



European Schools

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CHILD PROTECTION

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CHILD PROTECTION

THE RESPONSIBILITIES OF NATIONAL DELEGATIONS, DIRECTORS AND TEACHERS OF EUROPEAN SCHOOLS

Background

The protection, care, and welfare of children within the European Schools system are obviously of paramount importance. As part of this duty of care, it is essential that all those entrusted with the oversight of the system (which includes those involved in the appointment of staff and the management of school) do everything they can do to ensure that everyone working with the pupils is fit to do so, and that the pupils have as safe and secure an educational environment as possible.

Several factors have led to the drafting of this document, which include

- awareness of very different practices by member states concerning the checking of potential employees' suitability to be in contact with children. Different practices and procedures could leave schools in an exposed position from a legal viewpoint, in the event of an incident;
- the continuing occurrence of health and safety issues for schools to put right, for instance in the conduct of out of school activities;
- increasing emphasis in member states within the European Union on children's rights, with a likely increase in liability claims if negligence is asserted and proved.

For all these reasons it has seemed useful to draw together in one document guidelines for good practice in those areas of school life which have a bearing on children's safety, health, and physical, emotional and spiritual well-being. The document gives general guidance. It is recommended that in the areas identified in the document schools should ensure that they are taking appropriate action. This will often mean developing their own more detailed policies, which take account of local conditions.

Principles

It is essential to ensure that all pupils of any nationality in any of the European Schools will be guaranteed the same level of security and care through our appointment procedures and the way we check all staff.

The ethos of each school should be founded on a basis of mutual respect between all members of the school community, in order to encourage the self-respect of the pupils and to preserve their right to emotional and physical privacy. In any conflict between disclosure and privacy it is the rights and protection of the child which must be paramount.

The personal freedom and the right to human dignity is a fundamental constitutional right of everyone, including all participants in education, giving rise, among others, to the prohibition of not only physical but also mental aggression against and humiliating punishment of students.

The validity of these rights is not dependent on whether pupils meet their obligations at school; the human rights of pupils may not be associated with the fulfilment of the pupils' obligations.

It is to be ensured, that any information that raises concerns about the welfare and protection of a child is transmitted to the appropriate school staff/the head teacher who informs, if necessary, national authorities, and, that any allegation must be treated as a matter of utmost seriousness.

It must be understood and respected that sensitivity and understanding in dealing with a child protection case is of extraordinary importance.

The statutory responsibility for Child Protection in the Member State must be clarified in all cases.

Issues

Among the problems the system faces in ensuring children's safety are the variables which are inevitable in a context in which there are twenty-seven nations with different laws, priorities and approaches, seconding teachers to fourteen schools in seven different countries.

These include:

- widely different legislation on the age of consent;
- different approaches to appointment of teachers in terms of procedures, requirements and practice;
- the responsibility of schools' directors in appointing teachers of Religious Education;
- potential discrepancy between the laws and requirements of an appointing country and the laws and requirements of the country in which the appointee will work;
- potential conflict between the requirement for disclosure and the rights of individuals to privacy and protection under national and international legislation;
- the need to check other adults working with children in the schools on a voluntary basis;
- the need to check any other staff who have access to children;
- the protection of children in all aspects of their education.

It is important to make sure, however, that these barriers and difficulties identified should not impede the implementation of effective Health, Safety and Child Protection policies in every school.

1. The School's Child Protection Policy (General)

1.1 Following the principles above and the guidelines below, each school has to develop its child protection policy and procedures in place (taking account of local legislation as well) and this policy is to be communicated to parents whose representatives should be involved in creating the document. Publication and dissemination of the policy on child protection would be vital to ensure ownership of the policy and compliance of all members of the school community.

1.2 It is the responsibility of everyone concerned to act according to the intentions of these principles and to follow the child protection policy of the school in order to guarantee the welfare of the pupils. All members of the school community ensure that they and others follow these regulations.

1.3 To support the child protection procedures in each school, the school is required to designate a senior member of staff as the Designated Liaison Person for Child Protection – the head teacher or someone nominated by the head teacher – to liaise with the authorised National Agencies on specific child protection measures, and to be a resource person to any staff member or volunteer who has child protection concerns.

1.4 Schools should educate children through the curriculum programmes in the fields of the danger of emotional, physical and sexual abuse as part of Relationships and Sex Education as well as the negative effects of smoking, alcohol consumption and drug abuse as part of the Personal and Health Education programme. Schools also should educate pupils on good behaviour on the internet and safe internet use in order to avoid cases of web-bullying or false accusations, etc.

2. Staff

Staff who have access to children in the European Schools (including teachers of religion) will be asked to provide a criminal record document (or equivalent documentation from the country the individual is a citizen of or has been in employment so far) before beginning the employment.

2.1 Seconded staff

Each member state is responsible for ensuring that staff seconded to a European School whether in their country or another are fit to be in contact with children and that the national legislative requirements for teachers have been met, including child protection legislation.

2.2 Teachers of religion

In case of religious teachers it is the responsibility of the religious authority which nominates them make sure that are fit to be in contact with children, and that the local legislation (particularly child protection legislation) is observed.

2.3 Locally recruited staff

Each school is responsible for ensuring that all locally recruited staff are fit to be in contact with children, and that the local legislation (particularly child protection legislation) is observed.

2.4 Others working with children unsupervised

All those employed in a school who have unaccompanied access to children should be checked against the appropriate legislation, and if none is applicable, steps should be taken to ensure as far as possible that these people are clear.

2.5 The School will exercises all reasonable means to ensure that unauthorised persons cannot gain entry and that unauthorised visitors can be easily identified.

2.6 It is recommended that the head teacher and all other staff who work with children need to undertake appropriate training to equip them to carry out their responsibilities for child protection effectively. This should be planned and scheduled in the staff formation plans of the schools.

3. Security, Health and Comfort

3.1 School environment

It is essential that safe, healthy and comfortable environment is provided for all working in a European School. To ensure these features schools carry out comprehensive risk assessment and regular inspection of safety appliances, frequent efficient cleaning of the site, care for the promotion of healthy eating and hygienic behaviour as well as appropriate and comfortable classrooms.

It is essential to make sure that the school will provide rapid agreed response to accident or illness, including designation and training of teachers or non-teaching staff as "first-aiders" (so long as this does not contravene local law), and keeping an accident register.

The parents will provide information about children with allergies and special medical conditions on a 'need to know' basis, taking into account medical advice and parents' wishes and appropriate confidentiality.

3.2 Out of School Activities

For school activities taking place outside the school, it is incumbent on the school to verify that pupils' welfare is guaranteed (for example to ensure that boarding centres are approved by local authorities). All such activities should be subject to appropriate risk assessment procedures in which teachers accompanying the students must be fully involved.

Parents must be kept fully informed about all aspects of school expeditions in which their children are involved.

4. Implementation and procedures

4.1 Behaviour

Regular and agreed procedures are essential in each school and should be appropriate to the needs and should cover the needs of the full age range. It is essential that all partners in the school community are aware of and support the following guidelines:

- promotion of reasonable and safe behaviour on the school premises, in the school canteen, during school and extended school and before and after school activities, in school buses and on visits out of school;
- efficient monitoring of attendance, absence and "in school" truancy with appropriate follow up action; including information on consequences of poor attendance, non regular work and misbehaviour
- awareness of teachers and all other members to the importance of serving as good role models.

4.2 Awareness of pupils' rights and responsibilities

All European Schools should provide a respectful environment for pupils and all employees ensuring respectful class and out of class communication between teachers and pupils and protecting the pupils against any form of discrimination, therefore any

stereotyping of pupils based on their nationality, gender, sexual orientation, race, handicap, special needs, etc. should be avoided by both teachers and students. In accordance with this goal schools should provide education in personal relations, encouragement of respect and opportunities and inclusion for all members of the school community, regardless of race, nationality, religion, sexual orientation, gender, disability and special educational need;

4.3 Bullying

Each school should develop and publish

- clear policies and procedures to be followed in case of bullying, whether physical, verbal or indirect (humiliation, rumours, gossip, etc) between pupil/pupil or staff/pupil;
- every school should have a programme to avoid bullying as part of the yearly school activities. Teachers should receive some training, i.e. on pedagogical days, on this topic.

4.4 Complaints handling system

Each school should develop and publish a user-friendly and effective complaints handling system which includes

- clear information about how and to whom to complain (for primary, usually the class teacher; for secondary, often the guidance centre);
- agreed procedure for following up complaints, including respect for confidentiality when appropriate but with proper information to the person complained about;
- keeping up records of complaints made and action taken;
- information to those other members of the school who need to know;
- advertising access to local or national help lines.

4.5 Procedures for dealing with allegations of abuse

Each school should develop and publish adequate procedures for dealing with allegations of abuse. These procedures include:

- agreed response to allegations of abuse, whether verbal, physical, emotional or sexual. (In case of evidence response must comply with legal practice and procedures in the host country of the school concerned.)
- guidance to staff in relation to recognising the signs and symptoms of child abuse, including physical indicators or behavioural/developmental indicators
- procedures for handling disclosure from children
- responsibilities of any member of staff in relation to Child Protection
- responsibilities in relation to designated persons within the school
- responsibility to communicate with the authorised National Agencies responsible for Child Protection matters (e.g. National Health Authorities or Police Agencies)
- restrictions that should apply in relation to investigation of cases in accordance with child protection regulations in force in the host country.
- Responsibilities in relation to recording of issues or allegations also need to be clarified.

Appendix: Recommendations and Checklist for Child protection policy and procedures in schools

Security

- Regular and frequent inspection of building and site by school administration and Public Works departments to include all new buildings and changes of use.
- Reasonable response to potential dangers, depending on the urgency of each case.
- Risk Assessment which should be kept up to date.
- Protection of pupils from traffic danger when on the schools' property or in the schools' care (e.g. outings, school trips).
- Provision of fire escapes on multi storey buildings, outward opening doors on main access points to buildings and route signs for guidance in emergencies.
- Regular evacuation exercises, written instructions for staff and pupils about context of an evacuation (e.g. fire) and after each exercise a report on its conduct with the aim of improving safety.
- Designation of a person responsible for safety measures.
- Adherence to local legislation concerning safety in laboratories, for example, with reference to number of pupils, wearing of masks, goggles or protective clothing, storage of chemicals, ventilation, teacher control of mains services.
- Regular inspection by a competent firm of equipment for physical education.
- Recreational spaces of an appropriate size are properly equipped and maintained.

Hygiene and Health

- Efficient cleaning of the site, and particularly of areas for food preparation and consumption, toilets and showers.
- Provision of water, soap and drying facilities in toilets.
- Observations of any local safety provision regarding kitchens and heating installations.
- Regular monitoring of the quality of the water and general hygiene in the swimming pool, according to local regulations.
- Removal of graffiti, chewing gum and other unsightly items on a regular basis.
- Policy of combating abuse of drugs, alcohol, tobacco and other substances.

Comfort

A maximum effort should be made in all European Schools to establish healthy psycho-hygienic conditions for pupils. Therefore school managements should make sure that:

- Classrooms, laboratories and gymnasiums are well-lit, appropriately heated and ventilated and of an appropriate size for the classes using them.
- Classroom furniture is of good quality and of an appropriate size for the pupils using it.
- A proper lunch break is provided for every pupil.

The recommendations of this document are to be discussed by the education committee and other relevant bodies of the schools, and the internal school regulations should be modified accordingly. Measures should be taken in order to implement the recommendations and monitor the effects regularly.