

CHILD

Protection Policy

2014

Author

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St. Joseph's Development Trust



VISION Statement

Kingdom of brotherhood where equality and social justice reign, Everyone's right is respected and equal opportunity is provided for all.

MISSION Statement

Our organization in participation with the grass root level people seeks to serve irrespective of caste creed or religion, the weaker sections of the society the women, children youth and marginalized communities and offer them the opportunities for developing their potentials leading them to have a self sustaining life.



SJDT Approach is called 'MEALS' approach

**Motivating
Equipping
Accompanying
Linking &
Sustaining.**

**SJDT's
Approach**

The **MEALS** approach envisages the NGO as a facilitator in motivating and mobilizing the community from the outside and not as "one of the community" equipping the community through skill transfer, accompanying the community by providing relevant back up, and eventually enabling them to link with mainstream resources and services and being instrumental for policy influences.



Child Protection Policy



IN OUR WORKING ENVIRONMENT
PROTECTING CHILDREN AND
PREVENTING ABUSES



St. Joseph's Development Trust

Director's Words

Dear Friends,

Greetings and prayerful wishes from Dr.Bro.I.Sebastian M.B.A.,M.A.,Ph.D.,St.Joseph's Development Trust,Genguvarpatti.

As you know St.Joseph's Development Trust from its inception,has been a child focussed organization which means child centered,child friendly and respecting children's rights as per UN convention on the rights of children.As you know very well our SJDT has got many awards and world wide appreciation for implementation of the child based programmes.

Previously the child protection policy was in English in our organization. Based on the training given by KNH - Germany (one of our funding agencies)the English Cpp has been translated into Tamil by our staffs. Continuation by this a training will be given to the staffs in near future.

I am very grateful to KNH-Germany and KNH-India,the all India Co Ordinator Mr.Sathish Samuel and the trainers. And also I appreciate our staff Mr.S.Paulraj CCO (Pudu Vasantham) and Mr.V.Joseph,CCO(Pudu Yugam)Madurai for their cooperation to prepare this CPP in Tamil.And also I appreciate our staffs and children for the suggestions given by them to develop this CPP in Tamil.

Further, I request my staffs to understand the object of this document and to implement the same effectively in the organization level.

Yours Fraternally,



Dr.Bro.I.Sebastian M.A.,M.B.A.,Ph.D.,



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Foreword

St. Joseph's Development Trust - SJDT, founded in the year 1992 has been working for the welfare of the children and women all along. SJDT has a number of programmes with the support of the Government of India, the Government of Tamil Nadu and many International Funding Agencies.

SJDT has been a partner of child right organisations and has been actively involved with child centered institutions. As partners of many child right organisations SJDT recognize the fact that harm may come to children we work with and work for and we have a duty to respond to these children effectively wherever and whenever we can.

As an agency committed to the realisation of children's rights and to working more closely with children, it is vital for SJDT that across the whole organisation there is awareness of the problem of abuse and of what to do to prevent it at all times. Equally, where abuse is suspected, staff and others need to be clear about the responses they should make in reporting their concerns and offering support wherever possible.

We also recognise that organisations like us working with children are susceptible to abuse from within. Certain individuals target agencies like us in order to gain access to vulnerable children, whereas others less calculating may simply abuse the positions of trust they find themselves in. It is essential that SJDT recognises these risks and does everything it can to counteract them. The work done on recruitment and selection as part of the initiative in the work place, and a formal process for raising concerns, are all key elements in ensuring we meet our commitments to safeguard children.

POLICY DEVELOPMENT

This Child Protection Policy has been developed with the assistance of various people and with the guidance of expert working for Child safe organisation. This include the management, senior advisors, managerial staff, the people and the children we work with. The policy has also been the subject of wide-scale consultation processes. We are confident that the resultant document is now one that is acceptable across the range of constituencies to which it applies, and can be adapted to the different local contexts in which it will be operated, while still adhering to common principles and standards.

MAIN ELEMENTS OF THE POLICY

The central planks of the policy documents are a Statement of Commitment, which represents a public declaration of the intent of SJDT to safeguard children wherever it can; a Code of Conduct which details the standards of behaviour SJDT expects of its staff others in their dealings with children; and a Framework for Action which provides a clear process by which concerns regarding actual or likely abuse may be raised.

The policy makes very clear the responsibilities of staff and others under this policy, and also highlights the fact that failure to act in accordance with the provisions set out in the policy may result in disciplinary action or whatever action is appropriate given the circumstances.

The adoption of this policy marks a significant milestone in ensuring SJDT is better able to make a practical reality of its commitments to children's rights in respect of the particular right to freedom from abuse.

Throughout this CPP document :

1. Child means a person below 18 years

*2. Staff means a person working for SJDT, full time, part time, volunteer, contractual or casual or in anyway related to the works performed by **SJDT**.*

1.**PURPOSE**

It is essential that SJDT staff and others involved in SJDT's work recognise the problem of child abuse, the impact it has on children, how to prevent it, what to do in order to protect children when abuse is suspected, and what to do to promote rehabilitation.

This document therefore aims to :

Raise awareness of the problem of child abuse and the risks to children.

Provide guidance on working more effectively with children to safeguard them from abuse.

Ensure that, when abuse is suspected, it is clear what action must be taken, the Reporting Mechanism and the Line of Command.



The document contains guidance on good practice in working with children to prevent and respond to abuse, and it should therefore be made available to and followed by everyone who works for, with, or on behalf of SJDT.

Also, although not within the actual scope of the policy, consideration should be given to how the policy might be with parents, carers and other adults in order to further its aim of preventing abuse and protecting children. It is important to work in partnership with parents/carers wherever possible to ensure that children's needs are met and that they are protected from abuse.

The way in which the policy applies to the different groups is detailed below:

Trustees

The Board of Trustees of SJDT should follow this CPP at home, office and in all places. They will monitor the functioning of the staff and will investigate and report transgressions.

Staff

This document describes the roles and responsibilities of SJDT staff in preventing abuse and in recognising and responding to suspicions, allegations and incidents of abuse. It also covers the conduct of staff and others in relation to children.

Volunteers

It is important all volunteers are made aware of this policy document and, especially where there is frequent contact with children; consideration must be given to how the principles and guidance can best be applied.

Others

SJDT engages a range of other individuals to work with children, such as consultants, researchers and journalists, and it is possible that these individuals will develop or be presented with concerns regarding the safety of children. It is important that these groups are made aware of SJDT's commitment to preventing child abuse.

As this document represents SJDT's policy on protecting children from abuse, it is mandatory that it is fully implemented in all parts of the organisation by all staff, full-time, part-time, volunteers, casual, contractual and in however a minor way they are connected to SJDT and its works.

It is the responsibility of the Trustees and the Secretary in particular to ensure that staff and others are made aware of the policy, and that the systems and procedures required to operate the policy are put in place.

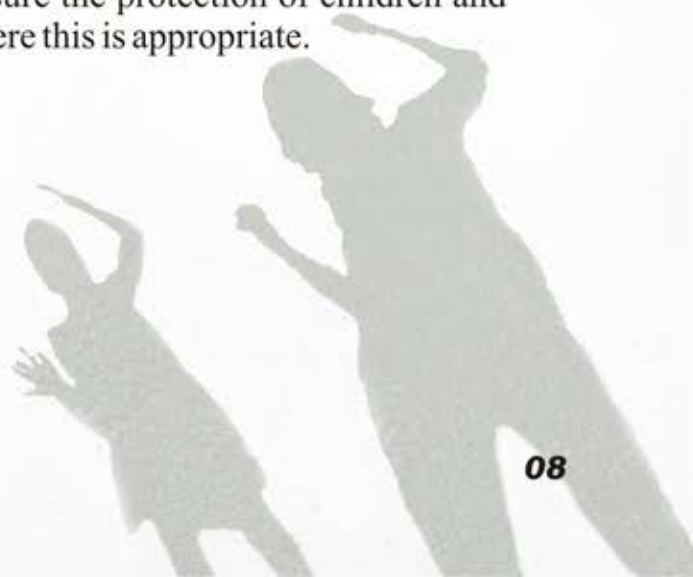
All staff and others must become acquainted with the requirements of the policy and act in accordance with these. If it comes to light that anyone associated with SJDT commits acts in relation to children - whether within or outside the context of SJDT's work - which are criminal, grossly infringe children's rights, or contravene the principles and standards contained in this document, the organisation will take immediate disciplinary action and any other action which may be appropriate to the circumstances. This may mean, for :

Staff - disciplinary action / suspension / dismissal

Volunteers - ending the volunteering relationship

Contractors - termination of contract.

Depending on the nature, circumstances and location of the case, SJDT will also consider involving authorities such as the police to ensure the protection of children and criminal prosecution where this is appropriate.



Our values and principles

The abuse and exploitation of children happens in all countries and societies across the world. All child abuse involves the abuse of children's rights.

The situation of all children must be improved through promotion of their rights as set out in the UN Convention on the Rights of the Child. This includes the right to freedom from abuse and exploitation.

Child abuse is never acceptable and a commitment to children's rights in general also means a commitment to safeguard the children with whom SJDT is in contact.

SJDT is dedicated to the protection of children we work with and work for and ensure that no child comes to any harm through any action or inaction on the part of our organisation or our staff.

SJDT will also work for the betterment of all children under all circumstances without any discrimination in the name of caste, creed, religion, economic background and other factors.

Our activities will aim to work for the best interest of all children at all times.





2.1

WHAT WE WILL DO

SJDT will meet its commitment to safeguard children through the following means :

Awareness : Ensuring that all staff and others are aware of the problem of child abuse and the potential and the actual risks to children in our working environment.

Prevention : Ensuring, through awareness, strict Code of Conduct, procedures and others are clear what steps to take where concerns arise regarding the safety of children.

Reporting : Putting in place a clear Reporting Mechanism and ensuring that staff and others are clear what steps to take where concerns arise regarding the safety of children.

Responding : Ensuring that action is taken to support and protect children where concerns arise regarding possible abuse. Ensuring that an unbiased investigation is conducted and appropriate actions taken against the perpetrators, while exonerating the innocents who had been falsely accused.

Monitoring : To ensure that this Policy is not breached and the Code of Conduct broken, SJDT will constantly monitor all programmes with a view of indentifying cases of actual or potential child abuse.

In order that the above standards of reporting and responding are met, SJDT will also ensure that it:

- * Take seriously any concerns raised.
- * Take positive steps to ensure the protection of children who are the subject of any concerns.
- * Support children, staff or other adults who raise concerns or who are the subject of concerns.
- * Act appropriately and effectively in instigating or co-operating with any subsequent process of investigation.
- * Work closely with the law enforcement agencies in cases where such actions are taken to them.
- * Is guided through the child protection process by the principle of best interests of the child.
- * Listen to and takes seriously the views and wishes of children.
- * Work in partnership with parents/carers and/or other professionals to ensure the protection of children.





3.1 Definitions and Terms

Child abuse is a general term used about situations where the child may experience harm, usually as the result of failure on the part of the parent or carer to ensure a reasonable standard of care and protection. It may include both actions and omissions on the part of the parent or carer and is normally categorised into four main forms - physical, sexual, emotional abuse, and neglect. It is often the case that a child discovered to be suffering one form of abuse will also be experiencing others.

The following categories of abuse are universally found.

Physical abuse

Inflicting any physical injury or the threat to inflict physical injury or the failure to prevent the inflicting of a real or potential injury is Physical Abuse

Neglect

Neglect means failure to care for nurture or develop a child in accordance with the minimum standards to such an extent that it is likely to be harmful to the child's physical and mental well being. This may be willful or otherwise.

Sexual abuse

Sexual abuse is the actual or potential sexual exploitation of a child or young person. Sexual abuse includes rape, incest, and all forms of sexual activity involving children, including pornography. Sexual abuse also includes contact and non-contact abuse

Emotional abuse

Emotional Abuse is a chronic attack on a child's self-esteem, intentionally causing psychological pain and the failure to provide a developmentally appropriate and supportive environment so that a child can develop his/her potential, emotional and social competencies. Emotional Abuse may also be caused through Verbal Abuse.

3.2 Effects Of Abuse

The effects of abuse and particularly the long-term consequences for children, include death, recurrence of the abuse, permanent physical and intellectual impairment, educational and emotional failure, criminal or delinquent behaviour and the possibility that the abused in turn becomes an abuser.

Two main types of effect have been noted in young victims of abuse: those specific to the trauma of the abuse itself, where the child becomes anxious and avoids contact with others; and the impairment of the child's development.

3.3 SJDT And Child Protection

There is a variety of ways in which the issue of child abuse may have an impact upon SJDT's work. Examples include :

- > The abuse of children within another agency (possibly a network organisation) comes to the attention of SJDT staff/other.
- > A member of staff/other abuses a child they are in contact with through SJDT work.
- > A member of staff/other abuses a child outside work - a member of their own family, a child domestic worker or through prostitution.
- > A child SJDT is in contact with abuses another child.
- > An outside agency or person having links with SJDT, such as a contractor may use child labour.
- > A SJDT staff develops emotional attachment with one or more children which may eventually lead to some sort of abuse.
- > A child unconnected to SJDT approaches a staff member/other for help with an issue of abuse, or becomes the focus of concern in some way.

Situations such as these could arise in many settings and may come to light through disclosures, suspicions, allegations and or direct observation of signs displayed in the child's physical or emotional behaviour or of specific incidents of abuse.

As acknowledged previously, SJDT works in many situations which are inherently abusive to children, and it is unrealistic to suggest it intervene in the lives of all individual children it may see as suffering abuse in the widest sense. Such concerns may be addressed more appropriately at a programme level.

However, SJDT staff and others may well have a professional, ethical and moral duty to act where there are concerns in relation to children with whom it is in contact, directly or indirectly or whose lives are affected directly or indirectly through the workings of SJDT. Their ability to act may be severely limited by particular circumstances prevailing locally, but concerns must still be raised, and possible action considered in line with the reporting processes described in section 5 of this document.

It is also important to consider how these responsibilities extend to other children not connected to SJDT, but who may become the subject of concern.

Allegations or concerns regarding the abuse of a child by another child need to be responded to with particular sensitivity, although they must nevertheless be dealt with through the child protection process described in Section 5 of this document and the associated Local Procedures.

Many young abusers have been abused themselves, and so any subsequent process - including any police investigation where this applies - must consider the needs and circumstances of the **'abuser'** and the **'abused'** as well as taking account of the protection needs of both.

Good Practice guidance in working with Children

4

SJDT CODE OF CONDUCT

4.1 Introduction

This section sets out the principles and the positive approach SJDT employs in its work with children. The values and beliefs described below translate into a practical code of conduct, which establishes basic minimum expectations of staff and others in relation to their contact with children.

4.2 Values and Principles in work with Children

A key element in working to safeguard the welfare of all children is the promotion of their rights. SJDT believes a child or young person has the right.

- * To have their health, safety and well-being, and their best interests considered paramount.
- * To have their welfare and development promoted and safeguarded so that they can achieve their full potential.
- * To be valued, respected and understood within the context of their own culture, religion and ethnicity and to have their needs identified and met within this context and within the context of their family wherever possible.
- * To be listened to and to have their views given careful consideration and to be encouraged and helped to participate in decisions which affect them.



In order that these rights are respected, when staff and others are in contact with children, they should:

- * At all times treat children with respect and recognise them as individuals in their own right.
- * Regard them positively and value them as individuals who have specific needs and rights and a particular contribution to make
- * Work with them in a spirit of co-operation and partnership based on mutual trust and respect
- * value their views and take them seriously.
- * Work with them in ways that enhance their inherent capacities and capabilities and develop their potential.
- * Strive to understand them within the context in which they live.

4.3 Duty of Care

Our duty of care is our responsibility to take whatever steps are reasonable and practical to protect the well-being of those people we are responsible for. SJDT understands that our moral or ethical responsibility to keep people in our communities safe comes under Duty of Care. It is the responsibility of the staff and others to minimise the risk of harm by promoting good practice and by identifying and managing potential risks.



4.4 SJDT Code of Conduct

It is important for all staff in contact with children to follow the following norms:

- o As far as possible and practical never to be alone with a single child.
- o Never spend excessive time alone with children away from others.
- o Never take children to your home, especially where they will be alone with you.
- o Never build up or promote a personal or non-work related relationship with a single child or group of children.
- o Never encourage a child or children to have any personal attachment with the staff.
- o While escorting children a minimum of two staff should be there.
- o Avoid night halt while escorting children.
- o Inform the parents or guardians of children as to the plan of travel, plan of stay etc.
- o Be aware of situations which may present risks and manage these.
- o Plan and organise the work and the workplace so as to minimise risks as far as possible, be visible in working with children, do not have secrets with children.
- o Ensure that a culture of openness exists to enable any issues or concerns to be raised and discussed.
- o Never use language, make suggestions or offer advice which is inappropriate, offensive or abusive.
- o Never behave physically in a manner which is inappropriate or sexually provocative.
- o Never sleep in the same room or bed as a child with whom they are working do things for children of a personal nature that they can do for themselves.
- o Never condone or participate in behaviour of children which is illegal, unsafe or abusive.
- o Never discriminate against, show differential treatment or favour particular children to the exclusion of others.
- o Ensure that a sense of accountability exists between staff so that poor practice or potentially abusive behaviour does not go unchallenged.
- o Talk to children about their contact with staff or others and encourage them to raise any concerns without fear of reprisal.
- o Empower children - discuss with them their rights, what is acceptable and unacceptable and what they can do if there is a problem.

Staff must never :

- Hit or otherwise physically assault or physically abuse children.
- Develop physical/sexual relationships with children.
- Develop relationships with children which could in any way be deemed exploitative or abusive or harmful to the child.
- Act in ways that may be abusive or may place a child at risk of abuse.
- Excessively scold or degrade a child in private or public
- Discriminate against any child for whatever reason

Staff must avoid actions or behaviour that could be construed as poor practice or potentially abusive.

5

RAISING AND REPORTING CONCERNS IN SJDT

5.1 The Importance of Raising Concerns

Child abuse is distressing for all concerned and it is often difficult to accept that it may have occurred to the point that there is denial or that warning signs are dismissed. The danger is that under-reaction resulting from this lack of acceptance may mean children remain unprotected and exposed to further abuse and the abusers may be emboldened to commit similar acts of excesses. If this policy is to achieve its intentions of preventing abuse and protecting children, it is essential that staff and others understand their responsibility to raise any concerns they may have regarding the safety of children.

There are many reasons why staff and others may be reluctant to voice concerns. This reluctance usually stems from anxieties associated with some of the following factors :

- <> The person is worried they are mistaken
- <> The person is worried they will not be believed.
- <> Even if believed they may feel there is no specific evidence of abuse and which they would be unable to substantiate.
- <> Raising a concern will have serious consequences which will affect the work in general/other colleagues/SJDT(or) the organization they work with.

- ◁ The impact on the child/children may be a negative/damaging one.
- ◁ The suspected abuser is the child's parent/carer or member of the community for whom there may be serious consequences if abuse is alleged/confirmed.
- ◁ The suspected abuser is the person's senior.
- ◁ The person does not know what the sequence of events might be.
- ◁ A process may be triggered which the person cannot predict or control.
- ◁ The person may fear reprisals or possible victimisation.
- ◁ Reluctance to be involved in the matter beyond raising the concern, e.g., where a prosecution may ensue.
- ◁ A sense of loyalty to a colleague/work friend who may be suspected of abuse.
- ◁ The inclination of the person concerned to use the opportunity for his/her personal gains.

Concern about 'getting it wrong' is possibly the factor which most inhibits reporting of suspected abuse. However, it is essential where concerns or suspicions do exist, to focus on the welfare of the child or children involved and to ask what if I am right? In most incidents of child abuse, it is usually the case that someone other than the abused and the abuser is aware of the situation or at least suspects there is abuse. However, those who know or suspect abuse often do not act or delay taking action because of the kind of factors described above. It is also often the case that children who are abused try at some point to tell someone about it.

It is essential that anyone connected to SJDT who suspects or knows of abuse or potential abuse raises their concerns in line with the process described in this document.

5.2 Roles and Responsibilities

Anyone who comes into contact with children might develop concerns about their safety or welfare. Staff and others have a responsibility to be aware of any such concerns or suspicions, whether major or minor, and must always discuss them with a senior member of staff. A fuller picture is likely to emerge which might reduce the level of concern, or on the other hand might lead to the realisation that further action is appropriate. However, not to discuss concerns may mean that a child and possibly other children, continue to be abused. All such concerns must be recorded and the record held in a secure, locked place. *(See also the section on confidentiality below)*

5.3 Recognition

When is it right to be concerned about a child?

Unfortunately, there is no straightforward answer to this question. Sometimes children will show clear signs of injury or tell of the abuse, giving rise to serious concerns about possible abuse. However, the signs and indicators of abuse to a child may not be immediately obvious or easily identifiable. Moreover, concerns do not normally arise as a result of various factors combining to suggest a child is at risk or is being abused.

Raising concerns and discussing these internally and subsequently with local external contacts specialising in child abuse and child protection, will assist in responding appropriately.

5.4 Responding to Disclosure

Children on occasion may disclose that they are being abused. In such circumstances it is important to respond in a calm, caring and supportive manner. The child is never to blame in situations of abuse and should be reassured they have done nothing wrong, either in relation to the abuse itself or in reporting it. (*Issues of confidentiality inevitably arise in relation to disclosure - see below*)

The child needs to know that you are listening and taking seriously the information that is being divulged, and that you will respond positively to ensure their protection. Listen carefully and let the child tell you the information in their own way. It is important to record what is said - at the time if appropriate or as soon as possible following the disclosure. It may not be appropriate to inquire into the details of the abuse at this stage. It is important, however, to listen and respond positively to the child and be supportive without asking direct questions.

The child also needs information and an explanation of what will or is likely to happen next. Immediately following disclosure, it is crucial that staff or others report the alleged abuse in line with the established procedures.

5.5 Confidentiality

In all matters dealt with as part of this policy, it is essential to respect the need for confidentiality. In certain circumstances, any lack of confidentiality may have devastating effects for the lives of children and may also result in serious consequences for adults involved in the process.

In responding to issues and concerns regarding possible abuse, staff and others must exercise extreme vigilance in protecting information and must pass on this information via the reporting process described in this policy, only to those people who need to be aware of it. They should under no circumstances divulge what has been ascertained and what was being done to mitigate that.

Working with children and confidentiality

On occasion it may be that information offered by an individual has to be passed on, against the express wishes of the person concerned, in the interests of protecting a child or other children.

This is a particularly difficult issue when the individual concerned is a child disclosing or alleging abuse. For this reason, it is essential to make clear the fact that it may not be possible to keep such information wholly confidential. Ideally this should be done before any such matter arises - for example, by means of a written policy or statement - but certainly as soon as it appears that sensitive information may be disclosed. Do not promise to keep secrets, especially to a child or on issues alleging child abuse.

It should also be made clear that the decision to pass on information will be discussed with the child concerned and their views sought on the release of information, the process for this safeguards and so on but that it may not be possible to influence any subsequent should also be discussed with them. (It is also important to ensure the child continues to be informed of what is happening and has opportunities to discuss and influence the process)

Where this issue is a particular concern, staff and others may wish to develop specific local guidance on the matter.

Confidential record keeping

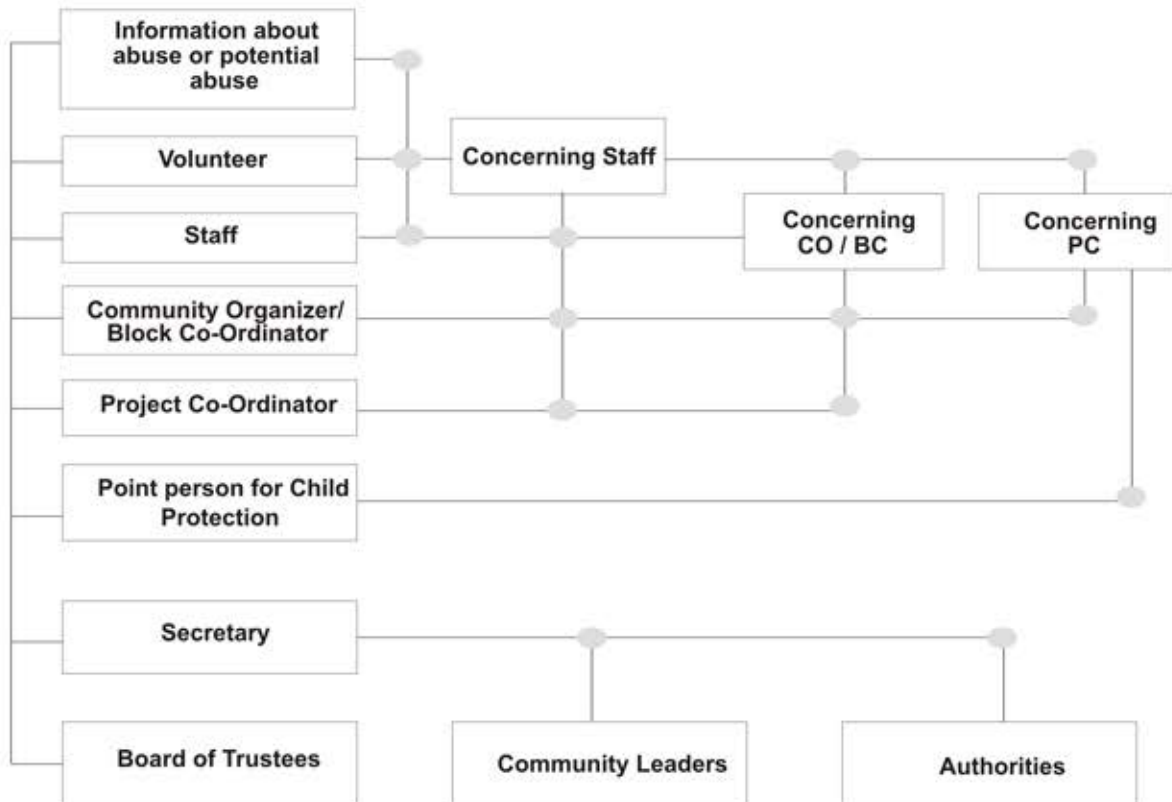
Any concerns, allegations or disclosures must be written down at the time or as soon as possible after the concern is raised, and no longer than 24 hours afterwards. Records should be signed and dated, the staff putting down the matter in writing responsible for the truthfulness of the statement.

Records should be as detailed and precise as possible, giving an exact account of what was said, without exaggerations or personal comments, especially where it is a child who is disclosing abuse or making an allegation. They should report the details as disclosed or alleged, including who was present and what happened, the sequence of event and so on. All subsequent action should also be documented.

Records must be kept securely in a locked place to which access is restricted. Focal point persons have a particular responsibility in maintaining the confidentiality of these records and must ensure that the records, or any information they contain are made available only to relevant parties and only on a Need to know basis. The transfer of information - verbally, through the mail, electronically, etc. - should be done in such a way that confidentiality is maintained.

5.6 Responding and Mandatory Reporting

Where concerns do arise, the following procedure should be followed by the staff in bringing the matter to the knowledge of SJDT. It is important that this procedure is very strictly followed so as to avoid bias or allegations of bias.



Thus, in all concerns a Volunteer will report to the staff, except in allegations about the staff in which case the volunteer will go to the next chain of command and so on. Thus, irrespective of the position of the person concerned all concerns can be taken up in the proper fashion. However, a child can report directly to any person in the Organization.

5.7 Reporting Process

The reporting process in SJDT is at two levels :

Internal reporting (within SJDT)

As just described, it is important that concerns are raised and discussed on the lines discussed above. This should happen without delay and a clear action plan result from the discussions. It may be that in some circumstances no action can or will be taken; however, the main objective is to ensure that clear outcomes result from the process of considering issues or concerns.

External reporting (outside SJDT)

Concerns should be referred to relevant external agencies wherever possible, normally following internal discussions or prior to this if urgent action is required. This step recognises the fact that SJDT does not have a statutory role in investigating child protection concerns, and also that it may not be the agency best placed locally to respond to such matters. However, reporting concerns externally may not be possible or appropriate, according to the nature of the concerns and the local circumstances which prevail. The decision to take the concern to an outside agency will be taken by the Secretary of SJDT in discussion with the Child Protection Point Person.

The principle of best interests of the child and the desire to secure the best outcomes for the child should always govern decisions regarding what action to take in response to concerns.

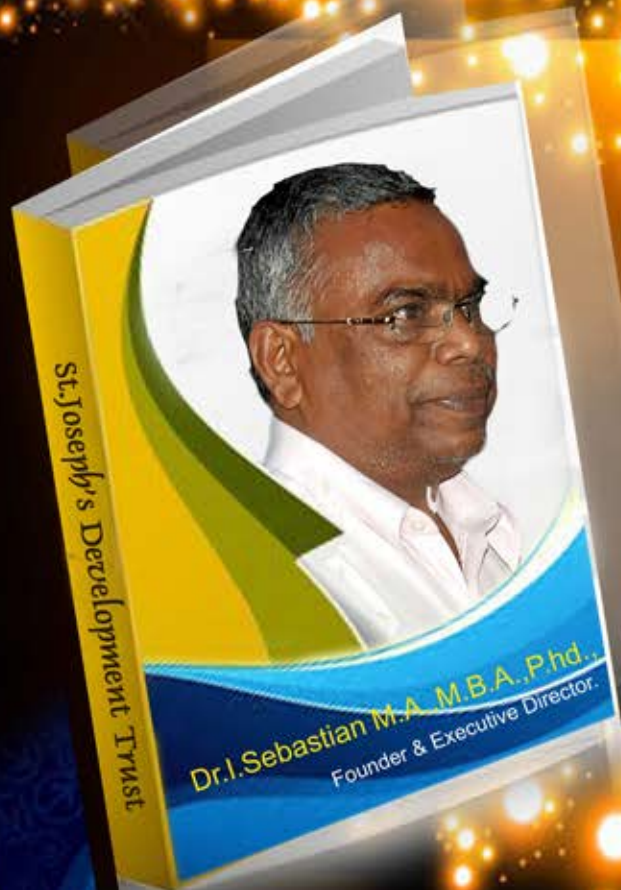
It should also be recognised that SJDT staff and others may have a continuing role to play following external reporting, in offering further support to the child/family; for example, by seeking therapeutic or practical support or in relation to any subsequent process of investigation.

Our Earlier Publications.....





St. Joseph's Development Trust



St. Joseph's Development Trust,

A Centre for Developmental Activities

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