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## Child Protection Policy

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# I. Definition of 'Child Abuse' and Scope of the Policy

Child abuse is when a parent or person of responsibility or another person, whether through action or failing to act, causes injury, death, emotional harm, or risk of serious harm to a child.

It is the physical, psychological maltreatment or sexual molestation of a child.

Various forms of abuse can co-exist in child abuse cases.

"A child" means a person under the age of 18 years (or under the legal age in the host country of the European School).

The following is, without prejudice to, applicable to national criminal and child protection laws and regulations.

It is necessary to evaluate, review and update school child protection procedures and policies every two years.

## I.1.Scope

All school personnel must be alert to the possibility that children with whom they are in contact may be experiencing abuse or neglect. This document contains guidance on the four main types of child abuse and how abuse and neglect can be recognized.

## I.2. Reasonable Grounds for Concern

The Director and relevant Deputy Director should always be informed where a person has reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. If the symptoms of abuse are ignored, it could result in on-going harm to the child.

It is not necessary for a person to prove that abuse has occurred to report a concern. All that is required is that the person has **reasonable grounds for concern**.

Where a concern is reported, the information will be carefully considered with any other information available and an assessment will be carried out where sufficient risk is identified.

**It is not the school's role to investigate, but to refer and to seek help for the child.**

Reasonable grounds for a child protection or welfare concern include:

- Evidence (e.g. injury or behaviour) that is consistent with abuse and is unlikely to have been caused in any other way,
- Any concern about possible sexual abuse,
- Consistent signs that a child is suffering from emotional or physical neglect,
- A child saying or indicating by other means that he or she has been abused,
- Admission or indication by an adult or a child of an alleged abuse they committed,
- An account from a person who saw the child being abused.

## I.3. Types of Child Abuse and How they might be recognised

All school personnel should be familiar with signs and behaviours that may be indicative of child abuse. This document describes the four main types of abuse: **neglect**, **emotional abuse**, **physical abuse** and **sexual abuse** and outlines how abuse and neglect can be recognised.

A child may be subjected to one or more forms of abuse at any given time.

Abuse and neglect can occur within the family, in a community or in an institutional setting.

The abuser may be someone known to the child or a stranger, and can be an adult or another child.

In a situation where abuse is alleged to have been carried out by another child, it should be considered a child welfare and protection issue for both children and child protection procedures should be adhered to for both the alleged victim and the alleged abuser.

An important factor in determining whether the behaviour is abuse or neglect is the impact of that behaviour on the child, rather than the intention of the parent/person of responsibility/other person.

The definitions of neglect and abuse presented in this chapter are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

The procedures for reporting child abuse or neglect can be found in later in this policy. If it is considered that a child is in immediate danger the relevant National Authorities should be contacted without delay.

### I.3.1. Neglect

Child neglect is the most frequently reported category of abuse internationally. On-going chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation, supervision and safety.

Emotional neglect may also lead to the child having difficulties of attachment.

The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life, as well as the age of the child and the frequency and consistency of neglect.

Neglect is associated with poverty, but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence and parental mental illness and disability. A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or guardian. This may become apparent where the child is seen over a period of time, or the effects of neglect may be obvious based on having seen the child once.

### I.3.2. Emotional abuse

Emotional abuse is the systematic emotional or psychological ill treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/guardian and child are not considered emotional abuse.

Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or guardian. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet the children's emotional and developmental needs.

Emotional abuse is not easy to recognise because the effects are not easily seen. A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or guardian. There may be no physical signs of emotional abuse unless it occurs with another type of abuse.

A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour. It should be noted that no one indicator is conclusive evidence of emotional abuse.

Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

### 1.3.3 Physical Abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/or development is, may be, or has been damaged as a result of suspected physical abuse.

### 1.3.4 Sexual abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (ie) contact sexual abuse (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography (ie) non-contact sexual abuse.

Child sexual abuse may cover a wide spectrum of abusive activities, including grooming and on line sexual exploitation. It rarely involves just a single incident and, in many instances, occurs over a number of years.

Child sexual abuse most commonly happens within the family, including older siblings and extended family members.

Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult and/or by physical symptoms.

It should be remembered that sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise it as abusive.

In relation to child sexual abuse, it should be noted that an age of consent to sexual intercourse might be set under applicable national criminal law. The age of sexual consent is the age that laws establish for a person to consent to sex. In Spain this age is set at 16 years. Any sexual relationship where one or both parties are under that statutory age of consent would be illegal.

Where a school becomes aware of underage sexual intercourse, the school should take appropriate steps to inform the child's parents.

However, not all such cases would necessarily be regarded as child sexual abuse.

In Spain, the performance of sexual acts with minors under 16 years of age is always considered a punishable act, with only the following exception: consensual relations with a person close to the minor by age and degree of development or maturity, both physical and psychological.

## II. Prevention

### II.1. Recruitment

School authorities ensure compliance with the requirements of police clearance of the host country. Police clearance should not, however, take the place of normal recruitment procedures, such as seeking and following-up of references and ensuring that any unexplained gaps in employment records/CV are satisfactorily accounted for.

Whether a person is being considered for employment or other roles in the school, comprehensive procedures for the checking of the person's suitability to work with children are an essential element of child protection practice.

#### II.1.1 Seconded staff

All member states have the responsibility to ensure that seconded member of staff have appropriate level of vetting required to work in schools.

#### II.1.2 Locally recruited staff

All staff must provide a certificate of police clearance (Certificado por Delincuentes Sexuales y de Trata de Seres Humanos) before beginning work in school. Contracts will include a clause obliging employees to abide by the schools Child Protection Procedures.

### II.2. Prevention Programmes and Awareness Raising

Effective child protection depends on the skills, knowledge and values of personnel working with children and families, as well as co-operation between agencies (interagency) and within agencies (intra-agency). Relevant training and education are important means of achieving this. It is imperative that all school personnel and stakeholders have the necessary familiarity with these procedures to enable them to fulfil their responsibilities therein. The school will develop a campaign of awareness and knowledge of these procedures amongst all stakeholders and, where appropriate, will ensure that available training is undertaken. The school will endeavour to raise awareness of this child protection policy, by running initiatives during the school year, with workshops for pupils and information sharing evening with parents. Each host country has a National agency (child safety service) which should be contacted to support these school led campaigns. They can offer literary resources for school staff and parents to consult. Many offer prevention programmes for different stake holders.

## III. Training of staff

Child protection training for staff should take place every year in order to keep procedures active, raise awareness and inform and update both new and old staff members. When an interactive online child protection course for the European Schools will eventually be created and made available, the school will disseminate it among staff. Staff members would be obliged to complete the course and provide certification given at the end of the session. Child safety services of each host country may provide support to school employees.

## IV. Intervention

### IV.1. Responsibilities of all School Personnel

School personnel are especially well placed to observe changes in children's behaviour, their lack of development or outward signs of abuse. In any situation where a member of school personnel receives an allegation or has a suspicion that a child may have been abused or neglected, is being abused or neglected, or is at risk of abuse or neglect, he or she shall, without delay, report the matter to the relevant Deputy Director. While the responsibility remains with the Director, the Safety and Security Officer is designated to coordinate and focus on child protection issues.

All school personnel shall familiarise themselves with the reporting procedure, to enable them to meet their reporting obligations. It is important that all school personnel consult this policy and liaise with the Deputy Director (or the designated member of staff) where they have a concern that a child may have been abused or neglected, is being abused or neglected, or is at risk of abuse or neglect.

The safety and well-being of the child must take priority over concerns about adults against whom an allegation may be made. European School of Alicante has developed its own Child Protection Procedures, in line with host country legislation and services. European School of Alicante is in connection with external actors/associations within the local community and the national system.

### IV.2. Dealing with Disclosures from Children

An abused child is likely to be under severe emotional stress and a member of school personnel may be the only adult whom the child is prepared to trust. Great care shall be taken not to damage that trust.

When information is offered in confidence, the member of school personnel will need tact and sensitivity in responding to the disclosure. The member of school personnel will need to reassure the child, and endeavour to retain his or her trust, while explaining the need for action, which will necessarily involve other adults being informed.

It is important to tell the child that everything possible will be done to protect and support him or her, but not to make promises that cannot be kept (e.g. promising not to tell anyone else).

Confidentiality cannot be kept when harm is being done to a child. It is important to deal with any allegation of abuse or neglect in a sensitive and competent way through listening to and facilitating the child to tell about the problem, rather than interviewing the child about details of what happened.

The least amount of people possible should speak directly to the child. Disclosures of abuse must be dealt with sensitively and professionally.

The following approach is suggested as best practice for dealing with these disclosures:

- React calmly
- Listen carefully and attentively
- Take the child seriously
- Reassure the child that they have taken the right action in talking to you
- Do not promise to keep anything secret

- Ask questions for clarification only. Do not ask leading questions
- Check back with the child that what you have heard is correct and understood
- Do not express any opinions about the alleged abuser
- Ensure that the child understands the procedures that will follow
- Make a written record of the conversation as soon as possible, in as much detail as possible
- Treat the information confidentially.

The duty of the recipient of such information is to follow the reporting requirements outlined in this policy. It must always be remembered that school personnel have a supportive, not an investigative role. One can never be 100% sure about any allegation reported, but it is best to act with vigilance than not to act at all.

### IV.3. Record Keeping

When child abuse or neglect is suspected, it is essential to have a written record of all the information available.

School personnel shall note carefully what they have observed and when they observed it. Signs of physical injury shall be described in detail and, if appropriate, sketched. Any comment by the child concerned, or by any other person, about how an injury occurred shall be recorded, preferably quoting words actually used, as soon as possible after the comment has been made. The record of the discussion shall be signed, dated and given to the Deputy Director, who shall retain it.

The Director shall record all concerns or allegations of child abuse brought to his or her attention, and the actions taken following receipt of a concern or allegation of child abuse. The Director will be shouldered by the Safety and Security Officer on the follow-up actions.

In Spain, the provisions of article 5 of ORDER 5/2021, of July 15, of the Vice Presidency and Ministry of Equality and Inclusive Policies and of the Ministry of Education, Culture and Sport, approve the new Notification Form for child socio-educational care and protection of minor pupils and establish inter-administrative coordination for comprehensive childhood and adolescence protection.

The Director shall retain a copy of every report submitted by him or her and shall keep a record of any further actions to be taken and of any further communications with national authorities. All records created shall be regarded as highly confidential and placed in a secure location.

### IV.4 Directors child protection overview report to the Administration Board

At each Administration Board, the directors report to the Administration shall include a Child Protection Oversight Report, containing information under 4 headings as follows:

- (1) Allegations of abuse made against members of school personnel
- (2) Other child protection concerns in respect of pupils in the school (i.e. concerns that do not involve any allegation of abuse against a member of school personnel)
- (3) Child protection concerns arising from alleged bullying behaviour amongst pupils and
- (4) Summary data in respect of reporting.

## IV.5. Reporting of Concerns Action to be taken by all school personnel (teaching and non-teaching)

If any member of school personnel receives an allegation or has a suspicion that a child may have been abused or neglected, is being abused or neglected, or is at risk of abuse or neglect, he or she shall, without delay, report the matter to the relevant Deputy Director of the school, who is responsible for ensuring that the reporting procedures in this document are followed.

The Director shall make a written record of any concern brought to his or her attention by a member of school personnel and shall place this record in a secure location. All school personnel must have due regard to the need for confidentiality at all times.

The supports of the school shall continue to be made available to the child(ren) concerned.

Where the allegation or concern relates to the Director, the member of school personnel shall, without delay, report the matter to the Secretary General of the European Schools. In such cases, Secretary General shall assume the role normally undertaken by the Director.

It is good practice to inform the parent/guardian that a report concerning his or her child is being made and the reasons for the decision to make the report. However, it is not necessary to inform a parent/guardian that a report is being made:

- (1) if by doing so, the child will be placed at further risk
- (2) in cases where the family's knowledge of the report could impair a follow up risk assessment
- (3) if the reporter is of the reasonable opinion that by doing so it may place the reporter at risk of harm from the family.

## IV.6. Allegations or Suspicions of Child Abuse regarding School Employees

Where an allegation of abuse is made against a school employee, in this context, employee also includes an unpaid volunteer and abuse refers to abuse as described earlier in this document. The most important consideration to be considered is the protection of children, and their safety and well-being must be the priority.

Each school also has a duty and responsibility, as an employer, in respect of its employees.

It is important to note that there are two procedures to be followed:

- (1) the reporting procedure in respect of the allegation/suspicion;
- (2) the procedure for dealing with the employee.

In general, the same person shall not have responsibility for dealing with the reporting issue (eg Deputy Director) and the employment issue (eg Director).

In the context of allegations or suspicions of child abuse regarding school employees the primary goal is to protect the children within the school. However, school employees can be subject to erroneous or malicious allegations. The employee shall be treated fairly, which includes the right not to be judged in advance of a full and fair process and as applicable, in accordance with the relevant disciplinary procedures.



At all stages it should be remembered that the first priority is to ensure that no child is exposed to unnecessary risk. The employer shall as a matter of urgency ensure that any necessary protective measures are taken, including where there is an urgent child safeguarding requirement to immediately absent an employee from the school.

## V. Follow-up

Professional handling of child abuse involves conducting investigations, and supporting the child with medical care, psychological therapy and social work with the family. The school will cooperate with the family and the relevant agencies tasked with each case.

# ANNEX – Definitions

## A. Features of Abuse

### A.1. Neglect

The following are features of child neglect:

- Children being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food or erratic feeding
- Non-organic failure to thrive (i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation)
- Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation
- Inadequate living conditions (i.e. unhygienic conditions, environmental issues, including lack of adequate heating and furniture)
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger, including moral danger or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Abandonment or desertion

### A.2. Emotional Abuse

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming of the child
- Conditional parenting in which care or affection of a child is made contingent on his or her behaviours or actions
- Extreme over-protectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his or her age and stage of development

### A.3. Physical Abuse

- Physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling, burning
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

## A.4. Sexual Abuse

- Any sexual act intentionally performed in the presence of the child
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Sexual exploitation of a child, which includes:
  - Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modeling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means]
  - Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act
  - Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

## B. Circumstances which may make children more vulnerable to abuse and neglect

School personnel dealing with children need to be alert to the possibility that a welfare or protection concern may arise in relation to children with whom they come in contact.

A child needs to have someone they can trust in order to feel able to disclose abuse they may be experiencing. They need to know that they will be believed and that they will get the help they need. Without these things, they may be vulnerable to continuing abuse.

Some children may be more vulnerable to abuse than others. Also, there may be particular times or circumstances when a child may be more vulnerable to abuse in their lives. In particular, children with disabilities, children with communication difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives may be more susceptible to abuse.

The following list is intended to assist in identifying the range of issues in a child's life that may place them at greater risk of abuse or neglect. It is important to remember that the presence of any of these factors does not necessarily mean that a child in those circumstances or settings is being abused.

### B.1 Parent or Guardian Factors increasing vulnerability:

- Drug and alcohol misuse
- Addiction, including gambling
- Mental health issues
- Parental disability issues, including learning or intellectual disability
- Conflictual relationships
- Domestic violence
- Adolescent parents

## B.2 Child Factors increasing vulnerability:

- Age
- Gender
- Sexuality
- Disability
- Mental health issues including self-harm and suicide
- Communication difficulties
- Trafficked/Exploited
- Previous Abuse

## B.3 Community Factors increasing vulnerability:

- Cultural, ethnic, religious or faith based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction
- Culture-specific practices, including:
  - Female genital mutilation
  - Forced marriage
  - Honour-based violence
  - Radicalisation

## B.4 Environmental factors increasing vulnerability:

- Housing issues
- Children who are out of home and not living with their parents, whether temporarily or permanently
- Poverty/Begging
- Bullying
- Internet and social media-related concerns

## B.5 Poor motivation and poor willingness of parents/guardians to engage:

- Non-attendance at appointments
- Lack of insight or understanding of how the child is being affected
- Lack of understanding about what needs to happen to bring about change
- Avoidance of contact and reluctance to work with services
- Inability or unwillingness to comply with agreed plans

These factors should be considered as part of being alert to the possibility that a child may be at risk of suffering abuse and in bringing reasonable concerns to the attention the management.

## C. Concerns in relation to an adult who may pose a risk to children

While in most cases of concern for the welfare or safety of a child develop from one's own observation or knowledge of a particular child or his or her family, sometimes concerns arise in relation to whether an adult may pose a risk to children, even if there is no specific child named in relation to the concern.

For example, on the basis of known or suspected past behaviour, a concern could exist about the risk an individual may pose to children with whom he or she may have contact. Any such reasonable concerns should be reported to the management, who will try to establish whether or not any child is currently at risk from the individual in question.

Where school personnel have concerns as to whether an adult may pose a risk to children, even if there is no specific child named in relation to the concern, but are not sure whether to report the matter the Director/Deputy Director, shall seek advice from the national authorities.