
Child Protection Policy for Schools in West Bengal

Ensuring Rights of Children in Schools

1. An Overview

Background

Protecting rights of children and ensuring their welfare is the responsibility of any individual who is involved with children and young people. Violating rights of the children is a normalized practice in all settings-whether in schools, families or other institutions. All settings which work with children directly should have both a moral and legal responsibility to protect children within their direct contact and care.

The extent and severity of physical abuse against school going children in India is chilling. According to the last study on Child Abuse (2007)¹ 65% of school going children, in the 5-12 year group reported facing corporal punishment² i.e. two out of three children were victims of corporal punishment. West Bengal reported high incidences of corporal punishment (56%). 43% children in the age group of 13-14 years reported high incidence of corporal punishment making the state rank third after Gujrat and Uttar Pradesh under the category of reporting corporal punishment age wise.

A shocking 62% of the corporal punishment was in government and municipal schools. The incidence of corporal punishment in government schools varied across States. **West Bengal (85.5%)** reported the figures. In States like **West Bengal**, which was also a sample State in the Child Abuse study, corporal punishment had been banned by the Government of West Bengal; yet some of the highest percentage of corporal punishment could be seen in the State.

The State should ensure that child protection is prioritized in every school. Central to any school's work is ensuring rights of the children and creating an enabling environment where the children and young people feel safe, secure and can raise their voices and share any violations that occur within the school premises. The schools must promote child rights and protect children from any abuse.

The Child Protection Policy for Primary Schools has been developed by the Education Department, Government of West Bengal following extensive consultation with the educationists and policy-makers. The purpose of the policy is to give a clear direction and guidance to school management authorities and school personnel in implementing the Child Protection Policy in a school setting.

The policy has a clear and essential focus on safety of children, in addition to which it addresses child protection issues with regard to neglect, abuse and exploitation in consonance with the National Policy For Children 2013, the guidelines on corporal punishment by the National Commission for the Protection of Child Rights (NCPCR), the Juvenile Justice (Care and Protection of Children) Act, 2000 and the Protection of Children from Sexual Offences Act, 2012 as also the provisions of the Right to Free and Compulsory Education Act, 2005.

¹ Study on Child Abuse India 2007 by the Ministry of Women and Child Development Government of India

² Physical abuse in schools is also referred to as Corporal punishment, is the deliberate infliction of pain intended to change a person's behaviour or to punish him/her.

2. Glossary

2.1. Who is a Child?

A child means a person who has not completed eighteenth year of age³.

2.2. What is Child Protection⁴?

Child protection is about protecting children from or against any perceived or real danger or risk to their life, their personhood and childhood. It is about reducing their vulnerability to any kind of harm and protecting them in harmful situations. It is about ensuring that no child falls out of the social security and safety net and, those who do, receive necessary care, protection and support so as to bring them back into the safety net. While protection is a right of every child, some children are more vulnerable than others and need special attention.

Child Protection is integrally linked to every right of the child. Failure to ensure children's right to protection adversely affects all other rights of the child.

Failure to protect children from issues such as violence in schools, child labour, harmful traditional practices, child marriage, child abuse, the absence of parental care and commercial sexual exploitation amongst others, means failure in fulfilling both the Constitutional and international commitments towards children.

2.3. What is Child Abuse?

Child Abuse involves the omission or commission of an act on a minor, which is detrimental to the development of the said minor. A child is considered to be abused if he/she is treated by an adult in a way that is unacceptable in a given culture at a given time. There may be co-existence of various forms of abuse. It is not necessary to establish intent to cause harm to the child to conclude that the child has been subjected to abuse.

Child abuse may be a deliberate act or it may be failing to act to prevent children from being harmed. Child abuse includes anything that individuals, institutions or processes do or fail to do, intentionally or unintentionally, that can harm children or damage their safe and healthy development into adulthood. Abuse may be categorized under four main headings:

Neglect: The persistent or severe neglect of a child includes failure to protect a child from exposure to any kind of danger resulting in the significant impairment of the child's health or development.

³ Juvenile Justice (Care and Protection of Children) Act, 2000

⁴ Integrated Child Protection Scheme (ICPS) by the Ministry of Women and Child Development Government of India, January 2009

Physical Abuse: It includes actual or likely physical injury to a child or failure to prevent physical injury (or suffering) to a child. If a child or young person is physically hurt by an adult this could be abuse. If an adult physically hurts a child even as punishment, then this could be considered as abuse. Failure to provide adequate care of a child to ensure their safety will also fall under this category.

Sexual Abuse: Sexual activity between adults and children is always abusive because children by definition are unable to give consent. Sexual abuse is any sexual activity where adults try to use children for their own sexual intentions. This may involve contact sexual abuse, such as: petting, mutual masturbation, forced masturbation, vaginal and anal intercourse, prostitution, etc. It also includes non-contact sexual abuse, such as: pornography, voyeurism, exhibitionism, sexualized comments, etc. Sexual abuse may be perpetrated by both family and non-family members.

Emotional Abuse: Adverse effects on emotional, social, cognitive and behavioral development of a child stemming from persistent or severe ill treatment or rejection.

2.4. What is Corporal Punishment?

Currently, there is no statutory definition of corporal punishment of children in Indian law⁵. Corporal punishment could be classified as physical punishment, mental harassment and discrimination

Physical punishment is understood as any action that causes pain, hurt/injury and discomfort to a child, however light. Examples of physical punishment include but are not restricted to the following:

- Causing physical harm to children by hitting, kicking, scratching, pinching, biting, pulling the hair, boxing ears, smacking, slapping, spanking or with any implement (cane, stick, shoe, chalk, dusters, belt, whip, giving electric shock etc.
- Making children assume an uncomfortable position (standing on bench, standing against the wall in a chair-like position, standing with schoolbag on head, holding ears through legs, kneeling etc
- Forced ingestion of anything (for example: washing soap, mud, chalk, hot spices etc
- Detention in the classroom, library, toilet or any closed space in the school.

Mental harassment is understood as any non-physical treatment that is detrimental to the academic and psychological well-being of a child. It includes but is not restricted to the following:

- Sarcasm that hurts or lowers the child's dignity;
- Calling names and scolding using humiliating adjectives, intimidation;
- Using derogatory remarks for the child, including pinning of slogans;
- Ridiculing the child with regard to her background or status or parental occupation or caste;
- Ridiculing the child with regard to her health status or that of the family – especially HIV/AIDS and tuberculosis;
- Belittling a child in the classroom due to his/her inability to meet the teacher's expectations of academic achievement;

⁵ for Corporal Punishment issued by the NCPCR and the Advisory for Eliminating corporal punishment in schools

- Punishing or disciplining a child not recognizing that most children who perform poorly in academics are actually children with special needs. Such children could have conditions like learning disability, attention deficit hyperactivity disorder, mild developmental delay etc.;
- Using punitive measures to correct a child and even labeling him/her as difficult; such as a child with attention deficit hyperactivity disorder who may not only fare poorly in academics, but also pose a problem in management of classroom behaviours;
- 'Shaming' the child to motivate the child to improve his performance;
Ridiculing a child with developmental problems such as learning difficulty or a speech disorder, such as, stammering or speech articulation disorder.

Discrimination is understood as prejudiced views and behaviour towards any child because of her/his caste/gender, occupation or region and non-payment of fees or for being a student admitted under the 25% reservation to disadvantaged groups or weaker sections of society under the RTE, 2009. It can be latent; manifest; open or subtle. It includes but is not restricted to the following:

- Bringing social attitudes and prejudices of the community into the school by using belittling remarks against a specific social group or gender or ability/disability;
- Assigning different duties and seating in schools based on caste, community or gender prejudices (for example, cleaning of toilets assigned by caste; task of making tea assigned by gender), admission through 25% reserved seats under the RTE; or non-payment of any prescribed fees;
- Commenting on academic ability based on caste or community prejudices;
- Denying mid-day meal or library books or uniforms or sports facilities to a child or group of children based on caste, community, religion or gender;
- Deliberate/wanton neglect⁶

⁶ Guidelines for Corporal Punishment issued by the NCPDR and the Advisory for Eliminating corporal punishment in schools

3. Preamble

Recognizing:

- Every child's right to dignity and worth
- Every child's right to be heard
- Family should have primary responsibility for the child and be involved in decisions, unless it is not in child's best interest

Best Interest of the Child

The emphasis is on taking decisions that are suited to specific needs and situations of each child and ensure his/her care, protection and well being.

All aspects of a child's development-physical, emotional, intellectual, social and moral-must be considered. The decision must contribute in helping a child grow and reach his/her potential.

Schools must therefore act in the best interest of the child.

- Principle of safety (ensure no harm, neglect, abuse, exploitation or maltreatment of child happens while he/she is in contact with the school system)
- Positive measures (focus on providing enabling environment for the child with avenues for all round development and mobilizing, schools, communities and other actors for child's well being).
- Language, decisions and actions should not stigmatize the child
- Equality and non discrimination
- Privacy and confidentiality

The State reiterates its commitment to safeguard, inform, include, support and empower all children within its territory and jurisdiction, both in their individual situation and as a national asset. The State should therefore be committed to take affirmative measures – legislative, policy or otherwise – to promote and safeguard the right to care and protection of all the children accessing the educational services rendered by the Government.

4. Guiding Principles

Reaffirming as to what is stated above⁷:

- Safety, care and protection of all children is integral to their well-being and children are to be protected from all forms of harm, abuse, neglect, violence, maltreatment and exploitation in all school and educational settings
- Children are capable of forming views and must be provided a conducive environment and the opportunity to express their views in any way they are able to communicate, in matters affecting them
- Children's views, especially those of girls and children from disadvantaged groups and marginalized communities, are to be heard in all matters affecting them
- Every child has universal, inalienable and indivisible human rights, the rights of children are interrelated and interdependent, and each one of them is equally important and fundamental to the well-being and dignity of the child
- Every child has the right to life, survival, development, education, protection and participation
- All children have equal rights and no child shall be discriminated against on grounds of religion, race, caste, sex, place of birth, class, language, and disability, social, economic or any other status
- Services for all children at all levels and by all providers should be provided by skilled and professional staff, adhering to an ethical and professional code of conduct

⁷Integrated Child Protection Scheme (ICPS) by the Ministry of Women and Child Development Government of India, January 2009

⁷ National Policy for Children 2013, Ministry of Women and Child Development Government of India

5. Context

5.1 Social Context of the Child Protection Policy

India has a tradition of ensuring that every child receives education right from the early years of one's life. It has a rich heritage of systems and practices for stimulating the intellect, development and inculcating values and social skills in children. In the past this was primarily transmitted through traditional practices like the Gurukul system, where the children grew up under the tutelage of the guru or the teacher **who however was not considered to be infallible**. This was customized and passed down from one generation to the other.

This tradition has witnessed several changes but the core objective of educating the children remained the same. In the 18th century indigenous education was widespread in the country with the existence of a school in most regions of the country. Students from all classes of the society attend the schools.

However globalization has caused numerous changes in the educational system as well as in the social context in the last few decades. The changes have yielded both positivity and negativity where the protection of a child in any set up has emerged to be an area of concern especially under the context of corporal punishment in schools. It has been a rising trend since physical methods of discipline in the school set up has been chosen to be the best option. However there is a global realization that the margin between punishment and abuse is thin and blurred and there is a need to adopt other effective methods of reinforcing positive discipline amongst children in the school settings.

Hence there is a globally emerging realization of the importance of protecting the rights of the children in any set up.

5.2. Legal Context of the Child Protection Policy

India is home to the largest child population in the world, accounting for 19% of the world's children. More than one third of the population, around 440 million, is below 18 years. The strength of the nation lies in a healthy, protected, educated and well developed child population that will grow up to be productive citizens of the country. It is estimated that around 170 million or 40% of India's children are vulnerable or experiencing difficult circumstances. The neglect of child protection issues will thus result in outright violation of the rights of the children and increase their vulnerability to neglect, abuse and exploitation.

The Constitution of India recognizes the vulnerable position of children and their right to protection. In Article 15, the Constitution guarantees special attention to children through necessary and special laws and policies that safeguard their rights. The Right to equality, to life and personal liberty and the right against exploitation are enshrined in Articles 14, 15, 16, 17, 21, 23 and 24. The Constitution of India

guarantees Fundamental Rights to all children in the country and empowers the State to make special provisions for children⁸.

5.2.1 Relevant Constitutional Provisions

- Article 21 of the Constitution of India protects the right to life with dignity and Article 21A of the Constitution provides that “the State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.” This fundamental right has been actualized with the enactment of Right of Children to Free and Compulsory Education Act, 2009. Corporal punishment amounts to abuse and militates against the freedom and dignity of a child. It also interferes with a child’s right to education because fear of corporal punishment makes children more likely to avoid school or to drop out altogether. Hence, corporal punishment is violative of the right to life with dignity.
- Article 39(e) directs the State to work progressively to ensure that “... the tender age of children are not abused”.
- Article 39(f) directs the State to work progressively to ensure 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.”

The Directive Principles of State Policy specifically guide the State in securing the tender age of children from abuse and ensuring that children are given opportunities and facilities to develop in a healthy manner in conditions of freedom and dignity. The State is responsible for ensuring that childhood is protected from exploitation and moral and material abandonment.

There are various policies, guidelines and child protection legislations like the, National Policy for Children Right of Children to Free and Compulsory Education (Amendment) Act 2012, National Commission for Protection of Child Rights (NCPCR) guidelines for eliminating corporal punishment , The Juvenile Justice (Care and Protection) Act, 2000 and The Protection of Children from Sexual Offences Act, 2012, that provide protection to children in schools in India in addition to some clear provisions in the Right of Children to Free and Compulsory Education Act 2009.

⁸ Integrated Child Protection Scheme (ICPS) by the Ministry of Women and Child Development Government of India, January 2009

5.2.2. Right of Children to Free and Compulsory Education Act 2009

The Right of Children to Free and Compulsory Education (RTE) Act, 2009, which has come into force with effect from 1 April 2010, prohibits 'physical punishment' and 'mental harassment' under Section 17(1) and makes it a punishable offence under Section 17(2). These provisions read as follows:

- *Prohibition of physical punishment and mental harassment to child* – (1) No child shall be subjected to physical punishment or mental harassment.(2) Whoever contravenes the provisions of sub-section (1) shall be liable to disciplinary action under the service rules applicable to such person.
- Sections 8 and 9 of the RTE Act place a duty on the appropriate Government and the local authority to “ensure that the child belonging to weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds”.

The RTE Act does not preclude the application of other legislation that relates to the violations of the rights of the child, for example, booking the offenses under the IPC and the SC and ST Prevention of Atrocities Act of 1989.

5.2.3. The Juvenile Justice (Care and Protection of Children) Act, 2000⁹

This is an important statute that criminalizes acts that may cause a child mental or physical suffering.

- Section 23 of the JJ Act, 2000 states as follows: “Whoever, having the actual charge of, or control over, a juvenile or the child, assaults, abandons, exposes or willfully neglects the juvenile or causes or procures him to be assaulted, abandoned, exposed or neglected in a manner likely to cause such juvenile or the child unnecessary mental or physical suffering shall be punishable with imprisonment for a term which may extend to six months, or fine, or with both.”
- Section 23 covers the actions of anyone who has “actual charge or control over” a child. While Section 23 is likely to be applied most often to personnel in childcare institutions regulated by the JJ Act, it arguably applies to cruelty by anyone in a position of authority over a child, which would include parents, guardians, teachers and employers.

5.2.4. Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989

Some provisions of the Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989 can be used to prosecute an adult in the general category who inflicts corporal punishment upon a scheduled caste or scheduled tribe child.

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

To deal with child sexual abuse cases, the Government has brought in a special law, namely, The Protection of Children from Sexual Offences (POCSO) Act, 2012. The Act has come into force with effect from 14th November, 2012 along with the Rules framed there under.

⁹ Amended in 2006

The POCSO Act, 2012 is a comprehensive law to provide for the protection of children from the offences of sexual assault, sexual harassment and pornography, while safeguarding the interests of the child at every stage of the judicial process by incorporating child-friendly mechanisms for reporting, recording of evidence, investigation and speedy trial of offences through designated Special Courts.

The said Act defines a child as any person below eighteen years of age, and defines different forms of sexual abuse, including penetrative and non-penetrative assault, as well as sexual harassment and pornography, and deems a sexual assault to be “aggravated” under certain circumstances, such as when the abused child is mentally ill or when the abuse is committed by a person in a position of trust or authority *vis-à-vis* the child, like a family member, police officer, teacher, or doctor. The said Act prescribes stringent punishment graded as per the gravity of the offence, with a maximum term of rigorous imprisonment for life, and fine.

The Government of West Bengal passed two very important orders to ensure the best interest and protect the rights of the children in the educational set up. In 2011 the School Education Department, Government of West Bengal issued guidelines to prohibit physical punishment and mental harassment of children in schools in the context of exercising the powers conferred under sub section (2) of section 35 of the Right of Children to Free and Compulsory Education Act,2009 (no 35 of 2009).

Similarly in 2013 the School Education Department, Government of West Bengal appointed all District Inspector of Schools (Primary Education) as redressal authority to dispose of complaints on violations both at the Primary and Upper Primary level as per the provisions of the Right of Children to Free and Compulsory Education Act,2009.It also stated that if the Complainants were not satisfied with the verdict of the redressal authority then they could appeal before the Chairperson, West Bengal Right to Education Protection Authority.

5.3. Policy Context of the Child Protection Policy

5.3.1. National Policy of Children 2013

The Government of India has formulated the National Policy of Children 2013 to reiterate its commitment to the rights based approach in addressing the continuing and emerging challenges in the situation of children. Survival, health, nutrition, development, education, protection and participation are the undeniable rights of every child and are the key priorities of this Policy.

The National Policy for Children 2013 emphasizes that every child has equal right to learning, knowledge and education and recognizes that the State has a responsibility to secure this right for every child, with due regard for special needs, through access, provision and promotion of required environment, information, infrastructure, services and supports, towards the development of the child’s fullest potential.

Some of the necessary measures that the State commits itself to undertake are:

- Inclusion: Ensure that all out of school children such as child labourers, migrant children, trafficked children, children of migrant labour, street children, child victims of alcohol and substance abuse, children in areas of civil unrest, orphans, children with disability (mental and physical), children with chronic ailments, married children, children of manual scavengers, children of sex workers, children of prisoners, etc. are tracked, rescued, rehabilitated and have access to their right to education
- Address discrimination of all forms in schools and foster equal opportunity, treatment and participation irrespective of place of birth, sex, religion, disability, language, region, caste, health, social, economic or any other status
- Prioritize education for disadvantaged groups by creating enabling environment through necessary legislative measures, policy and provisions
- Ensure physical safety of the child and provide safe and secure learning environment

5.3.2. National Commission for Protection of Child Rights (NCPCR) and the State Commissions for Protection of Child Rights (SCPCRs)

The National Commission for Protection of Child Rights (NCPCR) and the State Commissions for Protection of Child Rights (SCPCRs) have been entrusted with the task of monitoring children's right to education under Section 31 of the Right of Children to Free and Compulsory Education Act, 2009.

The NCPCR has laid down certain guidelines to eliminate corporal punishment in schools and for affirmative actions in school towards positive development of children has been set up. It focuses on how to develop a conducive environment for learning within the school set up and on positively engaging children through life skills education.

It clearly emphasizes that -

- The School Management Committee should constitute a Corporal Punishment Monitoring Cell (CPMC) in each school to look into cases of corporal punishment
- A mechanism for children to express their grievances both in person and anonymously should be provided.
- All educational institutions including schools and hostels, government as well as private, are custodians of children during the time the children are on their premises. It is thus the responsibility of the management/administration of the school/institution to ensure that children are safe from all forms of violence, including corporal punishment. Therefore, along with the school teacher, warden or the staff of the school/institution that has inflicted violence on the child, the

management/administration of the school/institution and their respective education administrators/managements at the higher levels should also be held responsible.

- In every case of violence against children the respective management/administration should conduct an independent investigation, thus taking responsibility for what goes on in school/institution and not rely simply on enquiries conducted by the school/institution. In any case of child abuse, if the parent withdraws the case, the designated authority should take cognizance of the offence and proceed without harming the child and taking strict action against the accused.¹⁰

6. Child Protection Policy Framework

6.1. Policy Objective

There is an obligation of all stakeholders working in school settings and responsible for the protection of children in schools to frame and abide by a comprehensive Child Protection Policy and a Standard Operating Procedure for its effective implementation. The State will therefore encourage the effective implementation of the Child Protection Policy exclusively meant for schools in West Bengal.

This Policy is to guide and inform the Government run school programmes affecting children. The state is encouraged to respect and uphold the principles and provisions of this Policy. This policy is thus applicable to all schools in West Bengal and is proposed to cater to the needs of all school going children.

6.2. Policy Focus Area

6.2.1. Integrated Safety, Care and Protection

- A safe, secure and protective environment is a precondition for ensuring all the rights of children. Every child has the right to be protected wherever they are.
- The school should create a caring, protective and safe environment for all the children and reduce their vulnerability and keep them safe within the school premises.
- The School Authority should protect all children from all forms of neglect, abuse, exploitation, neglect, stigma, discrimination and deprivation or any other activity that takes undue advantage of them, or harms their personhood or affects their development.
- To secure the rights of children temporarily or permanently due regard should be given to the best interests of the child and guaranteeing quality standards of safety, care and protection with the school set up

¹⁰ NCPCR Guidelines for Eliminating Corporal Punishment

- The School as an institution should commit to take special protection measures particularly to secure the rights and entitlements of those school going children who are in need of special protection, characterized by their specific social, economic and geo-political situations, children affected by migration, displacement, communal or sectarian violence, civil unrest, disasters and calamities, street children, children of sex workers, children forced into commercial sexual exploitation, abused and exploited children, children forced into begging, children in conflict and contact with the law, children in situations of labour, children of prisoners, children infected/affected by HIV/AIDS, children with disabilities, children affected by alcohol and substance abuse, children of manual scavengers and children from any other socially excluded group, children affected by armed conflict and any other category of children requiring care and protection.
- The State should promote effective enforcement of punitive legislative and administrative measures against all forms of child abuse, including sexual offences against children and peer abuse, to comprehensively address issues related to child protection in the school.
- Redress mechanisms should be in place for the protection of child rights in the school. Effective and accessible grievance redress mechanisms should be developed within the ambit of the existing juvenile justice system for children in need of care and protection
- An integrated approach towards ensuring the rights of the school going children should be adopted where the School Authorities, the School Management Committee, the School Inspector, the District Inspector of Schools, the Police and the Child Welfare Committee acts in a coordinated way while addressing child abuse cases. The School as an institution should be able to escalate cases to the CWC and to the police when a need is felt.

6.2.2. Non Discrimination and Participation

- The School is responsible that all the children are provided with an enabling environment, opportunities and support to develop skills, to form aspirations and express their views in accordance with their age, level of maturity and evolving capacities, so as to enable them to be actively involved in their own development and in all matters concerning and affecting them, including abuse and exploitation.
- The State shall promote and strengthen respect for the views of the child, especially those of the girl child, children with disabilities and of children from minority groups or marginalized communities, within the schools.
- The State should encourage all the relevant stakeholders within the universe of the school in developing mechanisms for children to share their grievances without fear; monitor effective implementation of children's and undertake documentation of best practices.

- The School must also take adequate steps to address bullying or peer abuse¹¹ in schools. This is important because children being bullied face discrimination and are often unable to participate. Moreover teasing from the peer generates aggression amongst the children which can take up violent forms if not dealt with at early stages.

6.2.4. Monitoring and Coordination

- The State should ensure that guiding principles of This Policy are respected in all schools at all levels.
- Monitoring and supervision of the Child Protection Policy will be strengthened, based on a systematic monitoring framework.
- The rights and needs of children should be addressed which requires programming across different sectors and integrating their impact on the child in a synergistic way. Rights based approach to protection should be adopted for conscious, convergent and collateral linkages among different sectors and settings.

6.2.5. Documentation and Capacity Building

- Capacity building initiatives should be undertaken to capacitate all the relevant stakeholders within the universe of the school on child protection. The implementation of this Policy will be supported by a comprehensive and reliable knowledge base on all aspects of the status and condition of children.
- A Counselor should be appointed to cater to the needs of the children being referred for counseling. The Counselor will play an effective role in establishing a knowledge base that would be enabled through child focused documentation, both quantitative as well as qualitative.
- Professional and technical competence and capability in all aspects of working and caring for children at all levels should be ensured through appropriate selection and well planned capacity development initiatives. All duty bearers working with children will be sensitized and oriented on child rights and held accountable for their acts of omission and commission.

6.2.6. Advocacy and partnership

- The State should encourage the active involvement, participation and collective action of stakeholders such as students, parents, teachers, school management committee, families, nongovernmental organizations, in securing the rights of the child.

¹¹ ***Bullying or Peer Abuse***—refers to willful aggressive behavior that is directed towards a particular victim who may be out-numbered, younger, weak, with disability, less confident, or otherwise vulnerable

- The School should make planned, coordinated and concerted efforts to raise awareness on child protection amongst the parents, students, teachers and all the others relevant within the universe of the school.
- The State should encourage the Child Protection Policy for the Schools in West Bengal to be given wide publicity and supported by focused advocacy measures to ensure that children's best interests and rights are accorded the highest priority in areas of policy, planning, resource allocation, governance, monitoring and children's voices and views are heard in all matters and actions which impact their lives.
- The School Authorities should ensure that service delivery and justice delivery mechanisms and structures are participatory, responsive and child-sensitive, thereby enhancing transparency

6.3. Implementation

Resource Allocation

- The State should allocate resources for building the capacities of the various stakeholders on Child Protection within the school.
- It should also allocate resources for the recruitment of a counsellor to cater to the mental health aspects of the child

Institutional and implementation arrangements

All employees, trustees, governing body members, principals, vice principals, head master/mistress teaching and non teaching staff, interns, volunteers and vendors having direct contact with children have to sign the Child Protection Policy of the school. The CPP binds all the teaching and non teaching staff, volunteers and others in direct contact with children to take a call of any untoward incident and report to the designated person at the earliest.

The State has a vital role to play in this regard by empowering both the School Management Committee and the School Inspector to ensure the effective and mandatory implementation of the CPP in schools.

The State shall ensure that there is approval and endorsement of a CPP by the school management committee and the School Inspector in addressing to all members of staff, visitors from outside, vendors that all parties abide by the CPP in and outside school, e.g. wherever the staff and volunteers are working with students even if it is away from the school, e.g. at an activity centre or an educational visit, where teaching and non-teaching staff are in direct contact with the children.

The schools shall appoint the Principal or Vice Principal as the Designated Senior Person (DSP) or Deputy Designated Persons (DDP) for the implementation of the policy in or outside the school.

The School Management Committee is the authority (for Upper Primary from class V to class VIII) and the School Inspector or SI is the authority for Primary schools.

The school is committed for safeguarding and promoting the welfare of young people and expects all staff and volunteers and visitors to share this commitment. The School will take all reasonable measures to:

- Ensure that safe recruitment in checking the suitability of staff and volunteers to work with students and young people with the guidance given in Safeguarding Children and Safer Recruitment in Education
- Ensure to carry out all necessary checks on the suitability of the Trustees in accordance with the above regulations and guidance given in Safeguarding Children and Safer Recruitment in education
- Ensure that where staff from another organization are working with our students on another site, assurances have been received that appropriate child protection checks and procedures apply to those staff
- Ensure that all visitors to the school are vetted and authorized and are accompanied at all times.
- Protect each student from any form of abuse, whether from an adult or another student
- Be alert to signs of abuse both in the School and from outside
- Deal appropriately with every suspicion or complaint of abuse
- Design and operate procedures which promote this policy and which, so far as possible, ensure that teachers and others who are innocent are not prejudiced by false allegations
- Support students who have been abused in accordance with his/her agreed child protection plan
- Be alert to the medical needs of students with medical conditions
- Operate robust and sensible health and safety procedures
- Take all practicable steps to ensure that the School premises are as secure as circumstances permit
- Operate clear and supportive policies on drugs, alcohol and substance misuse in accordance with the School's agreements
- Consider and develop procedures to deal with any other safeguarding issues which may be specific to individual students in our School

The State must ensure that all staff is able to raise concerns about poor or unsafe practices and that such concerns are handled sensitively and in accordance with the school's whistle blowing procedures¹².

Review of the Policy

¹² All staff are required to report to the Co-Principals or the trustees in their absence, any concern or allegations about school practices or the behaviour of colleagues which are likely to put pupils at risk of abuse or other serious harm. There will be no retribution or disciplinary action taken against a member of staff for making such a report provided that it is done in good faith

A comprehensive review of this Policy will be taken up once in five years in consultation with all stakeholders, including children.