

Delhi Commission for Protection of Child Rights (DCPCR)

Government of NCT of Delhi

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PUBLIC NOTICE

Delhi Commission for Protection of Child Rights (DCPCR), is a statutory authority of the Government of NCT of Delhi, to protect, monitor and promote the cause of child rights.

The Commission recognizes the need to promote safety and security of children in Schools, Child Care Institutions, and Anganwadis of Delhi to create a conducive environment that ensures their holistic development. Further, the Commission takes note of rule number 3(5) of the Protection Of Children from Sexual Offences(POCSO) Rules 2020 which states that *"The respective Governments shall formulate a child protection policy based on the principle of zero-tolerance to violence against children, which shall be adopted by all institutions, organizations, or any other agency working with, or coming in contact with children."*

Thus, an Expert Committee constituted by the Commission, after much deliberation, has drafted a set of guidelines for the prevention of child abuse(Copy Annexed) to advise the State Government.

Before proceeding further, the Commission seeks valuable inputs/comments on the draft guidelines from the public which may be sent to the Commission at dcpcr@hotmail.com on or before 20/05/2023 with the subject "Comments on Guidelines for the Prevention of Child Abuse". The guidelines are annexed herewith for your reference.


03.5.23
(Kulanand Joshi)
Secretary, DCPCR

Delhi Commission For Protection of Child Rights (DCPCR)
Government of NCT of Delhi

Draft Guidelines
For Prevention of Child Abuse, 2023

CHAPTER I: PRELIMINARY

1. Short title & Commencement

- a. These Guidelines may be called the Guidelines for Prevention of Child Abuse, 2023;
- b. They shall extend to the whole of the National Capital Territory of Delhi;

2. Definitions: In these guidelines, unless the context otherwise requires-

- a. **“Act”** means the Juvenile Justice (Care & Protection of Children) Act, 2015;
- b. **“best interest of the child”** means the basis for any decision taken regarding the child, to ensure fulfilment of their basic rights and needs, identity, social well-being and physical, emotional and intellectual development;
- c. **“caregiver”** means a person, over 18 years of age and who is responsible for direct care, protection and supervision of a child/children in a child care institution;
- d. **“child”** means any person below the age of 18 years or until the child passes XII standard if already enrolled in school, whichever is later;
- e. **“child abuse”** means any form of physical and/or emotional and/or sexual abuse of a child by any means whatsoever;
- f. **“physical abuse”** means hurting a child physically or putting the child at risk of being hurt physically. It includes but it is not limited to burning, frequent slapping, frequent beating, choking, frequent hitting, punching, kicking or physical punishments such as making child stand with hands up, or making the child stay in position with head leaning down and fingers on the ears (popularly called ‘murga’), or any such punishment that causes physical pain or injury;
- g. **“emotional abuse”** means consistent maltreatment of a child having an adverse impact on a child's emotional health and development. It involves but it is not limited to any persistent action to scare, humiliate, degrade, isolate a child using foul language, name calling, constant criticism, bullying, repeated belittling or insulting, shaming, ridiculing, discriminating, ostracizing, and any verbal violence such as shouting and/or threatening. Disclosing the child's sexual orientation without consent is also included within the definition of emotional abuse. In case information shared with the counselors by the child in confidence is shared irresponsibly and as gossip it shall be deemed as “emotional

abuse” for this purpose;

- h. “child sexual abuse”** means inappropriate sexual behaviour with a child. It includes penetrative sexual assault, aggravated penetrative sexual assault, sexual assault, aggravated sexual assault, sexual harassment and use of a child for pornographic purposes¹ as defined in The Protection of Children from Sexual Offences Act, 2012 (POCSO) as amended from time to time and read with POCSO Rules 2020;
- i. “Children in Need of Care and Protection (CNCP)”** means the child as defined in section 2(14) of the Juvenile Justice (Care & Protection of Children) Act, 2015 and corresponding rules as amended from time to time. This includes but is not limited to 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 labour 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—
 - 1.** 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
 - 2.** has threatened to kill, injure, exploit or abuse the child and there is a reasonable likelihood of the threat being carried out; or
 - 3.** 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 Juvenile Justice Board or the Child Welfare 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

¹Sections 3, 5, 7, 9, and 11

- 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;
- j. **“corporal punishment”** means the subjecting of a child by any person to physical abuse and/or emotional abuse for the purpose of disciplining or reforming the child;
- k. **“Delhi Commission for Protection of Child Rights (DCPCR)”** means the Commission constituted under the Commission for Protection of Child Rights (CPCR) Act, 2005 vide a notification issued by the Govt. of NCT of Delhi on 7 July, 2008;
- l. **“expert”** means a person trained in any of the disciplines such as special education, child psychology, counseling services, mental health, medicine, child development or other related discipline.
- m. **“institution”** means all formal, registered or unregistered organizations/institutions/NGOs which fall under the following legislations/Scheme as amended from time to time:
 - i. The Juvenile Justice (Care & Protection of Children) Act, 2015 as amended from time to time
 - ii. The Right of Children to Free and Compulsory Education (RTE) Act, 2009 and Delhi RTE Rules 2011 as amended from time to time
 - iii. The Delhi School Education Act, 1973 as amended from time to time
 - iv. Integrated Child Development Services (ICDS) Scheme

Explanation: A block (sector or project) under Integrated Child Development Services Scheme (ICDS) of the department of Women and Child Development, Government of NCT of Delhi shall be considered as one institution and the respective CDPO of the block shall be considered as the Head of the Institution.

- n. **“offence”** means any act or behaviour punishable under any law for the time being in force;
- o. **“RTE”** means The Right of Children to Free and Compulsory Education Act, 2009 as amended from time to time;
- p. **“State Council of Educational Research and Training (SCERT)”** means the autonomous body of Government of NCT of Delhi set up in 1988 under the Societies Registration Act, 1860;
- q. **“school”** includes schools as defined in Section 2(n) of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 and/or Rule Number 4(a) of Delhi School Education Rules, 1973;
- r. **“Cases of High Severity”** means any one or more of the following but not limited to:

- i. cases of sexual abuse as covered under The Protection of Children from Sexual Offences Act, 2012 as amended from time to time
 - ii. where there has been a fracture, or organ/limb damage, or burns/bruises, or the child became unconscious, or needed to be taken to hospital, or the child has had bleeding.
 - iii. the child does not attend school for five days or more due to an incident, and/or shows emotional or physical impact of violence/abuse.
 - iv. the child exhibits, as consequences of the incident, one or more of the following behaviours due to high anxiety but not limited to:
 - 1. Delayed speech or sudden speech disorder.
 - 2. Extreme passivity or aggression.
 - 3. Showing suicidal tendencies.
- s. “CDPO” means the Child Development Project Officer working under Integrated Child Development Services (ICDS) of the Department of Women & Child Development, Govt of NCT of Delhi.

All words and expressions defined in the Juvenile Justice (Care & Protection of Children) Act, 2015 and corresponding rules and used, but not defined in these guidelines, shall have the same meaning as assigned to them in the Act and the Rules.

CHAPTER II: GUIDING PRINCIPLES

3. Principles to be followed in the administration of these guidelines:

- a. The Government of NCT of Delhi, the schools, the Child Care Institutions, the Anganwadi Centres or any other authority involved in implementation of these guidelines shall abide and be guided by the following principles:
 - (i) **Principle of presumption of innocence:** Any child shall be presumed to be innocent of any *mala fide*.
 - (ii) **Principle of dignity and worth:** All human beings shall be treated with equal dignity and rights.
 - (iii) **Principle of participation:** Every child shall have a right to be heard and to participate in all processes and decisions affecting their interest and the child’s views shall be taken into consideration with due regard to the age and maturity of the child.
 - (iv) **Principle of best interest:** All decisions regarding the child shall be based on the primary consideration that they are in the best interest of the child and to help the child to develop full potential.
 - (v) **Principle of safety:** All measures shall be taken to ensure that the child is safe and is not subjected to any harm, abuse or maltreatment while in contact with the care and protection system, and thereafter.
 - (vi) **Positive measures:** All resources are to be mobilised including those of family and community, for promoting the well-being, facilitating development of identity and providing an inclusive and enabling

environment, to reduce vulnerabilities of children and the need for intervention under the Act.

- (vii) Principle of non-stigmatising semantics:** Adversarial or accusatory words are not to be used in the processes pertaining to a child.
- viii) Principle of equality and non-discrimination:** There shall be no discrimination against a child on any grounds including sex, caste, ethnicity, place of birth, religion, sexual orientation, parental background or education or antecedents or disability and equality of access, opportunity and treatment shall be provided to every child.
- (ix) Principle of right to privacy and confidentiality:** Every child shall have a right to protection of their privacy and confidentiality, by all means.
- (x) Principle of fresh start:** No adverse past record of any child is to be shared with any individual or institution except with the parent or the guardian with a written permission from the Delhi Commission For Protection of Child Rights (DCPCR) or except when the circumstances necessitate the disclosure in the best interest of the child for reasons to be recorded in writing or unless ordered in writing by the statutory authority, court or tribunal.
- (xi) Principles of natural justice:** Basic procedural standards of fairness shall be adhered to and the child must be heard at all steps.
- (xii) Principle of intent over impact:** During enquiries of matters related to child abuse, the intent of an action will be taken into consideration alongwith the impact of the action.

CHAPTER III: PREVENTIVE MEASURES

4. Recruitment Processes

- a.** No candidate with a record of criminal conviction or chargesheet for child sexual abuse and/or repeated instances of physical or emotional abuse will be recruited for any position within an institution.
- b.** In furtherance of the same, all selected candidates must furnish all details in the background-check proforma of the institution, and submit to the Head of the institution before joining. This includes:
 - i.** a signed affidavit to the institution that they have not been convicted or chargesheeted of offences under The Protection of Children from Sexual Offences Act 2012, the The Juvenile Justice (Care & Protection of Children) Act, 2015, The Child Labour (Prohibition And Regulation) Act 1986 and any other sexual and/or violent crimes under any other Act for the time being in force.
 - ii.** an affidavit pertaining to their character and background;
 - iii.** two references of the person seeking employment;

- c. The Institution shall conduct a thorough background check of the appointee including a police verification and checking of the references provided by the appointee ideally before joining or within 4 weeks of joining. The appointee's pay or any other benefit shall not be halted at this time for reasons of delay on part of the police.
- d. All the new recruits will be presented with a copy of this Policy as well as the institution's Child Protection Policy as outlined in Chapter 5 of these guidelines and they will be required to sign it.
- e. All employees shall be provided with an Identity Card of the Institution upon being recruited.
- f. In case an employee is convicted for any offence under The Protection of Children from Sexual Offences Act 2012, or of The Juvenile Justice (Care & Protection of Children) Act, 2015 or The Child Labour (Prohibition And Regulation), he/she/they shall be removed from the service immediately upon conviction.
- g. In case an employee has been found guilty in an inquiry conducted by the Department of Education or the Delhi Commission For Protection of Child Rights or Department of Women & Child Development, of section 17(1) of the Right of the Children to Free & Compulsory Education Act 2009, or of section 75 or of section 82 of the the Juvenile Justice(Care & Protection) Act, 2015, the said adverse finding shall mandatorily form part of their annual appraisal report.
- h. If the Delhi Commission For Protection of Child Rights (DCPCR) in exercise of its powers under section 15 of the Commissions For Protection Of Child Rights Act, 2005, recommends suspension or transfer or work withdrawn of an employee of any institution mentioned under these guidelines, the recommendation shall be mandatorily complied.

5. Training

All employees of an institution, whether previous or new recruits, shall mandatorily undergo periodic training on themes such as and not limited to identification of abuse, types of abuse, symptoms of abuse, positive disciplining techniques, classroom management, development milestones, anger management, disability identification, disability inclusion, minimum standards of school safety (wherever applicable), the provisions in these guidelines and relevant provision of the The Protection of Children from Sexual Offences Act, 2012, Juvenile Justice(Care and Protection) Act, 2015, as outlined in Chapter 4 of these guidelines whichever applicable to the relevant institution.

6. Compulsory Security and Surveillance:

- a. An institution that caters to more than 50 children should have at least one security guard. For institutions catering to more than 500 children, there shall be at least two security guards, and for institutions catering to more than 1200 children, there shall be at least three guards.

Explanation: For institutions catering to only girls, at least 1 female security guard is to be appointed.

- b. Within two years of notification of these guidelines, the Government and the respective local bodies shall ensure that the security guards are made available in the school by means of post creation and recruitment, or outsourcing or any other mechanism as they deem fit.
- c. Within 6 months from the date of notification of these guidelines, all the institutions shall ensure that the Closed Circuit Television(CCTV) Cameras are installed at gates, boundary wall(s), parking area(s) and all other public spaces of the institution for continuous surveillance. Further, recordings in Closed Circuit Television(CCTV) Cameras shall be preserved for a period of at least 15 days. However, in case a complaint is made with regards to instances related to any form of child abuse, then the recording of the days of occurrence of the alleged instance or as directed by any inquiry body shall be preserved till the said date, until the enquiry is completed. The Head of the Institution shall be responsible for the same.

Note: The section 6 shall not be applicable to Anganwadis Centres(AWCs).

7. Attendance as Predictor of Child Well-Being or Adversity in Schools & Anganwadi Centres

- a. For schools, if a student is absent for more than 7 days consecutively at a time or 70% or more of the days in any month without prior information known to the school, parents of the child shall be contacted and/or home-visits shall be conducted by the School through its teachers, or school management committee members, or parents volunteers or with the help of Non Governmental Organisations(NGOs) or Cluster Resource Centres Coordinators. For the purpose of contacting the parents, the contact details (address, phone number, email id, etc) of parents are to be verified and updated every 3 months in schools.
- b. Further, the list of students referred above, ie. those who are absent for more than 14 days consecutively at a time or 90% or more of the days in a given month prior information known to the school, shall be shared with the District Child Protection Unit (DCPU) and their assistance may be sought. It must be kept in mind that the primary responsibility of contacting students, and conducting home visits of such students lies with the institution, staff members, and the School Management Committee members must play an active role therein in case of schools. Similarly, the institutions are encouraged to seek assistance from civil society organisations in this regard.
- c. If a child is reported to be missing, the matter shall be mandatorily reported to the local Police and the Child Welfare Committees within 24 hours of the school receiving the information. The institution must take a proactive approach to collect vital information with respect to the child such as last time seen, indications that may suggest if the child was facing any difficulties and furnish such details to the police.

- d. For Anganwadi Centres(AWC's), if the Anganwadi Centre has not been able to monitor the growth of the child via POSHAN tracker or any other such portal the previous month, the supervisor shall take cognizance and take appropriate measures to ensure that the child's growth monitoring indicators are updated in the POSHAN tracker on a regular basis. Further, the AWC's shall verify and update the contact details (address, phone number, email id, etc) of parents every 3 months.
 - e. The Education Department of the Government and the local bodies shall share with the Delhi Commission for Protection of Child Rights the students' attendance on a real-time basis through a portal.
- 8. Spaces for Dialogue:** The Head of institution shall promote spaces for open dialogue and conversation between the children and the teachers/caregivers, where open discussions can take place on issues concerning safety of children or based on complaints received by the employees of the institution via any means. Such discussions shall be held minimum once a month. Anganwadi workers should ensure these discussions take place with the registered parents, pregnant women and lactating mothers.
- 9. Sensitization Workshops for Children:** The children must undergo annual sensitisation workshops involving activities or experiential learning programmes making them aware of matters covered under the themes such as bullying, menstrual hygiene, sexual safety, body shaming, disability, gender, sexual orientation, etc.
- 10. Installation of Complaint Boxes & Redressal of Grievance:** There shall be complaint boxes for placing anonymous complaints, or written expression of concerns, or suggestions as mentioned in Chapter 5 of these guidelines.
- 11. Display of Important Numbers:** The institution shall ensure prominent display of ChildLine Helpline number 1098, DCPCR Helpline number, Emergency numbers of Police, Fire, Hospital, and the Yuwa Helpline number.

CHAPTER IV: TRAINING & CAPACITY BUILDING

12. Training & Capacity-Building: Roles & Responsibilities

- a. Within 6 months of the notification of these guidelines, SCERT, in consultation with DCPCR, shall develop an online training module freely accessible to all employees of the institutions. The online training module shall include but not limited to content with respect to identification of abuse, types of abuse, symptoms of abuse, positive disciplining techniques, classroom management, development milestones, anger management, disability identification, disability inclusion, minimum standards of school safety (wherever applicable), topics relevant to cyber safety such as One time Password(OTP) sharing, managing privacy setting in digital devices, dangers of sharing explicit images online, the provisions in these guidelines and relevant provision of the The Protection of Children from Sexual Offences Act, 2012, Juvenile Justice(Care and Protection) Act,

2015.

- b.** SCERT shall meaningfully consult the respective department for personnel/institutions belonging to them i.e. Department of Education of Government or Municipal Corporation of Delhi, as the case may be, for the schools, the Department of Women and Child Development for Child Care Institutions(CCI) and Anganwadi Centres(AWCs).
- c.** SCERT shall make these online modules publically available through a website portal or a mobile application.
- d.** All Heads of Institution must complete the online training modules and ensure that all staff members of their institution complete their relevant online training modules within 6 months of the modules being ready and communicated by SCERT.
- e.** SCERT shall, within 1 year from the date of notification, ensure the in-person training of all Heads of Institutions on the themes mentioned in 12(a) and thereafter, receive refresher courses annually (online/offline) and in person training at least once in five years mandatorily. This training must be done in smaller batches not exceeding more than 100 to enable rigorous training.
- f.** SCERT shall ensure training of all newly appointed Heads of Institution on aforementioned issues within 60 days of appointment.
- g.** SCERT shall, within 2 years from the date of notification, ensure that all the teachers receive in-service offline training on the themes mentioned in 12(a) and thereafter, receive refresher courses annually (online/offline) and in person training at least once in five years mandatorily. The Department of Women and Child Development shall ensure that all the supervisors and the Anganwadi workers are trained on the themes mentioned in 12(a) in person, within 2 years from the date of notification, and thereafter, receive refresher courses annually (online/offline) and in person training at least once in five years mandatorily.
- h.** SCERT shall ensure that all the teachers receive in-service training on the themes mentioned in 12(a) as part of their induction at the time of joining or within 90 days of joining. The Department of Women and Child Development shall ensure that all the supervisors and the Anganwadi workers receive in-service training on the themes mentioned in 12(a) as part of their induction at the time of joining or within 90 days of joining.
- i.** SCERT shall ensure that at least one-third of the School Management Committee members of schools run and aided by Directorate of Education and local bodies receive training on the themes mentioned in 12(a) annually.
- j.** All students enrolled in Diploma in Education (D. Ed), Diploma in Early Childhood Education (D. E. C. E), Bachelors of Education (B. Ed), Bachelors of Elementary Education (B. El. Ed), or any such course shall

mandatorily undergo an annual workshop on the themes mentioned in 12(a). It shall be the responsibility of the Head of the Institute to ensure such workshops are organised annually.

k. All schools shall ensure, within 2 years of notification, that their non-teaching staff are trained either by the school staff or by outside experts that the school may decide on the themes mentioned in 12(a), and thereafter, receive refresher training annually(online/offline). Such training must be conducted in Hindi language and all the material relevant to the training made available to them in Hindi. Further, all the non-teaching staff shall be provided a Hindi version of these guidelines.

l. All schools shall ensure, within 30 days of joining, that their non-teaching staff attend workshops organised either by the school staff or by outside experts that the school may decide on the themes mentioned in 12(a). Such training must be conducted in Hindi language and all the material relevant to the training made available to them in Hindi.

m. The Department of Women and Child Development shall ensure at least 3-day annual training of welfare officers, superintendents of the Child Care Institutions, counselors or any other staff employed in Place of Safety, Observation Homes, Children Homes, CDPOs, District Officers, etc. on the themes mentioned in 12(a).

n. All Superintendents of the Homes shall ensure that within 30 days of joining, the new staff attends workshops either organised by the Home or by outside experts on the themes mentioned in 12(a). Such training must be conducted in Hindi for ministerial, or Grade C and D staff.

o. For all the training modules undertaken, a handbook of the modules shall be made available to all the relevant employees of the concerned institution in Hindi and English.

13. Counselors: Government and the respective local bodies shall ensure within two years of notification of these guidelines that all the schools run and aided by them or the Child Care Institutions have counselors as stipulated below by means of post creation and recruitment, or outsourcing or any other mechanism as they deem fit:

Institution/Number of Full time Counselors	3 Counselors	2 Counselors	1 Counselor
Schools	More than 2000 children	1000-2000 children	Less than 1000 children
CCIs	>150 Children	50-100 Children	<50 Children

14. Special Educators: Government and the respective local bodies shall ensure within two years of notification of these guidelines that all the schools run and aided by them or the Child Care Institutions have special educators,

who shall receive cross-disability training, as stipulated below by means of post creation and recruitment, or outsourcing or any other mechanism as they deem fit:

Institution/ Number Special Educators	3 Special Educators (Full-time)	2 Special Educators (Full-time)	1 Special Educator (Full-Time)
Schools	More than 2000 children	1000-2000 children	Less than 1000 children
CCIs	>150 Children	50-100 Children	<50 Children

15. Screening: The Government and the local bodies shall ensure that every child enrolled in its schools, Child Care Institutions and Anganwadi Centres shall undergo health as well as disability screening at least once in three years to screen for diseases, disability, and provide remedial measures for the children. The Departments may seek assistance from the Department of Health of the Government or the local bodies, as the case may be, or civil society organisations for this. The screening shall include but not be limited to anaemia, dental, eyes, T1DM, tuberculosis, etc.

CHAPTER V: CHILD PROTECTION SAFEGUARDS

16. Child Protection Policy:

- a. As part of the framework for child protection, all institutions shall have a Child Protection Policy applicable to all persons employed by the institution as well as those who visit the institution from time to time. The said policy must be consistent with these guidelines but must have contextual details relevant to the institution's local needs and must mention contact details of officials responsible for implementing parts or whole of these guidelines.
- b. The policy document will be applicable to all personnel, outside instructors, visitors and anyone who is put in a position of responsibility over children and signed by all personnel mentioned above along with the seal and stamp of such institution.
- c. These policies should broadly outline the responsibilities and role of each stakeholder in the institution and lay down guidelines on how to report any concern or incident of child abuse.
- d. The policies should ensure that all stakeholders relevant to the institution are committed to the prevention of child abuse.
- e. The policies should outline a zero-tolerance policy towards Child Abuse which will result in the immediate dismissal of any employee convicted of an offence under Protection of Children from Sexual Offences Act, 2012 and/or Juvenile Justice (Care and Protection of Children) Act, 2015

and/or any other sexual or violent crime under any other law for the time being in force.

- f. The Child Protection Policy shall become a part of the Human Resource policies of the institution. All institutions shall be free to add further details as per their context and make it more relevant for their local needs. However, nothing that institutions shall add shall be in violation of these guidelines.
- g. The Child Protection Policy should be summarised and a one-pager must be displayed at the reception or main lobby area of the institution along with Childline Number 1098 and DCPCR Helpline Number. Further, the one-pager must be available in English as well as Hindi.

17. Awareness & Education of Children:

- a. Children of all grades should be given age-appropriate training and orientation on personal safety, child sexual abuse, types of child abuse, menstrual hygiene, and long term consequences of bullying.
- b. In cases of Anganwadi Centres, the parent(s) of the child must be trained on health related topics of children such as development milestones, basic sanitation practices, handwashing, hygiene practices, healthy eating, malnutrition etc.
- c. All the children must be sensitised on the institution's child protection policy, complaints & reporting mechanism of the institution, at least annually to make them aware on whom and how to reach out to on matters with respect to any incident of child abuse.
- d. Education, Information & Communication (EIC) material on child protection shall be displayed in the premises as regular reminders to children and also distributed to the children regularly.
- e. Complaint boxes should be installed at appropriate places, away from the Head of institution's office, staff rooms, in front of CCTV cameras etc.
- f. Children shall be made aware about complaint boxes and their utility in morning assemblies, and other forms of daily interactions.
- g. Complaint boxes shall be opened at least once a week and appropriate action shall be taken by the Head of the Institution within 7 days of opening the box for schools and Child Care Institutions. A separate register shall be maintained for the same.
- h. All children should be informed about who will be opening the complaint box and also who will have access to the information.
- i. Children should be informed of the outcomes or resolutions of their complaints/suggestions and should get the information they seek from time to time.

CHAPTER VI: STANDARD OPERATING PROCEDURE FOR REPORTING, INQUIRY & ACTION

- 18.** Every institution shall constitute or designate a Child Protection Committee headed by the Head of the Institution that has following functions:
- a.** To organise sensitisation workshops, facilitate dialogues, open forums within the institutions. It may seek external expertise for assistance;
 - b.** To work with the Head of the Institution to review institutional processes, and capacity.
 - c.** To conduct inquiry into cases of high severity as mentioned in guideline 2(s) of these guidelines;
 - d.** Any other function that the Child Protection Committee deems necessary in order to uphold these guidelines.

Note: No member of the Child Protection Committee shall be made part of any inquiry in wherein they are alleged to be inflicting any form of child abuse.

- 19.** The Child Protection Committee shall be headed by the Head of the Institution known by whatever name or designation and will consist of the following:
- a.** Head of the Institution;
 - b.** At least one member who is a parent or guardian of the children that the institution caters to, in Child Care Institutions, the representative of the District Child Protection Unit;
 - c.** One member external to the institution with experience of child rights issues: This member may be appointed by Deputy Director of Education of the zone in case of schools, Child Welfare Committee in case of Child Care Institutions, and Supervisor in case of Anganwadi Centres.
 - d.** At least 1 of whom must be women (except if all the children and the entire staff of the institution is male).
 - e.** Additionally, barring Anganwadi Centres and primary schools, the Child Protection Committee must also include children representatives, but their participation shall be limited to sensitization and awareness-generation activities. The children representatives must not be made part of enquiry committees pertaining to complaints conducted by the Child Protection Committee.
- 20.** The Child Protection Committee shall meet as frequently as required and at least quarterly.
- 21.** The Child Protection Committee shall submit quarterly reports to the zonal and district level officers within the first week of every quarter, who will take remedial actions and submit those reports to their departments and the Delhi

Commission For Protection of Child Rights (DCPCR) within one further month.

22. Additionally, the Child Protection Committee shall report the cases of high severity as defined in section 2(s) within 3 days of the occurrence or first information to the District Officers of the Department concerned as well as the District Child Welfare Committees constituted under Juvenile Justice (Care and Protection of Children) Act, 2015.

23. All cases of high severity shall be mandatorily inquired by the Child Protection Committee within 7 working days of the information.

Note: Provided all cases involving sexual violence shall be mandatorily reported to the Police and the Child Welfare Committees in accordance with the Protection of Children From Sexual Offences (POCSO) Act 2012 and the corresponding rules as may be amended from time to time.

Further, Cases related to Child Marriage shall be mandatorily be reported to the Child Welfare Committee within 3 days of the information.

In all such cases, the role of the Child Protection Committee shall be limited to examining the breakdown of preventive measures, and processes that led to the occurrence, fix administrative responsibilities, and take remedial measures.

24. In all cases other than cases of high severity, the Institution shall be at liberty to devise its own mechanism for inquiry. Given below is a suggested mechanism for a school:

a. The Class Teacher shall look into the matters related to physical abuse and/or emotional abuse amongst the children of the same class. In such cases, warning, advisory, parental interaction, and/or counseling, reflection session and/or seeking apology and/or community service and/or any other non-punitive reformatory mechanism shall be used as remedial measures.

b. In cases wherein children across classes have engaged in physical abuse and/or emotional abuse amongst themselves, any one teacher may look into the matter. In such cases, warning, advisory, parental interaction, and/or counseling, reflection session, seeking apology and/or and/or community service and/or any other non-punitive reformatory mechanism shall be used as remedial measures.

c. In cases, wherein a teacher is reported to have inflicted physical abuse and/or emotional abuse on children, another teacher of equal or senior rank as deputed by the Head of the Institution shall conduct the inquiry. The inquiry must be completed in not more than 7 working days. The Head of the Institution shall take action within 7 working days of the receipt of the inquiry report and shall communicate to the School Management Committee, in writing, the complaint, inquiry and the Action Taken Report.

- d.** In cases, wherein a Principal/HoS is reported to have inflicted physical abuse and/or emotional abuse on children, the concerned Deputy Director of Education of the Zone of the school in case of Directorate of Education schools and School Inspector of the school in case of Municipal Corporation of Delhi schools may inquire or appoint a committee to conduct the inquiry. The inquiry must be completed in not more than 7 working days. The concerned department shall take action within 7 working days of the receipt of the inquiry report and shall communicate to the school authorities, in writing, the complaint, inquiry and the remedial measures expected with a plan to follow-up.
- e.** If a child who is found to be aggrieved of an incident pertaining to physical abuse and/or emotional abuse requests for a transfer of school, the request shall be acted within 3 days of the request.

Given below is a suggested mechanism for Anganwadi Centres:

- f.** In cases wherein the Anganwadi workers are reported to have inflicted physical abuse and/or emotional abuse on children, the concerned supervisor of the Anganwadi Centre shall conduct the enquiry. The enquiry shall be completed in not more than 7 working days and be submitted to the concerned CDPO.
- g.** In cases wherein the supervisor is reported to have inflicted physical abuse and/or emotional abuse, the concerned CDPO shall conduct the enquiry. The enquiry shall be completed in not more than 7 working days.

Given below is a suggested mechanism for Child Care Institutions:

- h.** The Superintendent or any senior official of the Child Care Institution as designated by Superintendent shall look into the matter in cases of physical abuse and/or emotional abuse among the children residing in the Child Care Institutions.
 - i.** In cases wherein any staff of the Child Care Institution are reported to have inflicted physical abuse and/or emotional abuse on children, the matter shall be reported to the Child Welfare Committee and an enquiry shall be conducted on the matter in not more than 7 working days by a team formed by the Child Welfare Committee.
 - j.** If any staff of the Child Care Institution has been prima facie found guilty of inflicting physical abuse and/or emotional abuse on children, he/she/they shall be transferred to another Child Care Institution until the completion of the inquiry.
- 25.** It must be further ensured that the staff members who are alleged to be inflicting physical abuse and/or emotional abuse on children must be kept in close observation until the completion of inquiry.
- 26.** If any staff member in a school has been prima facie found guilty of inflicting physical abuse and/or emotional abuse on children, he/she/they

shall be transferred to another school until the completion of the inquiry. Further, if any staff of the Child Care Institution has been prima facie found guilty of inflicting physical abuse and/or emotional abuse on children, he/she/they shall be transferred to another Child Care Institution until the completion of the inquiry.

- 27.** If any staff member has been found guilty of inflicting physical abuse and/or emotional abuse on children for the first time for cases other than high severity cases as defined in section 2(s) he/she/they shall have to mandatorily go through a refresher training on topics relevant to the matter within 30 working days.
- 28.** If any staff member has been found guilty of inflicting physical abuse and/or emotional abuse on children for more than one time for cases other than high severity cases as defined in section 2(s) the incidence shall be noted in their service book. Additionally, the staff member shall have to mandatorily go through a refresher training on topics relevant to the matter within 30 working days.
- 29.** The SCERT shall ensure that they conduct trainings annually for employees who have been found guilty of inflicting physical abuse and/or emotional abuse on children on content with respect to positive disciplining techniques, classroom management, development milestones, anger management, or any other topic that may be found relevant to enable the staff members to ensure safety of children.
- 30.** In all complaints, the aggrieved shall have the right to place a request for re-inquiry by the Child Protection Committee in matters that involve a staff member of the institution, which upon examination, shall complete inquiry within 7 working days.

The Child Protection Committee will gather information regarding the nature of the abuse – physical, emotional or sexual abuse, the severity of the abuse, the frequency of the abuse, impact on the child. Depending on severity, impact, type of case, frequency the Committee will determine future investigation and support.

- 31.** The counsellor shall be involved in providing counselling services to the concerned children involved in the incidence of physical and/or emotional abuse, ensuring their socio-emotional well-being. However, the counselors shall not be involved in inquiry. Nothing confided in the Counselors by the child shall be used against them except when warranted by a court of law, tribunal or Commission.
- 32.** The Child Protection Committee shall be responsible to make all employees and children within the institution, who are availing of services or providing services to the institution, aware of the procedure of reporting incidents of child abuse.

- 33. Awareness of child protection policies and how to implement them within family environments shall be added as an agenda point in the Parent-teacher meetings.
- 34. Confidentiality of cases will be maintained in case they are brought to the notice of the Child Protection Committee and reported to the concerned teacher or caregiver.
- 35. All findings/reports shall be shared with the aggrieved party.

CHAPTER VII: INTEGRATION OF TRAUMATIZED CHILDREN

- 36. The Institution shall, with the purpose to provide timely remedial support to children experiencing abuse, shall strive to create an atmosphere where the children have friends, access to art and sports activities.
- 37. Role of Head of Institution, Anganwadi Workers, Teachers & Caregivers:
 - a. They shall build rapport with the child (through measures like remembering the child's name, showing care, affection & support etc.); empathize and understand that certain inexplicable & abrupt behaviours (Examples: hyperactivity, aggression, complete withdrawal etc.) may be due to a past traumatic situation (At the same time, the child should not be singled out or given too much attention to a point where the child might feel uncomfortable).
 - b. They shall remain cooperative during the process of healing of the child, which can be done in several ways. (Examples: Being understanding towards slow-learning pace of the child or incomplete homework; providing a flexible schedule for completing assignments, arranging for peer-tutors to help the child etc.)
 - c. They shall encourage the child to participate in classroom/daily activities while taking care of the fact that the pace of healing varies from person to person, hence pushing the child should not be resorted to. They shall also motivate and build self-esteem of the child through positive reinforcement (through positive remarks, display of child's work etc.) and a non-judgmental attitude.
 - d. They shall monitor the behaviour and growth of the child in various settings, like in library, playground, with classmates etc. and look for signs of trouble for the child (Examples: Bullying, intimidating remarks or rejection by the peers, offending comments & harassment by any staff member etc.)
 - e. They shall remain in close contact with the parents/guardians of the child, sharing a plan for healing of the child and progress thereof.
 - f. They shall keep a track of academic performance of the child and participation in extracurricular activities in order to identify areas needing more effort and develop strategies.

- g. They shall track attendance of the child and in case, the child remains absent for 7 days consecutively at a time or 70% of days or more of a given month, parents/guardians of the child shall be contacted and/or home-visits shall be conducted by the institution.

38. Therapeutic Intervention

- a. Therapeutic intervention in the form of counselling services must be made available to every child by the institution and the availability of such intervention should be made apparent through relevant signage and indicators.
- b. The institution shall provide for a space conducive to counselling i.e. that protects the privacy of the conversation.
- c. In case of an incident of abuse, the institution shall proactively reach out to the family members of the child to provide access and information about the availability of counselling services for the family within the institution.

39. Admission Rules:

The Department of Education shall ensure its admission rules are designed to ensure that every child declared "Child in Need of Care and Protection (CNCP)" by the Child Welfare Committee (CWCs) are mandatorily admitted in schools within 7 working days of the Order of the Child Welfare Committee. The Department shall ensure that age or or any other barrier does not come in its way to integrate such children.

40. Principle of Confidentiality:

- a. The institution shall maintain complete confidentiality with respect to background details of the child who has previously suffered the trauma on account of child abuse particularly sexual abuse.
- b. However, the Head of the Institution may inform the nature of the trauma to the teachers/caregivers/Anganwadi workers concerned with the intent to provide additional and individualised attention to the concerned child. All the teachers/caregivers/Anganwadi workers must ensure that they strictly adhere to confidentiality in this aspect.
- c. The institution shall be liable for any breach of confidentiality of the identity of the child or details of the issues brought to anyone, including counselor, parents/guardians.

41. Counselors' Confidentiality Oath:

Counselor shall not disclose to anyone any information that the child may have confided in him/her in confidence, without the child's explicit consent. This is subject to the following three exceptions:

- a. Provided the Counselor is legally bound to disclose that information;
- b. Provided the Court/Tribunal/Commission/Child Welfare Committee has passed a written order to that effect;
- c. Provided that the non-disclosure of the information shall lead to serious harm to self and/or any other child and/or any person.

42. Disciplinary proceedings shall be initiated in case information shared with the counselors by the child in confidence is shared irresponsibly and as gossip.

43. Monitoring of School Attendance, Integration & Performance of Child in Need of Care and Protection (CNCP):

- a. The Department of Women and Child Development shall develop an MIS or modify an existing one to mandatorily track the children declared Child in Need of Care and Protection with respect to their schools' enrolment, attendance, integration and academic performance.
- b. Child Welfare Committees may engage District Child Protection Officer(s)/Welfare Officer(s) of Department of Women and Child Development/social worker(s) from Non Governmental Organisations for tracking the children declared "Child in Need of Care and Protection". This may involve but not be limited to telephonic discussions, home visits, and interaction with stakeholders concerned to ensure that the children attend schools regularly, are learning, and feel included as part of the school.
- c. The school shall regularly communicate the performance, achievements, struggle and concerns of the children residing in the Child Care Institutions to their parents/guardians/superintendents, as the case may be.
- d. The Child Welfare Committee shall make available their panel/database of support persons to the Department of Women and Child Development, District Child Protection Unit (DCPU), Delhi Commission for Protection of Child Rights (DCPCR), Department of Education, etc. so that the institutions can avail necessary timely support.

Chapter VIII : Online Safety

44. Classification:

The breadth of issues classified within online safety can be categorized into four areas of risk:

- a. Content: Being exposed to illegal, inappropriate, or harmful material; for example pornography, fake news, racist or radical and extremist views;
- b. Contact: Being subjected to harmful online interaction with other users; for example commercial advertising as well as adults posing as children or young adults;
- c. Conduct: Personal online behaviour that increases the likelihood of, or causes harm; for example making, sending, and receiving explicit images, or online bullying.

- d. Contract: Contract risks involve the risk of children agreeing to terms or contracts they don't agree with or understand. These may include signing up to receive inappropriate marketing messages, inadvertently purchasing something, or providing access to personal data.

45. General guidelines:

- a. No identifiable details (Phone number, email ID, Aadhar ID number, Home address, etc.) of the child are to be shared with any non-governmental agency in view of the provisions contained in the The Protection of Children from Sexual Offences Act, 2012 and Juvenile Justice (Care and Protection of Children) Act, 2015 except for the purpose of any rehabilitative, reformatory or such purpose. All data/information related to children beneficiaries must be maintained with complete integrity by the institution to ensure no data leaks.
- b. Every institution should have a clear mandate on access to, and usage of the internet and its security checks, while the child is within the institution's premises. The internet usage of children must be restricted for official or learning purposes only. List of irrelevant websites/applications should be outlined and all such websites/applications must be blocked in the electronic devices of the institution operated by children.
- c. Incorporate child online safety in the child protection policies of the institution and establish protocols for reporting offences and supporting children who have been victimized or are at risk.
- d. Maintain communication channels with children on appropriate platforms, and refrain from interacting with children over Facebook, Instagram, Snapchat, TikTok, or Twitter. Furthermore, all emails sent to children by teachers/staff should be copied to the parent/guardian or caregiver unless a teacher or staff member is suspicious that a parent/guardian/caregiver is abusing the child. No staff member must be friends/followers of children in social media accounts.
- e. No child must be recorded in any manner without consent of the child.
- f. The webcams of all electronic devices must be covered when not in use.

46. Guidelines while conducting online interactions with children:

- a. Use full name as a display name in virtual spaces as applicable where you interact with children. Do not use abbreviations, nicknames, or characters that resemble alphabets.
- b. Do not record an online interaction without taking consent from the children involved.

Chapter IX : Transport Safety Guidelines

47. Exterior of the bus:

- a. All school buses must be painted with a uniform colour of golden yellow with the name of the school written prominently on both sides of the bus to ensure easy identification of the bus.
- b. Details of the driver(name, address, licence number, badge number), telephone number of the institution or owner of the vehicle, Transport Department's Helpline number and Registration number of the vehicle shall be displayed at prominent places inside and outside the vehicle in contrast colour. It is to be clearly visible to all the passengers in the vehicle and to the public so that in case of necessity, the institution administration/police or other authorities can be contacted.
- c. **"School Bus"** must be written on the front and back of each school bus.
- d. The doors of the Bus have been fitted with reliable locks that can be locked.

48. Interior of the bus:

- a. The institution authorities must ensure that the bus should possess two fire extinguishers of ABC rating of 5kg capacity having Indian Standards Institute(ISI) mark. One of the fire extinguishers should be kept in the driver's cabin and the other one near the emergency exit. Further, training should be given to the driver, and staff traveling in the bus to operate the fire extinguishers.
- b. The windows of the Bus should be fitted with horizontal grills or with mesh wire.
- c. The buses should not be fitted with curtains or glasses having films or tinted glasses. The activities inside the bus should be visible from outside.
- d. All school buses other than mini & midi, shall have an emergency exit on the opposite side of the service door. In addition, there shall be an emergency exit on the rear side of the bus. However, in case of mini & midi school buses, there shall be a minimum of one emergency exit and the same shall be situated either on the opposite side of the service door or at the rear side of the bus. The lower edge of the emergency door shall be at the level of the bus floor and top edge shall be at the level of the window upper edge.

49. General Guidelines for all vehicles:

- a. On the vehicles hired by a school, **"On School Duty"** must be written on the front and back of the school bus.
- b. There should be valid insurance of the vehicle as per "The Motor Vehicles Act, 1988".
- c. The seats of the vehicle should be made of non-combustible materials for the safety of children.

- d. Vehicle must contain:
 - i. A fully stocked first aid kit including emergency asthma, anaphylaxis medications, and drinking water.
 - ii. Emergency contact details for children being transported.
- e. A periodical fitness certificate regarding the roadworthiness of the vehicle shall have to be obtained as per "The Motor Vehicles Act, 1988".
- f. The maximum life of the school buses and vehicles shall be 10 years.
- g. GPS to be installed in each vehicle of the institution and the authorities of the institution must ensure that it is kept in working condition at all times.

50. Staff Requirements:

- a. Each institution should designate one Transport Manager who will be entrusted with the responsibility to ensure the safety of children travelling by vehicles. Name and contact details of the Transport Manager must be prominently displayed inside and outside the vehicle.
- b. If the age of the students is below 12 years, the number of students carried shall not exceed 1.5 times the permitted seating capacity and the students above 12 years shall be treated as one person.
- c. The driver of the school bus shall hold a commercial license which shall be at least 05 years old and it shall bear the badge of a driving vehicle.
- d. A driver who has been challaned more than twice in a year for offences like overspeeding, red light jumping, violation of lane discipline, or allowing an unauthorized person to drive cannot be employed. A driver who has been challenged even once for offence under Sections 279 of the Indian Penal Code cannot be employed.
- e. It would be mandatory for the driver of the vehicle to wear a prescribed uniform during duty hours.
- f. Under no circumstances any outsider except the bus driver, parent of the children on special request, shall be allowed to board the school bus.

51. Guidelines while in Transit:

- a. An index of the children, their names and addresses, class, blood group, and route chart shall be available on each vehicle.
- b. The institution staff should always ensure that the doors of the vehicle remain shut while in running condition.
- c. The institution ensures that vehicles halt only at stops designated by the institution.

52. Guidelines after Transportation:

- a. Vehicles that are not in use shall be locked and parked in the institution-allotted parking facility, and the keys shall remain with the administration of the institution.
 - b. The vehicle must be parked in the designated parking area. Further, it must be ensured that all the windows and doors are locked so children cannot enter.
- 53. Travel, Picnics, and Outdoor Activities:**
- a. **Preparation for the travel/picnic/outdoor activity:**
 - i. A consent form must be filled out by the Parents/guardians/caregivers clearly giving permission for the excursion/trip. All key details relevant to the trip which may include the venue details, date of the trip, time of the trip, vehicle details, visiting organization's details, driver's name, and contact number must be included in the consent form. The form must be signed in advance.
 - ii. The exact route, destination, and timings of the trip must be communicated well in advance to parents/guardians, and caregivers as well as the local police/SJPU at the destination.
 - iii. Emergency contact list with functional contact numbers of all parents/guardians of children(whenever applicable) involved in the trip must be present with the administration of the institution.
 - b. **Guidelines during travel:**
 - i. An adult-to-child ratio of 1:15 must be maintained throughout the trip.
 - ii. Travel during the time period of 10 PM to 5 AM must be avoided as much as possible.
 - iii. In case of outstation travel, at least one female teacher or caregiver must accompany the group for the duration of their stay, except if it is an all-boys trip.

Chapter X : Clarification & Difficulties:

54. The Guidelines for Prevention of Child Abuse, 2014 stand repealed.
55. If any clarification about the definition, and process, is needed in giving effect to the provisions of these Guidelines, the Delhi Commission For Protection of Child Rights (DCPCR) may, by order, not inconsistent with the provisions of these Guidelines or any other law in force at the time, clarify the same.
56. Provided that no such order shall be made without the approval of the Minister In-Charge and after two years from the date of notification of these Guidelines.