



# **FMA-India**

# **Safeguarding Policy**

(September 2025)





*Jesus said, 'Let the little children come to me, and do not hinder them, for the kingdom of heaven belongs to such as these.'*

Matthew 19:14

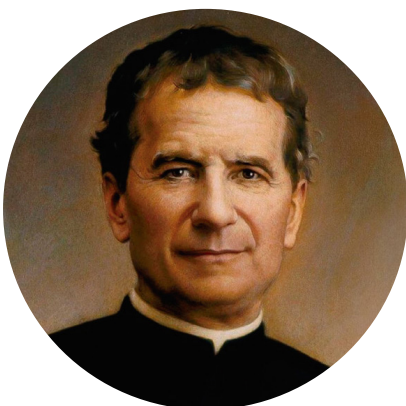
*Abuse in any form is unacceptable. ... This is the road that all of us must take: bishops, religious superiors, priests, deacons, consecrated persons, catechists and lay faithful. Each member of the Church, in accord with his or her proper state, is called to assume responsibility for preventing cases of abuse and to work for justice and for healing.*

Pope Francis (1936-2025), Address to Pontifical Commission for the Protection of Minors, April 29, 2022.



*The Salesian philosophy is based on reason, religion and loving kindness and relies on the active, caring presence of the educators among the young.*

*In keeping with the spirit of Don Bosco who said that "education is a matter of the heart" that leads "young people to know that they are loved."*



Saint John Bosco, 1815-1888

## Foreword

In FMA-India, we are dedicated to protecting and promoting the rights of children and the vulnerable, ensuring that we create nurturing environments where they are supported and encouraged to reach their full potential. This Safeguarding Policy builds upon the existing safeguarding practices within the Provinces and reaffirms our commitment to the ongoing work of safeguarding those at risk of abuse in our ministry.

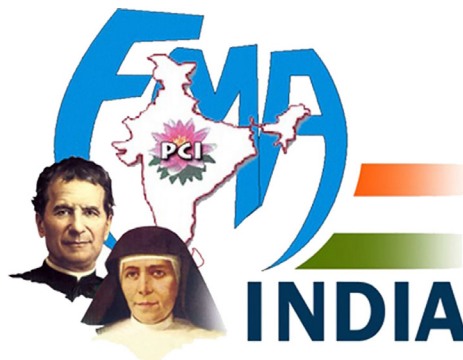


Seven Provincials with the visiting General Councilor for India.

We warmly welcome this policy on behalf of FMA-India and affirm our commitment to its full implementation. We encourage all to familiarise themselves with this policy and to take responsibility for its application, wherever we live and work.

As we move forward in upholding best practices in safeguarding, let us open our hearts and minds to the voices of children, the vulnerable, and all those affected by abuse within the Church. Through prayerful listening and genuine commitment, we can continue to create a safer environment for all.

### *Province Leaders*



### *Policy Management Information:*

**Title:** FMA India Safeguarding Policy  
**Version:** 4.0  
**Owner (Responsible):** Province Leadership  
**Approved by:** Province Leaders  
**Date of Approval:** September 2025  
**Date of next review:** September 2028

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## Glossary/Definitions

**Accused:** The person about whom there are child protection suspicions, concerns, knowledge or allegations.

**Canon Law:** The system of laws and legal principles made and enforced by the Catholic Church's hierarchical authorities to regulate its internal organisation and government, and to order and direct the activities of Catholics toward the mission of the Church.

**Child:** Everyone below the age of eighteen years (regardless of cultural norms).

**Child abuse:** All forms of physical and/or emotional ill treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

**Children with specific needs:** Any individuals who require a unique set of support services due to their health, mental condition, or age. This might include, those with disabilities, and individuals with chronic illnesses.

**Complainant:** A person who has made an allegation of abuse.

**FMA-India:** Refers to the Indian network of the Daughters of Mary Help of Christians (FMA, from the Italian Figlie di Maria Ausiliatrice), also known as the Salesian Sisters of Don Bosco. It is an international religious institute founded by St. John Bosco and St. Maria Domenica Mazzarello in 1872.

The mission of FMA–India is to create safe, inclusive, and nurturing spaces where every child and youth can grow with dignity, faith, and freedom.

**Grooming (Child):** A pattern of behaviour aimed at engaging a child as a precursor to sexual abuse. It includes establishing a 'special' friendship/relationship with the child. Grooming can include the conditioning of parents and other adults to think that the relationship with the child is 'normal' and positive.

**Mandatory reporting:** Refers to the legal obligation under legislation that one is required to report any knowledge, belief, or reasonable suspicion that a child is being abused, or is at risk of being abused

**Safeguarding:** The measures taken to protect people's health, well-being and rights, particularly children. These measures allow all people to live in freedom from abuse and harm, especially those who may not be able to protect or advocate for themselves. Safeguarding encompasses the prevention of abuse, neglect, maltreatment and exploitation of children.

**Staff:** Personnel employed by FMA sisters.

**Statutory Authorities:** The relevant civil authorities in the country.

**Threshold for Reporting:** Where there is knowledge, believe, or reasonable grounds to suspect, on the basis of information that they has received, that a child;

- has been harmed

## Glossary/Definitions



- is being harmed
- is at risk of being harmed

they shall, as soon as practicable report that belief or suspicion to the Safeguarding Person or Animator.

**UNCRC:** United Nations Convention on the Rights of the Child (1989) – An international convention which outlines in 54 articles the fundamental rights of those under 18 and the obligations of States which sign the Convention to uphold the rights it contains.

**Volunteer:** A person who chooses to help others or do work without being paid.

## Key Messages

<p><b>Why do we have this policy?</b></p>	<p>This policy is an expression of the commitment by FMA-India to the mission of safeguarding, creating safe environments for children and vulnerable adults, and those working with them. We assume a responsibility for all, to ensure their safety and protection from any intentional or unintentional maltreatment or abuse.</p> <p>This policy extends to all within the FMA-India's care and concern in any type of ministry and within the situations in which we minister – short term or long term. It sets out a commitment to keep all within our communities and ministries safe from any form of abuse.</p> <p>We place this policy in the context of our mission and tradition.</p>
<p><b>To whom does this policy apply?</b></p> 	<p>This policy applies to all individuals interacting with children, ensuring their safety and well-being. This includes core members like the FMA Sisters, and religious personnel, as well as staff such as teachers, social workers, and support staff.</p> <p>Volunteers and interns, whether short-term or long-term, are also covered, along with external partners and service providers like contractors and collaborating NGOs. Additionally, visitors and guests, including sponsors and event participants, fall under this policy.</p> <p>Lastly, the policy extends to children and young people themselves, outlining their rights and responsibilities in maintaining a safe environment.</p>
<p><b>How will the Provinces use this policy?</b></p>	<p>This policy is to be a living, relevant document. It is to be upheld by all. It requires that the Provincial Leaders will ensure that all are aware of the centrality of this policy. This, therefore, is not a theoretical document but a commitment to safeguarding practice of the highest standards.</p>
<p><b>Where can I find more information?</b></p> 	<p>Further information on this policy can be found on the NDF-FMA website:</p> <p style="text-align: center;"><a href="http://www.ndffma.org">www.ndffma.org</a></p>

## Introduction

FMA-India strives to ensure that everyone who is in contact with us whether directly or indirectly will be treated with the respect and dignity they deserve as people of God. All sisters and all those working with us in any capacity have a duty to care for and to safeguard all those with whom we work. This policy sets out procedures and standards of safeguarding which we are expected to follow in order to create environments where everyone is nurtured and encouraged to reach their full potential.

This policy is based on best practice and is in line with Church and international safeguarding standards. It sets out standards for best practice and guidelines for all. It spells out the processes to be followed if an allegation is made against a sister, employee, or volunteer. It presents a methodology for monitoring and evaluating how the policy is being implemented throughout the Provinces.

## Purpose of the Policy

This policy is an important response to our duty to safeguard all those within the Provinces and those for whom the Provinces are responsible. This policy also informs all of their responsibilities in relation to safeguarding.

FMA-India is committed to doing whatever it can to safeguard all under its care, so that they may exercise their right to live in safety.

***The FMA-India Safeguarding Policy aims to promote good practice by:***

- ◆ Providing everyone with an environment that favours their development and ensures protection from abuse;
- ◆ Maintaining a high level of awareness with regard to safeguarding and its practices;
- ◆ Supporting all to make informed and confident responses to specific safeguarding concerns;
- ◆ Ensuring a culture of prevention of exploitation and abuse;
- ◆ Providing a victim/survivor-first approach.

This revised policy builds on the foundations of past learning and experiences. The policy provides a new focus on leadership and governance to embed a culture of safeguarding in which:

- ◆ FMA-India has an important role to play in creating and maintaining an environment in which children and vulnerable adults can grow and flourish in their humanity and come to experience the dignity that Jesus proclaimed.
- ◆ Children will feel welcome and safe.
- ◆ FMA-India personnel will uphold the rights of children and vulnerable adults in line with Gospel values.

## Guiding Principles

### 1. Gospel Values and Canonical Norms of the Church

The Gospel values of love, dignity, and justice, as demonstrated by Jesus, remind us that the safeguarding of all, and especially children and vulnerable adults, is an integral part of the life and ministry of the Church. Therefore, the sources of this policy are to be found first and foremost in Gospel values, Church documents and in the canonical norms of the Church, inspired by the principles of justice, equity, and charity.

### 2. International Law

Our approach to safeguarding is also guided by several key international principles and standards as set out in the following:

- ◆ The Universal Declaration of Human Rights (UDHR), 1948.
- ◆ The UN Convention on the Rights of the Child (UNCRC), 1989.
- ◆ The UN Convention for the Elimination of all forms of Discrimination Against Women (CEDAW), 1979.
- ◆ The UN Convention on the Rights of Persons with Disabilities (CRPD), 2006.

*(Further details can be found in Appendix 5 (page 38))*

### 3. National Law

Our approach to safeguarding is also guided by several key national principles and standards as set out in the following:

- ◆ The Juvenile Justice (Care and Protection) Act (2000, amended in 2015)
- ◆ Protection of Children from Sexual Offences (POCSO) Act 2012
- ◆ Right of Children to Free and Compulsory Education Act, (RTE) 2009
- ◆ Child Labour Prohibition and Regulation Act 1986(Amended in 2016)
- ◆ The Immoral Traffic (Prevention) Act, 1987
- ◆ Prohibition of Child Marriage Act, 2006
- ◆ The Commission for Protection of Child Rights Act, 2005
- ◆ Information Technology (IT) Act, 2000 (Amended in 2008)

*(Further details can be found in Appendix 5 (page 39))*

## Considerations for Local Province Context

FMA India work in a variety of geographical locations where significant variations in understandings and arrangements for safeguarding can exist.

We are committed to giving clear guidance to sisters, staff, volunteers and other organizations, including donor organizations, on how this Safeguarding policy will be adapted and applied in different locations. As such, this policy will therefore be applied in ways that are sensitive to different cultures but without condoning practices that are abusive to children and adults at risk. It is emphasised that the local culture in any country is subject to the Civil Law of the land. When a country enacts a law, that law takes precedence over any existing cultural practices.

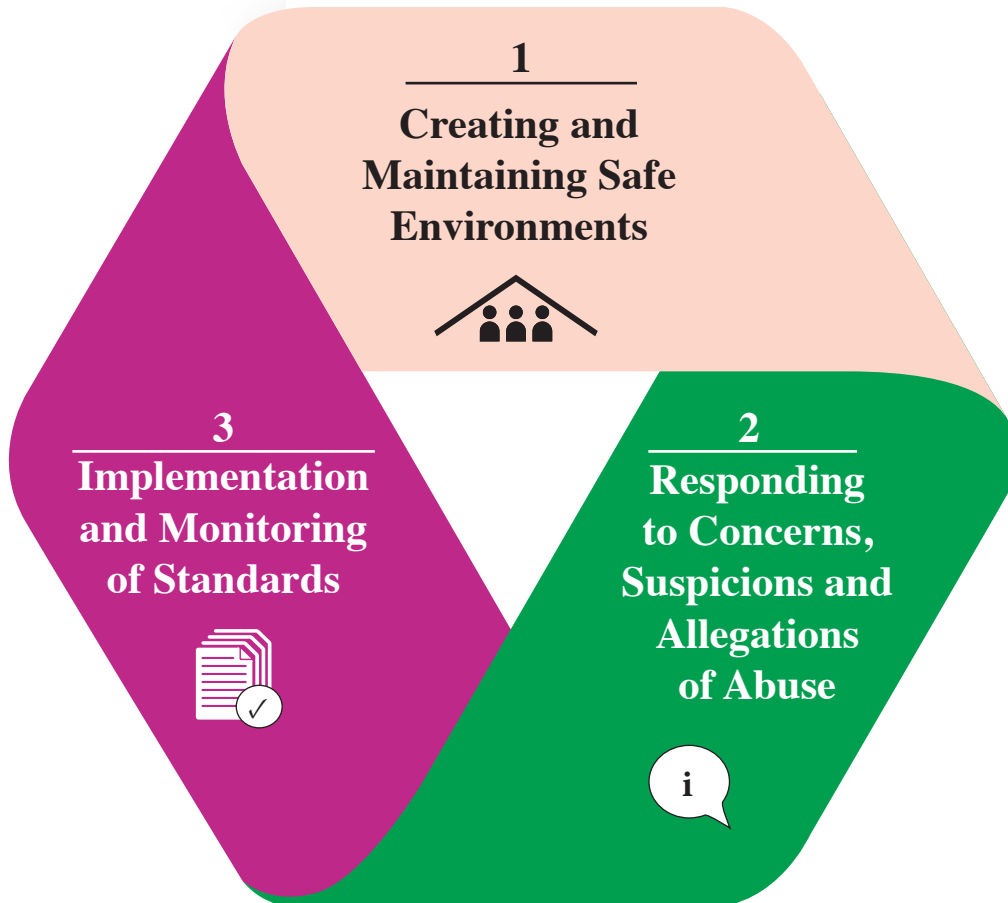
## Safeguarding Responsibilities

<b>Everyone</b>	
<b>Responsibilities:</b>	<ul style="list-style-type: none"> <li>➤ Know, understand, and comply with all aspects of this Safeguarding policy.</li> <li>➤ Create atmospheres of care, nurturance, safety and wellbeing in their particular sphere of activity.</li> <li>➤ Attend safeguarding awareness/training session every year or as agreed with the Province.</li> <li>➤ Participate as appropriate in local networks of human rights promotion and/or abuse prevention.</li> <li>➤ Be aware of local legislation/regulations regarding abuse of children and vulnerable adults as well as any particular risk area pertinent to local/national contexts (e.g., in some areas child labour may require more vigilance than in others.)</li> </ul>

*For roles and responsibilities for safeguarding personnel and leadership see Appendix 2 (page 29).*

## Standards of Practice

There are three core standards to our Safeguarding Policy:



### Standard 1

Creating and Maintaining Safe Environments (includes safeguarding awareness and communicating the safeguarding message).

### Standard 2

Responding to Concerns, Suspicions and Allegations of Abuse (includes care/support of the victims and management of the respondent – in line with Civil and Canon Law requirements).

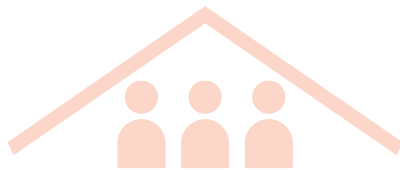
### Standard 3

Implementation and Monitoring of Standards.

# **STANDARD 1**

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## **CREATING AND MAINTAINING SAFE ENVIRONMENTS**





## What is this Standard?

- ◆ It describes the creation and maintenance of a culture of safety which includes a safe environment for all, with special consideration for children and vulnerable adults.
- ◆ It outlines the procedures for safeguarding training.
- ◆ It states the methods used to communicate the safeguarding message.

FMA-India will promote a culture of safeguarding and the wellbeing of all through their participation in the ministry of the Church. FMA-India will create and maintain environments that uphold all human rights and that create nurturing, caring conditions where all can flourish in faith and love. Through fostering a culture of care all will feel safe and looked after, and in turn will look out for each other.

### Criteria for ensuring the successful implementation of Standard 1:

#### Safe Environment:

- Every Province will appoint a Safeguarding Coordinator and an Assistant, who will ensure the implementation of this policy. Each Institute will appoint a Safeguarding Officer.
- Everyone will receive the necessary induction/ training regarding safeguarding, and specific policies for their Province/area of work.
- Everyone will sign the commitment form indicating their commitment to implement this policy and follow procedures fully. (Appendix 1, page 27)
- There are agreed procedures for recruitment and vetting for all.
- There are written guidelines for appropriate standards of conduct towards children.
- The Provinces encourages a culture where all, including children, are listened to and respected as individuals.
- There are clear ways by which everyone can raise concerns about unacceptable behaviour towards children.
- There are comprehensive risk assessments carried out when working with children.
- Ensuring that children are adequately supervised and protected within the environment of the Provinces.
- The Provinces implements best practice for the appropriate use of information technology including social media.
- The Provinces implements best practice in relation to capturing, using, and storing images of children.

#### Training:

The Province Leader and Leadership will ensure that:

- Personnel are trained and supported in all aspects of safeguarding relevant to their role.
- Everybody are inducted into the safeguarding policy.
- Everybody is provided with opportunities to learn how to recognize and respond to concerns about abuse.
- Every Province Leader together with the safeguarding personnel annually reviews training needs and develops a training plan based on this.
- Children and their parents/carers are informed of safeguarding and their rights and responsibilities.



**Communication:**

- The Province Leader, will ensure that all are aware of the Safeguarding policy.
- The Province Leader will communicate the name/contact of the Safeguarding Coordinator/Assistant to all in their Province.
- The Animator will communicate the name/contact of the Safeguarding Officer to all in their institutes.
- All will work to ensure that the message is communicated to those whose first language is not English, as well as to people who have specific needs.
- This safeguarding policy will be openly displayed and available to everyone.
- Children will be made aware of their right to be safe from abuse, and the person to whom they should speak if they have concerns.
- The Province will establish links with other local/national organisations to promote a safe and caring community and to share best safeguarding practices.
- Information about the Province's commitment to

### Procedures for Standard 1

**The Procedures for ensuring the successful implementation of Standard 1 are as follows:**

*(All supporting safeguarding tools and guidance to assist with the implementation of safeguarding practices can be found on [www.ndffma.org/safeguarding.php](http://www.ndffma.org/safeguarding.php))*



### Safe Recruitment

FMA-India ensures that appropriate steps are taken during recruitment and selection of sisters, staff, and volunteers.

FMA-India will not knowingly engage, directly or indirectly, anyone who poses a risk to children and will take all reasonable steps to eliminate from the recruitment process applicants who might pose a risk to children.

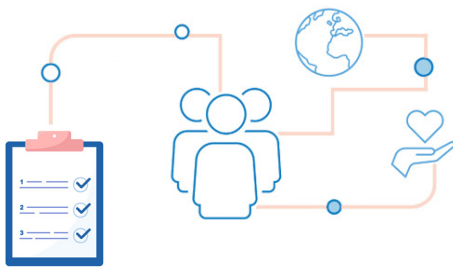
FMA-India is committed to safe recruitment and vetting practices which seek to prevent those who pose a known risk to children from gaining employment or being taken on as volunteers. It will follow best practice during recruitment interviews and follow up on all letters of recommendation. It will require of staff and volunteers to complete and sign a form declaring any previous disciplinary procedures regarding inappropriate behaviour. Anyone who lies or fails to make a disclosure during the recruitment process will be summarily dismissed. They will sign a commitment to comply with and implement the policy. The safeguarding policy will be explained to sisters, staff and volunteers, and each will be given a copy of the relevant document or where more appropriate a summary of the policy.



- During recruitment, the candidate should be clearly informed that the FMA's have a safeguarding policy and he/she shall be required to abide by it.
- All recruits who will have direct or regular contact with children, shall undergo a screening procedure to check for any child abuse related record.
- The job interview should include at the first stage, specific questions relevant to the role applied for, on safeguarding issues to probe the applicant's attitude and aptitude to working with children.
- Two references from respectable persons should be referred from applicants before appointment to the post. These may include (where possible) an employer who can comment on the applicant's work with children.
- During the induction or training of a new staff, the respective Safeguarding Officer and Safeguarding Committee Members should observe the 'child friendly personality' of the staff/volunteers and give feedback to the management before the appointment.
- During the induction / training period, feedback should be taken from children about the staff/volunteer and opinion of children should be evaluated.
- Along with the appointment letter, a copy of the safeguarding policy and the staff manual shall be given to the new staff. Safeguarding policy may be included in the staff manual. The staff shall be asked to sign a statement that he/she has read the policy and shall abide by it.
- Staff should be asked to sign a self-declaration statement confirming that they have no convictions for any offence involving any type of harm to children, and should declare anything that may affect their suitability to work with children.
- Where allegations are made about staff, careful consideration must take place about the appropriateness of the person continuing to work with the FMA. This may include suspension for a time, an external investigation and dismissal if a serious allegation is proved.



### Code of Behaviour (See Appendix 1)



The Code of conduct is an integral component of safeguarding and forms part of the contractual terms and conditions of all. The code of conduct applies both in professional and personal life in relation to safeguarding. Special considerations are made to safeguarding children and to preventing the sexual exploitation and/or abuse of any individual.

By signing the code of conduct, all commit themselves to:

- Work actively to promote the best interests of all and specifically children and vulnerable adults and act in line with the Safeguarding Policy and relevant guides;
- Encourage children to feel comfortable to point out attitudes and conduct they do not like.
- Know where and how to make a complaint, when necessary.

#### Some key elements of the code of conduct:

- The behaviour of all classes of members of the FMA family has to be edifying, decent, dignified and respectful while communicating with children.
- We should encourage children always to speak out abuses of any sort even minor ones from anyone.
- We should never shame or belittle a child.
- Do not reveal the identity or provide any information about a child without the written consent of the parents/guardians for any purpose.
- Do not engage in any physical punishment of a child in public or in private.
- Do not take photographs or videos of children or adults while they are nude, partially nude or undressing. (See use of Images, page 14)
- Every individual has to maintain his/her dignity or decorum while discharging responsibilities in the organisation.
- To report any concerns regarding the children in accordance with the policy.
- No child should be left unsupervised with a visitor under any circumstances



## Safeguarding Awareness and Training

Raising awareness and providing appropriate training are crucial for improving safeguarding practices. It is essential that all are aware of the safeguarding standards and their obligations to implement them.

- The Staff need to be adequately trained, supervised and followed up, to ensure that risks to children are minimized.
- Everyone in FMA Institutions will study the FMA Safeguarding Policy and imbibe its principles. They will be trained in implementing and reporting mechanisms.
- Members of the FMA family will be trained to be “culture sensitive”, critically approaching and avoiding cultural stereotypes, labelling and branding negatively.
- All staff should sign the code of conduct specific to the protection of children before starting to work with children.
- Staff should be informed about the policy of the institutions in relation to the use of technology (such as computers and mobile phones). They should undertake to not use this technology for the purpose of accessing, producing or distributing any information or violent or sexual images that are harmful to children.
- All the staff members will be trained on understanding the non-verbal signs of children who may be victims of any form of violence will also be trained on appropriate mechanisms to address the violence and protect the children and young people.
- Management shall provide necessary resources for training of staff and other stakeholder to understand imbibe and put into practice the policy, with follow-up refresher workshops.

### Safeguarding Programmes will include:

- raising awareness of the need for the safeguarding of children
- raising awareness of the fundamental rights of children
- UN Convention on the Rights of the Child.
- Civil Law of the Country in relation to Safeguarding of Children
- Canon Law in relation to the Safeguarding of Children.
- Encouraging co-responsibility and commitment in the implementation of policies, guidelines, and procedures.
- Cultural issues including appropriate touch.



### Communicating the Safeguarding Message

Information about the commitment to keeping children safe is openly displayed and available to the public.

Children all are made aware of their right to be safe from abuse.

Information and advice for parents/guardians/children, about where to go for help in relation to abuse is available in FMA communities/ministries.

Everybody in the communities/ ministries knows who has responsibility for safeguarding and how to contact them.

the policy statement (see Appendix 6, page 43);

how to make a complaint about abuse, exploitation and/or harassment. (See Standard 2, page 17)



### Risk Assessment And Safe Ministry

A Risk Assessment will be carried out regularly within each parish, project, and institution under the direction of the person in charge. The risk assessment will include planning on how to mitigate against any possible risk and putting controls in place to create and maintain a safe environment for all.

### Use of Images



The use of photos on websites and in other online/hard copy publications can pose direct and indirect risks to children.

**We will seek to keep children safe by not taking photos or videos or using images of anyone considered or known to be at risk.**

In matters of safeguarding, FMA-India will be responsible only for images it plans to use for its own purposes.

Photographs (or videos) taken at events organised by family and schools such as communions, confirmations, weddings and funerals (including when the photographer is employed by the school or family for these occasions) do not fall under the responsibility of FMA-India, unless they are being taken for FMA-India purposes.

## **STANDARD 2**

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# **RESPONDING TO CONCERNS, SUSPICIONS AND ALLEGATIONS OF ABUSE**



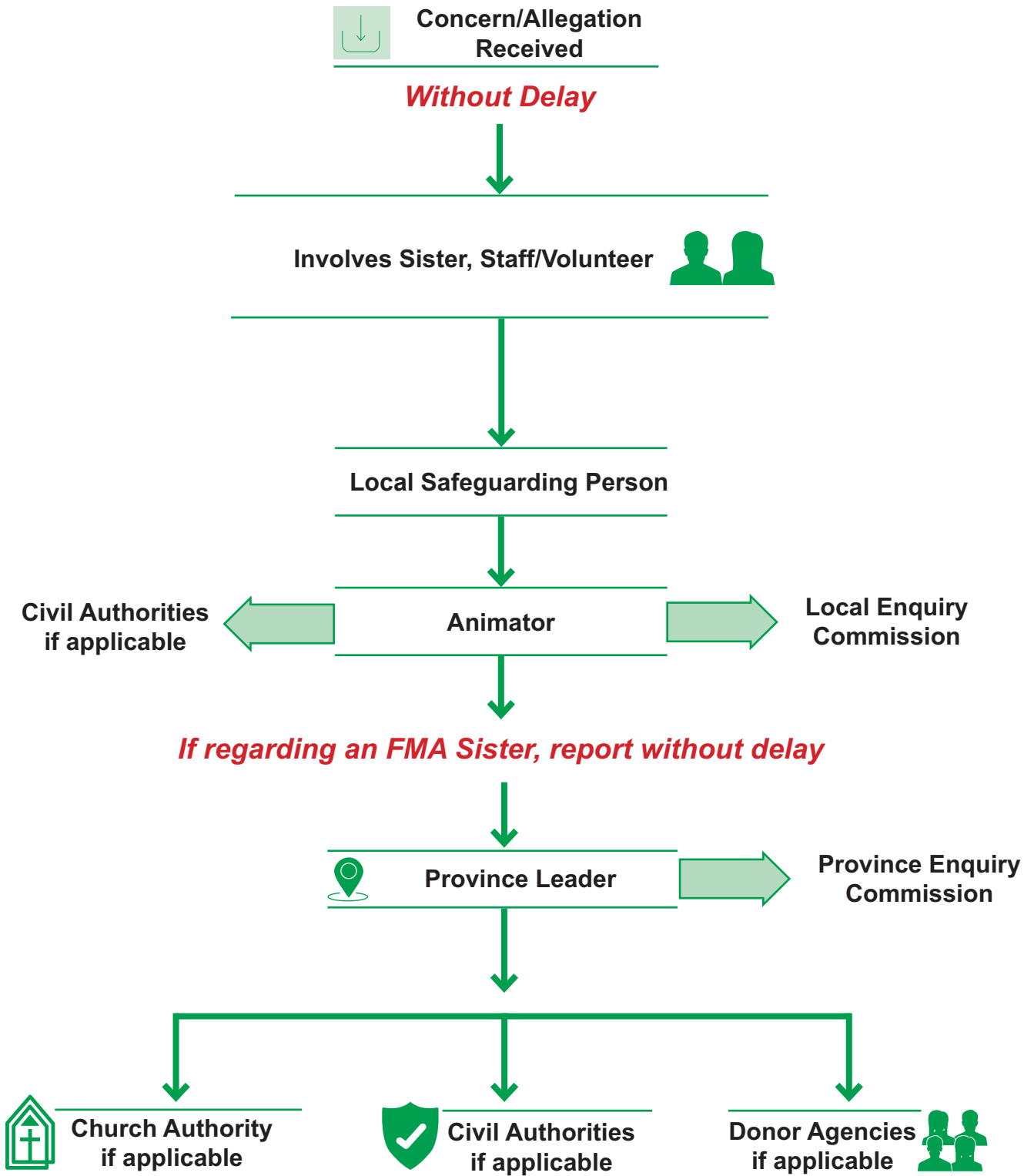
## What is this Standard?

Responding to allegations of abuse; adherence to Civil and Canon Law; caring for complainants and victims; management of the respondent, and ensuring a just process of inquiry.

### Criteria for ensuring the successful implementation of Standard 2 are as follows:

- ✓ There are clear procedures in place that provide step-by-step guidance on what action to take if allegations are received relating to the safety or welfare of a child.
- ✓ The procedures are available to everyone (including children, parents/guardians/carers). Consideration is given to making sure that the information provided is easily understandable.
- ✓ The procedures are consistent with the Guiding Principles (Gospel Values, Canon Law, Civil Law and International Law) and best practice in the protection of children. They also take account of issues that arise because of different local contexts.
- ✓ There is a process for recording allegations and referrals, as well as systems to ensure this confidential information is securely stored.
- ✓ There is guidance on confidentiality and information sharing.
- ✓ Support is available for victims/complainants, respondents, members, employees which may include the offer of the accompaniment of a support person during and following an incident or allegation of abuse or a complaint. The Province may need to refer people to relevant specialist services.
- ✓ The rights under Civil and Canon Law of a respondent will be upheld. A presumption of innocence will be maintained unless evidence of guilt is clear. All accused will be offered pastoral and legal support.

## REPORTING FLOWCHART



## Procedures for Standard 2

All supporting safeguarding tools and guidance to assist with the implementation of safeguarding practices can be found on [www.ndffma.org/safeguarding.php](http://www.ndffma.org/safeguarding.php)

### KEY POINTS

- **Confidentiality is Key** – All complaints are kept strictly private to protect children and institutions. Reports are made on a need to know basis.
- **Respect for Privacy** – Investigations must respect everyone’s privacy, rights, and dignity.
- **False Complaints Have Consequences** – If someone makes a false or malicious complaint, strict action will be taken against them.
- **Keep Records** – All decisions, reports, and responses must be documented properly and stored in files.
- **If a Case is Dropped** – The complainant will be informed of the reason if the case is not pursued further.
- **Fair Investigation Before Action** – Proper investigation must be done before taking any action, following fair and just procedures.

### **Actions to be taken by Safeguarding Person when a concern, suspicion, disclosure or allegation of abuse is received.**

1. Respond immediately in a caring, compassionate and pastoral way to any concern, suspicion, disclosure or allegation of abuse in a manner that respects the individual circumstances of the complainant
2. Ensure, on receiving any complaint, that the priority is always the safety and welfare of the child and that the child is never left in a situation that could place them in immediate danger.
3. Ensure that all information relating to the allegation has been recorded on the Safeguarding Reporting Form. (Reference Appendix 4, page 36)
4. Report the suspicion, concern, knowledge or allegation of abuse without delay to the Safeguarding Officer/Animator. If the allegation is against the Safeguarding Officer/Animator, reporting is directly to the Province Safeguarding Coordinator.
5. Meet the complainant in the presence of another person and the complainant will be invited to bring someone to the meeting.
6. If the complainant is a minor, he/she will only be interviewed, with the consent of the parents/guardian and, in their presence, by someone competent/trained. To conduct such an interview without this consent can amount to an offence.
7. Ask the complainant to provide a detailed account of the allegation. Inform the complainant that you will keep a record of this meeting.
8. Include all the details, even those which may not appear important at the time.
9. Compile a case file and store all original copies of information in a safe and secure location with limited access.
10. Assure complainant of confidentiality; that only those people who need to know will receive information about the allegation. However, no guarantee of absolute confidentiality can be given.
11. The record of the interview will be read to the complainant for accuracy checks and they will be requested to sign it.
12. Offer emotional support/ counselling to the complainant.
13. Inform the complainant of the Province's reporting policy and obligation to follow civil and canonical procedures.
14. If the complainant is not the alleged victim, a meeting will be arranged with the alleged victim and support will be offered to them.

#### **After the Interview:**

1. Provide the Animator with the written details of the complaint including the name of the accused, etc.
2. Ensure compliance with all civil reporting requirements.
3. Always maintain professional confidentiality so that only those people who need to know will receive information about the complaint. However, no guarantee of absolute confidentiality can be given.

### **Accused**

After the accused has been informed of a complaint by the Animator, the Safeguarding Person, in the presence of another person, will meet the accused.

At this meeting the accused will be informed:

- Of the nature and detail of the complaint, and the name of the complainant (if safe to do so)
- Of their right not to respond to anything presented to them
- That the accused is not obliged, in law, to respond or furnish evidence
- That any information given may be subject to the scrutiny of the civil authorities
- That the accused is entitled to the assistance of civil and canonical (if a sister) legal advisers
- That, should the accused wish to speak freely, a careful note will be taken and checked for accuracy and they will be requested to sign it.
- That if applicable the matter will be investigated in accordance with Canon Law.

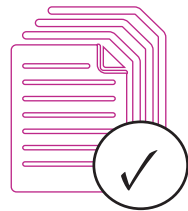
### **After the meeting the Safeguarding Person will:**

- Provide a written report of the meeting as soon as possible to the Animator.
- Ensure that the allegation is reported to the civil authorities if applicable, in consultation with the Animator.

# **STANDARD 3**

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## **IMPLEMENTATION AND MONITORING OF SAFEGUARDING STANDARDS**





## What is this Standard?

Compliance with this policy and the implementation of safeguarding standards will be monitored on an ongoing basis.

### The criteria for ensuring the successful implementation of Standard 3 are as follows:

- In each Province there is a written action plan for implementation of the safeguarding policy showing what steps will be taken to keep all parties safe, who is responsible for implementation and when these actions will be completed.
- Human and financial resources necessary for implementing the plan are made available.
- All incidents, allegations of abuse and complaints are responded to in line with this policy.
- An annual audit of compliance with Province Safeguarding Policy is carried out by Safeguarding Personnel.
- An external evaluation of compliance and implementation of this policy will be carried out every three years. The Leadership will decide on the manner of this external evaluation.
- After the External Evaluation, Province Policies and practices are reviewed. To prepare for this review, wide consultation with parents/guardians, children will be carried out.

## Procedures for Standard 3

*All supporting safeguarding tools and guidance to assist with the implementation of safeguarding practices can be found on [www.ndffma.org/safeguarding.php](http://www.ndffma.org/safeguarding.php)*

### The Province will be accountable for this Standard through the following procedures:

- 1 The Province Safeguarding Personnel will compile an Annual Report on safeguarding. This Report will be presented to the Province Leadership.
- 2 There will be an annual meeting of safeguarding personnel and leaders – to discuss and share learning on safeguarding.
- 3 The Province Leadership will monitor the implementation of this policy during their visitations.
- 4 Everyone will implement these standards in all pastoral activities.
- 5 Province Leadership, in collaboration with Provinces Safeguarding Advisory Committee, will approve this policy and review it every three years, after an external evaluation.



The implementation of the policy requires:

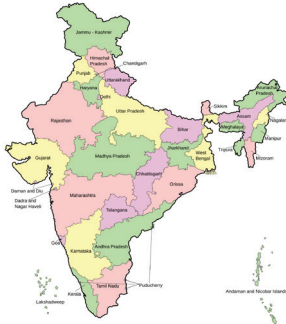
Structures to be put in place at:

- Province Level
- Institutions managed by FMA-India – Schools, Projects



**National Level**

- ◆ FMA PCI President
- ◆ National Safeguarding Committee
- ◆ National Safeguarding Coordinator



**Provincial Level**

- ◆ Provincial
- ◆ Province Safeguarding Committee
- ◆ Province Safeguarding Coordinator and Assistant
- ◆ Province Enquiry Commission if needed



**FMA House**

- ◆ Animator
- ◆ Safeguarding Team
- ◆ Local Safeguarding Person
- ◆ Local Enquiry Commission if needed



# **APPENDIX 1:**

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# **CODE OF BEHAVIOUR AND COMMITMENT FORM**

**It is important for everyone to:**

- be aware of the Safeguarding policy
- treat all with respect and dignity
- treat all equally
- model positive and appropriate behaviour to all with whom they come into contact
- challenge and report potentially abusive behaviour
- develop a culture of openness, honesty and safety
- be visible to others when working with children. If the pastoral care of a child necessitates the arrangement of a meeting alone with them, care should be taken that this does not take place in an isolated environment.
- develop a culture where all have permission to tell and talk about any concerns or worries that they may have
- respect everyone's boundaries and support them to develop their own sense of rights

<p><b>You must never:</b></p> 	<ul style="list-style-type: none"> <li>➤ hit or otherwise physically assault or physically abuse anyone</li> <li>➤ develop relationships with others that could in any way be deemed exploitative or abusive</li> <li>➤ act in any way that may be abusive or may place anyone at risk of abuse</li> <li>➤ use language, make suggestions or offer advice which is inappropriate, offensive or abusive</li> <li>➤ do things for a child of a personal nature that they can do themselves</li> <li>➤ condone or participate in behaviour that is illegal, unsafe or abusive</li> <li>➤ act in any way that is intended to shame, humiliate, belittle or degrade</li> <li>➤ discriminate against, show different treatment or favour particular people to the exclusion of others</li> <li>➤ develop sexual relationships with children or vulnerable adults</li> </ul>
<p><b>In general, it is inappropriate to:</b></p> 	<ul style="list-style-type: none"> <li>➤ spend excessive time alone with a child away from others</li> <li>➤ take children away to your own home, especially where they will be alone with you</li> </ul>

### Processes for dealing with children's unacceptable behaviour:

All 'those to whom this policy applies' will be made aware that there are processes for dealing with children's unacceptable behaviour that do not involve physical punishment or any other form of degrading or humiliating treatment. The following are suitable processes for dealing with such behaviour:

- Personal counselling
- Meeting with the child and his/her parent/guardian/carer



### Discriminatory behaviour or language:

Discriminatory behaviour or language in relation to any of the following is not acceptable: race, culture, age, gender, disability, religion, sexuality or political views, whether it is perpetrated by adults towards children, or by children towards other children. In particular, all forms of bullying are rejected.

### Care of children with special needs:

Children with special needs are highly treasured persons in the Christian Community. Those who work with them are invited to walk with them in the spirit of the Beatitudes and to provide them with person-centred care.

However, children with special needs are also highly vulnerable precisely because they may not be able to defend themselves or make a complaint and because they may be totally dependent for their physical care on an adult who could abuse them. Children with special needs may be at increased risk of abuse through various factors such as stereotyping, prejudice, discrimination, isolation and a powerlessness to protect themselves or adequately communicate that abuse had occurred.

Care for children with special needs should promote their wellbeing by, for example, training them in life skills where appropriate in order that they can perform for themselves things of a personal nature such as bathing, using the toilet and dressing.

### Acceptable and Unacceptable Touch

We may touch others in greetings, showing we care, to signal an agreement, to comfort someone, among other reasons.



**Acceptable touch** should make one feel respected and safe. This will vary from culture to culture, and it is therefore important that one is acquainted with the local cultural practices.



**Unacceptable touch:** These involve actions that can be deemed to be invasive of the personal space of another individual as well as unacceptable displays of affection in ministry to children. These include full frontal hugs, touching bottoms, chests or genital areas, lying down or sleeping beside children, massages, patting children on the thigh, knee or leg, tickling or wrestling, touching or hugging from behind, games involving inappropriate touching, kisses on the mouth, inappropriate compliments that relate to physique or body development.



## COMMITMENT FORM

FMA-India

I confirm that I have read and understood the Code of Behaviour and I agree to abide by the Safeguarding Policies and Procedures of the Province.

I confirm that I have read and fully understand the following:

- |   |                          |
|---|--------------------------|
|   | Please tick:             |
| ➤ Province Safeguarding Policy          | <input type="checkbox"/> |
| ➤ Code of Conduct                       | <input type="checkbox"/> |
| ➤ Vulnerable Adults Safeguarding Policy | <input type="checkbox"/> |

I agree to accept, abide by and apply the above Safeguarding Policy and Code of Conduct in their entirety.

Signed: \_\_\_\_\_ Role: \_\_\_\_\_

Printed name: \_\_\_\_\_ Date: \_\_\_\_\_

Witness to signature: \_\_\_\_\_

# APPENDIX 2:

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## ROLES AND RESPONSIBILITIES



POSITION	RESPONSIBILITIES
<b>Provincial Leader (Holds the highest authority in the Province)</b>	<ul style="list-style-type: none"> <li>➤ Ensure appropriate safeguarding structures and personnel are in place across the Province.</li> <li>➤ Ensure there are adequate resources for the development, implementation and monitoring of the safeguarding policy.</li> <li>➤ Oversee and monitor the implementation of the Safeguarding Policies.</li> <li>➤ Commission appointments; appoints the Province Enquiry Commission and the Province Appellate Commission when necessary.</li> <li>➤ Decision-Making &amp; implementation; reviews reports from commissions, takes appropriate action, and ensures execution.</li> <li>➤ Fair communication; informs the concerned person of the decision while ensuring dignity and respect.</li> <li>➤ Maintaining confidentiality; keeps all reports and findings strictly confidential.</li> </ul>
<b>Province Safeguarding Committee</b>	<p>The Province Safeguarding Committee makes sure that all FMA institutions in the province implement the safeguarding policies and good safeguarding practices</p> <p><b>Main Duties:</b></p> <ul style="list-style-type: none"> <li>➤ Oversight and Support: Makes sure that all local communities are following the policy consistently and guides their efforts to protect themselves. Support the Province Safeguarding Co-ordinators in their work.</li> <li>➤ Policy Monitoring: checks reports, audits safety systems, and looks at how things are done to make sure they are safe and follow the rules.</li> <li>➤ Working together: Encourages institutions to work together and, when necessary, to form partnerships with other agencies.</li> <li>➤ Continuous Learning: Takes part in yearly reviews and suggests ways to make policies and training materials better.</li> <li>➤ Privacy: Makes sure that private information is handled with care and respect.</li> <li>➤ Regular Meetings: Meets at least three a year or when something urgent comes up to check how well safeguarding is working.</li> </ul>
<b>Provincial Safeguarding Coordinator</b>	<p>The Provincial Safeguarding Coordinator/s assist and direct the implementation of the FMA India Safeguarding Policies</p> <p><b>Main Duties:</b></p> <ul style="list-style-type: none"> <li>➤ Implementation &amp; Support: Assist the Local Safeguarding Team implement safeguarding policies in keeping all safe.</li> <li>➤ Training and Awareness: Organise training for all Local Safeguarding Teams, enabling them to provide training for all in their institutions.</li> <li>➤ Monitoring and Reporting: Support the local safeguarding team in completing progress reports/action plans.</li> <li>➤ A link between the province and local safeguarding team: works with the provincial safeguarding committee and local safeguarding team to make sure that all levels of safeguarding are consistent.</li> <li>➤ Policy Improvement: Looks at case trends, finds gaps, and suggests changes to make safeguarding measures stronger.</li> <li>➤ Crisis Management: If applicable, can assist the Provincial Leadership during serious or public safeguarding incidents while keeping the focus on the victim and being respectful.</li> </ul>

POSITION	RESPONSIBILITIES (Contd.)
<b>Province Enquiry Commission (Appointed by the Province Leader)</b>	<ul style="list-style-type: none"> <li>➤ Investigation of serious cases; handles specific complaints requiring detailed inquiry, based on the local safeguarding team's preliminary assessment.</li> <li>➤ Expert committee; appointed by the Provincial with at least two/three experts to investigate cases related to FMAs.</li> <li>➤ Report submission; completes the inquiry within the given time frame and submits findings with recommendations to the Provincial.</li> <li>➤ Public representation; the Vice-Provincial or a delegated representative will act on behalf of the province if a case goes public.</li> </ul>
<b>Province Appellate Commission</b>	<ul style="list-style-type: none"> <li>➤ Handles appeal cases; appointed by the Provincial to review appeals against decisions.</li> <li>➤ Expert review; consists of at least two/three experts who conduct a thorough investigation into the appeal within the given time frame.</li> <li>➤ Final report submission; presents findings and recommendations to the Provincial for the final decision.</li> </ul>
<b>Animator</b>	<p>The Animator is the appointed head in FMA-India religious houses and oversees safeguarding measures.</p> <ul style="list-style-type: none"> <li>➤ Ensures implementation of the safeguarding policies.</li> <li>➤ Ensures that everyone in the institution is aware of the safeguarding policies and enforces the safeguarding principles.</li> <li>➤ Establish the Safeguarding Team, the team will consist of the animator, two local safeguarding persons (1 Sister &amp; 1 Lay) and if applicable a teacher or staff from hostel/shelter in that campus.</li> <li>➤ Complaint handling; if a complaint is made against an FMA member, she refers it to the Provincial for further action.</li> <li>➤ Decision on complaints; based on the Safeguarding Person's recommendations, she decides whether to drop, investigate, or escalate a case to the police within 48 hours.</li> <li>➤ Enquiry and investigation; if a case requires detailed investigation, she forms a Local Enquiry Commission to carry it out.</li> <li>➤ Executing penal actions; after reviewing cases with her council, she determines and enforces appropriate disciplinary action</li> <li>➤ Consultation for decisions; if there is no local council, she consults the Headmistress and Non-Formal Sector Director before making decisions.</li> <li>➤ Maintaining confidentiality; keeps all reports, findings, and case details strictly confidential within her jurisdiction.</li> <li>➤ Legal and public representation; if a matter goes public or a person is convicted, she ensures due process is followed and informs the concerned person about their right to appeal.</li> </ul>

POSITION	RESPONSIBILITIES (Contd.)
<b>Safeguarding Team</b>	<p>The Safeguarding Team the team will consist of the animator, two local safeguarding persons (1 Sister &amp; 1 Lay) and if applicable a teacher or staff from hostel/shelter in that campus.</p> <ul style="list-style-type: none"> <li>➤ Oversight; Assist and direct the implementation of the safeguarding policies</li> <li>➤ Monitoring of the policy; Oversees the implementation and evaluation of the safeguarding policies in each institution.</li> <li>➤ Evaluation; Ensure the annual progress reports and action plan are completed.</li> <li>➤ Meetings; Meet on a regular basis to discuss all aspects of the implementation of the safeguarding policies.</li> </ul>
<b>Local Safeguarding Person</b>	<ul style="list-style-type: none"> <li>➤ Assist and direct the implementation of the safeguarding policies, including awareness raising and training on safeguarding.</li> <li>➤ Ensures that the Code of Conduct is signed by all sisters, support staff, volunteers etc.</li> <li>➤ Conducts Risk Assessments in all institutes together with the sisters, staff and participants.</li> <li>➤ Liaise with persons responsible (HR Persons) to check that safe recruitment procedures are in place and are being followed.</li> <li>➤ Ensures safe activities/programs/projects.</li> <li>➤ Prepare the Annual Safeguarding Progress Report &amp; Annual Action Plan.</li> <li>➤ Receive all reports of concerns and/or allegations of abuse and report these to the Animator and to the civil authorities if applicable.</li> <li>➤ Complaint box monitoring, the Safeguarding Person together with another person in the institute opens the complaint box weekly and assesses the safeguarding complaints.</li> <li>➤ Investigating complaints, if requested by the animator will carry out a preliminary assessment of the complaint.</li> <li>➤ Deciding on action, all safeguarding complaints are discussed with the animator, serious cases are escalated to the local enquiry commission and the Provincial Leader.</li> <li>➤ Maintaining records and confidentiality.</li> </ul>
<b>Local Enquiry Commission</b>	<p>The Animator appoints the Local Enquiry Commission when a specific complaint requires detailed investigation.</p> <ul style="list-style-type: none"> <li>➤ Expert Members, the commission consists of at least two/three external experts in safeguarding i.e . civil lawyer, canon lawyer, psychologist</li> <li>➤ Scope of investigation, handles cases involving lay members associated with FMA institutions/centres.</li> <li>➤ Timely reporting, conducts a thorough inquiry within the time set by the Animator.</li> <li>➤ Submission of findings, presents a detailed report with recommendations and supporting documents to the Animator.</li> </ul>

# **APPENDIX 3:**

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## **DETAILED DEFINITIONS OF TYPES OF ABUSE**

Type of Abuse	Child
<b>Emotional</b>	Actions that damage a child's self-worth or emotional well-being (e.g., humiliation, threats, constant criticism).
<b>Neglect</b>	This is the persistent failure to meet the child's basic physical or psychological needs, likely to result in the serious impairment of the child's physical or cognitive development. For example, inadequate care and supervision which leaves a child in a dangerous situation where he/she could be harmed.
<b>Physical</b>	Any act or conduct which is of such a nature as to cause bodily pain, harm, or danger to life, limb, or health or impair the health or development of a child, such as hitting, shaking, throwing, burning, scolding, drowning, suffocating, slapping, punching, pinching, kicking, biting, strangling, poisoning or causing physical harm to a child in anyway resulting ill health in him/her and includes assault, criminal intimidation and criminal force.
<b>Sexual</b>	This involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening or gives consent. The activities may involve physical contact, including penetrative (e.g., rape) or non-penetrative acts. They may also include non-contact activities, such as involving children in looking at, or in the production of pornographic materials <sup>11</sup> or watching sexual activities or encouraging children to behave in sexually inappropriate ways.
<b>Discriminatory</b>	This form of abuse involves unfair or unequal treatment of a child based on characteristics such as race, gender, disability, or sexual orientation. It can manifest as harassment, slurs, or unequal provision of services, leading to feelings of worthlessness and exclusion.
<b>Online</b>	Online abuse refers to the exploitation or harassment of children through digital platforms. This includes: <ul style="list-style-type: none"> <li>◆ <b>Cyberbullying:</b> The use of electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature.</li> <li>◆ <b>Online Grooming:</b> When an individual befriends a child online to lower their inhibitions for sexual exploitation.</li> </ul>
<b>Bullying</b>	Bullying involves repeated aggressive behavior intended to hurt another individual physically, mentally, or emotionally. It can occur in various settings, including schools and online platforms, and often leads to long-term psychological effects.
<b>Sexual Harassment</b>	This includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. In educational settings, such harassment can create hostile environments, impeding a child's ability to learn and feel safe.
<b>Institutional Abuse</b>	Institutional abuse occurs within organisations responsible for caring for children, such as schools, residential homes, or religious institutions. It includes neglect, maltreatment, or poor practices that harm children.
<b>Spiritual Abuse</b>	This form of abuse involves the misuse of religious or spiritual authority to control, manipulate, or harm a child. It can include enforcing rigid roles, instilling fear of divine punishment, or preventing access to medical care under the guise of religious beliefs.
<b>Abuse of Power</b>	Abuse of power in the context of child abuse refers to individuals in positions of authority exploiting their status to harm or control children. This can occur in various settings, including families, schools, and organisations.
<b>Trafficking</b>	Child trafficking involves recruiting, transporting, transferring, harboring, or receiving children for exploitation purposes, such as forced labor, sexual exploitation, or involvement in illicit activities.

# APPENDIX 4:

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# REPORTING FORM

This form should be completed when someone becomes aware of an incident, complaint or concern regarding the abuse or exploitation of a child, or in the event of an alleged breach of the Safeguarding Policy or Code of Conduct. The completed form should be given to the Safeguarding Officer/Animator.

*Please only complete the details that are known to you at the time of receiving or becoming aware of the incident, complaint or concern. If forwarding by email, please ensure that the document is password protected and the receiver is advised of the password by means other than email e.g., phone, WhatsApp, text.*

(To download a copy for use, please see xxxxx)

### REPORTING FORM FMA-INDIA

#### ABOUT THE DISCLOSURE/CONCERN

Date of disclosure/concern: 

D	M	Y
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 Time of disclosure/concern:

How was the information received? (Attach any written information to this form)

Please circle: Letter Email In Person

#### DETAILS OF PERSON MAKING DISCLOSURE/RAISING CONCERN

Name (please print): \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel: \_\_\_\_\_ Mobile No: \_\_\_\_\_

If not the subject of the concern, does the person reporting know the person and how?

#### DETAILS OF CHILD / ADULT TO WHOM THE CONCERN RELATES TO

Name (please print): \_\_\_\_\_ DOB: 

D	M	Y
---	---	---

  
Address: \_\_\_\_\_  
Gender: \_\_\_\_\_

#### DETAILS OF PARENT/ CARER (WHERE APPROPRIATE OR KNOWN)

Name (please print): \_\_\_\_\_  
Address (if different from above): \_\_\_\_\_  
Tel: \_\_\_\_\_ Mobile No: \_\_\_\_\_  
Are they aware of the allegation, suspicion, or complaint? Yes  No

#### DETAILS OF THE ALLEGED RESPONDENT

Name: \_\_\_\_\_ Occupation: \_\_\_\_\_  
Address: \_\_\_\_\_

#### DETAILS OF CONCERN, ALLEGATION OR COMPLAINT

(Include dates/times, location of incident(s) occurred, witnesses if known. Include complainant's words where possible. Does the child or adult know this concern is being raised?)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### NAME OF PERSON COMPLETING THIS FORM:

Print Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Mobile No: \_\_\_\_\_  
Email: \_\_\_\_\_  
Date: \_\_\_\_\_

#### NAME OF ANIMATOR/ SAFEGUARDING OFFICER WHO RECEIVED THIS FORM:

Print Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Mobile No: \_\_\_\_\_  
Email: \_\_\_\_\_  
Date: \_\_\_\_\_

## **APPENDIX 5:**

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# **LIST OF RELEVANT AND RELATED DOCUMENTS & INFORMATION ON INTERNATIONAL AND CANON LAW**



### Congregation Documents:

- ◆ Constitution and Regulations of the Daughters of Mary Help Of Christians. 1982
- ◆ Policy for the Protection of Minors and Vulnerable Adults in the Institute of the Daughters of Mary Help of Christians, September 2025.

### Others:

- ◆ The Code of Canon Law especially *Book II (CIC 1983)* and the *Revised Book VI (promulgated 8 December 2021)*
- ◆ Universal Guidelines Framework, Tutela Minorum, Pontifical Commission for the Protection of Minors (March 2024)

### International Law

The UNCRC (1989) is ratified in 196 states (except the United States, which has signed the Convention but is yet to ratify it). The four general principles of the UNCRC are:

- Survival and development;
- Non-discrimination;
- Child participation and the right to be heard;
- Best interests of the child.

Of the 54 articles contained within the UNCRC, the most relevant statements are detailed below:

- Article 2** Children have the right to protection against discrimination.
- Article 3** All adults should always do what is best for a child.
- Article 6** Children have the right to survive and develop.
- Article 12** Children have the right to an opinion and for it to be listened to and taken seriously.
- Article 19** Children have the right to be protected from being hurt or badly treated.
- Article 34** Children have the right to be protected from all forms of sexual exploitation and sexual abuse.

Where children are the main participants of activities ‘those to whom this policy applies’ should discuss the specific child safeguarding provisions that need to be put in place. These provisions should be rights-based, considering the provisions of the UNCRC and rights enshrined in national legislation.

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. The Declaration was proclaimed by the United Nations General Assembly in Paris on December 10, 1948. It sets out, for the first time, fundamental human rights to be universally respected and protected, in particular:

- Article 3** Everyone has the right to life, to be free, and to feel safe.

This policy outlines procedures to prevent and respond to potential incidents of exploitation and abuse of children and fulfills our commitment to a “do no harm” approach. Do no harm refers to an organisation’s responsibility to take all measures to prevent harm and to mitigate the harm it may inadvertently cause because of its communities, ministries and organisational activities.

### Canon Law

In the Catholic Church, Canon Law is the system of laws and legal principles made and enforced by the Church’s hierarchical authorities to regulate its internal organisation and government, and to order and direct the activities of Catholics toward the mission of the Church.

## National Law

### Juvenile Justice (Care and Protection of Children) Act, 2015

- Focuses on the care, protection, and rehabilitation of children in conflict with the law and those in need of care and protection.
- Mandates the formation of Juvenile Justice Boards (JJBs) and Child Welfare Committees (CWCs) in every district.
- Introduced provisions for adoption through the Central Adoption Resource Authority (CARA).
- Amended in 2021 to strengthen the role of CWCs and address adoption-related issues.
- Children Tried as Adults: Juveniles aged 16-18 committing heinous crimes (like rape or murder) can be tried as adults under certain conditions (Section 15).
- Surrender of Children: Parents can legally surrender a child if they feel unable to care for them (Section 35).
- Adoption Rules: Prospective parents must be vetted through a strict home study before adoption (Sections 56-63).
- Foster Care System: Introduces foster care as an alternative to institutionalization (Section 44).
- Penalties for Orphanage Violations: Unauthorized childcare institutions face severe penalties, including fines up to ₹1 lakh (Section 41).
- No Police in Civil Cases: When handling cases of child welfare, police must not be in uniform to avoid intimidating children (Section 10).

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

- A comprehensive law to protect children from sexual abuse and exploitation.
- Defines different forms of sexual abuse, including penetrative and non-penetrative assault, sexual harassment, and pornography.
- Provides child-friendly procedures for reporting, investigation, and trial.
- Amended in 2019 to include stricter punishments, including the death penalty for aggravated sexual assault.
- Presumption of Guilt: Unlike regular criminal law, POCSO presumes the accused to be guilty unless proven innocent (Section 29).
- Burden of Proof on Accused: The burden of proof is on the accused, making prosecution easier (Section 30).
- Mandatory Reporting: Any person aware of child sexual abuse must report it; failure to do so is punishable (Section 19).
- In-Camera Trials: The Act mandates closed-door court proceedings to protect the child's identity (Section 37).
- No Retraumatization: The child cannot be called repeatedly for questioning to prevent psychological distress (Section 33(5)).
- Child-Friendly Procedures: Statements must be recorded at home or a safe space, and police officers in plain clothes should handle cases (Section 26).

### The Right of Children to Free and Compulsory Education (RTE) Act, 2009

- Ensures free and compulsory education for children aged 6-14 years.
- Prohibits physical punishment and mental harassment in schools.
- Mandates 25% reservation for disadvantaged children in private schools.
- No Expulsion or Detention: Schools cannot fail or expel a child until they complete 8th grade (Section 16).
- Private Schools Must Reserve Seats: 25% of seats in private schools must be reserved for disadvantaged children (Section 12(1)(c))

- No Discrimination: No child can be denied admission due to lack of documents (Section 14)
- Corporal Punishment Ban: Physical punishment is strictly prohibited, and violators face disciplinary action (Section 17).

### **Child Labour (Prohibition and Regulation) Act, 1986 (Amended in 2016)**

- Prohibits employment of children below 14 years in all occupations, except helping in family businesses after school hours.
- Bans adolescents (14-18 years) from hazardous occupations.
- Imposes strict penalties on employers hiring child labor
- Exceptions for Family Businesses: Children under 14 can work in family-run businesses outside school hours (Section 3).
- Child Artists Exemption: Children working in the entertainment industry are not considered laborers, provided education is ensured (Section 3(2)).
- Increased Penalties: Employers hiring child labor can face 2 years imprisonment and fines up to ₹50,000 (Section 14).
- Rehabilitation Fund: Any fine collected from employers goes directly into a child rehabilitation fund (Section 14B).

### **The Immoral Traffic (Prevention) Act, 1956**

- Aims to prevent human trafficking and commercial sexual exploitation of children.
- Punishes those involved in procuring, inducing, or detaining children for prostitution.
- Child Trafficking Penalty: Trafficking children for sexual exploitation carries a minimum of 7 years to life imprisonment (Section 5).
- Rehabilitation Homes: Rescued minors must be placed in government rehabilitation centers (Section 17).

### **Prohibition of Child Marriage Act, 2006**

- Voidable Marriages: A child forced into marriage can get it annulled before turning 20 (Section 3).
- Punishment for Facilitators: Anyone arranging or attending a child marriage can be punished (Sections 9-11).
- Power to Stop Marriages: District Magistrates can intervene and stop a child marriage (Section 13).
- Husband is Considered a Rapist: If a minor girl is married and subjected to intercourse, it is considered rape under POCSO.

### **The Commission for Protection of Child Rights Act, 2005**

- Establishes the National Commission for Protection of Child Rights (NCPCR) and State Commissions (SCPCR) to monitor and ensure the implementation of child rights.
- Special Powers to NCPCR: The National Commission for Protection of Child Rights (NCPCR) has quasi-judicial powers to intervene in cases of child rights violations (Section 13).
- State Commissions Must Be Established: Every state must have a State Commission for Protection of Child Rights (SCPCR) (Section 17).
- Can Summon Witnesses: NCPCR has the power to summon officials for child rights violations (Section 14).

### **Information Technology (IT) Act, 2000 (Amended in 2008)**

- Addresses online child abuse, cyberbullying, and the distribution of child sexual abuse material (CSAM).

- Section 67B prohibits the publishing, transmission, and storage of child pornographic content.
- Section 67B – Child Pornography: Publishing, storing, or distributing child sexual abuse material (CSAM) is punishable with up to 5 years in jail.
- Punishment for Grooming: Online predators grooming children for exploitation can be punished even if no physical abuse occurs.

# **APPENDIX 6:**

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# **SAFEGUARDING STATEMENT / POSTER**



## Safeguarding Statement

# FMA-INDIA

FMA-India recognises and upholds the dignity and rights of all, and is committed to ensuring their safety. The Province recognises each person as a gift from God and values and encourages the participation of everyone in all activities that enhance their spiritual, physical, emotional, intellectual and social development.

We have a responsibility to safeguard everybody through promoting a safe and caring environment that supports the best interests of all and prevents abuse.

FMA-India is committed to the implementation of this Safeguarding Statement and the practices and procedures that support our commitment to keep everybody safe from harm while engaged in activities.

If you have a Safeguarding concern, please contact:

Name: \_\_\_\_\_



Telephone Number: \_\_\_\_\_



Email address: \_\_\_\_\_

***Alternatively, you can report your concern directly to the Civil Authority.***

## **APPENDIX 7:**

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# **POLICY FOR THE PROTECTION OF MINORS AND VULNERABLE ADULTS IN THE INSTITUTE OF THE DAUGHTERS OF MARY HELP OF CHRISTIANS, 2025.**

With this Policy of Prevention and Protection, the Institute of the Daughters of Mary Help of Christians, faithful to its educational mission and the charism of the Preventive System, defines ten guidelines that guide its commitment to the protection of minors and vulnerable adults. They promote a culture of “zero tolerance” towards all forms of abuse, the creation of safe environments, continuous training, shared responsibility and professional accompaniment of victims. All this in a synodal perspective, contextualized and in continuous revision, thus ensuring an effective, transparent and consistent response with the Gospel values and the needs of today’s world.

The Institute of the Daughters of Mary Help of Christians integrates, in all stages of initial and ongoing formation, the construction of a culture of protection and safeguarding of minors and vulnerable adults.

### The fundamental principles underlying this Policy are:

- Human dignity: every person is the image of God and deserves absolute respect.
- Zero tolerance: No form of mistreatment or abuse is allowed.
- Justice: the search for truth and justice and the correction of evil.
- Reparation: priority attention to victims and their families; repair and guarantee that they are not again subjected to mistreatment or abuse.
- Transparency: clear communication and cooperation with authorities.
- Co-responsibility: the entire community is responsible for protection.
- Active prevention: training, protocols and continuous supervision.

### Protection Guidelines

1. **Zero tolerance: clear, transparent and effective approach by the FMA Institute.** The Institute of the Daughters of Mary Help of Christians is committed to ensuring the safety, protection and respect of the rights of minors and vulnerable adults (MVAs). It guarantees appropriate treatment in any case that violates their rights, offering precise responses for their protection in all circumstances. The Institute of the Daughters of Mary Help of Christians addresses any suspicion, accusation or report of abuse promptly, thoroughly and transparently.
2. **Safe and preventive environment:** The Institute of the Daughters of Mary Help of Christians creates a preventive physical and virtual environment with the aim of developing the full potential of the person while minimising the risk of harm to the physical, mental and spiritual health of minors, vulnerable persons, adult staff and other underage collaborators.
3. **Information on protection:** The Institute of the Daughters of Mary Help of Christians guarantees that every person is informed about the documents and protocols established for the protection of minors and vulnerable adults; about the procedures and means for reporting situations of abuse; and about the persons responsible in this area.
4. **Protection as a shared responsibility:** The Institute of the Daughters of Mary Help of Christians ensures that the care and protection of minors and vulnerable adults is a commitment shared by all and by each member of the educational community.
5. **Personnel management:** The Institute of the Daughters of Mary Help of Christians monitors personnel working with vulnerable children and adults to ensure that they are suitable, psychologically, emotionally and spiritually mature, rich in values, and work in accordance with the Preventive System.
6. **Synodal authority service:** The Institute of the Daughters of Mary Help of Christians, in order to encourage everyone to express themselves and contribute to the pursuit of the common good and the exercise of their own responsibility, experiences authority

as a synodal service that promotes the growth of all; it cultivates a participatory style of leadership, with a generative attitude centred on Gospel values.

7. **Continuing education:** The Institute of the Daughters of Mary Help of Christians guarantees adequate and continuous training and updating of educational communities through a training programme on the protection and safeguarding of minors and vulnerable adults.
8. **Contextualised protection policies:** The Institute of the Daughters of Mary Help of Christians ensures that policies for the protection and safeguarding of minors and vulnerable adults, as well as protection procedures, are adapted to the social, cultural and ecclesial context and to current regulations.
9. **Support for victims/survivors and their families:** The Institute of the Daughters of Mary Help of Christians, in line with the guidelines of the local Church, is committed to providing professional and effective support to victims/survivors and their families through collaboration with legal, psychological and social professionals.
10. **Review of safeguarding:** The Institute of the Daughters of Mary Help of Christians undertakes to review and update its policies for the safeguarding of minors and vulnerable adults every six years, or more frequently if necessary.

**Criteria & Indicators:**

<b>Guideline</b>	<b>Policy</b>	<b>Indicators</b>
<b>1. Zero tolerance:</b> clear, transparent, and effective approach of the FMA Institute.	The FMA Institute is publicly committed to protection, with a position of zero tolerance towards abuse.	<ul style="list-style-type: none"> <li>✓ Guidelines of the FMA Institute for the protection of minors and vulnerable adults are formally approved by the Superior General with her Council.</li> <li>✓ Each Provincial with her Council elaborates and approves Provincial Guidelines for the protection of minors and vulnerable adults according to the indications of the Institute.</li> <li>✓ Each Provincial with her Council and all those responsible for educational works promote and supervise the deepening of the culture of protection, emphasizing shared responsibility.</li> </ul>
	The system of protection in educational works is clear, transparent and effective.	<ul style="list-style-type: none"> <li>✓ The Provinces establish a Committee for the Protection of Minors and Vulnerable Persons, headed by a coordinator. This Committee, together with other professionals, is responsible for monitoring the effective management and implementation of protection policies and procedures.</li> </ul>
<b>2. Safe and preventive environment.</b>	The prevention of all forms of abuse is set out in the <i>Guidelines for Protection</i> .	<ul style="list-style-type: none"> <li>✓ The Guidelines of the FMA Institute for the Protection of Minors and Vulnerable Adults establish the conditions for a safe physical, mental, and spiritual environment.</li> <li>✓ The Guidelines of the FMA Institute for the Protection of Minors and Vulnerable Adults establish the conditions for a safe virtual environment.</li> </ul>
	All members of the educational community, collaborators, volunteers and employees are aware of, accept and adopt the Guidelines for the protection of minors and vulnerable adults.	<ul style="list-style-type: none"> <li>✓ All members of the educating community, collaborators, volunteers and employees sign the Guidelines for Protection.</li> <li>✓ Every employment contract with third parties requires the signing of the Protection Guidelines.</li> </ul>
<b>3. Information on protection.</b>	Minors, vulnerable adults, families and all members of educational communities will be informed of the Protection Guidelines.	<ul style="list-style-type: none"> <li>✓ The Guidelines for the protection of minors and vulnerable adults are publicly available and widely disseminated.</li> <li>✓ Each educating community has mechanisms to collect feedback from recipients and families on the effectiveness and accessibility of safeguarding programs.</li> </ul>

<b>4. Protection as shared responsibility.</b>	The FMA Institute is committed to ensuring that the care and protection of minors and vulnerable adults are the responsibility of each and every member of the educating community.	<ul style="list-style-type: none"> <li>✓ Each member of the educating community knows, accepts and assumes responsibility for the care and protection of minors and vulnerable adults by signing documents relating to protection.</li> </ul>
<b>5. Personnel management.</b>	The personnel selection and management policy emphasises a strong commitment to the protection of minors and vulnerable adults.	<ul style="list-style-type: none"> <li>✓ The commitment to the protection of minors and vulnerable adults as well as the “zero tolerance” approach to abuse in its various forms are explicit in the personnel selection process.</li> <li>✓ In the personnel selection process, the suitability and maturity of the person in relation to protection must be assessed, also through the professional tools available, following the laws in force in the country (e.g. a psychological examination, a transcription of the criminal record, or the “police clearance”).</li> <li>✓ All steps of the personnel selection procedure are fully documented and filed according to the law of the country.</li> </ul>
<b>6. Service of synodal authority centred on Gospel values.</b>	The FMA Institute cultivates a participatory style of animation, with a generative approach.	<ul style="list-style-type: none"> <li>✓ Decision-making processes encourage the expression and contribution of each person in the search for the good of minors and vulnerable adults, as well as in the exercise of their own responsibility.</li> </ul>
<b>7. Continuous training.</b>	All members of the educating communities are trained and updated on the <i>Guidelines for protection</i> .	<ul style="list-style-type: none"> <li>✓ Each Province has a formation programme (for FMA and lay people) that includes the protection of minors and vulnerable adults.</li> <li>✓ The training programme for every FMA, from initial training to ongoing training, includes training and refresher courses on the subject of the protection and safeguarding of minors and vulnerable adults.</li> </ul>
<b>8. Contextualized protection policies.</b>	The FMA Institute, in the light of current legislation and civil and ecclesiastical regulations, draws up its own Guidelines for the protection of minors and vulnerable adults Policies and procedures for the protection and safeguarding of minors and vulnerable adults are contextualized in the social, cultural and ecclesiastical environment of each country.	<ul style="list-style-type: none"> <li>✓ Each Province is familiar with the Guidelines for the Protection of Minors and Vulnerable Adults of the FMA Institute and develops its own Guidelines in accordance with the civil and ecclesiastical laws in force in its country.</li> <li>✓ Policies for protection must include the civil legislation of your country.</li> <li>✓ Policies for protection must respect the universal and local ecclesiastical norms of the bishops’ conferences.</li> </ul>
<b>9. Accompaniment of victims/survivors and families.</b>	The FMA Institute ensures integral and person-centered support.	<ul style="list-style-type: none"> <li>✓ Each Province defines the processes of accompaniment and help for victims/survivors of different forms of abuse.</li> <li>✓ Accompaniment is carried out through collaboration with professionals from a legal, psychological, spiritual and social point of view.</li> </ul>

<p><b>10. Verification of protection.</b></p>	<p>The FMA Institute is committed to periodically verifying policies for the protection of minors and vulnerable adults</p>	<ul style="list-style-type: none"> <li>✓ The educating communities verify the implementation of the Guidelines for protection through a three-year review at the provincial and local levels.</li> <li>✓ The Safeguarding Guidelines are reviewed at least every three to six years or whenever new civil or canonical legislation on the protection of minors and vulnerable adults is approved.</li> <li>✓ It is advisable to verify the implementation of training processes, safeguarding protocols, and the effectiveness and accessibility of safeguarding programmes, taking into account feedback from recipients and their families.</li> </ul>
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