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Child Protection Policy – General

Child Protection 2007-D-441-en-5

“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, sending teachers to thirteen 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)

Ref	Child Protection 2007-D-441-en-5	ESB
A	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.	The policy is under ongoing revision and evaluation.
B	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.	<p>All members of staff have access to all the documents on the Sharepoint site, and therefore it is expected that everyone will comply with these guidelines and internal regulations.</p> <p>Parents and pupils have access to the most important documents on the website.</p> <p>Where the regulations of the European Schools are concerned, they will always take precedence over the internal rules.</p> <p>It is also expected that members of the school community will alert management if there are provisions which do not work or need reconsideration.</p>
C	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.	The two deputy directors are the designated liaison persons , with responsibilities for the pupils in their cycles.
D	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.	<p>This is all dealt with in other sections of the document.</p> <p>The ICT staff are responsible for monitoring the use of the Internet in the school, in conjunction with the teachers and deputy directors.</p>

SECTION 2. Staff

Ref	Child Protection 2007-D-441-en-5	ESB
A	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.	All new members of staff have to provide such a document, and now most members of staff have done this Procedure for staff absences
B	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.	n/a This is the responsibility of the delegation.
C	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.	They are treated in the same way as all other locally recruited staff (LRT and AAS). See below.
D	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.	Certificates of disclosure and good behaviour are checked for all new staff. All teaching staff employed have to be found suitable for employment by the national inspector. A Certificate of Fitness to teach is required, although this is not always possible to get in the NL. Staff selection and employment guidelines. Guidelines for the organisation of distance learning
E	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.	Procedure for trainee teachers
F	Unauthorised visitors The School will exercise all reasonable means to ensure that unauthorised persons cannot gain entry and that unauthorised visitors can be easily identified.	Procedure for visitors to the school; including pupil visitors
G	Training 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.	Training for staff in CPP issues as and when necessary. Close liaison and meetings with the local authorities Training in the GDPR is compulsory for all staff. There is a Data Protection Officer Correspondent at the school

Introduction

Much of the material in this section in the CPP can be cross-referenced by going into the system documents:

1. Regulations for Members of the Seconded Staff of the European Schools
2. Service Regulations for the Locally Recruited Teachers in the European Schools
3. The General Rules of the European Schools, with particular emphasis on Chapters I, II and III

The latest versions of these documents are available on the website of the European Schools, www.eursc.eu under “Legal basis of the European Schools” and then under the language.

The intention of this section of the CPP is not to reproduce the rules which may or not be adapted over time, but to provide the internal procedures as they apply to areas A-G with cross-referencing to the official documents as necessary.

Disclosure or good behaviour certificates

Seconded teachers (B)

- This is the responsibility of the recruiting national authorities.

Locally employed teachers (LRTs) and other locally recruited staff (Administrative and Ancillary Staff, AAS) (LRTs) (C, D)

- LRT and AAS staff have to provide a certificate of good behaviour from the local authorities before they can be employed at the school, and it is a condition of the recruitment process that they provide this, as well as have the opinion of the relevant national or subject inspector.
- There is no distinction between teachers of religion and other locally recruited teachers.

All others (E)

- People who are at the school and who work alone with children, including students doing placements in the school have to provide a certificate.
- In the case of others who are working under the supervision of ESB staff and who are not alone with the children (e.g. parents accompanying residential school trips or parents who are helpers in classes or in the library) it is the decision of the appropriate deputy director as to whether or not a certificate is necessary. This decision needs to be communicated to all concerned, including the security.

The Parents Association

- PA committee members are not employees of the school, but as they spend a significant amount of time in the school, they work with parents, students and teachers, and because they are involved in a wide range of school events in which there is significant contact with children, a certificate of good conduct is required.
- It is the responsibility of the PA to ensure that certificates are provided and they should be available to the school management on request.

It is up to the discretion of the school to request a new certificate for existing staff with a valid reason.

SECTION 3: Security, Health and Comfort

With effect from January 2019 there is a safety and security officer employed at the school with responsibilities in this area of the CPP.

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:

Ref	Child Protection 2007-D-441-en-5	ESB
A	Comprehensive risk assessment and regular inspection of safety appliances	Risk Management Protocol Health and safety
B	Frequent efficient cleaning of the site	Cleaning and gardening company
C	Care for the promotion of healthy eating and hygienic behaviour	Canteen Committee and canteen company
D	Appropriate and comfortable classrooms	
E	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.	Procedure for dealing with accidents and medical emergencies Procedure for dealing with illnesses
F	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	Done at the start of each year and as the need arises

3.2 Out of School Activities

Ref	Child Protection 2007-D-441-en-5	ESB
A	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).	Instructions for day trips and residential trips Procedure for school events
B	All such activities should be subject to appropriate risk assessment procedures in which teachers accompanying the students must be fully involved.	Instructions for day trips and residential trips
C	Parents must be kept fully informed about all aspects of school expeditions in which their children are involved.	Instructions for day trips and residential trips

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

Ref	Child Protection 2007-D-441-en-5	ESB
A	Regular and frequent inspection of building and site by school administration and Public Works departments to include all new buildings and changes of use.	Inspected by the fire brigade, normally once per year NOB is responsible for the buildings
B	Reasonable response to potential dangers, depending on the urgency of each case.	Arrangements for bad weather Business Continuity Plan Visitors to the school, and pupil visitors
C	Risk Assessment which should be kept up to date.	Obligatory assessment carried out every 5 years according to the labour laws of the Netherlands (most recent June 2019)
D	Protection of pupils from traffic danger when on the schools' property or in the schools' care (e.g. outings, school trips).	Contact with the local authorities with Insurance for staff members and if they have pupils in their cars, see School trips procedure
E	Provision of fire escapes on multi storey buildings, outward opening doors on main access points to buildings and route signs for guidance in emergencies.	Belongs to the regular checks by the fire brigade, and the school responds to complaints and points raised. Another check is the Users Licence from the gemeente Bergen
F	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.	Evacuation Procedure , and there is also the BHV file (with the concierges) Evacuation procedures take place twice per year with evaluations and changes as necessary Lockdown Procedure is in place
G	Designation of a person responsible for safety measures.	Overall the director is responsible for safety and security There is a safety and security officer The bursar is responsible for security of the school building The deputy directors are responsible for the safety of the pupils The director is responsible for the safety of the staff members
H	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.	Safety in laboratories
I	Regular inspection by a competent firm of equipment for physical education.	Done every year by two companies
J	Recreational spaces of an appropriate size are properly equipped and maintained.	Equipment is provided according to school plans Equipment is checked once or twice per year by locally contracted companies

Introduction

In the Digest of Decisions of the Board of Governors, Chapter IV, the role and responsibility of the national delegation for the equipment and buildings is mentioned

Hygiene and Health (Appendix: Recommendations and Checklist for Child protection policy and procedures in schools)

The bursar has the contracts for the companies stated below.

	Child Protection 2007-D-441-en-5	ESB
A	Efficient cleaning of the site, and particularly of areas for food preparation and consumption, toilets and showers.	The cleaning of the site is carried out by Komen , a company which has a contract with the school. The canteen company (currently Luna Rossa) is responsible for the canteen food preparation areas Victoria , the cleaning company, is responsible for the regular cleaning of the toilets and showers
B	Provision of water, soap and drying facilities in toilets.	The responsibility of the cleaning company Victoria which follows a regular schedule
C	Observations of any local safety provision regarding kitchens and heating installations.	The responsibility of the canteen company. The heating installations are checked
D	Regular monitoring of the quality of the water and general hygiene in the swimming pool, according to local regulations.	No swimming pool A legionella management plan is in place
E	Removal of graffiti, chewing gum and other unsightly items on a regular basis.	This is done by the concierges . For areas outside the school buildings this is the responsibility of the gemeente Bergen
F	Policy of combating abuse of drugs, alcohol, tobacco and other substances.	The European School Bergen is a smoke-free school and no smoking is permitted anywhere on the school grounds by anyone. Smoking is not allowed visibly in front of the school. This conforms with Dutch legislation.

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

A maximum effort should be made in all European Schools to establish healthy psychohygienic conditions for pupils.

Therefore school managements should make sure that:

	Child Protection 2007-D-441-en-5	ESB
A	Classrooms, laboratories and gymnasiums are well-lit, appropriately heated and ventilated and of an appropriate size for the classes using them	Regular monitoring and then response by the maintenance programme of the NOB
B	Classroom furniture is of good quality and of an appropriate size for the pupils using it.	Is checked and is the case
C	A proper lunch break is provided for every pupil	A priority in the timetable in the secondary cycle

SECTION 4: Implementation and Procedures

4.1 Awareness of pupils' rights and responsibilities (Implementation and procedures)

Ref	Child Protection 2007-D-441-en-5	ESB
A	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	House rules secondary Code of behaviour for the nursery and primary school pupils Rights and responsibilities, secondary school Social Climate document

	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.	
B	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	

4.2 Bullying (Implementation and procedures)

Each school should develop and publish

Ref	Child Protection 2007-D-441-en-5	ESB Documents
A	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.	Social Climate document

4.3 Complaints handling system (Implementation and procedures)

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

Ref	Child Protection 2007-D-441-en-5	ESB Documents
A	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 Keeping up records of complaints made and action taken to the person complained about Information to those other members of the school who need to know	Complaints handling procedure
B	Advertising access to local or national help lines	This part of the policy needs to be developed with a list of agencies, contact information etc.

4.4 Procedures for dealing with allegations of abuse (Implementation and procedures)

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

Ref	Child Protection 2007-D-441-en-5	ESB
A	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	Social Climate document
B	Procedures for handling disclosure from children	Social Climate document
C	Responsibilities of any member of staff in relation to Child Protection	
D	Responsibilities in relation to designated persons within the school	
E	Responsibility to communicate with the authorised National Agencies responsible for Child Protection matters (e.g. National Health Authorities or Police Agencies)	
F	Restrictions that should apply in relation to investigation of cases in accordance with child protection regulations in force in the host country.	
G	Responsibilities in relation to recording of issues or allegations also need to be clarified.	

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.