

Ipas Development Foundation

Safeguarding Policy

Introduction

Ipas Development Foundation (IDF) has zero tolerance against abuse and exploitation of vulnerable people in any form, directly or through course/consequence of any of our programmes or intervention. As a responsible organization it is our duty to take reasonable care of children and adults at risk who come in contact with IDF in the course of our work. IDF aims to adopt the highest possible standards and take all reasonable steps in relation to the safety and welfare of children and adults at risk.

Purpose

The purpose of the policy is to protect people, particularly children, at risk adults and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with IDF. This includes harm arising from:

- The conduct of staff or personnel associated with IDF
- The design and implementation of IDF's programmes and activities

The policy lays out the commitments made by IDF and informs staff and associated members of their responsibilities in relation to safeguarding.

Any breach of this policy will be treated as a disciplinary matter, which may result in immediate termination of employment or contract, and reporting to the police, relevant regulatory authority or other body.

Scope

The policy applies to all members associated with IDF for any work on regular or temporary basis. It includes:

- Board Members
- Staff members
- Full-time consultants
- Associated members including but not limited to the following: partners, short-term consultants; volunteers; contractors; and interns

IDF is not, and cannot be responsible for the safeguarding concerns in the wider community not perpetrated by IDF employees or its associated members.

What is safeguarding?

Safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect

In our sector, we understand it to mean protecting people, including children and at risk adults, from harm that arises from coming into contact with our staff or programs.

This definition draws from our values and principles and shapes our culture. It pays specific attention to preventing and responding to harm from any potential, actual or attempted abuse of power, trust, or vulnerability, especially for sexual purposes.

Safeguarding applies consistently and without exception across our programs, partners and staff. It requires proactively identifying, preventing and guarding against all risks of harm, exploitation and abuse and having mature, accountable and transparent systems for response, reporting and learning when risks materialize.

Associated Policies

The below policies form an integral part of the IDF Safeguarding Policy:

- Code of Business Ethics and Whistle Blower Policy (Annexure 1)
- Child Protection Policy (Annexure 2)
- Policy on Prevention of Sexual Harassment at Workplace (Annexure 3)
- Information Technology & Acceptable Use Policy (Annexure 4)

Responsibilities

All employees, full-time consultants, volunteers, sub contractors and partner organizations are obliged to follow this policy and maintain an environment that prevents exploitation and abuse and which encourages reporting of breaches of this policy using the appropriate procedures.

All members working with IDF will:

- Read, understand and adhere to the IDF Safeguarding Policy
- Strive to promote a zero-tolerance approach to discrimination, sexual harassment and abuse in all working environments
- Strive to develop relationships with all stakeholders which are based on equality, trust, respect and honesty
- Place the safety and welfare of children and at risk adults above all other considerations
- Report any concerns they may have about the welfare of a child or vulnerable adults
- Report any concerns they may have about the behaviour of a IDF representative in relation to safeguarding

All members working with IDF will not:

- Sexually harass, assault or abuse another person
- Physically harass, assault or abuse another person
- Emotionally abuse another person, such as engaging in behaviour intended to shame, humiliate, belittle or degrade
- Condone, or participate in behaviour which is abusive, discriminatory, illegal, or unsafe
- Develop, encourage or fail to take action of relationships with children or other vulnerable adults which could in any way be deemed sexual, exploitative or abusive
- Act in ways that may be violent, inappropriate or sexually provocative

Managers

Managers at all levels are responsible for ensuring employees, volunteers, consultants, visitors and partner organizations are aware of the policy and are supported to implement and work in accordance with it, as well as creating a management culture that encourages a focus on safeguarding. They must ensure that they are responsive, acting immediately if they become aware of any safeguarding concerns, and supportive towards employees or volunteers who complain about breaches in this policy.

Understanding, recognizing and preventing abuse

The categories of abuse of children and vulnerable adults are different. In the interest of simplification:

- Safeguarding concerns related to child abuse will be dealt in accordance to the procedure and guidelines defined under IDF Child Protection Policy
- Safeguarding concerns related to sexual harassment shall be dealt with policies and procedures defined under the Prevention of Sexual Harassment Policy
- Safeguarding concerns related to conduct and behaviour of IDF member other than the above shall be covered under the Grievance Redressal Policy

Prevention

Staff recruitment

IDF is committed to a fair recruitment process including safer recruitment checks of all employees. When recruiting staff, IDF makes sure that questions regarding safeguarding are included in any relevant job interviews, and that any roles with safeguarding responsibilities have those responsibilities explicitly outlined within the job description. Where possible, references should be sought from previous employers to get more information of the suitability of candidates.

Awareness

The unit heads and state directors are the designated staff with the responsibility of building internal awareness of their respective teams on safeguarding, policy.

IDF will provide necessary training and support to its staff and partner organisations to enhance understanding and ensure effective implementation of the policy.

The on-boarding of staff will include a full induction to the safeguarding policies including IDF policy on prevention of sexual harassment, child protection policy and code of business ethics and whistle blower policy.

Risk analysis

When working with partners, IDF will endeavour to ensure that the programs it supports are safe for the adults at risk and children they serve. To ensure that appropriate safeguarding measures have been put in place, IDF will work with the partner, either during the project development process, or the inception phase, to carry out a safeguarding risk analysis which specifically includes any safeguarding issues and propose actions to mitigate these risks, prior to the activities taking place.

Such risk analysis will be an integral part of project proposals, program planning guidelines and partnership assessment tools.

Code of Conduct

Members at IDF are required to understand their responsibility to keep vulnerable adults and children safe, and to sign and abide by the IDF Code of Conduct and Whistleblower policy (Annex 1), which lists acceptable and unacceptable behaviour, primarily designed to promote lawful and ethical conduct and safeguard others.

All staff are responsible for encouraging and promoting the implementation of the IDF Code of Conduct. The adherence to this code is mandatory for all members of IDF. Any violation of the Code of Conduct will result in disciplinary procedures in addition to any relevant legal action.

Reporting of incidents

IDF will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations.

- Complaint or concern relating to child safeguarding should be reported to the Child Protection Committee as outlined in the IDF Child Protection Policy
- Complaint or concern relating to sexual harassment should be reported to the Internal Complaints Committee as outlined in the IDF Policy on Prevention of Sexual Harassment
- Other concerns related to safeguarding should be reported immediately to Director HR/Unit Head or State Director.

IDF will apply appropriate disciplinary measures to members found in breach of policy up to and including termination of employment.

If the member is dismissed for proven harm, exploitation or abuse, IDF will inform the relevant authorities, may disclose this to prospective future employers and/or refuse a reference, depending on details.

In case of a breach of the policy by a partner organization, appropriate action will be taken up to and including immediate termination of a partnership or service agreement.

Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management will be shared on a need to know basis only, and will be kept secure at all times.

Reviewing the policy

A full policy review will take place every three years, led by HR, to include a review of external changes to safeguarding standards that apply nationally.

Annexure 1: IDF Code of Business Ethics and Whistleblower Policy¹

Full Name: _____

Instructions

Ipas Development Foundation (IDF) expects all its staff and consultants to adhere to the highest standards of ethical conduct and integrity. All staff—including IDF employees, contract staff, long-term consultants, volunteers, officers, and directors—are required to read and understand this Code, uphold these standards in day-to-day activities, and comply with all applicable policies and procedures. IDF also expects its partners, agents, and subcontractors to have similar programs that appreciate and promote lawful and ethical conduct.

Please read this Code carefully and make sure you understand its provisions. If any part of it is unclear to you, ask for clarification by reaching out to IDF's Director of Human Resources.

Once you have read the Code, please sign on the last page as a confirmation that you have read and understood the Code of Ethics and Whistleblower Policy, and submit to the Director, HR, IDF.

Code of Business Ethics and Conduct and Whistleblower Policy:

Last updated for IDF: 07 May 2019

As approved by the IDF Board of Directors: 07 May 2019

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¹ IDF acknowledges adaptation of this code from the Code of Business Ethics and Conduct of Management Sciences for Health, as well as from other sources.

A. INTRODUCTION

This Code of Business Ethics and Conduct has been adopted by IDF to help ensure compliance with legal, ethical, and other requirements that govern IDF and its business, especially financial operations (2). It supersedes the previous Whistleblower Policy while providing additional guidelines, including for reporting violations. To the extent that the provisions of this Code are inconsistent with any other policy adopted by IDF, the provisions of this Code shall control.

IDF is committed to promoting lawful and ethical conduct throughout the organization. **Each employee is obligated to come forward with credible information on illegal practices or violations of adopted policies of the organization by any of our employees, partners, agents, vendors, and subcontractors.** IDF has the responsibility to protect the Whistleblower from retaliation of any kind. Violation of this Code, including failure to report unlawful or unethical behavior, can be grounds for discipline, including discharge.

IDF will continuously review and update its policies and procedures, including this Code. Therefore, this document is subject to modification.

II. COMPLIANCE WITH LAWS AND REGULATIONS

IDF expects that each of its employees will comply with applicable laws, regulations, rules, and regulatory orders associated with IDF operations in the jurisdiction of India in which you are located. If there is an apparent conflict among laws or regulations, employees should seek guidance from their supervisors/directors.

You should be alert to possible illegal, fraudulent or unethical practices or violations of adopted policies of the organization. It is your responsibility to report them immediately to IDF in accordance with the procedures set forth below.

This Code does not describe every law or regulation that may be applicable to your job duties; rather, it highlights some of the more significant obligations related to integrity, ethics, and values that apply to IDF employees, especially related to the financial aspects of IDF operations.

A. Policy against Fraud

Fraud is the use of deception of any kind with the intention of obtaining a financial or other advantage. The term fraud is used to describe such acts as deception, bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, and concealment of material facts. IDF will not tolerate fraud by any of its staff, consultants, suppliers, contractors, subcontractors or development partners.

IDF is committed to:

- Developing and maintaining effective controls to prevent fraud.
- Requiring its employees to report suspected fraud.
- Protecting whistleblowers—those employees who report fraud.
- Carrying out vigorous and prompt investigations of suspected fraud.
- Taking disciplinary and, where appropriate, legal action against perpetrators of fraud.
- Holding managers and supervisors accountable for fraud committed by a subordinate in cases where the manager's or supervisor's action or inaction can be traced to the wrongdoing.

All employees are responsible for acting with propriety in the use of IDF or donor resources and in the handling and use of funds. This includes, but is not limited to, procurement, billing, cash and other assets, payments, receipts, and dealing with contractors, suppliers or customers.

All employees need to be alert to and aware of the possibilities of fraud. At the same time, IDF management is responsible for designing and implementing effective controls for prevention and early detection of fraud.

B. Procurement Policy & Standard Operating Procedures

All IDF employees must engage in ethical and responsible business practices and must make purchasing decisions on the basis of sound business judgment with the objective of getting the best value available. In addition, employees must comply with the regulations of donor agencies and organizations as they apply to a specific contract or agreement.

All procurement transactions (ordering equipment, establishing preferred hotels, and so on) should be conducted in a manner to provide for fair and open competition to the maximum extent possible. IDF's procurement policy and standard operating procedures (SOPs) define our requirements for competitive bids and other aspects of procurement. Additionally, donor regulations must be followed. IDF's interests are to ensure contractor performance, minimize opportunities for unfair competitive advantage, and maximize value to IDF.

C. Anti-kickback and Anti-bribery Policy

IDF staff are prohibited from offering, accepting, or attempting to offer or accept money, or other inducements for favorable treatment in awarding contracts for materials, equipment or services of any kind. Anyone who knowingly engages in the prohibited conduct (either by giving, offering, accepting, or soliciting a kickback) may be liable for criminal penalties. A kickback is defined broadly to include any money, fee, commission, credit, gift, gratuity, thing of value, or compensation of any kind which is provided, directly or indirectly, in exchange for favorable treatment.

IDF staff will not offer or provide bribes, of money or other things of value, to government officials with the intent to induce the recipient to misuse his or her official position, including to obtain preferential regulations or to induce an official to fail to perform an official function.

D. Gift-giving/receiving

A small gift or token of esteem or gratitude is often an appropriate way for business people to display respect for each other. IDF staff may offer and receive modest gifts when the gift is given openly and transparently, properly recorded in the giver's books and records, provided only to reflect esteem or gratitude, and permitted under local law. Gifts over Rs 1,500 value must be reported to your supervisor. Reasonable meals and entertainment expenses or promotional items, which are unlikely to improperly influence an official, are acceptable, as long as they are in accordance with local laws, other aspects of this policy, and IDF's Travel Policy.

E. Conflicts of Interest

IDF is subject to scrutiny from many different individuals, regulatory agencies, and organizations. We should always strive to avoid even the appearance of impropriety.

Every IDF employee has a responsibility to avoid actual or perceived conflicts of interest. Although this duty does not prevent us from engaging in personal transactions and investments, it does demand that we avoid situations where a conflict of interest may occur. A personal conflict of interest occurs whenever an

individual's private interests may limit his or her ability to act in the best interests of the organization.

You should avoid any relationship, influence, or activity that might impair, or even appear to impair, your ability to make objective and fair decisions when performing your job. You should never use IDF property or information for personal gain, or take for yourself personally any opportunity that is discovered through your position with IDF. Some examples of the many ways a personal conflict of interest could arise:

- Acceptance of gifts, payment, or services from those seeking to do business with IDF.
- Placement of business with a firm owned or controlled by an employee or his/her family.
- Ownership of or substantial interest in a company that is a subcontractor.
- Regular/permanent staff acting as an independent consultant to an IDF subcontractor.
- Having a personal financial interest and financial gain in any transaction for IDF.
- Hiring family members or close personal friends as staff or consultants without transparency regarding the relationship and approval of your Director and the Director of HR.

Please also see IDF personnel policies for further clarification regarding personnel conduct and conflicts of interest with employment and volunteer positions outside of IDF.

F. Policy on Prevention of Sexual Harassment

IDF is committed to provide a safe and conducive work environment to its employees and strictly stands against sexual harassment of employees regardless of sex, gender identity or expression, race, caste, color, creed, ancestry, marital status, age, mental or physical disabilities or national origin or any other basis as prohibited under the law (of this country/Constitution of India) and as established in the IDF policy on Prevention of Sexual Harassment. All employees need to understand and abide by the provisions as laid down in the IDF policy on Prevention of Sexual Harassment.

G. Child Protection Policy

IDF's Child Protection Policy (CPP) is based on the broad values of the organization and defines a clear pathway within the organization to promote, support, and uphold child safety. IDF is committed to ensure that all employees apply high standards of behavior towards children within both their professional and their private lives. All employees, consultants, volunteers, workers of other organizations/partners and guests/visitors must uphold child protection, as established in the IDF Child Protection Policy.

H. Information Technology Acceptable Use Policy

IDF's Internet, electronic mail, word processing, and other electronic communication applications should be used appropriately and for business purposes only. IDF owns these systems and employees should not expect any communication made on them to remain confidential. Every user is responsible for reading and abiding by the Information Technology Policy.

III. MANDATORY REPORTING AND WHISTLEBLOWER POLICY

A. Internal Reporting and Cooperation

As an employee, you are expected to report any suspected illegal or unethical behavior, including fraud, kickbacks, and other questionable accounting or audit matters. For this purpose, you are encouraged to use the *IDF Code of Business Ethics and Conduct Violation/Whistleblower Incident Reporting Form*.

Where to make reports: Reports may be made to the IDF Director of Human Resources.

For any concerns/reports relating to the IDF Director(s), reports may be made to any of the IDF Board of Directors.

In making a report, you are requested to share as much credible information as possible, so that IDF can take appropriate action. Do not attempt to pursue your own investigation.

Timing of reports and response: Reports should be made as soon as possible after discovery or suspicion of illegal, fraudulent or unethical practices or violations of adopted policies of the organization and at least **within five business days**. The report should be made when there are reasonable grounds for concern. The Director/Executive receiving the report should acknowledge receipt to the reporting individual, and state a plan for the next steps, within seven business days after the report is made.

Required cooperation: IDF employees are required to cooperate in any internal or external investigation of suspected wrongdoing. As discussed below, reprisal, threats, harassment, retribution or retaliation against any person who has in good faith reported suspected wrongdoing, or against any person who is assisting in any investigation or process with respect to such a violation, is strictly prohibited.

The identity of staff who raise concerns will be kept confidential as far as possible. However, due to the nature of some investigation processes it may not be possible to retain complete confidentiality, including in situations where the police is involved.

Acting in good faith: Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates an improper practice or a violation of this Code. Where allegations by staff are not made in good faith and are found to be false or malicious, such actions will be treated as a serious disciplinary offense and may result in the termination of employment.

B. Whistleblower Protection

An employee who in good faith reports actual or suspected illegal, fraudulent or unethical practice or the violation of adopted policies of the organization, will not suffer harassment, retaliation, or adverse employment consequence as a result of such a report. An employee who retaliates against someone who, in good faith, makes such a report shall be subject to disciplinary action, up to and including the termination of employment. This policy is intended to encourage and enable employees to report suspected illegal or fraudulent acts to a manager who can address them properly.

IV. CONSEQUENCES OF CODE VIOLATIONS

Violations of these rules can have serious consequences for IDF as an organization and for the individual violators. Any violation of this Code, including failure to report suspected wrongdoing to an appropriate IDF staff member, is cause for disciplinary action up to and including the termination of employment. Some violations are punishable with substantial civil fines, and others can involve severe criminal penalties, including imprisonment.

Any employee who has questions about the application of the Code should consult with IDF's Director of HR.

V. ANNUAL ACKNOWLEDGMENT

I have received and read IDF's Code of Business Ethics and Whistleblower Policy. I understand and agree that as an employee of IDF:

- I will not discuss any concerns I have regarding a situation pertaining to this policy with anyone other than my supervisor, HR or Chief Executive Officer (that is, gossip, blaming, and so on).
- I will follow the laws and regulations of India as well as donor regulations.
- I will respect donor funds and use them wisely.
- I will not commit fraud against IDF. This means I will not steal from IDF directly or indirectly.
- I agree that procurement and purchasing must be done with fair and open competition, and that I may not solicit or accept bribes or kickbacks for favorable treatment.
- I will not use IDF property or information for personal gain, or for the personal gain of my family or friends.
- If I believe, in good faith, another employee, consultant, partner, subcontractor or vendor of IDF is violating IDF's policy against fraud or is behaving unlawfully or unethically, I will report my suspicions to the IDF Director of HR.
- I understand I will be protected from retaliation to the best of IDF's ability if I am reporting something I believe to be true so that IDF management can investigate.
- I have received and read IDF's full Code of Business Ethics and Whistleblower Policy, which has more information about the policy and these agreements.
- I agree that if I have questions, I will contact my manager, Chief Executive Officer or HR Director for clarification.

Signed by: _____ Location: _____ Date: _____

Full Name: _____

IDF Code of Business Ethics and Whistleblower Policy Violation

Whistleblower Report

Incident Report

This form shall be used to report suspected violations of IDF's Code of Business Ethics and Whistleblower Policy made in good faith as well as safety and security incidents. It is important that an incident report states the facts and that any analysis or opinion is either clearly identified or left for the next stage of incident investigation and analysis.

Please report incidents as soon as practicable and within five days.

Check the box that most closely describes the incident:

- Fraud, theft, bribery, harassment, conflicts of interest, submit report to banerjeet@ipas.org
- Staff injury, bomb threat, office fire, asset loss or damage, submit report to satsangip@ipas.org

Name and contact details of person making the report:

Date of report:

What happened? Full description of the security incident or violation of Code, including specifics such as injuries and damage to assets.

When? Date and time:

Who? People involved (IDF employees and others, including witnesses, if any).

Where? Incident location (attach map/sketch/diagram, if necessary).

What actions have been taken, if any?

Proposed next steps? For example, file local insurance claim, specific requests for support from IDF.

Other important information? Attach additional relevant documentation (for example, police report, evidence of violations) as needed.

ANNEXURE 2: CHILD PROTECTION POLICY AND PROCEDURES

I. Introduction

Ipas Development Foundation (IDF) is as a not for profit company registered under the under section 25 of The Companies Act 1956. IDF beliefs are the fundamental principles through which we make our decisions and take actions. These beliefs are:

- Every woman has a right to safe reproductive health choices, including safe abortion care.
- No woman should have to risk her life, her health, her fertility, her well-being or the well-being of her family because she lacks reproductive health care.
- Women everywhere must have the opportunity to determine their futures, care for their families and manage their fertility.

IDF works to ensure that women including young women can obtain safe, respectful and comprehensive abortion care (CAC), including counselling and contraception to prevent future unintended pregnancies as well as helping women and girls to make informed contraceptive choices and ensuring their access to quality contraceptive care services and other women centred services. IDF provides technical support to the public sector to help strengthen delivery of the health through activities as strengthening of the training centres, designing training modules, conducting training of trainers and facilitating provider's trainings as well as through providing post training support to the trained doctors to ensure performance with minimum level of quality. Though IDF's employees/consultant's direct interaction with community members particularly children, is rather limited, IDF has certain activities and certain projects where the possibility of such a direct interaction can be presented viz. conducting CAC community awareness sessions among women including those in the age group of less than 18 years, research studies conducted across various programmes among women, and others.

Child harm, abuse, neglect and exploitation in any form directly or through course/consequence of any of our awareness programmes or intervention with children (any person below 18 years including youth volunteers) is unacceptable. Hence, it's important that IDF takes cognizance of possibilities of child abuse and takes steps to prevent as well as respond appropriately to it in all forms.

Child Protection Policy of IDF

IDF's Child Protection Policy – CPP, is based on the broad values of the organisation and defines a clear pathway within the organisation to promote, support and uphold child rights and child safety. It needs to be read in conjunction with IDF Sexual Harassment and our principles of gender equality. The policy will guide the working and acceptable behaviour of all staff and other people associated with IDF specifically for projects or components within the project where there is a likelihood of direct interaction with the

community particularly young women or men below 18 years of age. The policy, has been approved by IDF Board through a resolution.

A. Principles

This Child Protection Policy is based on Keeping Children Safe (KCS) organization's Child Safeguarding Standards; the UN Convention on the Rights of the Child, 1989 (and its optional protocols); the UN Statement for the Elimination of Sexual Abuse and Exploitation and all child-related UN conventions; the National Child Protection Legislations of India and worldwide good practice.

IDF would behold and strive to abide by the following principles:

- **Each child has equal rights to protection from harm, irrespective of the demographics like age, gender, caste, religion, creed, colour, race, ethnicity and place of birth.**
- **Each person, in contact with the organisation, holds responsibility to protect children from abuse of any kind.**
- **All actions and decision making should be taken in the best interests of the child.**

These principals are guided but not limited by the provisions and legal mandates related to Children in “the Constitution of India” and as per global best practices in this respect. See Annexure D for reference on the relevant Indian Laws and Acts w.r.t. child rights.

B. Definitions and Terms

Child: A child means any person below the age of 18 years.

What is Child Protection?

Child protection covers a child's right to be protected from all forms of violence and abuse, harm, neglect, discrimination, exploitation including economic and sexual exploitation. **In context of IDF, child protection entails safety of children from the following acts intentionally or unintentionally during direct intervention or engagement with children in course of work or through any of our programme's design and implementation.**

- **Physical abuse** is when a child has been physically harmed due to some interaction or lack of interaction by another person, which could have been prevented by any person in a position of responsibility, trust or power. This includes throwing, kicking, slapping, hitting, punching, beating, bruising, choking etc. This form of abuse is taken in a cultural context implying that it should be seen whether it was intentional or not and if it's a normal behaviour in a given culture. However, if a physical abuse may be detrimental or of a severe nature so as to adversely affect the wellbeing of the child, it will be considered as an abuse in any context.

- **Emotional abuse** is a failure to provide a supportive environment and primary attachment figure for a child so that they may develop a full and healthy range of emotional abilities. Examples of these acts are restricting movement, threatening, scaring, discriminating, ridiculing, belittling, constant criticism etc.
- **Sexual abuse** is engaging a child in any sexual activity that he/she does not understand or cannot give informed consent for or is not physically, mentally or emotionally prepared for. Abuse can be conducted by an adult or another child who is developmentally superior to the victim. Sexual abuse is using a child for pornography, sexual materials, prostitution, unlawful sexual practises and includes but not restricted to the following:
 - Sexual intercourse through penile penetration i.e rape or use of objects or other parts of body.
 - Exposing children to pornography and using them to produce pornographic material.
 - Directly or indirectly touching any part of child with part of body or object for sexual gratification.
 - Exposing or flashing genital organs or other parts of body with sexual intent.
 - Deriving voyeuristic pleasure by showing sexual activity or forcing two or more children to have sex with one another.
 - Passing sexually coloured remarks or verbally abusing a child using vulgar and obscene language or actions.
- **Neglect or negligent treatment** is purposeful omission of some or all developmental needs of the child by a caregiver with the intention of harming the child. This also includes wilfully producing great bodily harm/death or failure of protecting the child from a harmful situation or environment when feasible, omitting basic human needs of food, shelter and clothing etc. Even if at times the negligent treatment towards a child may not be purposeful without the understanding of the consequences and risks, it would still be considered as neglect affecting wellbeing of a child.
- **Discrimination** is understood as prejudiced views and behaviour towards any child because of her/his caste/gender, occupation, religion, colour, ethnicity and region.
- **Exploitation** is the act of using a minor or **child** for commercial profit, sexual gratification or exploitation, or any action that results in actual or potential harm to the child.
- **Child trafficking** is defined as any child who is recruited, transported, transferred, harboured or received for the purpose of exploitation and or commercial gain, either within or outside a country.

- **Online/Cyber Abuse-** Cyber stalking, bullying, sending offensive messages, violation of privacy or misuse of any pictures of children such as publishing or transmitting or sharing or publishing material depicting children in sexually explicit act etc. in electronic form or communication services such as phones, internet social networking sites.

C. Scope

This policy applies to all persons associated with IDF for any work on regular or temporary basis. It includes:

- Board members
- Staff members
- Full-time consultants
- All volunteers and interns.
- All partners including local community based partners.
- Volunteers, Investigators, Guests and Visitors who may come into contact with children through IDF engagements or programs are also bound by this policy.

All individuals are liable for their actions at all times and may be held responsible for violating the policy.

D. Prevention

D1. Child Protection and Code of Conduct

All IDF board members, employees, consultants, volunteers, workers of other organizations/ partners and guests/ visitors must uphold child protection as listed in section B of this policy. In conjunction to same, the below code determines what is and is not an acceptable behaviour in this respect.

Child Protection Do's

- Treat children with respect, patience, integrity, courtesy, dignity, and consideration.
- Avoid being alone with children and/or adolescent at activities and if unavoidable then ensure another adult co-worker/child's parent or guardian is duly notified.
- Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or adolescents.
- Maintain appropriate physical boundaries at all times and touch children – when necessary – only in ways that are appropriate and non-sexual.
- Respond and assist a child who may have been abused as per the reporting policy or local procedures as applicable.

- If any incident or accident requires medical support, please assist in providing first aid, inform child's parents /guardian and take child to the hospital if further required.
- Cooperate fully and confidentially in any investigation of abuse of children and/or adolescent.
- Ensure any programmes and activities undertaken by IDF do not put any child at risk to any harm.

Child Protection Don'ts

- DON'T behave in a way that might lead to complaints of questionable behaviour (e.g. hugging, allowing children to sit on your lap, any physical contact that may be inappropriate, sexual in nature or misconstrued). Whilst a certain amount of physical contact/gesture maybe required for bonding with children or reassuring them or making them feel safe in situations, they should not be used unnecessarily or excessively.
- Do not undertake tasks of a personal nature for the child that he or she can perform by themselves.
- Any Physical contact or gesture made towards the child should be age appropriate, respectful and not invasive of his or her own privacy.
- DON'T take photographs of child on your mobile phone or personal camera for personal use and without knowledge and consent of the organization.
- DON'T use any pictures of a child for any promotional or programme activity without appropriate consent from a parent or guardian.
- DON'T use any pictures of a child for personal reason (offline or online)
- DON'T make unnecessary contact with child (either physical or verbal).
- DON'T ask child for any personal information, unless it is necessary for any procedures. Ensure it is passed to the relevant department and contact as soon as possible.
- DON'T use words towards, or in the presence of children that might be deemed negative, sexually provocative, defamatory, or aggressive (e.g. "bad", "stupid", "shut-up")

All staff, full-time consultants, short-time consultants and volunteers, must sign IDF Code of Business Ethics and Whistle Blower Policy. Violation of the Code of Conduct, or contravening the Child Protection Policy may result in penal consequences such as verbal warning, suspension, termination and / or reporting to local law authorities. Please refer to IDF Code of Business Ethics and Whistle Blower Policy (Annexure 9)

We are committed to ensuring that our IDF Staff, Full-time Consultants, volunteers and other workers apply high standards of behaviour towards children within both their

professional and their private lives. We at IDF, do not intend to dictate the belief and value systems by which our employees conduct their personal lives. However, Staff and other workers associated with IDF are required to bear in mind the principles of the Child Protection Policy and heighten their awareness of how their behaviour may be perceived both not only at work and but outside work as well.

D2. Safe Recruitment

We support and respect all children, as well as our staff and fulltime consultants. We promote a culture which upholds safety of children and to this purpose the recruitment practices at our organization aim to be in the best interest of children and their safety. Our requirement practices for staff and fulltime consultants include appointment of suitably qualified and vetted staff who have the desired skills and commitment to carry out their functions in an effective and safe manner.

All recruitment procedures are based on analysis of each job, the project or function that they are hired for and the possibility of their level of contact with children during their course of work. Roles that may require direct contact with children would be employed in accordance with the appropriate recruitment checklist (**Refer to Annexure A1**).

D3. Education/Training

It is essential that all those members engaged by the organisation have access to an initial orientation on child protection that is appropriate for their role and responsibilities and to understand the reporting mechanism.

Information on child protection to be made available via

- Induction process to the new members
- Technical capacity building of partners and other workers having possibilities of interaction with children, through orientation at the time of engagement
- Sensitization and awareness of government medical doctors / other staff at various public health and private health facilities during the training.
- The policy will be available on Sitara. Appropriate updates may be shared through other social networking media as emails, informal talks, pamphlets etc.

D4. Safe Programme Design

The CPC will, on need basis, sensitize all employees and partners on appropriate behavioural conduct.

To ensure further dissemination of information on child protection, the organisation will include at regular intervals, awareness and sensitization on child safety as part of the training / other programs conducted with medical doctors/other staff they engage with

at the various public health facilities or private health facilities *through emails, talks, pamphlets etc.*

The CPC members at each centre will do periodic review of safety norms, policy dissemination and adherence at all levels and functions across the organization and risk assessments of any programmes directly involving youth/children.

Refresher trainings will be conducted for respective staff/ consultant / other workers when a new project or component of an ongoing project is assessed to have created possibilities of their interaction with children.

IDF would conduct risk assessments prior to activities involving children and plan the activities accordingly. The respective Program Managers would submit their project plan detailing out the activities to the CPC committee ahead of the initiation of the project. (a sample template of risk assessment is attached as Annexure E). The CPC committee would review the project plan and would determine whether the interventions/ projects are conforming to the CPC

E. Reporting / Responding to Concerns

A **Child Protection Committee- CPC** is responsible for receiving reports and addressing concerns regarding child abuse or neglect mentioned in the policy.

The Internal Complaints Committee (ICC) at IDF head-office that oversees and implements the Sexual Harassment Policy adopted by IDF will take added responsibility of the CPC.

E1. How to report? This section would explain about “how” to report or the procedure for reporting any instance of a child abuse and the responding procedure.

All employees (staff and consultants and those contracted by IDF for direct work on IDF’s projects must report any instance / case / situation of child abuse or any protection concerns to appropriate authority as mentioned below. Please refer to **Annexure C** for reporting form template. This is a mandatory requirement for Staff and failure to do so may result in disciplinary action.

The following are the reporting guideline:

- Employees should bring matters of concern to the attention of CPC member geographically closest to their location or CPC member at head office either verbally, in written form or electronically through email. Furthermore, employees should contact external agencies such as local police or hospitals

should be contacted directly where the welfare of children may be at immediate risk.

- Individuals including visitors are free to report incidents without bias or fear, including concerns that any staff member may have about colleagues or other professionals.
- Staff is encouraged to self-report any situations that occurred that in hindsight and might be viewed as inappropriate or risky for a child.
- Employees/individuals should receive disclosures from children with sensitivity and strive not to re-traumatise children in their handling of complaints. If a child reports abuse, follow below guidance:
 - Maintain patience.
 - Reassure the child or adolescent it is right to tell, listen with full attention.
 - Accept the child will disclose only what is comfortable and recognise the bravery/strength of the child for talking about something that is difficult.
 - Let the child take his or her time and use his or her own words.
 - Don't over promise/involve with the child.
 - Keep the child/guardian informed as needed.
 - Do not confront the offender.
 - Record all details carefully.
- All information with respect to the report should be treated seriously and with confidentiality. The priority withstands in the best interest of the child.
- Internal investigations should be conducted with the involvement of the head office CPC members. The investigation should involve interviews of all parties involved including witnesses to gather all relevant details of the allegation.
- Allegations against a staff member may result in suspending the staff member from their employment immediately subject to investigation of the issue. If the allegation is a criminal issue, this should be reported to the formal authorities before acting or informing the alleged offender. In cases of child sexual abuse the employees will report matter to CPC who will inform the local authorities as per local procedures and guidelines.
- In case the allegations against an employee/staff is found to be true, the CPC will take appropriate disciplinary measures. If the allegation is found to be without base, appropriate steps should be taken to minimise damage to the reputation of the individual accused.

- It is essential that accurate and comprehensive records are maintained by CPC wherever concerns are raised about the conduct or actions of adults working with or on behalf of children.
- In the event, a complaint is against a guest / visitor / client, contractor / service provider/ vendor CPC will immediately report the matter appropriate authorities / local NGO's as enlisted in **Annexure B**.
- IDF management, Child Protection Committee (CPC) or employees, however, cannot and will not monitor or directly handle any violation of child protection by the vendors, providers or clients.
- Please refer to **Annexure A2 – Reporting Reference** for any further reference on reporting.

E2. Monitoring and review

Over time there will be changes, whether internally within the organization or externally with legislation or agreed best practice, and these changes will be appropriately reflected in the organisation's policies. Therefore, the CPC will convene once annually to review child protection policy or at a time it is identified that a change is required and will be responsible to communicate to management about the required changes. The management will ensure the recommendations are duly incorporated in the policy.

Annexure A1 - CHECKLIST FOR RECRUITMENT AND SELECTION

This checklist is designed to be followed for the safer recruitment of positions that require direct work with children.

Not being able to comply with one aspect of the checklist does not mean that the appointment cannot proceed. An overall assessment of the information available needs to be made. However, in case of doubt, the person concerned must not be hired. Where the checklist cannot be complied with then this must be recorded on HR files. Copies of all checks and references must also be retained.

Recruitment & Selection

Job Description: Decide what skills and knowledge are needed to safely work with children, and include these within the job description.

Advertisement: Include a clear statement about IDF's commitment to safeguarding children.

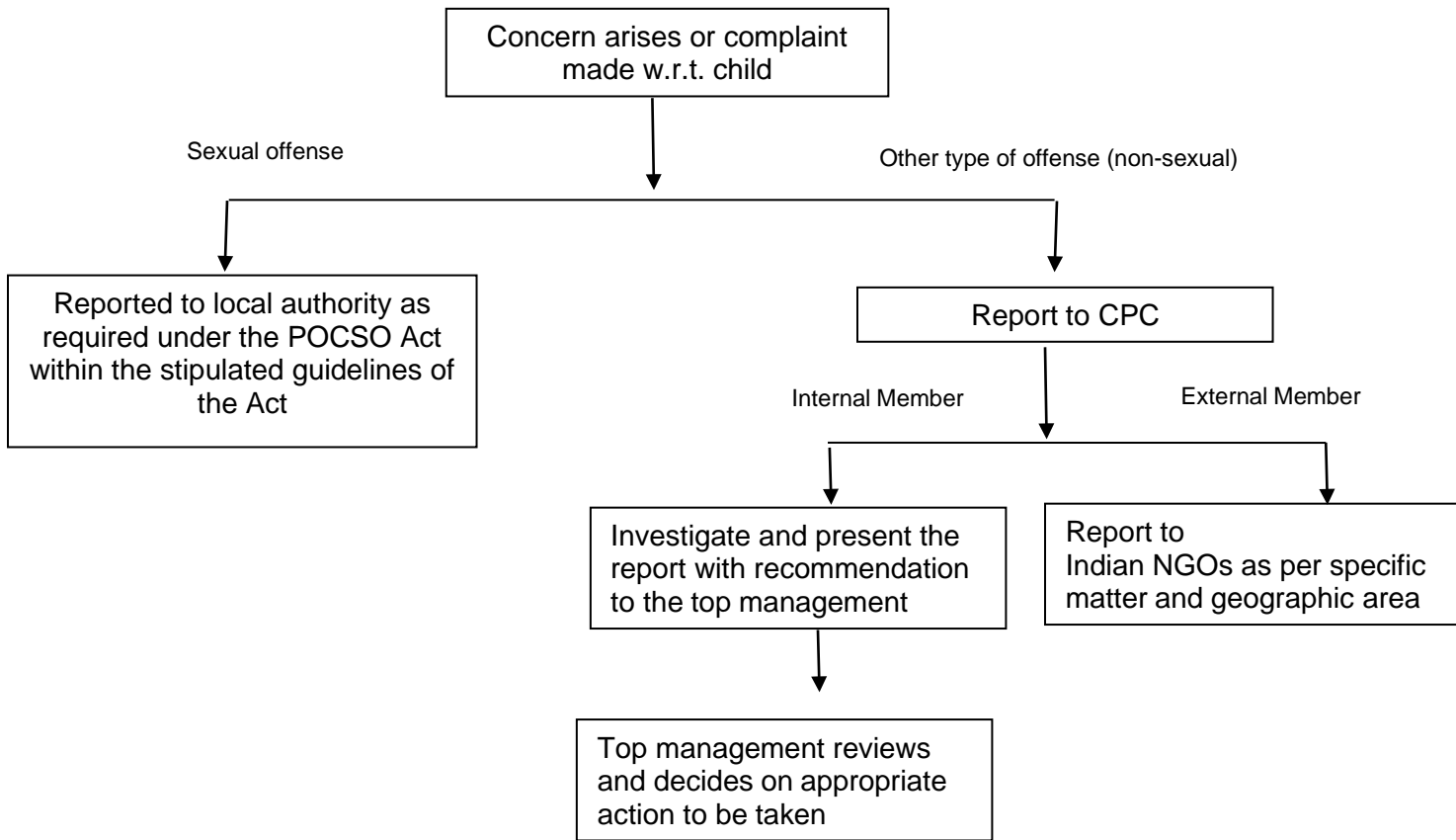
Interview Questions: Include at least one question that that draw out people's attitudes and values in relation to the protection of children in the Interview Scoring Grid.

Reference Checks: Take two references including some from previous employees or others who have knowledge of the candidate's experience and suitability to work with children

Self-Declaration and Code of Conduct: All candidates must sign the IDF Code of Business Ethics and Whistle Blower Policy, confirming they are safe to work with children and shall abide by the rules of IDF Child Protection Policy.

Probation Review: Consider the use of probationary periods of employment to ensure suitability once on-board.

Annexure A2 – REPORTING REFERENCE



Annexure B

Please refer to below list of organisations, resources and professionals to support reporting and responding to concerns.

Important Emergency numbers:

Police **100**
Ambulance **102**
ChildLine Helpline **1098**
Women's Helpline **: 181/1091**

Our Child Protection Team Name and Numbers:

NAME	LOCATION	CONTACT NO.	EMAIL ADDRESS
Sangeeta Batra	Delhi	9312666398	batras@ipas.org
Sumit Gulati	Delhi	9899890099	gulatis@ipas.org
Trisha Banerjee	Delhi	9910688552	banerjeet@ipas.org

Other Indian NGOs:

- [Butterflies](#) is a registered voluntary organization working with street and working children in Delhi since 1989:
- [Concern for working child](#) is an Indian social organization working in partnership with all the major actors to implement sustainable and appropriate solutions, so that children do not have to work:
- [Children Rights and You \(CRY\)](#) is an Indian non-profit organization, created in 1979, leading work for child rights.
- [Rescue Foundation](#) is a social organization based Mumbai, which has been working for the Rescue, Rehabilitation, Reintegration and Empowerment of trafficked women and children.
- [Safer India](#) is the site of an NGO started by Ms Kiran Bedi. You can go to this site and log your complaint regarding any crime, if the police at your place is not accepting your complaint.
- [Shakti Vahini](#) is a social organisation active among others in fields of Women and Child issues, trafficking in Human Beings, Bonded labour, Health, Education, Legal Aid and training, Community development, etc.
- [South Asian Coalition on Child Servitude \(SACCS\)](#) is the first civil society initiative to fight against child slavery and child labour since 1980 in India.
- [MelJol](#) is an organization that works for financial education and social education of school going children.

International Organisations:

- [PLAN International](#) is a humanitarian child-centred organisation working in 45 developing countries including India, with families and their communities to help children realise their full potential in life.
- [Amnesty International](#) is a worldwide movement that campaigns to promote all the human rights enshrined in the Universal Declaration of Human Rights and other international standards.
- [BOES.ORG](#) is an independent, non-profit organization that provides information on children's rights (including the Convention on the Rights of the Child) in multiple languages.
- [Canadian Coalition for the Rights of the Child](#) is a coalition of over 50 national and provincial NGOs committed to promoting and protecting children's rights in Canada and abroad.
- [Children International](#)'s mission is to help children living in dire poverty in providing a variety of programs and services to meet their basic needs and rights.
- [Children's Rights Alliance for England](#) is an alliance of over 320 voluntary and statutory organizations committed to children's human rights.
- [Defence for Children International](#) is a non-governmental organization set up to ensure ongoing, practical, systematic and concerted international action, specifically directed towards promoting and protecting the rights of the child.
- [ECPAT](#) (acronym: 'End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes') is a network of organisations and individuals working together to eliminate the commercial sexual exploitation of children.
- [The International Federation of Journalists](#) website give information on children rights and on their Campaign Against Sexual Exploitation of Children in Tourism, in conjunction with the World Tourism Organisation.
- [International Society for Prevention of Child Abuse and Neglect](#) is a multidisciplinary international organization, founded in 1977, that brings together a cross-section of professionals to work towards the prevention and treatment of child abuse, neglect and exploitation.

ANNEXURE C – REPORTING FORM SAMPLE

IDF REPORTING FORM FOR CHILD ABUSE

PART 1 – INFORMATION ABOUT THE COMPLAINANT

Name of the Complainant :

Address of the Complainant :

Telephone number of the Complainant :Tick

one of the following :

- I am a child making a complaint
- I am the child's parent/guardian
- I am IDF staff member
- Other

Name of the person filling the form :

Name of the child's parent or guardian :

PART 2: COMPLAINT

Date and Time of the Incident :

Location of the incident :

Description of the incident :

Any witnesses to the incident :

Any other person/authority you have shared the complaint with:

Any other details you would like to share :

Signature of the complainant :

Date :

Name of the CPC officer receiving the complaint:

Signature :

Date :

ANNEXURE D – CHILD SAFETY IN INDIA

Below are references to some of the pivotal child rights and child protection mandates and laws as per constitution of India.

Article 14.

The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

Article 15.

(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

(2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to—

(a) access to shops, public restaurants, hotels and places of public entertainment; or

(b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the public.

(3) Nothing in this article shall prevent the State from making any special provision for women and children.

(4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

(5) Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes or the Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30.

Article 21

Protects the right to life and dignity of children.

Article 21A

All children between the ages of six to fourteen should be provided with free and compulsory education.

Article 24.

No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

Article 39.

The State shall direct its policy towards securing—

(a) that the citizens, men and women equally, have the right to an adequate means of livelihood;

(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

(d) that there is equal pay for equal work for both men and women;

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

(f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

Article 45.

The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years

The Child Labour Amendment Bill, 2016

- This bill comes from the principle act Child Labour (Prohibition and Regulation) Act of 1986. This prohibits the employment of children (below 14 years) in all occupations except where the child helps his family after school hours and prohibits the engagement of adolescents(14-18 years) in hazardous occupations and processes.

Protection of Children from Sexual Offences (POCSO) Act, 2012

The act protects children from offences of sexual assault, sexual harassment and pornography. This act takes all measures to prevent:

- The inducement or coercion of a child to engage in any unlawful sexual activity,
- The exploitative use of children in prostitution or other unlawful sexual practices
- The exploitative use of children in pornographic performances and material.

The Act also provides for mandatory reporting of sexual offences. This casts a legal duty upon a person who has knowledge that a child has been sexually abused to report the offence; if he fails to do so, he may be punished with six months' imprisonment and/ or a fine.

The Right of Children to Free and Compulsory Education Act, 2009

The act outlines the provision of quality education for all children between the ages of 6-14 as per the constitutional fundamental right awarded to children. It also prohibits any sort of corporal punishment at educational institutions.

Corporal punishment amounts to abuse and militates against the dignity and freedom of a child. Corporal punishment could be classified as (a) physical punishment, (b) mental harassment and (c) discrimination. Corporal punishment will also include all forms of sexual offences as per the Protection of Children from Sexual Offences Act, 2012.

It is a punishable offence under Section 17(2) which states that Whoever contravenes and undertakes corporal punishment shall be liable to disciplinary action under the service rules applicable to such person.

Several provisions of the Indian Penal Code (IPC) relating to varying degrees of physical harm and intimidation can be used to prosecute perpetrators of corporal punishment against children in an institutional setting. Some of these include:

Section 273a: Abandonment or neglect of children

Section 305 : Abetment of suicide committed by a child;
Section 323 : Voluntarily causing hurt;
Section 325: Voluntarily causing grievous hurt;
Section 326: Voluntarily causing hurt by dangerous weapons or means;
Section 352: Assault or use of criminal force otherwise than a grave provocation;
Section 354: Outraging the modesty of a woman;
Section 506: Criminal intimidation;
Section 509: Word, gesture or act intended to insult the modesty of a woman.
Section 67B: Punishment for publishing or transmitting of material depicting children in sexually explicit act, etc. in electronic form.

ANNEXURE 3 - POLICY ON PREVENTION OF SEXUAL HARASSMENT

INTRODUCTION

Ipas Development Foundation strictly stands against sexual harassment of employees regardless of sex, gender identity or expression, race, caste, colour, creed, ancestry, marital status, age, mental or physical disabilities or national origin or any other basis as prohibited under the law of this country / Constitution of India and as established in this policy. All employees need to understand and abide by the provisions as laid down here. Violations of this policy will be subject to disciplinary action up to and including immediate termination. IDF will pursue all sexual harassment cases and not make any exceptions for perpetrator in question irrespective of the person's status.

IDF sexual harassment policy specifically promotes a workplace based on gender equality and respect and seeks to;

- a. Provide a safe and congenial work environment
- b. Create awareness and sensitization about sexual harassment at the workplace
- c. Provide formal and informal mechanism for redressal in case of complaint of sexual harassment at the work place
- d. Define implications and outcomes of sexual harassment
- e. Ensure protection against retaliation to complainants, witnesses, committee members and other employees involved in prevention and complaint resolution

1. WHAT QUALIFIES AS SEXUAL HARASSMENT?

1.1 "Sexual Harassment" includes the following acts but is not limited to:

- Making unwelcome sexual advances or verbal or physical conduct of sexual nature; demanding sexual favours; making sexually coloured remarks;
- Creating an intimidating, hostile, abusive and offensive working environment which has the effect of interfering with the individuals work performance
 - Any act or behaviour of sexual harassment with implied or explicit promise of preferential treatment in their employment;
 - Implied or explicit threat of detrimental treatment in their employment;
 - Implied or explicit threats to their present or future employment status;
- Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings; or
- Humiliating treatment likely to affect the health and safety of the aggrieved person.
- In addition to the instances mentioned above, any other acts or behaviour, which outrages the modesty of an employee, will be considered as sexual harassment.

1.2 Sexual harassment does not refer to occasional compliments of a socially acceptable nature. Sexual harassment is judged by the impact on the complainant and not the intent of the respondent. Respondent hereby refers to against whom the complaint is made.

1.3 Sexual harassment as addressed in this Policy need not necessarily be from a male to a female employee, it can be vice-versa as well as between individuals of same gender.

2. SCOPE & ENTITLEMENT

2.1 The Policy with regard to Prevention, Prohibition and Redressal of Sexual Harassment covers every Employee across the organization.

“Employee” here means a person employed at a workplace for any work on regular, temporary, ad hoc or daily-wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;

2.2 The Policy against sexual harassment includes sexual harassment by fellow employees, supervisors, managers as well as agents, contractors, customers, vendors, partners and visitors, including outsourced employees at any place visited by the employee arising out of, or during the course of employment, including transportation provided by the employer for undertaking such journey or any other area of workplace, as per the workplace definition given below.

“Workplace” is any department, organization, undertaking, establishment, enterprise institution, office or branch unit. It includes:

- All offices or other premises where the Company's business is conducted
- All company-related activities performed at any other site away from the Company's premises
- Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations
- An alleged act of Sexual Harassment committed during or outside of office hours falls under the purview of this policy. Any misbehaviour (sexual harassment) on any social networking website shall also be considered sexual harassment at workplace irrespective of whether such sexual behaviour was shown during or outside of office hours.
- Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

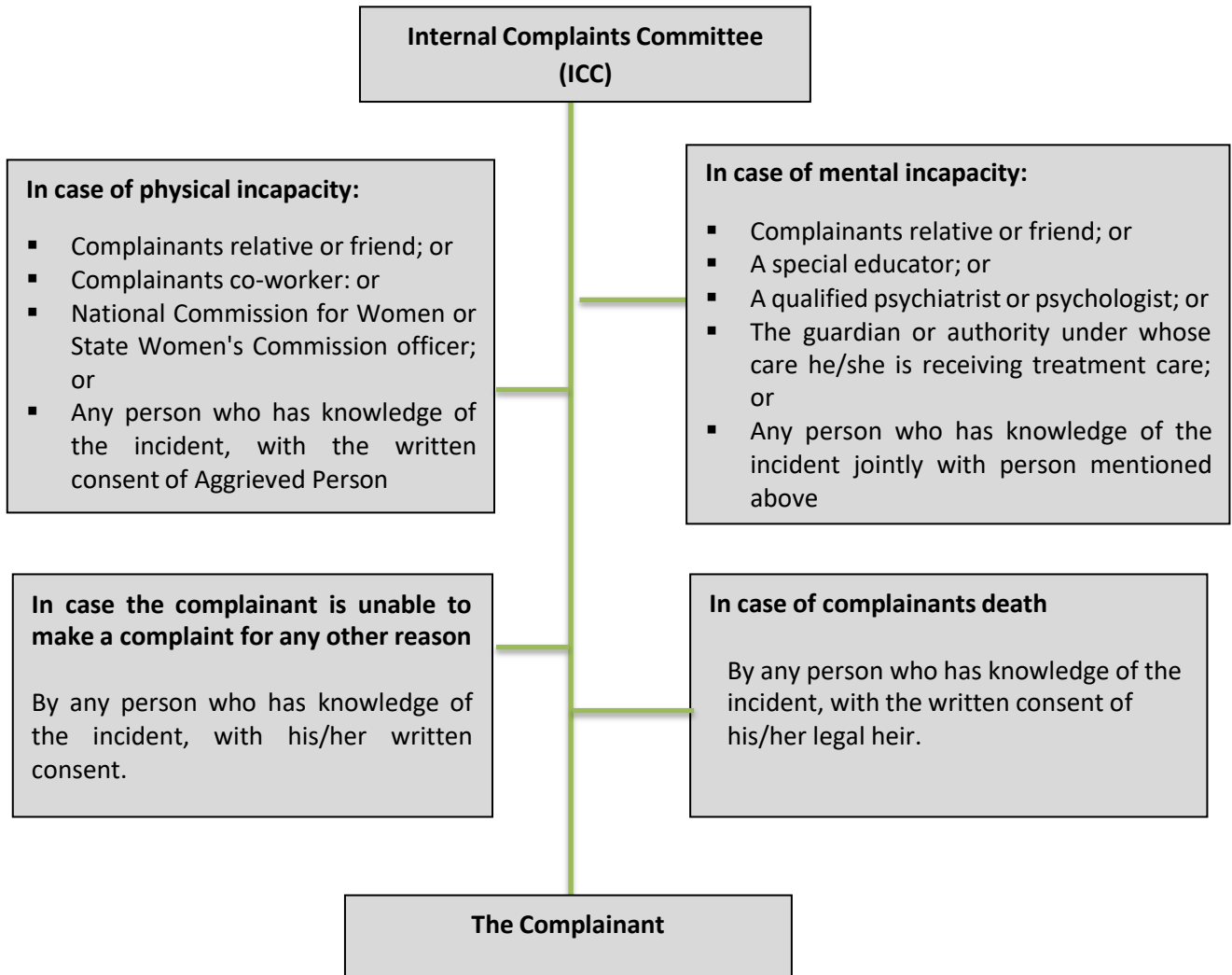
“Aggrieved Person” means a person in relation to work place whether directly employed or not, who alleges to have been subject to any act of sexual harassment by the respondent.

3. COMPLAINT PROCEDURE

IDF is committed to prevent or eliminate harassment on the job through suitable work methods and appropriate employee training programs. When it occurs, IDF provides a clear, definitive process for reporting, investigating and resolving harassment complaints. IDF encourages every employee who believes they have been sexually harassed, here by referred to as an aggrieved person to use the redressal mechanism as provided in this policy.

All complaints received will be directed or can be directly forwarded to the “Internal Complaint Committee” (ICC) - a committee constituted by IDF (refer annexure A) as per “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” published in the Gazette of India, Extraordinary, Part-II, Section-1, dated the 23rd April 2013 as Act No. 14 of 2013.

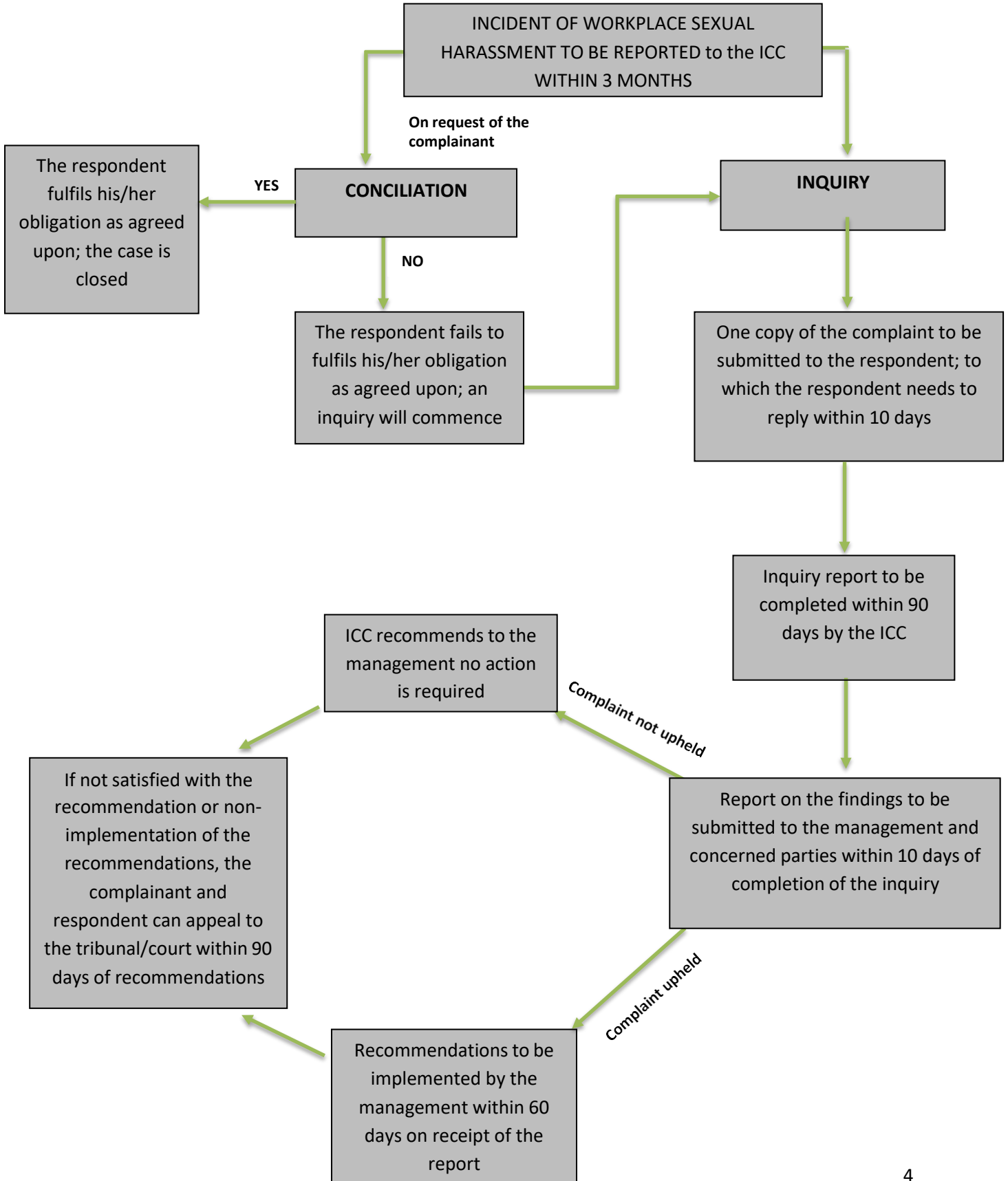
3.1 Who can complain: Fig. 1



3.2 Procedure for Filing a Complaint: An Aggrieved Person can make, in writing, a complaint of sexual harassment to the Internal Complaints Committee (ICC), within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident. The ICC may, for the reasons to be recorded in writing, extend the time limit, not exceeding three months, if it is satisfied that the circumstances were such which prevented the Complainant from filing a complaint within the said period. The Presiding Officer or any member of the ICC shall render all reasonable assistance to the Complainant for making the complaint in writing, in case they are unable to do so.

3.3 Procedure for Handling Complaints: There are two ways to respond to a sexual harassment complaint: Conciliation and Inquiry.

Fig 2: **THE SEXUAL HARASSMENT COMPLAINT PROCESS**



3.4 Procedure for Conciliation: Prior to initiating an inquiry, the ICC may, at the request of the Complainant take steps to settle the matter between the Complainant and the Respondent through conciliation. However, it must be ensured that:

- No monetary settlement is made the basis of such conciliation.
- In case a settlement has been arrived at the ICC shall record the settlement so arrived and forward the same to the management to take action as specified in the recommendation of the ICC.
- The settlement terms shall be signed by both the parties and each shall be furnished a copy of the signed settlement.
- Where a settlement is arrived at, as mentioned hereinabove, no further enquiry shall be conducted by the ICC.

3.5 Procedure for Inquiry:

- A. If the Complainant and the Respondent do not wish to go for conciliation or if the conciliation reached between the parties is not complied with by either party, the ICC shall conduct an inquiry regarding the complaint. On receipt of such complaints, the ICC shall furnish a copy of the complaint, along with supporting documents of such complaint to the Respondent within 7 working days.
- B. The Respondent shall file his/her reply within 10 working days of the receipt of the complaint
- C. The ICC shall make an inquiry into the complaint in accordance with the principles of natural justice and must notify in writing, the time and dates of its meetings to the Complainant and the Respondent, not less than 7 days in advance of any such meeting.
- D. The Internal Complaints Committee shall have the right to terminate the inquiry or give ex-parte decision on the complaint, if the Respondent or the Complainant remains absent for 3 consecutive hearings, without sufficient cause. Such termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned and an opportunity to attend a hearing within this period.
- E. During the course of inquiry, the Complainant and the Respondent shall be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the ICC.
- F. The Internal Complaints Committee shall complete its investigation within a period of 90 working days from the date of first receiving the complaint
- G. The ICC may during such investigation exercise the power of a civil court, vested in it, in respect of:
 - Summoning and enforcing the attendance of any person and examining him under oath.
 - Requiring discovery and production of documents.
 - Any other prescribed matter.
- H. During such enquiry, upon written request by the aggrieved person, the committee may at its discretion recommend:
 - To transfer the Aggrieved Person or the respondent to any other workplace
 - Grant leave to the Aggrieved Person of up to three months, which shall be in addition to leave to which she/he is otherwise entitled.

- Grant any other relief to the Aggrieved Person, which the ICC thinks is appropriate.
 - Restraint the Respondent from reporting on the work performance of the Aggrieved Person or writing his/her confidential report and assign the same to another officer.
- I. On receiving a recommendation from the ICC, the management shall implement the recommendations and send a report of such implementation to the ICC.

4 REDRESSAL MECHANISM IN CASE OF COMPLAINT

4.1 The ICC shall, on completion of the inquiry provide a report of its findings within 10 days from the date of completion of the inquiry and such report shall be made available to the concerned parties and the management.

4.2 If the allegation against the respondent has not been proved, the Committee may recommend that no action need be taken in the matter.

4.3 If the ICC arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to:

- Take action for sexual harassment as a misconduct, including issuing a warning; withholding the promotion; withholding of pay rise or increments; immediate transfer or suspension without pay or immediate termination of employment
- To tender a written apology to the complainant, undergo counselling sessions
- To deduct from salary/ wages of the respondent or issue direction for payment for such sum, as it may consider appropriate to be paid to the aggrieved person or to their legal heirs, as it may deem fit

Procedure for determining compensation: The ICC may consider various factors as required under the law for the purpose of determining the sums to be paid to the Aggrieved Person and may take the following into consideration:

- The mental trauma, pain, suffering and emotional distress caused to the aggrieved person
- The loss in the career opportunity due to the incident of sexual harassment
- Medical expenses incurred by the victim for physical or psychiatric treatment
- The income and financial status of the Respondent and the feasibility of such payment in lump sum or in installments.

4.4 If the ICC is of the opinion that the matter for which the complaint has been filled should be reported to the police or in case where the ICC is of the opinion that the alleged, *prima facie* constitutes an offense under the Indian Penal Code, its recommend the management to register an FIR against the Respondent.

4.5 The management shall act upon the recommendation given by ICC within 60 days of receipt of the recommendation.

CONFIDENTIALITY: *The contents of the report of ICC shall be kept confidential. Therefore, the contents of the complaint made the identity and addresses of the complainant, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the ICC and the action taken on the respondent shall not be published, communicated or made known to the public, press and media in any manner. If the same is violated, IDF shall recover a sum of rupees five thousand as penalty from such person or take action as per the provisions of the service rules. However, information may be disseminated regarding the justice secured to any victim without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the complainant and witnesses.*

4.6 Procedure for filing an appeal: In the event that any person is aggrieved from the recommendations made by the ICC or non-implementation of such recommendations, he/she may appeal to the appropriate authority such as the Local Complaints Committee – LCC set up at district level by the state or as specified by law, within a period of 90 days of the receipt of the recommendations.

4.7 In case of false accusations:

- The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by IDF. However, there shall be zero tolerance for any false accusation.
- If the ICC comes to a conclusion that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his/her case, the ICC may recommend action to be taken against the person who has made the complaint, including termination of service. A similar recommendation for taking action would be recommended against any witness whom the ICC concludes, that he/she has given false evidence or produced forged or misleading documents.

5. RESPONSIBILITY OF:

A. EMPLOYEES

1. Be aware of and abide by laws applicable to them, their job and the IDF policies and procedures and set an example of proper workplace behavior and ethical standards.
2. If you are being harassed: (a) Tell the accused that his / her behavior is unwelcome and ask him/her to stop. However a complaint can be filed even if are unable to tell the accused that his/her behavior is unwelcome. (b) Keep a record of incidents (dates, times, locations, possible witness, what happened, your response).
3. To support/co-operate during any investigation as part of the inquiry process and provide a full and truthful disclosure of relevant information and assist with investigations.
4. Be aware that the IDF will take allegations seriously and will ask their cooperation in an investigation if they bring a complaint forward.
5. Participate in the procedure of investigation if a complaint is brought forward.
6. Handle information related to known or suspected violations of this policy in a discreet and confidential manner and not attempt to investigate the information or suspected violations of this policy on their own *i.e.* without involving the ICC.

B. INTERNAL COMPLAINTS COMMITTEE:

1. Follow the principles of natural justice and treat the Complainant, Respondent, Witnesses and related persons to the inquiry with dignity and respect and give both the Complainant and the Respondent a fair opportunity to make their submissions.
2. Submit to the Company an annual report comprising details of all cases and actions taken
3. Make efforts to ensure that the Complainant and the witnesses are not further victimized or discriminated against while the complaint is pending.
4. Keep the matter confidential and assist the Aggrieved Person in filing the complaint, in case the person is unable to do so. Even in case of third party harassment (sexual harassment by outsiders), if the Aggrieved Person requires help to file complaint with the ICC of such third party's company or organization, the ICC shall assist the Aggrieved Person to do so.
5. Ensure the safety of the Complainant and Witnesses during the pendency of the enquiry and till the final disposal of the complaint, if the Respondent intimidates the Complainant or witnesses and take action against anyone who threatens or intimidates the Complainant or members of the ICC.

C. IPAS DEVELOPMENT FOUNDATION:

1. Provide safe working environment. Encourage respectful and dignified behavior at the workplace.
2. Display at conspicuous places in the workplace, the penal consequences of sexual harassment and the composition of the Internal Complaints Committee.
3. Organize workshops and awareness programs at regular intervals for sensitizing employees with the provisions of this policy and organize orientation programs and seminars for the Members of ICC.
4. Monitor the timely submission of reports by ICC and include in its report the number of cases filed (if any) and their disposal, in the annual report of IDF.
5. Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, protect from any form of retaliation. IDF will not accept, support or tolerate retaliation in any form against any employee who, acting in good faith, reports suspected misconduct, asks questions or raises concerns. While dealing with complaints of sexual harassment, the ICC shall ensure that the Complainant or the witness are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behavior from the accused against the Complainant while the investigation is in progress, should be reported by the Complainant to the ICC as soon as possible. Disciplinary action will be taken by ICC against any such complaints which are found to be genuine.

Policy Review:

Changes may be affected by management in case of change of any rule or act as notified by relevant authority.

Annexure A

Reference to “**The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**” published in the Gazette of India, Extraordinary, Part-II, Section-1, dated the 23rd April 2013 as Act No. 14 of 2013, IDF has constituted 8 ICCs in view of the geographic spread and employee strength across all its offices.

ICC	Presiding Officer	Member	Member (external NGO representative)	Member	State
1	Sangeeta Batra	Sumit Gulati	Neeta Menon	Trisha Banerjee, & Junita Nirmal	Delhi
2				Jonali Das	Assam
3				Deo Kumar Gupta	Bihar, Chhattisgarh, & Jharkhand
4				Beena N.H.	Karnataka, & Odisha
5				Risha Kushwaha	Madhya Pradesh
6				Kamlesh Kumar Sharma	Rajasthan
7				Pratiksha Pandey	Uttar Pradesh
8				Moumita Sarkar, & Aveek Dey	West Bengal

The tenure of members of the ICC

The tenure of the members of the committee shall be ordinarily for three years from the date of nomination.

Meetings of the ICC

The Committee shall ordinarily meet two times in a year. In case of urgent work the Committee shall meet on dates fixed upon notices issued by the Chief Executive Officer.

Attendance

Every member shall attend the meetings of the Committee and shall actively participate in the proceedings of the meetings and dealings with the complaints investigation enquiry and the submitting of the report within the time frame and counselling.

Cessation of Member from the ICC

The presiding officer or any member of the ICC can be removed before the three year time period if:-

- He/she is publishing, communicating or making known to the public, press and media the information related to sexual harassment cases against the legal provisions
- Has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him/her; or
- Has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
- Has so abused his/her position as member of the committee
- Absence of any member in two consecutive meetings without prior intimation
- Separation of any member from IDF

Such presiding officer or member as the case may be shall be removed from the committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the act.

Preparation of annual report

The annual report which the Complaints Committee shall prepare, shall have the following details:

- Number of complaints of sexual harassment received in the year;
- Number of complaints disposed off during the year;
- Number of cases pending for more than ninety days;
- Number of workshops or awareness program against sexual harassment carried out;
- Nature of action taken by the organization

Annexure 4

Information Technology & Acceptable Use Policy

Ipas Development Foundation

Effective date: May 07, 2019

Purpose

This policy outlines the acceptable use of computer systems and equipment at Ipas Development Foundation (IDF). These rules protect both you and IDF. Inappropriate use exposes IDF to risks, including virus attacks, compromising of network systems and services, as well as compliance and other legal issues.

IDF is committed to protecting its employees, partners, donors, and the organization from illegal or damaging actions by individuals committed knowingly or unknowingly.

Effective security is a team effort involving the participation and support of every IDF employee and affiliate who deals with IDF information and/or IDF information systems. It is your responsibility as a technology user to understand this information and to act accordingly with them.

All IDF systems and technology, including but not limited to computer equipment, mobile devices, software, storage media, Internet access and web browsing, as well as all IDF computer and mobile applications, are the property of IDF. You are expected to use these systems for business purposes only and in the interests of the organization, our constituents, and our donors.

Equipment and Systems

1. IDF-provided computers may only be used for IDF-related purposes. Personal information (e.g. photos, videos, documents, etc.) should not be stored on IDF equipment. IDF computers and all the data on them are the sole property of IDF.
2. When traveling with IDF equipment, please ensure the equipment is safe. This includes measures such as not leaving devices in an unlocked vehicle, not leaving devices unattended, and not placing devices in checked luggage while flying unless mandated by TSA/airline regulations.
3. You have a responsibility to promptly report the theft, loss, or unauthorized disclosure of IDF proprietary information.
4. All IDF-owned devices must be encrypted with IDF approved encryption technology. This includes thumb drives, flash drives, portable drives, etc.
5. Only IDF-approved applications shall be used on IDF-issued equipment. All other applications are prohibited from being installed on IDF equipment.
6. Users are prohibited from automatically forwarding work email or information to a third-party email system (e.g. Gmail, Yahoo, Hotmail, etc.). Individual messages which are forwarded by the user must not contain proprietary IDF information.
7. For security and network maintenance purposes, authorized IDF employees can and will monitor IDF equipment, systems, and network traffic at any time. IDF reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.
8. Ensure that the IDF computers and all software therein are properly updated.
9. No network device (e.g. servers, routers, switches, modems, etc.) may be connected to an IDF network.
10. Personal devices (e.g. computers, phones, tablets, etc.) used to conduct IDF business must be treated like an IDF device and follow the same policies as described in this document. This includes, but is not limited to, password requirements, screensavers compliance, and protection of any and all confidential information.
11. Connecting personal devices (e.g. phone, tablet, etc.) to IDF email is allowed and requires the following:
 - Upon adding an IDF email account to your device, if needed, you must agree (if prompted) to grant IDF administrative access to your device, which allows IDF to wipe or reset your device in the event it is lost or stolen. This allows IDF to protect confidential information from being accessed by non-IDF employees from a mobile device in cases of theft or loss.
 - You must password-protect your device. Use a password, PIN, or another login method that is strong and not easy to guess.

- Upon separation from IDF, you must remove all accounts, data, and access for IDF systems. If you fail to do so, your device will need to be remotely reset to original factory settings, effectively erasing all IDF and personal information from your device.

Passwords

1. Passwords are vital to system security and serve as the front line of protection for user accounts. An insecure password could result in the compromise of IDF's entire network. All IDF members are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords:
 - Passwords need to comply with the following:
 - Are at least ten alphanumeric characters long.
 - Contain both upper- and lower-case characters (i.e. a-z, A-Z).
 - Include digits and punctuation characters as well as letters (i.e. 0-9, !@#\$%^&*).
 - Change all user-level passwords (e.g. email, desktop computer, etc.) every 91 days or use multifactor authentication. The system may automatically remind you and require a new password every 91 days.
 - Except for IT Associate, do not insert usernames/IDs or passwords into email messages or other forms of electronic communication.
 - Never share usernames or passwords verbally, electronically, or in any written form for reference or with anyone. If someone needs access to a system, refer them to the IT Associate.
 - If you suspect an account or password has been compromised, change your password immediately and report the incident to the IT Associate.

Security, Data, and Proprietary Information

1. All IDF information (e.g. organizational strategies, trade secrets, and donor/provider/patient information, etc.) must be stored on IDF equipment and/or within IDF systems and cannot be stored outside of those systems or applications. (For example, you cannot store information on unencrypted flash drive, unapproved cloud storage, Google Drive, etc.) IDF information should not be stored on personal equipment. This applies to all staff and consultants.
2. IDF documents should only be stored on Sitara and OneDrive. IDF data should only be stored within IDF systems and applications.
3. When emailing confidential information, only IDF internal email should be used. Do not send confidential information to non-IDF.org email addresses.
4. All IDF computers connected to ipas.org domain must run approved virus-scanning software with a current antivirus database.
5. Never open or download an email attachment or link from an unknown, suspicious, or untrusted source.
6. Delete spam, chain, and other junk email without forwarding.
7. Do not register your IDF email address or ipas.org ID to non-IDF systems unless it is part of your job responsibilities.
8. Accessing information that is not within the scope of one's work is prohibited. This includes unauthorized reading of confidential information, unauthorized access of personnel file information, and accessing information that is not needed for the proper execution of job functions.
9. Do not provide any IDF information or data, including employee lists or employee information, to any parties unrelated to your job duties.
10. Do not circumvent user authentication or security of any computer, network, or account.