possible. Consent will always be obtained before we go further.
- Children and/or their parents/guardians are free to refuse consent and this will in no way affect their relationship with Miracle Foundation or its associates. Even if consent is given, children and/or their parents/guardians may freely change their mind and withdraw their consent at any point. If consent is withdrawn after images are published according to the initial agreement, Miracle will not knowingly use that imagery in any new campaign or collateral.
- We will always change the names of children/adults and ensure that their faces are not visible, as far as possible. In cases where children's faces are revealed, it must be signed off by the Child Safeguarding Officer.
- We will also take reasonable preventive measures to avoid disclosing the location of children or families.

If you are comfortable with us photographing, filming and/or interviewing you and/or the child(ren) for whom you are legally responsible, then please complete the form below.

In the case of children under the age of 18, while they are not allowed to legally provide consent, we ask that they sign indicating that they have been informed of the use of their images. We would ask that BOTH the child (if



aged 6 or older) AND the child's guardian (e.g. parent, caregiver, Child Functionary / District authority , as applicable) sign the form.



## ANNEXURE F MIRACLE FOUNDATION INFORMED CONSENT FORM/PHOTO RELEASE

This photo release “Release” is made effective on the day it is signed.

The undersigned grants and authorizes Miracle Foundation and our partners the right to edit, alter, copy, publish, modify, and display all photos, videos and/or interviews taken of me or children in my care to be used for promotional or educational materials without payment or consideration. This grant includes but is not limited to publishing on the Internet and in emails, magazines, pamphlets, advertisement fliers, videos, and in whatever other manner Miracle Foundation and our partners finds useful or for any other lawful purposes.

I understand and agree that these materials are Miracle Foundation property and will not be returned. This release extends to all formats, media, languages, and formats now known or hereafter developed. This release shall continue indefinitely. Any request to alter this release must be made in writing and agreed to by both parties.

In addition, I waive any right to royalties or other compensation arising or related to the use of the photos. I hereby release rights to all claims, demands, and causes to action which I, the children in my care, and my or their respective heirs, representatives, executors, administrators, or any other person acting on my behalf of my estate have or may have by reason of this authorization.

A copy of Miracle Foundation’s informed consent has been made available to me. For children under the age of 18, a parent or guardian’s signature is required.

I have read and understood the above and give permission for the child(ren) named above to be photographed, filmed, taped and/or interviewed by Miracle Foundation in (define Country).

\_\_\_\_\_  
Name of Children

\_\_\_\_\_  
Name of Parent or Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent or Guardian Signature



## ANNEXURE G: CHILD PROTECTION INCIDENT FORM

Child's name:

Nature of the allegation - neglect, physical abuse, emotional abuse, sexual abuse:

Was the abuse witnessed or suspected?

Is this concern based on first-hand information or information divulged to you by someone else?

Did the child disclose abuse/ any concern to you?

Details of concern: Date, time, and location of alleged incident

Status of case management of the child

India specific:

SIR Done/ Not done

ICP Followed /Not followed (if applies)

Thrive scale: Done / Not done

Your personal observations (visible injuries, child's emotional state, etc). Make a clear distinction between fact and opinion or hearsay.



Were any other children/people involved in the alleged incident?

Alleged perpetrator's details (if known)

Name

Address

Age (DOB)

Employment details

Identify if the perpetrator is the employer

Relationship, if any to the child

Current location of the alleged perpetrator

Current safety of child including location:

Has emergency medical attention been required?

Provided by:

Psycho social support

Does the counselor have the permission to meet and counsel the family / child ?

What is the immediate and long term psycho social support and care plan for the child?

How is the partner organization attempting to mitigate the concern ?

Who else knows? Include contact details.

Agencies:

Family members or other individuals:





Actions taken to date e.g. Referral to police, children's services, social welfare, other. Give contact details and date and time of action.

Reported by:

Name

Date

Location

Signature

**Action to be taken**

Decision for immediate action as agreed in Child Safeguarding Policy (Please specify who is to do what and when and give names and contact details of people to be contacted.)

Referral to police (if not, why not?)  
Yes/No

Referral to Local Authority for child protection /welfare  
Yes/No

Other action required to protect child from further risk from alleged perpetrator:

Referral for medical treatment/ to meet health needs  
Yes/No

Signature of person arranging above action:



# **Annexure H: COUNTRY SPECIFIC CHAPTERS**



## Country-Specific : USA

### The Socio-Legal Framework

The cornerstone of Miracle Foundation USA's work:

Globally	Nationally (USA)
<ul style="list-style-type: none"> <li>• The human rights principles, standards embedded in the UN Convention on the Rights of the Child (UNCRC 1989)</li> <li>• The UN Guidelines for Alternative Care of Children 2009</li> <li>• 2019 UNGA Resolution on the Rights of the Child</li> <li>• Sustainable Development Goals (SDGs 2030)</li> <li>• 2021 Day of General Discussion – Children's Rights &amp; Alternative Care</li> </ul>	<ul style="list-style-type: none"> <li>• National and State child protection, child abuse and child welfare laws</li> </ul>

### Details of Child Safeguarding Committee – USA

<b>DESIGNATION</b>	<b>ROLE</b>
Chief Financial Officer	Review the policy and any changes, participate in discussions around child safeguarding issues as they arise



Director of Global Programs, Child Safeguarding Officer	Review the policy and any changes, participate in discussions around child safeguarding issues as they arise, ensure CSP integration into the organization in the US
Mental Health Consultant	Review the policy and any changes, participate in discussions around child safeguarding issues as they arise, support rollout and implementation of policy in the organization

## Resources for Reporting and Responding to Abuse

- Department of Family and Protective Services:
  - Toll-Free: (800) 252-5400
  - [https://www.dfps.state.tx.us/Contact\\_Us/report\\_abuse.asp](https://www.dfps.state.tx.us/Contact_Us/report_abuse.asp)
- Police: Call 911

## To be added in all agreements

Any employee, consultant, contractor or the supplier undertaking an activity on behalf of Miracle Foundation must sign and comply with the Miracle Foundation's Child Safeguarding Policy which is a statement of Miracle Foundation's commitment to preventing abuse and protecting children with whom it comes into contact.

This extends not only to children with whom Miracle Foundation and its partners work directly with, but also includes children whom staff are responsible for. Miracle Foundation believes that the situation of children must be improved through the promotion of their rights supported and demonstrated by all members of staff. Miracle Foundation's Code of Conduct sets out the standards to which all staff members must adhere.



## Annexure H.2

# Country-Specific: India

India has the highest number of children, youth in the world. The total population of India as recorded by Census 2022 is 1.4 billion. Approximately 40% of the nation's population is children. Protection of this 40% of the young population is not only a matter of their human rights but also an investment towards building a robust nation. The Constitution of India recognizes children as equal right holders and grants highest priority for their protection and well-being. India is also signatory to the UNCRC and accordingly has a strong legal framework to protect children.

Children are equal citizens of the nation, the safety and protection of all children is recognised and guaranteed in the Constitution of India through rights to equality and non-discrimination on the basis of gender, (dis)ability, age, religion, ethnicity, sexual orientation, socio-economic status, and through the ratification of the UN Convention on Rights of the Child (1989) in 1992.

### The Socio-Legal Framework

The most important and comprehensive children related law overseeing child protection in India is the Juvenile Justice (Care and Protection of Children) Act 2015, which forms the spine of the child protection mechanism. Its implementation intersects with other key laws related to children – the Protection of Children from Sexual Offences Act 2012; Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act 1994; the Commission for Protection of Child Rights Act 2005; the Right of Children to Free and Compulsory Education Act, 2009; Prohibition of Child Marriage Act, 2006; and Child & adolescent labour prohibition and regulation act 1986, Mission Vatsalya 2022, Key Supreme Court Directives in the interest of child care reforms.

The cornerstone of Miracle Foundation India's work:

Globally	Nationally (India)
<ul style="list-style-type: none"> <li>• The human rights principles, standards embedded in the UN Convention on the Rights of the Child (UNCRC 1989)</li> <li>• The UN Guidelines for Alternative Care of Children 2009</li> <li>• 2019 UNGA Resolution on the Rights of the Child</li> <li>• Sustainable Development Goals (SDGs 2030)</li> <li>• 2021 Day of General Discussion – Children's Rights &amp; Alternative Care</li> </ul>	<ul style="list-style-type: none"> <li>• Article 39 F Constitution of India</li> <li>• National Policy for Children 2013</li> <li>• Juvenile Justice (Care and Protection of Children) Act 2015</li> <li>• Juvenile Justice (Care and Protection of Children) Amendment Act 2021</li> <li>• Mission Vatsalya 2022</li> <li>• Protection of Children from Sexual Offences (POCSO) Act 2012</li> <li>• Right of Children to Free and Compulsory Education Act, 2009</li> <li>• Prohibition of Child Marriage Act, 2006;</li> </ul>



	<ul style="list-style-type: none"><li>• Child &amp; adolescent labour prohibition and regulation act 1986</li><li>• Pre-Conception &amp; Pre-Natal Diagnostic Techniques Act 1994</li></ul>
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Clause 2.2 of the preamble of National Policy for Children, 2013, states that:

- All children have equal rights irrespective of place of birth, sex, religion, caste, class, language, and disability, social economic or any other status;
- All children have the right to a loving family, a dignified life free from exploitation and that families are to be supported by a strong social safety net in caring for and nurturing their children; and
- Safety and security of all children is integral to their well-being and children are to be protected from all forms of harm, abuse, neglect, violence, maltreatment and exploitation.

Adhering to the JJ Act framework of child protection is sacrosanct in Miracle India's work. From the beginning, the organization's work has been rooted in the principles of the JJ Act, especially anchored in the principle of institutionalization as a measure of last resort, principle of family responsibility, principle of repatriation, restoration, principle of best interest of the child.

## Definitions

Miracle Foundation India refers, adheres to the definitions as per Section 2 of the Juvenile Justice (Care & Protection) of Children Amendment Act 2021. The fundamental references are given below:

- Section 2 (12), which defines a 'child' as a person who has not completed eighteen years of age.
- Section 2(14) "child in need of care and protection" means a child—
  - I. Who is found without any home or settled place of abode and without any ostensible means of subsistence; or
  - II. who is found working in contravention of labor laws for the time being in force or is found begging, or living on the street; or
  - III. who resides with a person (whether a guardian of the child or not) and such person—
    - A. has injured, exploited, abused or neglected the child or has violated any other law for the time being in force meant for the protection of child; or
    - B. has threatened to kill, injure, exploit or abuse the child and there is a reasonable likelihood of the threat being carried out; or



- C. has killed, abused, neglected or exploited some other child or children and there is a reasonable likelihood of the child in question being killed, abused, exploited or neglected by that person; or
- IV. who is mentally ill or mentally or physically challenged or suffering from terminal or incurable disease, having no one to support or look after or having parents or guardians unfit to take care, if found so by the Board or the Committee; or
- V. who has a parent or guardian and such parent or guardian is found to be unfit or incapacitated, by the Committee or the Board, to care for and protect the safety and well-being of the child; or
- VI. who does not have parents and no one is willing to take care of, or whose parents have abandoned or surrendered him; or
- VII. who is missing or run away child, or whose parents cannot be found after making reasonable inquiry in such manner as may be prescribed; or
- VIII. who has been or is being or is likely to be abused, tortured or exploited for the purpose of sexual abuse or illegal acts; or
- IX. who is found vulnerable and is likely to be inducted into drug abuse or trafficking; or
- X. who is being or is likely to be abused for unconscionable gains; or
- XI. who is victim of or affected by any armed conflict, civil unrest or natural calamity; or
- XII. who is at imminent risk of marriage before attaining the age of marriage and whose parents, family members, guardian and any other persons are likely to be responsible for solemnisation of such marriage

### General Principles of Care & Protection of Children

Miracle Foundation India's work is premised in section 3 of the JJ Act, which states the principles of care & protection of children:

- 1) Principle of Presumption & Innocence
- 2) Principle of Dignity & Worth
- 3) Principle of Participation
- 4) Principle of Best Interest
- 5) Principle of Family Responsibility
- 6) Principle of Safety
- 7) Principle of Positive Measures
- 8) Principle of Non Stigmatizing Semantics
- 9) Principle of Non Waiver of Rights
- 10) Principle of Equality & Non Discrimination
- 11) Principle of Right to Privacy & Confidentiality
- 12) Principle of Institutionalization as a measure of Last Resort
- 13) Principle of Repatriation & Restoration
- 14) Principle of Fresh Start



- 15) Principle of Diversion
- 16) Principle of Natural Justice

### Noteworthy Sections from the JJ Act & POCSO Act

Given below are some key section from the JJ Act

**Section 74 of the JJ Act** , No report in any newspaper, magazine, news-sheet or audio-visual media or other forms of communication regarding any inquiry or investigation or judicial procedure, shall disclose the name, address or school or any other particular, which may lead to the identification of a child in conflict with law or a child in need of care and protection or a child victim or witness of a crime, involved in such matter, under any other law for the time being in force, nor shall the picture of any such child be published: Provided that for reasons to be recorded in writing, the Board or Committee, as the case may be, holding the inquiry may permit such disclosure, if in its opinion such disclosure is in the best interest of the child.

**Section 75 of the JJ Act**, assault, abandonment, abuse, exposure or wilful neglect of a child by a person having the actual charge of, or control over such child is a punishable offense.

**Section 77 of the JJ Act**, whoever gives, or causes to be given, to any child any intoxication liquor or any narcotic drugs, or tobacco products or psychotropic substance, except on the order of a duly qualified medical practitioner, shall be punishable with rigorous imprisonment for a term which may extend to seven years and shall also be liable to a fine which may extend up to one lakh.

**Section 82 of the JJ Act**, (1) Any person in-charge of or employed in a child care institution, who subjects a child to corporal punishment with the aim of disciplining the child, shall be liable, on the first conviction, to a fine of ten thousand rupees and for every subsequent offense, shall be liable for imprisonment which may extend to three months or fine or with both. (2) If a person employed in an institution referred to in sub-section (1), is convicted of an offense under that sub-section, such person shall also be liable for dismissal from service, and shall also be debarred from working directly with children thereafter. (3) In case, where any corporal punishment is reported in an institution referred to in sub-section (1) and the management of such institution does not cooperate with any inquiry or comply with the orders of the Committee or the Board or court or State Government, the person in-charge of the management of the institution shall be liable for punishment with imprisonment for a term not less than three years and shall also be liable to fine which may extend to one lakh rupees.

**Section 21 of the POCSO Act**, there is a legal duty upon any person, organization, company or instruction to report the commission or apprehension of commission of any sexual offense committed against a child to the local police or the Special Juvenile Police Unit. Omission to do the same warrants a criminal penalty of fine or imprisonment.

### **Sec 24 of the POCSO Act : Recording of a statement of a child**

(1) The statement of the child shall be recorded at the residence of the child or at a place where he usually resides or at the place of his choice and as far as practicable by a woman police





officer not below the rank of sub-inspector.

(2) The police officer while recording the statement of the child shall not be in uniform.

(3) The police officer making the investigation shall, while examining the child, ensure that at no point of time the child comes in contact in any way with the accused.

(4) No child shall be detained in the police station at night for any reason.

(5) The police officer shall ensure that the identity of the child is protected from the public media, unless otherwise directed by the Special Court in the interest of the child.

### Behaviors punishable under the child related laws in India

The following acts are punishable under the law, and it is the duty of every adult to abstain from such acts.

Offenses/Behaviors	Relevant Laws
Sexual assault, sexual harassment, use of child for pornographic purpose	Protection of Children from Sexual Offences Act, 2012
Production, dissemination and use of child sexual abuse materials	Information Technology Act, 2000
Disclosing the identity of a child victim to anyone other than the appropriate authority	Protection of Children from Sexual Offences Act, 2012 ; Juvenile Justice Act, 2015
Sale and procurement of children for any purpose, including illegal adoption, trafficking of children for sexual exploitation, use of children by militant groups, giving children intoxicating liquor, narcotic drugs or tobacco products or psychotropic substances, offenses against disabled children	Juvenile Justice (Care & Protection) of Children Act, 2015, Amendment Act 2021; Immoral Traffic (Prevention) Act, 1956; Human Trafficking (Section 370 & 370A Indian Penal Code)



Corporal punishment in child care institutions	Juvenile Justice (Care & Protection) of Children Act, 2015, Amendment Act 2021
Corporal punishment in schools	Right of Children to Free and Compulsory Education Act, 2009
Adoption of child without following due procedure and child welfare committees / promoting or facilitating such illegal adoptions	Juvenile Justice (Care & Protection) of Children Act, 2015, Amendment Act 2021- Adoption Regulation 2017
Employment of children below 14 years in any occupation or industry	Child Labour (Prohibition and Regulation) Amendment Act, 2016
Employment of children between 15–18 years of age in hazardous occupations or industries	Child Labour (Prohibition and Regulation) Amendment Act, 2016
Marrying a child / promoting or solemnising child marriage	Prohibition of Child Marriage Act, 2006
Pre-conception and pre-natal diagnostic techniques for determination of the sex of the fetus, leading to sex-selective abortion	Pre-Conception And Pre- -Natal Diagnostic Techniques Act, 1994

## Operational Document

### Accountability

- The Senior Management is responsible for implementing the Child Safeguarding Policy within Miracle Foundation. Senior Management is collectively responsible for the development of child safeguarding policy and good practice. This includes the development and implementation of policies and local procedures, monitoring and



benchmarking procedures and identifying and providing the necessary resources.

- Child Safeguarding Officer, India situated at Management Group level and Child Safeguarding Committee members are responsible for making sure that the child safeguarding measures are integrated throughout the organization and acts as a focal point. This is to be ensured that child safeguarding policy is up to date, understood, and implemented correctly. It is vital that all concerns are raised and immediately notified to the Child Safeguarding Officer (India).
- Regular reporting to key management forums , to track progress and performance and share the lessons learnt to key stakeholder
- Adequate human and financial resources will be made available to support development and implementation of child safeguarding measures.
- All staff and associates are aware of the designated Child Safeguarding Officer (CSO) who is responsible for receiving reports of concerns and advising on assessing and mitigating risk in line with Miracle Foundation's policy and procedures.
- All department/programme leads will be responsible to ensure the implementation of Child Safeguarding practices, as indicated in the Policy , across their projects and departments.



<b>DESIGNATION</b>	<b>ROLE</b>
Sr Director- Government Partnerships & Strategic Alliance	Child Safeguarding Officer  Focal point person to ensure the integration of CSP across organization
Lead, Govt Partnership & Strategic Alliance and Child Safeguarding	Lead and support on effective operation of the CSP  Ensure that child safeguarding policy is up to date, understood, and implemented correctly.
Director- Strategy & Technical Expertise	Program development and design
Director- MEL	Lead the process of evaluation
Sr. Director-Programmes	Ensure execution and adherence to CSP by the team and partners
Head, HR	Lead the process for orientation and record keeping

Details of Child Safeguarding Committee – India



All Zonal & State Heads in India	Support and oversee on effective implementation in programmes  Concerned state head will be the part of the committee
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### Resources for Reporting and Responding to Abuse

- Childline – Toll-free 24 hour helpline for children in need of protection and emergency services, as well as links to services for long-term care. Call 1098
- Juvenile Justice Act – Chapter 9 Other Offenses against Children Juvenile Justice Model Rules – Rule 76 Abuse and Exploitation of Child
- POCSO Act 2012 and Amendment 2019

### To be added in all agreements

“Any employee, consultant, contractor, or volunteer undertaking an activity on behalf of Miracle Foundation India must sign and comply with Miracle Foundation India’s Child Safeguarding Policy, which is a statement of Miracle Foundation India’s commitment to preventing abuse and protecting children with whom it comes into contact. This extends not only to children with whom Miracle Foundation India and its partners work directly, but also includes children for whom staff/volunteers are responsible.

Miracle Foundation India believes that the situation of children must be improved through the promotion of their rights, supported and demonstrated by all representatives of Miracle Foundation India. Our Code of Conduct sets out the standards to which all staff/volunteers must adhere.”

Miracle Foundation India adheres to the Juvenile Justice Act 2015 (JJ Act) framework of child protection. The organization has a comprehensive Child Safeguarding policy steered by an organization-level Child Protection Officer. As a norm, all internal and external stakeholders, partners, teams, children, families are taken through a detailed orientation of this policy duly signed by them.

Miracle Foundation India team adheres to the norms of Section 74 of the JJ Act when it comes to taking due consent from children, families at the time of taking pictures. The Miracle team is extremely careful with children’s data confidentiality, such data is handled sensitively for the purpose of mentoring the case worker to identify the needs and undertake support interventions in the best interest of the child.

*Sec 74 (1) states : No report in any newspaper, magazine, news-sheet or audio-visual media or*



*other forms of communication regarding any inquiry or investigation or judicial procedure, shall disclose the name, address or school or any other particular, which may lead to the identification of a child in conflict with law or a child in need of care and protection or a child victim or witness of a crime, involved in such matter, under any other law for the time being in force, nor shall the picture of any such child be published: Provided that for reasons to be recorded in writing, the Board or Committee, as the case may be, holding the inquiry may permit such disclosure, if in its opinion such disclosure is in the best interest of the child.*



## ANNEXURE H.3 REPORTING FLOW CHART (India Specific)

Part 1: Reporting flow chart (Offenses against children- Sexual & Physical abuse)

**Terms: CSC (Child Safeguarding Committee)**

	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>
<b>Petty Offense</b>	Concern arise or witnessed brought into knowledge of any Miracle staff	Report verbally or in writing to designated authority (internal - CSC within 24 hours of knowledge, prepare the incident report and submit within 48 hours to the organizations local authority (State Head/ office Head)	Org Local Authority will submit the incident report within 72 hours with their recommendations to the CSC	CSC will decide and act upon within 1 week
<b>Serious Offense</b>	Concern arise or witnessed brought into knowledge of any Miracle staff	Report verbally or in writing to designated authority (internal - CSC within 03 hours of knowledge, prepare the incident report and submit within 24 hours to the organizations local authority (State Head/ office Head)	Org Local Authority will submit the incident report within 24 hours with their recommendations to the CSC and CWC	CSC will decide preferably within 24 hours of receiving the report internally. Inquiry report to be submitted to the CWC
<b>Henious Offense</b>	Concern arise or witnessed brought into knowledge of	Report verbally or in writing to designated authority	Org Local Authority (State Head) will submit the incident report	CSC will decide within 10 hours and report to the



	any Miracle staff	(internal - CSC and CWC within 03 hours of knowledge, prepare the incident report and submit within 03 hours to the organizations local authority (State Head/ office Head)	within 4 hours with their recommendations to the CSC and CWC	Police.
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<p><b>Petty Offense</b> Address the issue through counseling</p> <p>Ensure child is safe</p> <p>Follow up continues with child / family and proper record keeping of interventions</p>	<p><b>Serious Offense</b> If complaint against Miracle staff or affiliate - Submit report to CSC, internal procedures will apply Ensure child is safe, counseling support If complaint is against Miracle Partner or related to children in CCI- Concerned CCI CSP would apply , however Miracle CSP can supersede if no action taken</p>	<p><b>Heinous Offense</b> Appear the child to CWC as soon as possible</p> <p>Filing of FIR within 24 hours of the knowledge or as per the order by the CWC</p> <p>Ensure child is safe, counseling support</p> <p>If complaint is against Miracle Partner or related to children in CCI- Concerned CCI CSP would apply , however Miracle CSP can supersede if no action taken</p>
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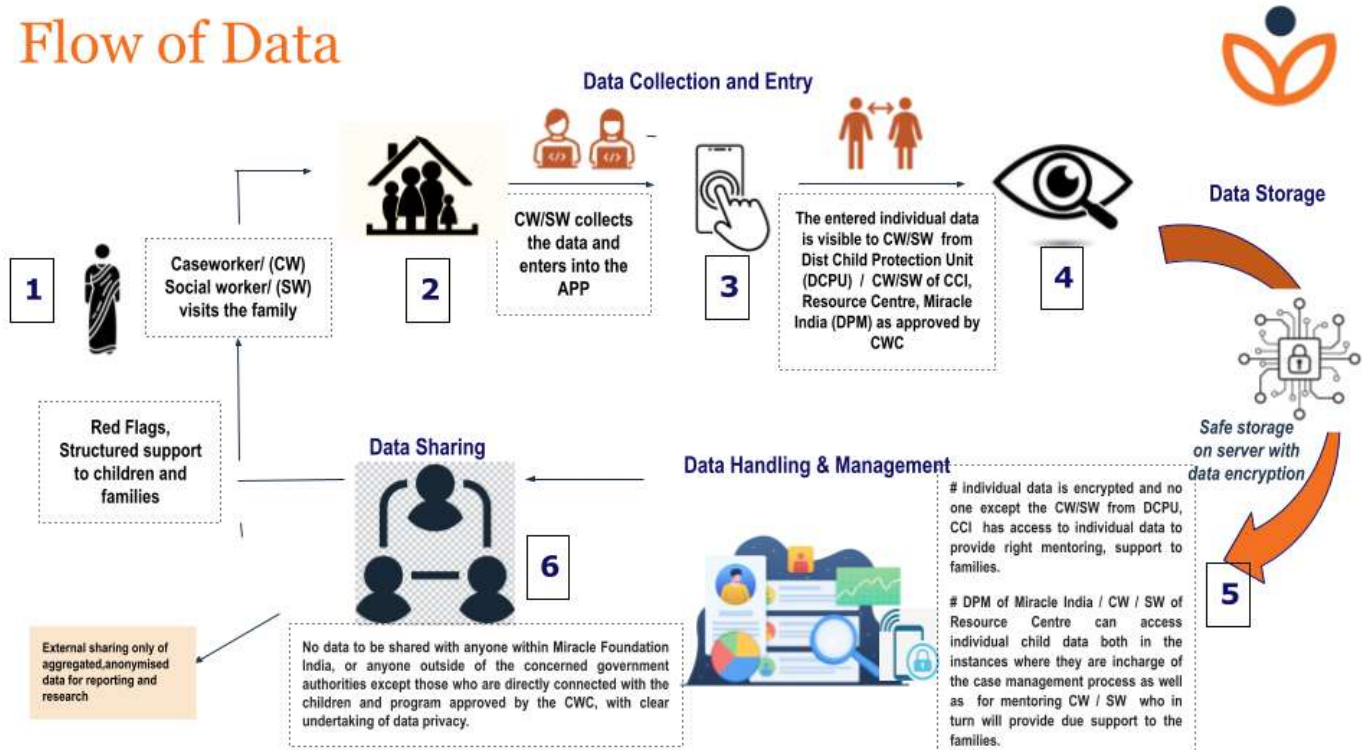
Part 2: Reporting flow chart (Offenses against children- Emotional abuse & Neglect)  
Terms: CSC (Child Safeguarding Committee)

	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>
<b>Petty Offense</b>	Concern arise or witnessed brought into knowledge of any Miracle staff	Report verbally or in writing to designated authority CSC within 24 hours of knowledge, prepare the incident report and submit within 48 hours to the organizations local authority (State Head/ office Head)	Org Local Authority will submit the incident report within 72 hours with their recommendations to the CSC and CWC.	CSC will decide and act upon within 1 week



# ANNEXURE H.4 FLOW OF DATA - INDIA

## Flow of Data





**ANNEXURE H.5 MIRACLE FOUNDATION INFORMED  
CONSENT FORM - INDIA**

Informed Consent for Using Photographs/ Videos/ Stories of **children**

**(Note: This must be translated and read out in the local language in which the participants understand)**

**Social/Case Workers**

Local greeting - My name is .....(**Name of the Case Worker**)..... and I am a/an .....(**designation**).....at .....(**Name of the organization**)..... We use photographs, videos and stories to spread awareness, create impact and raise support from stakeholders to meet organizations’ vision which is in line with Child Safeguarding Communication guidelines. **This material may be used in print, broadcast and online publicity, on social media, in newspapers, presentations and magazines published/ posted by Miracle Foundation .** We are determined to carry out our work in a manner that keeps children’s and families’ safety, privacy and dignity as the top priority.

You/he/she can choose to refuse consent and this will in no way affect your/their relationship. However, if you are comfortable with us photographing, filming and/or interviewing you and/or the child(ren) for whom you are legally responsible, then please complete the form below.

Do you/he/she want to ask me anything related to this?

**Participant**

I have been told and understand how my story and/or images will be used. *I hereby give my consent*

	YES	NO
Being photographed		
Being filmed		
Being recorded (voice)		
Being interviewed		

**I/We/Appropriate authority agree to the items checked in the table above.**



**For children under the age of 18: Parent/guardian declaration**

I have read and understood the above and give permission for the child(ren) named above to be photographed, filmed, taped and/or interviewed by Miracle Foundation (define Country)

**Name of the Child(Age)**

**Signature**

**Date**

**Name of the Guardian  
Date**

**Relationship**

**Signature**



**ANNEXURE H.6 MIRACLE FOUNDATION INFORMED CONSENT FORM - INDIA**

Informed Consent by **Youth (18 Plus)** for Using Photographs/ Videos/ Stories

**(Note: This must be translated and read out in the local language in which the participants understand)**

**Social/Case Workers**

Local greeting - My name is .....(**Name of the Case Worker**)..... and I am a/an .....(**designation**).....at .....(**Name of the organization**)..... We use photographs, videos and stories to spread awareness, create impact and raise support from stakeholders to meet organizations’ vision which is in line with Child Safeguarding Communication guidelines. **This material may be used in print, broadcast and online publicity, on social media, in newspapers, presentations and magazines published/ posted by Miracle Foundation .** We are determined to carry out our work in a manner that keeps children’s and families’ safety, privacy and dignity as the top priority.

You/he/she can choose to refuse consent and this will in no way affect your/their relationship. However, if you are comfortable with us photographing, filming and/or interviewing you and/or the child(ren) for whom you are legally responsible, then please complete the form below.

Do you/he/she want to ask me anything related to this?

**Participant**

I have been told and understand how my story and/or images will be used. *I hereby give my consent*

	YES	NO
Being photographed		
Being filmed		
Being recorded (voice)		
Being interviewed		



I have read and understood the above and give permission for the child(ren) named above to be photographed, filmed, taped and/or interviewed by Miracle Foundation (define Country)

**Name of the Youth(Age)**

**Signature**

**Date**



## Annexure H.7 Informed Consent for Using Thrive Scale™ for Case Management Process - India

*(Note: This must be translated and read out in the local language in which the participants understand)*

### **Social/Case Workers**

Local Greetings. My name is .....(**Name of the Case Worker**)..... and I am a/an .....(**designation**).....at .....(**Name of the organization**)..... We use Thrive Scale™ methodology for systematic case management process for reintegration of children in family and Family-Based Alternative Care and preventing children from being separated from their families. I would very much appreciate your participation in using Thrive Scale™ methodology/study. **I would like to ask you about basic details, information on household and children on the current status across 5 well-being domains – Education, Household Economy, Living Condition, Health and Mental Health and Family and Social Relationship and a little more about yourself, children and family. The information will help us to plan the intervention and deliver a better programme for family strengthening.**

Whatever information you/he/she provides will be kept strictly confidential and will be available to only those who are directly involved for strengthening and understanding the intervention. Your/his/her name will not be shared with anyone else and your/his/her answers will be combined with answers from many other people so that no one will know that the answers given to me today belong to you/him/her.

Participation in this assessment is voluntary. You/he/she can choose not to answer any individual question or all of the questions. However, we hope that you/he/she will participate in this since your/his/her inputs are important for improving the intervention. Do you/he/she want to ask me anything related to this?

### **Participant**

All of my questions and concerns for using Thrive Scale™ methodology have been addressed. I choose, voluntarily, to participate in this assessment process.

----- Name of the Parent/Guardian	----- Signature	----- Date
----- Name of the Participant/Child	----- Signature	----- Date
----- Name of the Social/Case Worker	----- Signature	----- Date



## **ANNEXURE H.8 Self-Declaration Form - India**

(Such declaration can be given on Rs 10 stamp paper as affidavit / as per country specific norms)

### **Declaration of Compliance of Non-Conviction**

I, \_\_\_\_\_, S/o / D/o / W/o \_\_\_\_\_, aged \_\_\_\_\_ years, resident of \_\_\_\_\_, solemnly declare that no criminal case is pending against me in any court of law, nor have I been convicted in any criminal case in the past by any court in India.

I hereby affirm the veracity of the above declaration and understand that I am fully responsible for its accuracy.

In the event that Miracle Foundation receives evidence to disprove any of the contents of this declaration, my appointment/employment will be liable to be canceled forthwith, without any further correspondence and procedure.

Solemnly affirmed by me on ..... (date) at ..... (place)

Name:

Email id:

Contact number:

Signature: