Safeguarding and Child Protection Policy

Status: Revised Policy

Date for Next Review: 2025

ESF now provides the opportunity to provide input on ESF policies. Your suggestions can help us improve our workplace; therefore, your feedback is appreciated. To provide input, please scan the QR code or click on the link below:

https://bit.ly/esfpolicy_education

Thank you in advance for your help!

Originator:	Policy owner:	Reviewed by:	Approved by:
Director of Education ESFC	Director of Education ESFC	Adviser for Safeguarding and Child Protection ESF Centre	ESF SMT ESL Directors
Date: June 2009		Date: May 2025	Date: …

Table of Contents

1. Policy document review

This policy document is subject to annual review by The English Schools Foundation (ESF) to ensure its continuing suitability, adequacy, and effectiveness. Areas subject to review include but are not limited to follow-up action from previous reviews, policy conformity, review of complaints, the status of corrective and preventive actions, and improvements. ESF reserves the right to amend this policy following such review.

1.1 Review status

Review No.	Summary of Revision following Review	Reviewed		Approved	
		By	Date	By	Date
1	For review by SMT	Andrew Sortwell	June 2009	SMT	22 June 2009
2	Reworking and updating policy	Jonathan Straker	April / May 2015	SMT	June 2015
3	Reworking and updating policy; addition of Child Protection Code of Conduct	Tim Conroy Stocker	June 2018	SMT	August 2018
4	Reworking and updating policy; addition of Online Safeguarding	Hodson / Caldwell	August 2020	SMT	December 2020
5	Reworking and updating policy	Tracey Chitty	November 2022	SMT	10 January 2023
6	Reworking and updating policy, addition of staff allegation guidance	Jaap Marsman	February 2024	SMT	March 2024
7	Addition of definition of non-recent abuse, photography guidelines, low-level concerns, lone working, safer recruitment, risk assessment, expanded core principles, and updated digital safeguarding and online safety	Jaap Marsman	April 2025	SMT	

2. ESF's vision and mission

Our vision is for every student to be the best that they can be.

Our mission is to inspire creativity and to nurture the global citizens and leaders of the future. We do this by creating joyful learning conditions for students to be safe, kind, happy, learning and engaged and to develop a clear sense of personal and social responsibility.

3. Purpose

ESF upholds every child's right to learn and live in conditions that protect them from harm, promoting the optimum development of their intellectual, physical, emotional, and social wellbeing. Child protection is everyone's responsibility; the ESF community is responsible for being preventative and proactive in all child protection matters.

ESF is dedicated to anti-discriminatory practices and provides equal protection to all children. Children have a right to be protected from all forms of harm in all contexts, irrespective of social and cultural backgrounds, family context, gender, sexuality, disability, and age.

ESF recognises that students with a disability, requiring learning support or those with ongoing mental health support, may face additional safeguarding challenges, including assumptions about their behaviour, increased risk of peer isolation, potential for child-on-child abuse without visible signs, and communication barriers. Efforts must be made to address these challenges and ensure effective safeguarding measures for these students.

This policy provides clear guidelines and procedures and an ethical and practical framework to support each school, kindergarten and centre in determining appropriate and effective responses, including situations where harm occurs online or through digital means. This policy adheres to the laws of Hong Kong, guidance provided by the Social Welfare Department, International laws, and the United Nations Convention on the Rights of the Child. This policy is based on and in alignment with Keeping Children Safe's International Child Safeguarding Standards.

Safeguarding at ESF refers to the proactive measures and practices implemented to ensure that our staff, operations, and programmes do no harm to children. It involves policies, procedures, training, support systems, and legal frameworks designed to protect children from all forms of harm, abuse, neglect, and exploitation. Contextual safeguarding further expands this focus to include the broader social context where children interact with each other or adults outside the family, recognising that abuse can occur within any community setting. ESF takes child protective actions by intervening when necessary to address concerns about children's safety, ensuring that such interventions are timely and appropriate. This includes reporting any concerns to the appropriate authorities.

Child protection refers to a specific set of actions which include all responses to concerns/allegations/disclosures of harm, maltreatment and/or abuse. It aims to protect all students from violence, exploitation and abuse. It describes the work being undertaken to increase safety through actions taken in response to (alleged) harm.

4. Scope

To ensure the protection of all ESF/ESL students this policy addresses all forms of child maltreatment. When students reach the age of 18, all protective and responsive measures in this policy remain enforced, as appropriate. This policy applies to all ESF/ESL staff and stakeholders working directly or indirectly with children at ESF/ESL. Staff include all ESF/ESL staff, national and international and interns. Stakeholders include all volunteers, contractors, consultants, all board members, school council members, all partners including local community-based partners and any guests or visitors. For ESF/ESL staff, this also includes those who have no or indirect contact with students, as well as all situations where adults work directly with students including:

- ESFC
- ESF Explore
- ESF Jockey Club Sarah Roe School
- Kindergartens
- Primary schools
- Private independent schools
- Secondary schools

Where this policy indicates ESF, this also includes ESL. Where schools are mentioned, this includes all schools and kindergartens.

5. Definitions

Allegation	Part of a disclosure that alleges (a) perpetrator(s) as the principal source of maltreatment. Alleged perpetrators can be peers, family, extra-familial and/or ESF staff members.
Child	Any person under the age of 18
Code of Conduct	ESF/ESL Staff Code of Conduct for Child Protection and the Safeguarding of Students
CPO	Child Protection Officer
EDB	Hong Kong Education Bureau
ESF	English Schools Foundation
ESL	ESF Educational Services Limited
FCPSU	Family and Child Protection Services Unit of the Social Welfare Department
SWD Guide	The Protecting Children from Maltreatment - Procedural Guide for Multi-disciplinary Cooperation, Revised 2020.
SWD	Social Welfare Department of the Hong Kong Government

6. Policy principles

ESF commits to:

6.1 Child-Centred Approach
- **Best Interests First:** All safeguarding actions place the best interests of the child at the centre of our decision-making as our paramount consideration.
- **Empowering Student Voice:** We actively seek, listen to, and act on student voice in all matters that affect them.
- **Equal Right to Protection:** Every ESF student has an equal right to protection from harm.

6.2 Collaboration and Shared Responsibility
- **Partnership with Families:** We work in partnership with students and families, respecting their rights and autonomy, not making decisions for them but with them.
- **Collective Duty of Care:** All ESF staff share the responsibility to safeguard children.
- **Partner Accountability:** When working with external partners, we ensure they meet ESF's minimum safeguarding standards and apply safer recruitment practices (see Section 15.2).

6.3 Safe and Supportive Environments
- **Physical and Psychological Safety:** In line with ESF's mission, we foster environments where students are safe, kind, happy, engaged, and learning.
- **Eliminating Harmful Practices:** We unequivocally oppose corporal punishment. We advocate for positive, respectful approaches that foster children's emotional and social development.
- **Contextual Safeguarding:** Our safeguarding actions are responsive to the unique context and needs of each child and situation.

6.4 Protection Through Prevention and Timely Response
- **Preventative and Responsive Measures:** We are proactive in preventing harm and responsive when concerns arise.
- **Timely Action:** All concerns, worries, and disclosures must be reported without delay through the appropriate systems and procedures.
- **Culture of Vigilance:** We promote a mindset of "it could happen here" and "what if I'm right" to ensure concerns are taken seriously and acted upon, whilst operating in alignment with fair procedures.

6.5 Accountability and Confidentiality
- **Clear Roles and Responsibilities:** This policy sets out transparent lines of accountability and responsibility to ensure consistent, effective safeguarding practice.
- **Confidentiality with Purpose:** We protect sensitive information while ensuring that those responsible for safeguarding have access to what they need to act.
- **Designated Points of Contact:** Children and families are informed of our safeguarding commitment and how to raise concerns. All children and families are made aware of the designated Child Protection Officer (CPO) in their setting.

7.   Definition of child maltreatment

Child maltreatment is broadly defined as any act of commission or omission that endangers or impairs the physical or psychological health and development of an individual under the age of 18. It is committed by individuals, singly or collectively, who, by their characteristics (e.g. age, status, knowledge, organisational form), are in a position of differential power that renders a child vulnerable.

Such acts are not limited to child-parent/carer situations but can include anyone entrusted with the care and control of a child, e.g. child-minders, relatives, teachers, peers, students, etc. Maltreatment may also be perpetrated by someone unknown to the child. The four common categories of maltreatment are: neglect, physical abuse, sexual abuse, and psychological/emotional abuse.

Figure 1 Four categories of maltreatment

CPOs, in consultation with the principal/head of school or senior management team at ESFC or ESF Explore as appropriate, evaluate if there is a basis for a reasonable suspicion of (potential) maltreatment and/or harm. This assessment involves considering various factors such as the child's age, the act(s), the consequences of the act(s) on the child, and the frequency and nature of the incident. Further details on signs of potential maltreatment are listed in **Appendix A.**

7.1 Physical abuse

Physical abuse refers to physical harm, injury or suffering inflicted on a child through violent or other means (e.g. punching, kicking, striking with an object, poisoning, suffocation, burning, or shaking an infant). This includes situations where there is definite knowledge or reasonable suspicion that the injury has been inflicted non-accidentally. Physical harm may also include Fabricated or Induced Illness (FII) and Female Genital Mutilation (FGM), recognising the serious and diverse nature of physical abuse.

7.2 Sexual abuse

Sexual abuse refers to forcing or enticing a child to take part in any sexual act.

This sexual activity includes acts that have or do not have direct physical contact with children (e.g. rape, oral sex, procuring a child to masturbate others/expose their sexual organs, or pose in an obscene way/watch sexual activities of others, production of child sexual abuse material, forcing a child to engage in prostitution, etc.).

Sexual abuse may be committed inside or outside the home, through social media or the internet by perpetrators acting individually or in an organised manner. It includes luring a child through rewards or other means and includes sexual grooming, which refers to deliberately establishing a relationship or an emotional connection with a child by various

means to gain their trust with an intent to sexually abuse them (e.g. communicating with a child through a mobile phone or the internet).

In Hong Kong, the age of consent for both heterosexual and homosexual activity is 16, with further nuances listed in **Appendix K**. Regardless of whether the age of consent has been reached, adolescents remain vulnerable to exploitation, particularly when there is a power imbalance. Consent must be mutual and can be invalidated by age, mental immaturity, or coercion; importantly, if consent is withdrawn during a sexual act, the act becomes abusive regardless of prior agreement.

Childhood sexual play is usually found between children of the same age (including the same or opposite sex) and does not involve differential power. It refers to activities engaged in out of curiosity. Common childhood sexual play includes a child exposing their body parts to another child, or touching another child, including genitals.

7.3 Neglect

Neglect refers to a severe or repeated pattern of inadequate attention to a child's basic needs that endanger or impair the child's health or development. Neglect may be caused by the following forms:

- Physical neglect includes failure to provide necessary food/clothing/shelter, failure to prevent physical injury/suffering, lack of appropriate supervision, leaving a young child unattended, improper storage of dangerous drugs resulting in accidental ingestion by a child or allowing a child to stay in a drug-taking environment resulting in inhalation of the dangerous drugs by a child; or
- Medical neglect includes failure to provide necessary medical or mental health treatment; or
- Affluent neglect can present as a combination of other types of abuse or neglect but has the distinct characteristic that it occurs in affluent families with, commonly, frequently absent parents; or
- Educational neglect includes failure to provide education or ignoring educational needs arising from a child's disability.

7.4 Psychological harm

Psychological harm refers to a repeated pattern of behaviour and/or an interaction between the carer and the child or an extreme incident that endangers or impairs the child's physical and psychological health. Examples include spurning, terrorising, isolating, exploiting/corrupting, denying emotional responsiveness, and conveying to a child that they are worthless, flawed, unwanted or unloved. Such acts damage immediately or ultimately the behavioural, cognitive, affective, or physical functioning of the child.

7.5 Child-on-child abuse

Child-on-child abuse denotes harmful behaviour by one child towards another child of any age. Inappropriate child-on-child behaviour may take the form of physical, sexual, emotional,

or financial abuse. This includes harmful sexual behaviour (HSB), actions that put either the student, or another person, at harm. This can include a spectrum of behaviours, such as using inappropriate language, undertaking mutual sexual activity they are not ready for with peers, or sexually violent behaviour. HSB may also be technology-assisted (TA-HSB), where children are engaging in sexual discussions or acts using the internet or any image-creating or sharing or communication device, which is considered inappropriate or harmful given their age and stage of development. This behaviour falls on a continuum of severity, from use of pornography to online child sexual abuse.

Child-on-child abuse may also include coercive control exercised between children and within children's relationships (both intimate and non-intimate), friendships and wider peer associations (**Appendix H)**. Where bullying is of a more severe nature (e.g. incidents involving brutal violence, injuries or deaths), schools are required to report the matter to the EDB (as described in the EDB School Administration Guide, paragraph 3.7.6). Where students are suspected to have been involved in illegal behaviour (e.g. hurting people, theft, indecent assault, voyeuristic behaviour), schools should consult their respective Police School Liaison Officer. For serious cases, schools should report to the police immediately to seek assistance.

7.6 Non-recent abuse

In some cases, the disclosed abuse may be non-recent. Where disclosures of non-recent abuse are made, CPOs are to contact the ESF Adviser for Safeguarding and Child Protection for consultation on the next steps.

8. Contextual Safeguarding

ESF has adopted the model of Contextual Safeguarding. This model is used as a reflective tool and as a planning tool by CPOs. It enables consideration of the different contexts through which our students move throughout their daily lives and enables a strengths-based approach (i.e. defining which contexts provide safety), a targeted intervention approach (i.e. which contexts are unsafe) and helps define the interconnectedness of all such contexts, as opposed to the more traditional view that child protection focuses on the individual and their home life.
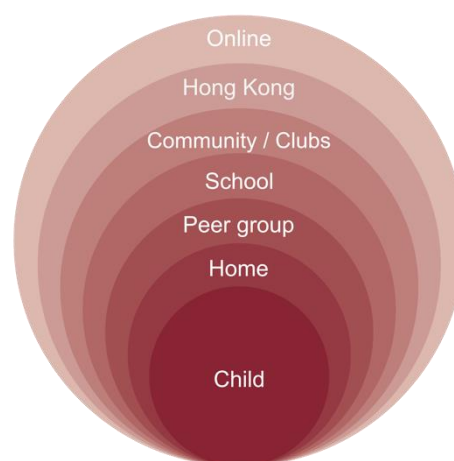
Figure 2 Contextual Safeguarding

9. Statutory and professional duties of ESF staff

ESF staff are responsible for the safety and wellbeing of children in their care, governed by legal and professional guidelines. The common law's duty of care principle recognises the vulnerability of children and the power imbalance between them and adults, resulting in a heightened duty of care for teachers. ESF staff are subject to statutory duties and standards

of conduct as outlined in the *EDB Guidelines on Teachers' Professional Conduct* (**Appendix B.9**), the *ESF Professional Code of Ethics*, and the *ESF/ESL Staff Code of Conduct for Child Protection and the Safeguarding of Students*. Registered teachers and social workers have a professional obligation to report suspected child abuse. Principals/heads of schools have a duty to protect children from harm. Child protection is everyone's professional and legal responsibility.

10. Communication and coordination in suspected child protection cases

There must be timely and clear communication and coordination within each school and the Foundation for this policy to be effective. Staff must be well-informed about what constitutes maltreatment and familiar with the relevant procedures and guidelines.

We operate as part of a broader safeguarding system that includes agencies such as social services, healthcare providers, and law enforcement, making robust liaison vital. This collaboration should be built on trust and a clear understanding of each agency's roles, while also respecting the confidentiality of the information shared. We must avoid isolation and foster open communication, especially when cases involve multiple ESF institutions. Ultimately, strong inter-agency understanding and cooperation are critical for implementing effective child protection practices.

11. Consent to disclose reasonable concerns about child maltreatment and harm

Wherever possible, consent to disclose reasonable concerns about child maltreatment should be sought from the student and/or parents prior to engaging external agencies and services such as FCPSU and the police. Gaining consent and engagement from the student and their family in sharing disclosures during the referral process can be significant in securing positive outcomes for the child.

In accordance with the SWD Guide (**Appendix B.6**), there may be cases of child maltreatment and harm that warrant reporting without gaining the consent of students or parents, for example:
- If the parents, carers, or an extended family member are suspected of being responsible for the abuse, informing them of the report might result in further harm to the child.
- When the student or parent refuses, but the concern remains high regarding the level of risk to the child.
- When the parents or carers are not acting protectively in the best interest of the child.

The Personal Data (Privacy) Ordinance (Cap 486) provides that personal data can be processed without consent where such processing is for the prevention or detection of crime (s58) or where it is necessary to avoid serious harm to the physical or mental health of a

person (s59).

The rationale behind a decision to report without the consent of the child and/or family must be clearly recorded on RecordMy as part of the child's chronology. This decision should not be made in isolation by an individual; it must involve liaison with the school's safeguarding team or SMT at ESFC or ESF Explore as appropriate to ensure that it is well-informed and prioritises the child's best interests.

12. Reporting procedures

In all actions concerning the child, the best interests of the child must be the primary consideration. If, having completed an initial assessment, a person has reason to believe that a child has been maltreated then the default should be to follow this policy and report the concern to FCPSU and or the Police accordingly. Any concern giving rise to a possible criminal offence should be reported to the Police. However, in some cases, it may be determined that it is not in the child's best interest to report to the police or FCPSU.

In cases where adherence to the policy requirement to report is considered by the school child protection team not to be in the best interests of the child, the decision must be clearly rationalised and recorded in RecordMy as part of the student's chronology. In such cases, consultation with the Adviser for Safeguarding and Child Protection at ESFC is required.

All school staff use the platform **RecordMy** to report all concerns, worries, niggles and disclosures. Schools ensure that all school staff have access to the reporting mechanism on RecordMy. CPO contact details are appropriately published, shared and visible to enable reporting pathways for non-staff, i.e. visitors, volunteers, parents and students.

Within RecordMy, schools are required to utilise the following categories:

- **Safeguarding**: These concerns encompass a broader category related to keeping students safe. Concerns may focus on matters of safety and other wider aspects of child welfare.
- **Child Protection**: These concerns focus specifically on abuse and neglect.
- **Family Matters**: These concerns focus on child protection matters related to the family context, only where they raise concerns or worries related to the child.

13. Reporting standards

Child protection cases must be recorded on RecordMy in a professional manner to ensure that the safety and wellbeing of students are upheld. To support the accurate recording of such concerns, six reporting standards are established. These six standards are detailed further in **Appendix P**. Records must:

1. Be factual and objective.
2. Provide context and clarity.
3. Be timely and organised.

4. Reflect consent and confidentiality.
5. Be ethical and professional.
6. Demonstrate communication and collaboration.

14. Digital safeguarding and online safety

Children can experience harm and maltreatment online by people known to them and/or by people not known to them. Online maltreatment may occur through social media, messaging apps, emails, gaming, live-streaming sites, or other digital communication channels. Children who are harmed offline may be re-victimised online if their maltreatment is live-streamed or recorded and uploaded online. Digital safeguarding protects children's safety when using any device on the internet. Refer to **Appendix C** for further guidance. Guiding principles in this area are to:

- ensure the safety and wellbeing of students is paramount when using the internet, social media or mobile devices
- provide staff and volunteers with the overarching principles that guide our approach to online safety
- ensure that, as an organisation, we operate in line with our values and within the law in terms of how we use online devices.

To ensure ESF has a robust approach to digital safeguarding, the following actions are taken to protect our students:

- tasking a staff member with **online safety coordination** (this may be an existing Educational Technology Network lead or CPO)
- providing clear and specific directions to staff and volunteers on how to behave online through our Code of Conduct.
- supporting and encouraging students to use the internet, social media and mobile phones in a way that keeps them safe and shows respect for others
- supporting and encouraging parents and carers to do what they can to keep their children safe online
- developing an online safety agreement for use with students and their parents or carers
- developing clear and robust procedures to enable us to respond appropriately to any incidents of inappropriate online behaviour, whether by an adult or a student
- reviewing and updating the security of our information systems regularly
- ensuring that usernames, logins, email accounts and passwords are used effectively
- ensuring personal information about the adults and children who are involved in our organisation is held securely and shared only as appropriate
- ensuring that images of students and families are used only after their written permission has been obtained, and only for the purpose for which consent has been given
- providing supervision, support and training for staff and volunteers about online safety
- examining and risk assessing any social media platforms and new technologies before

they are used within the organisation.

If online abuse occurs, we will respond to it by:

- adhering to safeguarding procedures in place for responding to abuse (**section 16**)
- providing support and training for all staff and volunteers on dealing with all forms of abuse, including bullying or cyberbullying, emotional abuse, sexting, sexual abuse and sexual exploitation
- making sure our response takes the needs of the child experiencing abuse, any bystanders and our organisation into account
- reviewing the plan developed to address online abuse at regular intervals, to ensure that any problems have been resolved in the long term.

15. Proactive management of safeguarding and child protection

15.1 Ongoing training

All ESF and ESL staff should have regular safeguarding and child protection training. Staff must be aware of responsibilities, procedures, and referral routes. Staff training follows the cycle described in **Appendix O**.

15.2 Partnerships with external contractors/vendors

Agreements with external partners will include a statement that partners who do not have a child safeguarding policy will either abide by ESF's policy or develop their own as a condition of the partnership.

Persistent failure to implement safeguarding procedures, or address concerns or incidents may result in termination of partnerships.

15.3 Curriculum and course materials

Schools, kindergartens, ESFC and ESF Explore should ensure that content and activities supporting safeguarding (such as digital literacy, intelligent disobedience, child-on-child abuse, use of social media, relationships, and sexuality education) are embedded in the curriculum. Relevant and timely learning engagements will support students to engage with relevant and important issues, concepts and skills related to safeguarding and child protection.

15.4 Safer Recruitment

Next to adherence to relevant HR policies, particularly the Recruitment Policy, all schools, kindergartens, ESFC, and ESF Explore should ensure that their recruitment procedures incorporate required aspects of safer recruitment, as described in **Appendix Q**. All staff involved in recruitment must have up-to-date safer recruitment training (see **Appendix O**).

15.5 Annual declaration

Each staff member should complete the Annual ESF Child Protection Declaration and the

ESF/ESL Staff Code of Conduct for Child Protection and the Safeguarding of Students via Gateway before the end of August.

15.6 Strengths-based contextual prevention and risk management

Wherever possible, all safeguarding actions taken are strengths-based, contextual and preventative. Part of this approach includes, but is not limited to, proactively minimising risk and mitigating harm. A risk assessment of all ESF operations, programmes and project activities will be conducted. Risk mitigation strategies will be developed, which minimise the risk to children, and incorporated into the design, delivery and evaluation of programmes, operations and activities which involve or impact upon children.

Any risk assessments carried out for events must include specific child protection components related to supervision, access to students, and student interactions.

To understand the four areas of risk management in relation to ESF safeguarding, the following breakdown provides an overview of safeguarding considerations:

Staff	Partners	Services	ICT
• Recruitment • References and police checks • Temporary/volunteering staff • All staff briefings and induction training on safeguarding	• Policy requirements • Vendor contracts • Physical access to venue • Digital access to students and student data	• Educational provision during school day • Trips, activities, work experience • Gender and sexuality consideration	• Student images usage • Information storage • ICT device usage • Staff social media usage

It is the responsibility of each school's principal/head of school, ESFC SMT member and ESF Explore Head to ensure that risks are evaluated and mitigated in these areas. To support this, two forms are made available on the CPO Website (**Appendix B.2**), a Safeguarding Risk Assessment Tool, and a School Safeguarding Self-Evaluation Tool.

16. Reactive management of safeguarding and child protection

16.1 Management of a child protection concern

The management of a child protection issue will depend on the individual case needs. The sequence of events and actions to follow include:

1. Disclosure/Concern/Worry/Allegation (**Appendix D**)	
In **all cases** the CPO will follow the steps below:	Where the alleged perpetrator is a staff member, the principal/head of school/SMT will coordinate with the CPO and follow **the additional steps** below:

2. Recording (**Appendix E**)
3. Child Protection Officer(s) coordinate response
4. Case conference to determine next steps:
    a. Monitoring
    b. Working with parents/carers
    c. Referral / involvement of other agencies
5. Ongoing support for victims and others
	2. Principal/head of school to coordinate response (**Appendix N**)
	3. Assessment panel to determine next steps:
	    a. Internal investigation
	    b. Referral to authorities
	    c. No further action
	4. Ongoing support for staff member

The procedural flowchart (**Appendix F**) and procedural guidelines **(Appendix G)** outline the various actions that may occur and the sequence when managing a case of suspected harm and or maltreatment. Where the alleged perpetrator is a staff member, the steps detailed in **Appendix N** are to be read in conjunction with the Disciplinary Policy.

Allegations against staff may indicate a potential breach of trust. A breach of trust occurs when the boundaries of the relationship between a staff member and a student is broken due to inappropriate behaviour by the staff member, which involves an abuse of power. The behaviour itself does not necessarily have to be illegal to breach this trust – even if the child is over the age of consent. Such concerns are investigated as an allegation against staff, following the procedures described in **Appendix N**.

16.2 Management of low-level concerns about staff

Where the previous section describes the management of allegations against staff, this section describes all ESF staff's responsibility towards reporting low-level concerns. The distinction between a low-level concern and an allegation is defined as follows:

Low-level concern (Appendix M)	Allegation (Appendix N)
Concerns that are inconsistent with the staff code of conduct, including • inappropriate conduct inside or outside of work; and / or • does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral.	• behaved in a way that has harmed a child or may have harmed a child; • possibly committed a criminal offence against or related to a child; or • behaved towards a child or children in a way that indicates they may pose a risk of harm to children. • behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Where staff members notice a low-level concern, their actions include responding and reporting. Depending on the context, reporting may be the most appropriate action to take first. These two actions are defined as follows:

- **Responding**: Wherever possible and appropriate, the staff member has a conversation about the concern with the individual, unless the staff member is unsure whether harm has occurred.
- **Reporting (including self-reporting)**: The concern is always shared with the school's

CPO, principal or head of school without delay and within 12 hours of the incident or becoming aware of it.

ESF staff and volunteers do not need to be able to determine in each case whether their concern is a low-level concern or whether it meets the threshold of an allegation.

Once the concern has been reported, the determination about thresholds and appropriate action should be made by the principal/head of school, who will follow the appropriate procedures in line with that decision. The CPO may seek advice from the ESF Adviser for Safeguarding and Child Protection to make the determination and decide next steps.

Best practice is for all staff-student interactions to be observable, interruptible, and in line with the *ESF/ESL Staff Code of Conduct for Child Protection and the Safeguarding of Students*. Further guidance on low-level concerns is available in **Appendix M**.

17. Determining measures to ensure confidentiality

In all suspected child protection cases, communication must be treated with confidentiality. Sensitive information is shared only with those directly involved who can make a difference in safeguarding or protecting the student. It will rarely be appropriate for all staff to be made fully aware of the details of the case.

All records relating to suspected maltreatment and/or harm cases must be maintained exclusively in RecordMy. Access to child protection records within RecordMy is restricted to the CPO and the school principal or head of school. Under no circumstances should child protection records be stored in a child's general file. In exceptional circumstances, records may be held offline due to the sensitivity of the information or potential conflicts of interest. Any such records must be sanctioned by the principal and in consultation with the ESF Adviser for Safeguarding and Child Protection. The existence of such records must be referenced in RecordMy.

18. Photography

18.1 Principles

This section of the policy aims to protect ESF students where photographs and videos are taken. We operate in line with our values and within Hong Kong law when creating, using and sharing images of students, to ensure these images are used safely. We recognise that:

- sharing photographs and films of our activities can help us celebrate the successes and achievements of our students, provide a record of our activities and raise awareness of our organisation
- the welfare and safety of our students is paramount
- children, their parents and carers have a right to decide whether their images are taken and how these may be used
- consent to take images of children is only meaningful when children, their parents and carers understand how the images will be used and stored, and are fully aware of the

potential risks associated with the use and distribution of these images
- there are potential risks associated with sharing images of children online.

18.2 Guidelines

With these principles in mind, photographing and videoing students is allowed under the policy guidelines listed below. These are put in place to keep our students safe by:

- ensuring we have parental/carer written consent before taking and using a child's image
- always explaining what images will be used for, how they will be stored and what potential risks are associated with sharing images of children, using an annual school notice/agreement.
- making it clear that if a child or their family withdraw consent for an image to be shared, it may not be possible to delete images that have already been shared or published
- making sure children, their parents and carers understand how images of children will be securely stored and for how long (including how we will control access to the images and their associated information)
- reducing the risk of images being copied and used inappropriately by:
  - only using images of children in appropriate clothing (including safety wear if necessary)
  - avoiding full face and body shots of children taking part in activities such as swimming where there may be a heightened risk of images being misused
  - using images that positively reflect our students' involvement in the activity.

18.3 Photography and/or filming for personal use

When children themselves, parents, carers or spectators are taking photographs or filming at our events and the images are for personal use, we will publish guidance about image sharing in the event programmes and/or announce details of this policy before the start of the event. This includes:

- reminding parents, carers and children that they need to have consent from parents to take and use images of children
- asking for photos taken during the event not to be shared on social media or asking people to gain permission from children, their parents and carers before sharing photographs and videos that include them
- recommending that people check the privacy settings of their social media account to understand who else will be able to view any images they share
- reminding children, parents and carers who they can talk to if they have any concerns about images being shared.

Under no circumstances will ESF staff photograph any student or use any photograph of a student for their personal use, including posting any images or videos to a personal (i.e. non-ESF owned) social media account.

18.4 Photography and/or filming for ESF's use

We recognise that our staff may use photography and filming as an aid in daily activities. Such usage includes, but is not limited to, photographing students and their work for their portfolio, filming students during sports events or music performances, etc. However, this should only be done within the confines of this policy and, wherever possible, using ESF's equipment.

If no ESF device is available, a personal device may be used, provided that the image is transferred as soon as possible, but always within 24 hours (unless otherwise agreed, e.g. due to trip abroad), to an ESF device and the image is permanently deleted from the personal device. Where photographs are taken specifically for child protective actions, refer to **Appendix E.2**.

Where related to events, students, parents and carers must also be made aware that photography and filming are part of the programme and for this to be included in the annual written consent.

If ESF hires a photographer for one of our events, we will seek to keep students safe by:

- providing the photographer with a clear brief about appropriate content and behaviour
- always ensuring the photographer wears identification
- informing children, their parents and carers that a photographer will be at the event and if they attend, they acknowledge that their photo may be taken and published and that they consent to this
- not allowing the photographer to have unsupervised access to children
- not allowing the photographer to carry out sessions outside the event or at a child's home
- reporting concerns regarding inappropriate or intrusive photography following our child protection procedures.

18.5 If consent to take photographs is not given

If children, parents and/or carers do not consent to photographs being taken, we will respect their wishes. We will agree in advance how they would like to be identified so the photographer knows not to take pictures of them and ensure this is done in a way that does not single out the child or make them feel isolated. We will never exclude a child from an activity because we do not have consent to take their photograph.

18.6 Storing images

We will store photographs and videos of children securely, in accordance with our safeguarding policy and data protection law. We will keep hard copies of images in a locked drawer and electronic images in a protected folder with restricted access. Images will be stored for a period of 7 years after the student has left ESF. We will never store images of children on unencrypted portable equipment such as laptops, memory sticks and mobile phones.

19. Responsibilities

The Director of Education is the policy owner. The contact officers for this policy are the Director of Education and the Adviser for Safeguarding and Child Protection (ESFC).

Principals/heads of school are responsible for the implementation of this policy at the school level.

19.1 Director of Education

The Director of Education is responsible for communicating this policy and monitoring its implementation. In collaboration with the Adviser for Safeguarding and Child Protection, the Director is further responsible for:

- ensuring regular training sessions for Board/Committee members on ESF's approach to safeguarding and child protection; and
- collaborating with relevant ESF staff to ensure safeguarding practices are in place with external contractors/vendors, as outlined in **Section 15.2**.

19.2 Adviser for Safeguarding and Child Protection

For advice and guidance regarding child protection cases, contact can be made with the Adviser for Safeguarding and Child Protection. The Adviser for Safeguarding and Child Protection, with support from the ESF CPOs and guidance from the Director of Education, is responsible for:

- facilitating a range of continuous professional development throughout the year on aspects related to child protection;
- leading the development and professional learning of CPOs throughout ESF;
- facilitating regular child protection meetings to involve CPOs, school social workers and school counsellors to share updates, draw on the resources within each school and develop a strong network between the schools;
- providing timely support and guidance, in consultation where appropriate, on individual cases; and
- collaborating with the Human Resources team to ensure safer recruitment practices (Appendix Q) are in place across the organisation and with external contractors.

19.3 Principals/heads of school

Principals/heads of school are responsible for:

- appointing at least two or more CPOs who have access to appropriate training and support, along with the capacity to fulfil the requirements of this role. Where the principal/head of school is a CPO, then it is preferred to appoint two additional CPOs. All appointments seek a gender balance wherever possible, aiming for the CPO team to represent the school community as much as possible;
- onboarding new CPOs with the necessary skills and training in preparation for the role;
- providing an alternative route for reporting and acting as a support and sounding board to the appointed CPOs;
- providing support and guidance for all external referrals. CPOs should discuss and explore the next steps with the principal/head of school before making any external referral;
- the implementation of this policy and ensuring all procedures and guidelines are adhered to;

- ensuring new staff receive the initial child protection training as developed by the school through induction and staff training; and
- ensuring the correct procedures are followed appropriately and fairly in the interests of each child and with due regard to the Hong Kong legal framework and SWD guidelines and procedures (**Appendix B**).

19.4 Child Protection Officers

Child Protection Officers in schools, at ESFC and ESF Explore are responsible for:

- ensuring the rights of the child are central to all child protection discussions and decisions;
- managing any child protection concerns arising in accordance with the procedures and guidelines (**Appendices F & G**);
- inquiring into all allegations, disclosures, concerns and worries that are reported;
- taking actions to increase safety, on the balance of probability. This can be done without having all the evidence to inform such a decision, which makes a distinction between a child protection inquiry and a formal investigation;
- accurate record keeping of reported child protection concerns, along with all follow-up actions, conversations, and referrals **(Appendix E)**;
- respond in a timely manner to new reports made on RecordMy to support appropriate actions are taken to protect children, establishing clarity that the concern is acknowledged, and case management is assigned to a CPO;
- liaising with the relevant statutory agencies **(Appendix I)**;
- engaging with caregivers, where appropriate, to establish safety and protection for children
- delivering ongoing safeguarding and child protection training for all staff, tailored according to role and responsibility. Core training involves the introduction of the Safeguarding and Child Protection policy to all staff; further training expands knowledge and understanding of the various aspects of child protection **(Appendix B)**;
- ensuring all parent helpers, associates, interns, consultants, guests, and visitors who enter the school buildings are made aware of the Safeguarding and Child Protection policy. This can be done through a variety of ways, including but not limited to handouts at reception, posters placed in strategic places around the school, information on the back of lanyards, etc; and
- attend a minimum of two CPO network meetings a year, with the criteria that each school as well as ESF Explore must be represented at every meeting.

Refer to **Appendix J** for further information on the role of the CPO.

19.5 Staff members

Staff members at ESF and ESL are responsible for:

- knowing their students well, being observant and responsive to any behaviour or indications that harm may be occurring;
- reporting all concerns to a CPO and recording this using RecordMy;
- responding appropriately to a student disclosure (**Appendix D**);
- partnering with parents and relevant senior colleagues to increase support for the student when necessary; and
- maintaining the safety and dignity of all parties concerned.

19.6 Social workers and counsellors (where available)

Social workers and counsellors are responsible for:

- Identifying and reporting issues related to child maltreatment;
- Providing emotional support to children who have experienced trauma;
- Collaborating with CPOs to conduct assessments, determine appropriate referral pathways and develop support plans;
- Providing ongoing support to children and their families; and
- Educating families and communities to prevent child maltreatment and promote healthy child development.

20. Compliance

ESF staff must adhere to this policy and ensure the child's safety is paramount in all decisions and actions.

A central policy obligation is adherence to SWD guidelines **(Appendix B.6)**. Where these guidelines indicate that a case should be referred to the FCPSU or HK Police, the CPO or principal/head of school/senior manager must do so without delay and not deal with such cases in isolation unless it is determined to not be in the best interests of the child (refer to Section 9 of this policy).

Any matters concerning implementing this policy in a particular school/organisation should be raised with the CPO or principal/head of school/senior manager as appropriate at ESFC or ESF Explore. Any matters concerning noncompliance should be raised with the Director of Education.

Appendix A   Checklist for identifying possible child maltreatment

The presence of any one or a combination of these indicators is not in itself any proof of child maltreatment. Children may present without any signs or symptoms yet still be harmed. However, these indicators should alert us to the possibility of child maltreatment.

1.   Signs or symptoms which may possibly indicate neglect

Physical and environmental indicators
- Hunger
- Malnutrition, under-weight, or frail
- Tiredness or listlessness
- Child dirty or unkempt
- Consistently poorly or inappropriately dressed for the weather
- Poor school attendance or often being late for school
- Poor concentration
- Affection-demanding or attention-seeking behaviour
- Untreated illnesses/injuries
- Severe rash or skin diseases
- Stealing or scavenging compulsively
- Failure to achieve developmental milestones, e.g. growth, weight
- Failure to develop intellectually or socially
- Delayed childhood development (e.g. speech disorder, motor skills, intelligence, etc.)
- Unattended physical problems or unmet medical/ dental needs
- Frequent accidental injuries
- Child with special care/educational needs being deprived of opportunities in receiving appropriate assessment, education or training
- Left in the care of inappropriate carer (e.g. young child)
- Child being exposed to venues with suspected dangerous drugs or drug-taking equipment, carer/other persons suspected to be taking drugs in the presence of the child

Behavioural indicators
- Persistent complaints of hunger or constant rummaging for food, wolfing down meals or begging for/stealing food
- Addiction or delinquency
- Involved in sexual activities because of inadequate supervision

2.   Signs or symptoms which may indicate physical harm

Behavioural indicators
- The explanations of the causes/course of child's injury made by the parent/carer/child are unconvincing/contradictory to or inconsistent with the injuries sustained
- Failure or delay in seeking medical advice
- Excessive amount of clothes worn by the child to cover his/her body

Physical indications
- Patterns of bruising; inconsistent account of how bruising or injuries occurred
- Finger, hand and nail marks, black eyes
- Bite marks
- Round burn marks, burns and scalds
- Lacerations, abrasions, weal
- Fractures
- Bald patches
- Symptoms of drug or alcohol intoxication or poisoning
- Unaccountable covering of limbs, even in hot weather
- Fear of going home or parents being contacted
- Fear of medical help
- Fear of changing for PE
- Inexplicable fear of adults or over-compliance
- Violence or aggression towards others including bullying

Categories of physical harm
- Bruises and welts:
  - Should be interpreted with reference to various factors, including the number, size and distribution of bruises; bruises that are unlikely to be accidental are suspicious
- Lacerations and abrasions:
  - Laceration to the frenulum (the piece of tissue in the midline that connects the inside of the upper lip to the upper gum) may indicate forced feeding
- Burns and scalds:
  - Inflicted burns may assume the shape or pattern of the burning objects, e.g. a heated plate or cigarette
  - Distribution of scalds on the child's hands/feet or buttocks in glove or stocking shape is indicative of immersion into hot water
- Fractures:
  - Should be interpreted/handled individually based on case circumstances
- Internal injuries:
  - Brain/head injuries - may be caused by a direct impact, shaking or piercing
  - Abdominal injuries - perforation of internal organs may lead to abdominal pain and vomiting
  - Child may have been seriously wounded or even die without any visible signs of injuries
- Others:
  - Fabricated or induced illness, Factitious Disorder Imposed on Another
  - Hair loss by pulling or burning

3. Signs or symptoms which may indicate psychological (emotional) harm

Physical indicators
- Underweight or frail
- Developmental delay
- Eating disorder (e.g. Anorexia Nervosa)
- Psychosomatic symptoms, which refer to physical discomfort or symptoms resulting from psychological or emotional disturbances, e.g. headache, tummy ache, diarrhoea, vomiting, skin allergy, etc.

Behavioural indicators of the child
- Resisting contact with others and the outside world
- Anxiety symptoms observed, e.g. habitual nail-biting, hair-pulling, thumb-sucking, head-banging and body-rocking, etc.
- Language delay
- Wetting/soiling
- Self-harm or suicidal thoughts/attempts
- Over-reaction to mistakes, continual self-deprecation
- Sudden speech disorders, elective mutism/deafness
- Inappropriate emotional responses, fantasies
- Disruptive behaviour or conduct problems
- Marked deterioration in academic performance
- Rocking, banging head, regression
- Self-mutilation, drug or solvent use
- Fear of parents being contacted
- Running away, compulsive stealing
- Masturbation
- Appetite disorders – Anorexia Nervosa, Bulimia
- Soiling, smearing faeces, enuresis

Behavioural indicators of the carer
- Often emotionally unavailable/giving inappropriate emotional response
- Being detached or indifferent towards the child
- Often singling a particular child and treating him/her badly
- Rejection and constant scolding
- Humiliating criticism
- Often requiring the child to bear responsibilities of an adult/that is inappropriate for his/her age
- Encouraging deviant or criminal behaviour
- Bizarre punishment
- Repeatedly accusing others of harming/maltreating the child without factual evidence, subjecting the child to repeat unnecessary investigating procedures (this is more common in divorced/separated families with disputes)

4. Signs or symptoms which may indicate sexual abuse

Physical indicators
- Torn, stained or bloodstained underclothing
- Complaints of pain during urination
- Complaints of pain, swelling or itching in the genital area
- Pregnancy
- Bowel control or bladder control weakened despite toilet-trained
- Repeated urinary tract infection
- Attention-seeking behaviour, self-harm, substance abuse
- Persistent complaints of stomach disorders or pains
- Eating disorders, e.g. Anorexia Nervosa and bulimia

Behavioural indicators
- Unusually compliant
- Regressive behaviour
- Inability to concentrate, tiredness
- Refusal to communicate, elective mute
- Child showing particular interest in body parts of adults or touching adults' sensitive body parts repeatedly
- Enacting/reproducing scenes of sexual abuse in play or daily behaviour
- Child disclosing that his/her parent or other person has played secret games with him/her
- Knowledge about sex or sexual behaviour that is beyond the expectation for the age of the child
- Excessive masturbation
- Hyper-sensitive to being touched
- Highly resistant to stay somewhere or with someone/a specific gender/individual(s) of a certain identity
- Child with adequate self-care abilities disclosing that the carer often takes care of his/her personal hygiene/care matters (e.g. bathing, cleaning after toileting, changing clothes, etc.)
- Child of an older age disclosing that his/her parent of the opposite sex often shares the same bed with him/her
- Having frequent contact with strangers through mobile phone or the internet and having been invited to meet outside

Child maltreatment cases are applicable to children and juveniles under the age of 18.

Appendix B   Further references

Further sources of information

1. **ESF Assembly Policies & Compliance Portal**
   https://esfo365.sharepoint.com/sites/Policies

2. **ESF Child Protection Officers Website**
   https://sites.google.com/esfcentre.edu.hk/safeguarding-and-child-protect/

3. **ESF Staff Safeguarding and Child Protection Website**
   https://sites.google.com/esfcentre.edu.hk/safeguardingchildprotection/

4. **Education Bureau Circular No. 1/2020 Handling Suspected Cases of Child Maltreatment and Domestic Violence**
   https://applications.edb.gov.hk/circular/upload/EDBC/EDBC20001E.pdf

5. **Education Bureau Circular No. 14/2023 Measures for Strengthening the Protection of Students: Appointment of Teaching and Non-teaching Staff in Schools**
   https://applications.edb.gov.hk/circular/upload/EDBC/EDBC23014E.pdf

6. **Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary Cooperation**
   https://www.swd.gov.hk/en/pubsvc/family/fcw_info/fcwprocedure/fcwp_mdco/

7. **Relevant Ordinances** related to child protection and child abuse include:
   - Protection of Children and Juveniles Ordinance, Cap 213
   - Evidence Ordinance, Cap 8
   - Domestic and Cohabitation Relationships Violence Ordinance, Cap 189
   - Criminal Procedure Ordinance, Cap 221
   - Live Television Link and Video Recorded Evidence, Cap 221
   - Education Ordinance, Cap 279
   - Adoption Ordinance, Cap 290
   - Child Abduction and Custody Ordinance, Cap 512
   - Mandatory Reporting of Child Abuse, Cap 650 (not yet in effect)

8. **UN Convention on the rights of the child**, November 1989. Available at:
   http://www.ohchr.org/en/professionalinterest/pages/crc.aspx

9. **Guidelines on Teachers' Professional Conduct,** Education Bureau.
   https://www.edb.gov.hk/en/teacher/guidelines_tpc/index.html

10. **Code of Practice for Registered Social Workers,** Social Workers Registration Board.
    https://www.swrb.org.hk/en/Content.asp?Uid=14

11. **School Administration Guide**, Education Bureau.
    https://www.edb.gov.hk/en/sch-admin/regulations/sch-admin-guide/index.html

12. **English Schools Foundation Ordinance** 2016.
https://www.elegislation.gov.hk/hk/cap1117?xpid=ID_1438402577350_003

Appendix C   Digital safeguarding and online safety

A collaborative, harm-mitigating approach is the most effective way to support the digital safeguarding approaches by our staff, students and parents/carers. Schools/ESF Explore and ESFC should ensure that all understand the following digital safeguarding principles:

- **Students should:**
    - Be able to recognise when they feel safe/comfortable, and what to do if they feel unsafe online
    - Know who they can reach out to if they have a concern

- **Staff should:**
    - Know about safe online practices
    - Know their responsibilities in safeguarding students

- **Parents/carers should:**
    - Know their responsibilities in helping to keep their children safe online
    - Understand the schools' commitments and expectations concerning digital safeguarding

1.   Securing the privacy of students online

Following the ESF Personal Data Handling & Privacy Policy, schools and staff should ensure that any tools or systems used to provide online learning comply with ESF's data protection and privacy measures.

Schools should make parents and caregivers aware that only the principal/head of school may approve of the recording of online learning activities. Any resources created during online lessons that involve either the audio or video image of any students require parental consent and are not permitted to be shared with any other parties without the express approval of the teacher, SLT or ESF Centre.

Schools can use the online app vetting framework to assess the suitability of apps for use within schools and may also seek the assistance of the Head of Information Technology at ESFC for support in vetting online tools and systems, as appropriate, for use in relation to online learning and online safeguarding.

2.   One-to-one online sessions

A one-to-one session is any occasion where an adult meets with a student, out of sight or earshot of any other people. Only ESF staff may hold one-to-one engagements with students during the normal school day. Staff will follow best practices to manage the safety and wellbeing of both participants, and schools will communicate these practices to students, parents and caregivers.

Safeguarding measures:

- Using school/ESF-approved platforms and/or video/audio conferencing tools
- Making users aware of their rights, including the ability for either the student or teacher to terminate the session at any time, and to voice concerns with a counsellor, senior leader or the Adviser for Safeguarding and Child Protection

- Communicating one-to-one session expectations with parents and caregivers
- Volunteers, such as student teachers, are not permitted to hold one-to-one sessions

3.   Online peer-on-peer sessions

An online peer-on-peer session is defined as any occasion students are engaged without the direct supervision of a teacher or other ESF staff member. It does not refer to personal communications between students outside of school hours or on platforms not provided for by ESF.

ESF schools may make available online spaces that are not always directly supervised by a teacher or other staff member (such as breakout rooms, collaborative online workspaces, student-to-group presentation spaces etc).

Students, their parents and caregivers are reminded that these online spaces are to be treated as any other unsupervised physical space at school and that all behavioural expectations still apply. Teachers and school leadership will address any peer-on-peer issues in these online spaces accordingly.

Safeguarding measures:

- Reviewing school-level behavioural expectations for students in peer-on-peer environments
- Providing clear guidance and support for student leaders and other students hosting peer-on-peer sessions
- Encouraging staff to "drop in" on peer-on-peer sessions where appropriate

4.   Use and distribution of online materials

Online materials are any materials, resources or content created by an ESF staff member or student in the course of their learning and may be published/shared with different school groups. It includes, but is not limited to, lesson materials, photos, videos or audio recordings or content published online.

ESF materials, resources and content are not to be shared outside of their intended distribution zone without express permission from the principal/head of school.

ESF schools, teachers and students may, in the course of their online learning, make available online resources or materials, including video or audio recordings, that involve themselves, students and/or others.

Staff, students, parents and caregivers are reminded that all online materials are under ESF copyright unless clearly marked as owned by another, and use and distribution of that material are prohibited without ESF's permission.

Safeguarding measures:

- Guidance/communications for staff, students, parents and caregivers regarding the ESF Academic Integrity Policy
- Permission must be granted by SLT for any requests to share ESF materials outside of school

5.   Unauthorised recording of online learning

Unauthorised recording refers to the recording of any ESF online audio or video conferencing session (including but not limited to lessons, one-to-one, and child-to-child sessions) without the express permission of the relevant teacher, SLT or ESF staff member. Students, parents and caregivers may withdraw consent for students to be recorded.
Online learning may only be recorded by ESF staff. Students, parents and caregivers may withdraw consent to be recorded.
Only ESF staff may record online learning (such as lessons or peer-on-peer sessions). Schools and staff commit to ensuring all
recordings, whether they are lessons or products of learning, are made using approved platforms and are stored securely by schools.
Students, parents or caregivers may withdraw consent to be recorded.

Safeguarding measures:

- The right of students or parents to withdraw recording consent, and communication of those rights as appropriate
- Guidance on the ESF Personal Data Handling & Data Privacy Policy
- Good recording practices guidance for staff

6.   Presence of parents and caregivers in online learning

Parents and caregivers may be asked to provide support to young students and students with different needs during online lessons. It is important to reiterate that presence during an online lesson is at the request of the school or teacher, to assist with the facilitation of learning.
Schools are encouraged to seek parental support and involvement in online lessons where appropriate. Parents should have a clear understanding of what constitutes acceptable involvement.
ESF schools expect that students engaging in online lessons will do so with the same level of independence that they would when physically on campus.
Schools will assess their year levels/students by need and set clear expectations for parental assistance where additional support is required.

Safeguarding measures:
- Schools to make clear the expectations for parental or caregiver involvement when and where they are required

7.   Using volunteers in online learning

A volunteer is any approved non-student, non-ESF employed person who is engaged to assist in the delivery of online learning. A volunteer may include a student teacher or subject matter expert involved in a particular learning topic.
ESF schools may involve volunteers and other non-staff (such as student teachers) in online learning environments. Schools will review their volunteer agreements and include possible future online involvement as appropriate. All required safeguarding and child protection declarations must be made by volunteers, and schools will follow best practices to keep them and the students safe.

Safeguarding measures:

- Review of volunteer agreements
- Guidance for volunteers around online safeguarding expectations

8.   Online safeguarding for audio and/or video conferencing

Schools and staff are permitted to use online audio and/or video conferencing tools with students for lessons and other school-related activities. Such engagements may be either directly supervised by an ESF staff member or provided to students for peer-on-peer activities without direct supervision.

Schools will ensure all audio and/or video conferencing tools are vetted and approved by their SLT regarding their ability to support safeguarding approaches. Such safeguarding approaches that may be used by schools include, but are not limited to:

- determining appropriate privacy and sharing settings
- the discretionary recording of online lessons or other online activities by ESF staff only, or by students in the course of their work
- setting behavioural expectations for the proper use of online audio and/or video conferencing, particularly with regards to parental involvement, and one-on-one or peer-on-peer session
- ensuring appropriate safeguarding declarations exist in agreements for non-staff who may be invited to participate in online school activities

The role of the CPO remains unchanged in online environments. Schools should ensure that staff are aware of the risks involved with providing learning online and how safeguarding and child protection expectations still apply.

Appendix D   Staff guide to dealing with reports of maltreatment

1.   Actions to take

- Build supportive relationships with the students under your care.
- Be vigilant regarding low-level concerning behaviours; do not dismiss these concerns.
- Pay attention to what a student says or does, even if it seems unclear.
- Listen attentively when a student shares information about possible abuse; give them your full attention, even if it appears you are engaged in another task.
- If appropriate, avoid requiring eye contact. Sit beside the student instead of directly in front of them and direct your gaze elsewhere.
- If uncertain about what the student meant, encourage them to elaborate with open-ended prompts such as "Tell me more about that" or "Show me that again."
- Use affirming sounds like "uhuh," "mmhmm," or "go on" to indicate active listening. These responses are safe.
- Maintain a calm and composed demeanour through your body language; take a moment to relax and breathe deeply if needed.
- Adapt your communication style to meet the needs of the student.
- Limit your questions. Use open questions like "Tell me about that," "Then what happened?" or "What else happened?"
- Allow the student to express themselves in their own words. Make brief written notes, repeat what you've heard verbatim, and capture relevant quotations.
- Gather just enough information to assess the student's safety and to relay relevant details to the Child Protection Officer (CPO).
- If a student attempts to demonstrate actions using your body, calmly say, "I can't let you do that," and, if necessary, move away. Retain any drawings the student shares and pass them to the CPO.
- Reflect back using the student's own words to show understanding.
- Inform the student of the next steps clearly. For example, "I will speak with Ms. Hewitt, and she will want to talk with you as well. I can stay with you while she's here."

2.   When a child confides in you about maltreatment

- Remain calm.
- Reassure the child that they are doing the right thing by confiding in you and praise their courage.
- Assure the child that the information will be taken seriously and investigated by the school and, if necessary, outside agencies.
- Explain that to help them, you will need to inform certain parties, but this information will not be common knowledge within the school.
- Inform the child whom you will be confiding in next and why, assuring them that parents will not be informed until further discussions have taken place and that if their parents need to be informed you will let them know first.
- Validate their feelings and reassure them that it is not their fault.
- Encourage open dialogue, listening rather than asking leading questions.
- Confirm your understanding of the child's account before concluding the discussion.
- Be prepared for the possibility that the child may retract their statements; it remains essential to report the incident.
- Determine if the child has disclosed this information to anyone else, inside or outside of

school.
- Promptly document all information in detail on RecordMy, using the child's language. Include questions asked without adding personal opinions or comments.

3. Do not…

- Convey anger, shock, or embarrassment.
- Promise confidentiality. Instead, assure the child that you will do your utmost to help but may need to inform others to provide the necessary support.
- Ask leading questions or press for more information.
- Use affirming statements such as "OK" or "Yeah", as the disclosure likely describes behaviour that is not acceptable.
- Label the child's experiences as "dirty, naughty, or bad."
- Give value judgments such as "that is awful". Whilst this may seem supportive, it reinforces stigma, shame and blame that is already part of the student's feelings.
- Comment on the offender's character, as it may be someone the student cares about.
- Discuss the child's disclosures with anyone other than those necessary for safeguarding their best interests.
- Act without informing the CPO/principal/head of school, unless delaying is not in the child's best interest.

Appendix E   Record keeping - what to record and how to record

1.   What to record

Consideration should be given to the following:

1. **Patterns of attendance:** Unexplained absences or those that follow a pattern.

2. **Nature and quantity** of contact with parents/domestic helpers/caregivers

3. **Nature and quantity of contact with school staff:** Nurses, EA, frequently seeking out attention and/or reassurance.

4. **Body language and behaviour:** Changing behaviour associated with a particular time or day; marked changes in behaviour or attitude over time; eating disorders or changes in eating patterns; complaints about feeling unwell, difficulties walking or sitting; sexualised behaviour, symptoms of drug/solvent use. Mood (and changes in this) reactions to adults coming to collect the child.

5. **Language:** Either explicit or ambiguous.

6. **Play:** Acting out maltreatment in play situations or drama; exhibiting extreme aggression or withdrawal; change in play

7. **Drawing and writing (including online):** Pictures or people with detailed genitalia; suspicious incidents in diaries or news; detailed stories of maltreatment in "imaginative" writing.

8. **Medicals and Physical Education:** Reluctance to undress; bruising; torn clothing; bloodstains; smell of semen.

9. **Indications of neglect:** Inappropriate clothing; poor personal hygiene; strong attention or affection seeking; underweight or small for age.

10. **Injuries to the child:** Bruises, lacerations and welts, burns and scalds, injuries or medical problems that do not receive medical attention.

11. **Relationships (including online):** Inappropriate dialogue, conversation, or contacts.

12. **Record any individual needs of the child**.

This list is by no means exhaustive, and what is appropriate to record will vary in each case and according to the age and maturity of the child.

2.   How to record

All child protection concerns must be recorded on RecordMy using the child protection record form.

*   **The record must only contain facts.** These records may be open to disclosure to parents and legal representatives, so they must only contain factual material. It is important not to

interpret what is seen or heard but to record observable and factual information. This will also help reduce teachers' concerns about committing such sensitive matters to paper.

- **Day, date, time, and place should be included.** This will make it possible to discern any patterns of behaviour more easily.

- **Background information** should be included to put the incident in context. The events leading up to and surrounding an incident can be as important as the incident itself. Examples of such relevant information would include details of the setting, triggering factors, and school routine that might have a bearing on the observed behaviour.

- **Any record of the child's words should be verbatim** and not the teacher's interpretation of the child's words. This would include the child's words for the body parts rather than the adult ones used by the teacher. Where a teacher tries to clarify what a child is trying to say, the record should include details of the teacher's questions.

- **Photographic evidence.** Do not take photographic evidence of injuries to the child unless requested by the FCPSU and when the child has provided consent. Where possible, photographs must be taken on a school device by the medical professional or nurse. If no school device is available, a personal device may be used, provided that the image is transferred as soon as possible to a school device and the image is deleted from the personal device. If a student does not give consent to be photographed, do not photograph. Injuries and or evidence of maltreatment involving the intimate areas of a child are not to be photographed. FCPSU and/or police will provide the next steps.

- **Names.** The names identified in the disclosure should be recorded, as well as the names of any actions taken/to be taken by persons in response to the disclosure.

Once the child protection record has been submitted on RecordMy, the school-designated CPOs will receive immediate notification. At this point, the responsibility to manage the suspicion of maltreatment rests with the CPOs with the support of the principal/head of school.

3. Transfer of records

Transfer into an ESF school from a non-ESF school

CPOs are to take action to ensure a safeguarding information request form is sent to non-ESF schools that they are receiving students from in the first month of the academic year.

Transfer between ESF schools

When a child moves from one ESF school to another (including as part of the transition between phases), child protection records within RecordMy should be digitally transferred to the new school/kindergarten from within RecordMy. There should be a meeting between the giving and receiving CPOs when this is a phase transfer. At this meeting:

- the CPO from the current school/ kindergarten should communicate any relevant case information to the CPO in the receiving school.
- complete the transfer between schools using the RecordMy transfer functionality.

- once the new school has received the record, the previous school's records will automatically be archived.

Transfer outside ESF

When a CPO or another representative from a school outside ESF requests safeguarding or child protection information, Hong Kong data privacy laws apply. ESF is committed to supporting the wellbeing and safety of all our students. In the event a student leaves ESF to enrol at another school, ESF may need to share certain student records to facilitate a smooth transition and ensure the new school can provide appropriate support. The specific information shared will be limited to what is reasonably necessary. ESF will make every effort to obtain parental/guardian consent for this data transfer. Further information is available in the **ESF Data Privacy Policy, section 7.4**.

However, in exceptional circumstances where ESF/ESL reasonably conclude that seeking consent would put the child at risk, ESF and ESL reserve the right to share relevant information without explicit approval. To ensure pertinent information can be transferred legally, the following steps are to be taken:

1. Parental permission for the exchange of safeguarding and child protection is to be secured by the receiving school. If the student is 18 at the time, this permission would need to be secured from the student instead.
2. A copy of this permission must be obtained in writing (e.g. via email) and is shared with the ESF school CPO. It is then kept on file in RecordMy.
3. Data from RecordMy can be exported either as a PDF or from within RecordMy via email. This will depend on how the receiving school has requested to receive the data. Most schools will have a secure data transfer platform available.
4. A data privacy check is carried out on the RecordMy data export. This is most conveniently done with a PDF export, which must be encrypted after export and before sending to a third party. Ensure that all data:
   a. Only refers to the student. Any other names must be removed from the records before it is sent to the receiving school.
   b. Is factual and correct. No assumptions or emotions are included.

Appendix F   Procedural flowchart for child protective actions
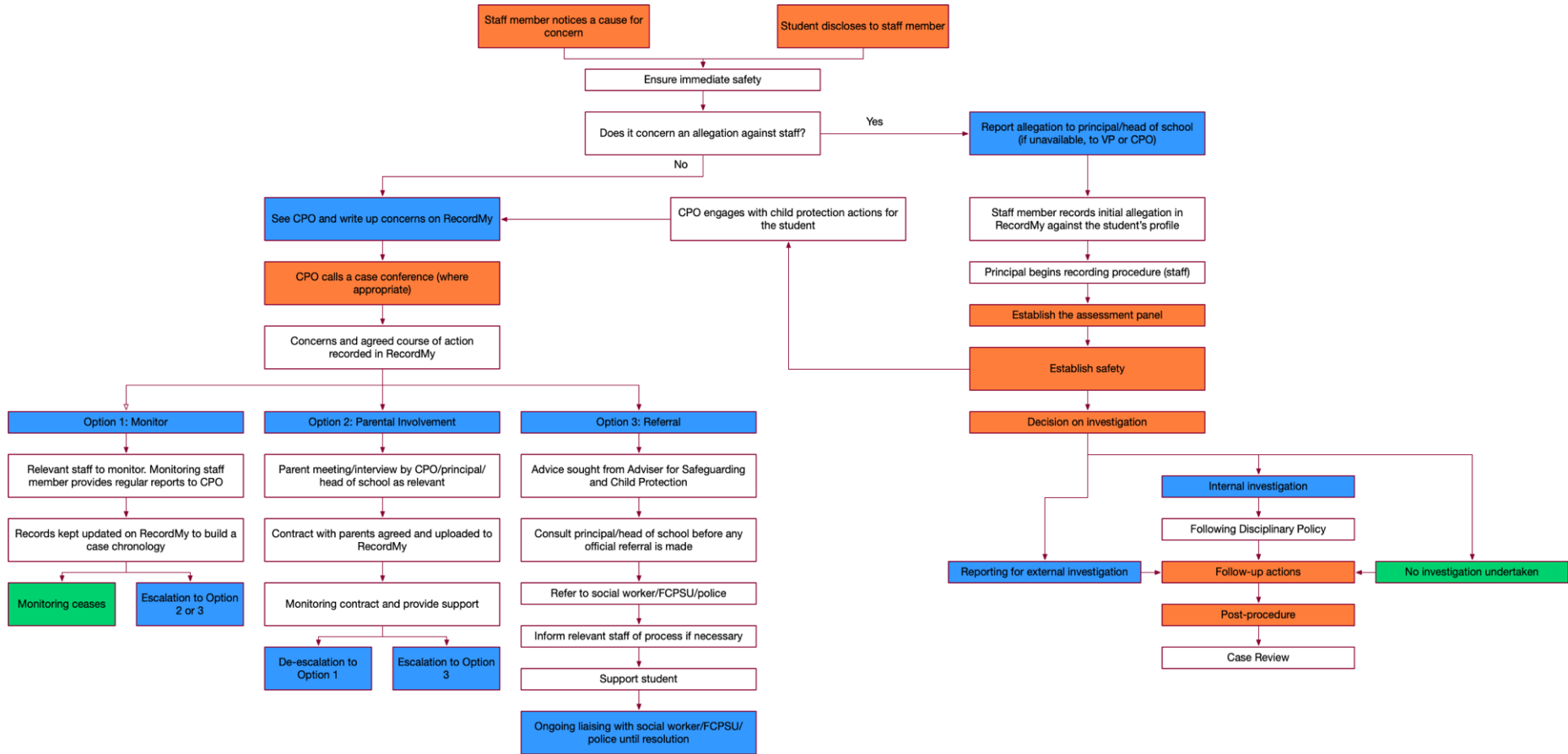
Appendix G   Procedural guidelines

1.   Disclosure

Identification of child maltreatment or suspected child maltreatment may occur through observations and/or conversations between a staff member and a student or group of students. Where disclosure happens, the staff member needs to follow the guidelines for conducting a disclosure conversation **(Appendix D).**

2.   Recording

Details of any indicators of possible child maltreatment observed by a member of staff, whether through observation, disclosure or some other means, must be recorded on RecordMy as soon as possible after an indicator has been observed (**Appendix A** and **E**).

3.   Child Protection Officer(s) coordinated response

The CPO, in consultation with other school-designated CPO(s), the school social worker (where available and/or counsellor) and/or principal/head of school, need to carry out an assessment of the reported concern to determine whether there is a basis for a valid suspicion of maltreatment. It is essential to consider the student's current situation, safety and/or likelihood of possible future harm. All notifications of possible child protection cases require prompt follow-up (**within ten days from the date of the original report**). In cases where significant harm has occurred, or there is the threat of imminent and serious harm likely to occur, immediate action is required.

4.   In-school case conference

Upon receiving a child protection notification, the CPO should convene a case conference with relevant colleagues to gather relevant information, seek different perspectives, and help determine the best course of action unless an immediate referral is required.
The conference is led by the CPO and may include:

- Principal/head of school
- School counsellor and/or social worker
- Tutor/class teacher
- School health professional
- Head of section
- Head of year or equivalent

At the case conference, future actions for case management will be identified around a framework of three options:

1. Monitoring concerns;
2. Working with parents/carers; or
3. Referral/involvement of other agencies.

The outcomes of the conference will be recorded and added to the RecordMy account under the name of the child in question. A Case Conference form is available on the CPO Website (**Appendix B.2**) to support these processes.

After the initial case conference, the CPO will determine whether/when future case conferences will be convened to manage ongoing development of the case. Generally speaking, the CPO should convene further case conferences when:

- a period of monitoring has come to an end, and the monitoring system in use needs to be reviewed;
- significant new information has come to light, or the situation has changed in some way; or
- a further decision on the progress of the case is necessary, e.g. a particular course of action has proved ineffective, and a rethink is needed.

5. Monitoring concerns

One possible action to be taken in response to a report of a child protection issue is adopting a monitoring system. The purpose of a formalised framework for monitoring suspected cases of child maltreatment is to:

- clarify the nature and extent of the concerns.
- provide a clear record of the facts which contribute to the development of concerns.
- help to identify patterns of behaviour.
- provide a means of reducing staff concerns.
- enable subsequent referrals to Social Welfare Department to be made clearly and professionally.

6. Key components of a monitoring system

The following questions can represent the key components of a monitoring system

1. Who is responsible for monitoring the child?
2. For what specified period are they doing this monitoring?
3. What indicators are they looking out for? (**Appendix A**)
4. What should they do if they witness one or more of these indicators?

Ongoing monitoring enables a detailed understanding to be built up over time of the child's situation. Individual observations may not indicate much by themselves but, when combined with other observations gathered over time, can form a significant 'bigger picture' of the child. All staff involved in a monitoring system should know how it operates and when it will be used. Any new observations, concerns or worries are to be added to RecordMy.

The school will most often use a monitoring system as a means of information gathering before the involvement of the Family and Child Protective Services Unit (FCPSU) or as a means for the school to manage the case itself. FCPSU/other agencies may ask schools to monitor or to continue monitoring a child to support an ongoing investigation or, following an investigation, to monitor the child's ongoing wellbeing.

7. Working with parents/carers

Parents and children will feel more confident about the school's ability to deal with the problems if they know that a constructive policy is operating within the school. Good liaison

with parents will ensure that they understand the role and duties of school staff in promoting child protection.

8. Referral/involvement of other agencies

The Social Work Officer at the FCPSU will provide advice, including for cases where there are doubts as to whether to make a formal report or not, during office hours. For reports on suspected child maltreatment cases received after office hours, the SWD Outreaching Team (after office hours), through contact by the SWD hotline, will respond to the report.

A. Referral to FCPSU

1. In cases of **suspected child sexual abuse or serious physical maltreatment,** the CPO should make a report directly to the FCPSU. The FCPSU will work with the Child Protection Special Investigation Team.
2. In referring to FCPSU, the CPO may be asked to provide the following information to hand:
   i. The immediate cause for concern and any immediate danger
   ii. The child's full name, date of birth, address, I.D. number and special needs of the child
   iii. The child's whereabouts
   iv. Name and HKID No. of parents/carers and details of other household members, e.g. siblings.
   v. Name of the family doctor
   vi. Name of school
   vii. Name, position and phone number of contact person
   viii. Name of other witnesses and other agencies
   ix. Any additional relevant information you may have
3. It is important to remember that submitted documentation may form part of the evidence should a case develop into court proceedings.
4. It may be helpful to explain to the duty officer what expectations there are of the Child Protection Special Investigation Team, e.g. that they will ring back within a certain time, keep you informed, etc.
5. A copy of the referral information should also be sent to the ESF Director of Education.

Do not contact the parents at this stage. Agree with the FCPSU on how this will be handled and by whom.

Confidentiality in these matters must be always considered. It may be important to avoid the risk of an abuser being alerted prematurely before the child is adequately protected or when police evidence could be destroyed.

9. Ongoing support for victims and others

ESF schools are committed to supporting any student who has had traumatic experiences. There can be high anxiety levels for those involved with supporting known victims of maltreatment.

A. Care for students

Students who experience maltreatment may have a change in behaviour, which can be difficult to manage. Being caring, consistent and attentive will be a support. Staff must continue to work as part of a team to provide consistent and appropriate care. Staff should monitor behaviour change for signs of post-traumatic stress and make decisions about whether the student needs access to further support, such as counselling.

Clear communication between staff, family, and other agencies will help understand the child's situation and develop strategies to support the child and promote positive behaviour.

B. Care for staff

Consideration needs to be given to the impact on those involved with a child protection case. Schools should ensure a system of support is available for all staff members. ESF commits to supporting staff and providing a support network for CPOs. If necessary, staff can be supported in this area through the ESF Employee Assistance programme.

Appendix H   Child-on-child abuse

1.   Introduction

Child-on-child abuse refers to any form of abuse in which one child perpetrates harm against another child, irrespective of their age, developmental stage, or age difference. Child-on-child abuse may take the form of physical, sexual, emotional or financial abuse and may also include coercive control exercised between children and within children's relationships (both intimate and non-intimate), friendships and wider peer associations.

Concerns relating to child-on-child abuse may take various forms, including (but not limited to): serious bullying (including cyber-bullying); relationship abuse; domestic violence; child sexual exploitation; youth violence; upskirting; harmful sexual behaviour (including causing someone to engage in sexual activity without consent); and/or prejudice-based violence including, but not limited to, identity-based harm, or gender-based violence.

Child-on-child abuse may also arise due to online behaviour such as sexting (consensual and non-consensual sharing of nude/semi-nude content, or the generation of child pornography using AI-assisted image generation tools. Sexting may involve sexually explicit text messages, provocative audio clips, suggestive selfies or videos), child-on-child grooming, the distribution of sexualised content (including youth-produced commercial pornography or pseudo-sexual images), and harassment.

The age of consent for both heterosexual and homosexual activity is 16 (except for female buggery, which is 21). Even though the age of consent has been reached, an adolescent can still become the victim of sexual exploitation. This could occur, for example, where a person is in a position of differential power. Notwithstanding initial consent, sexual activities with an adolescent (regardless of any romantic relationship between them) who is coerced into certain behaviours or withdraws their consent during the act should be considered sexual abuse.

It is important to note that both individuals must consent to the sexual activity, and consent may not be possible due to age or mental immaturity.

Childhood sexual play is usually found between children of the same age (including the same or opposite sex) and does not involve differential power. It refers to natural curiosity and is developmentally appropriate. Common childhood sexual play includes a child exposing their body parts to another child, or touching another child, including genitals.

In determining a response to child-on-child abuse schools may consider if the behaviour:

- occurs between peers, i.e. of the same or similar age;
- involves a single incident or has occurred over a period of time;
- is problematic and concerning;
- involves any overt elements of victimisation or discrimination e.g. related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability;
- involves an element of coercion or pre-planning;
- involves a power imbalance between the student/ students allegedly responsible for the behaviour and the student/students allegedly the subject of that power; and

- involves a misuse of power.

Child-on-child abuse can be categorised as follows:

Normal (Green)	Inappropriate (Amber)	Problematic (Amber)	Abusive (Red)	Violent (Red)
• Developmentally expected and socially acceptable behaviour • Consensual, mutual and reciprocal • Decision-making is shared	• Single instances of developmentally inappropriate sexual behaviour • Behaviour that is socially acceptable within a peer group • Generally consensual and reciprocal • May involve an inappropriate context for behaviour that could otherwise be considered normal	• Developmentally unusual and socially unexpected behaviour • May be compulsive • Consent may be unclear, and the behaviour may not be reciprocal • May involve an imbalance of power • Doesn't have an over element of victimisation	• Intrusive behaviour • May involve a misuse of power • May have an element of victimisation • May use coercion and force • May include elements of expressive violence • Informed consent has not been given (or the victim was not able to consent freely)	• Physically violent sexual abuse • Highly intrusive • May involve instrumental violence which is physiologically and/or sexually arousing to the perpetrator • May involve sadism

Response guidelines	Response guidelines	Response guidelines
• Although green behaviours are not concerning they still require a response. • Listen to what students have to say and respond calmly and non judgmentally • Talk to parents about developmentally typical sexualised behaviours • Explain how parents can positively reinforce messages about appropriate sexualised behaviours and act in ways to keep their children safe from abuse • Signpost helpful resources • Make sure students know how to behave responsibly and safely.	• Amber behaviours should not be ignored • Listen to what students have to say and respond calmly and non-judgementally • Follow ESF's Child Protection procedures and make a report of your concern on RecordMy • The Child Protection Officer will help to determine whether the student needs therapeutic support and will help to make a referral as appropriate.	• Red behaviours indicate a need for immediate intervention and action • If a child is in immediate danger call the police • Follow ESF's Child Protection policy and report your concern on RecordMy immediately • The Child Protection Officer will help determine the next best steps to ensure safety and support for the student(s) involved.

2. How to respond to child-on-child abuse

ESF has zero tolerance for any behaviour that may adversely impact a child's sense of safety or wellbeing within ESF schools. CPOs should regularly review behaviour incident logs on RecordMy, to help identify any changes in behaviour and/or concerning patterns or trends at an early stage.

All concerns and allegations of child-on-child abuse will be handled sensitively, appropriately and promptly.

Any response will include a thorough assessment of the concern(s) or allegation(s), and the wider context in which the concern(s) occurred (as appropriate). It will consider that the behaviour may indicate wider safeguarding concerns for any of the students involved. The views of the student/students affected will also be considered. Students' expectations about information sharing should be managed, and both students and their parents should be kept informed of developments, where appropriate and safe to do so. Every case should be assessed on a case-by-case basis to ensure that the best interests of all children are met.

Any assessment considers all the relevant factors and consulting with all the relevant personnel. Relevant personnel include the school's CPO, the principal/head of school, the school social worker and/or counsellor where available, and the recipient of a disclosure giving rise to the concern. ESF's Adviser for Safeguarding and Child Protection may also be contacted for advice and guidance. A case conference should be convened to determine the appropriate course of action. The information available and the decision on how to proceed should be documented and clearly communicated to the relevant people.

Where a concern arises, the CPO should ensure that there is appropriate communication and coordination of the school's response to the concern.

The case conference should assess the concern to determine whether the following is necessary:

- A referral to the Social Work Department or the school's social worker in line with EDB guidelines (**Appendix B.4**)
- A referral to the police and/or EDB
- Any further action necessitated by the school e.g. safety plans.

Where any concern(s) or allegation(s) indicate that indecent images of a student or students may have been created and/or shared, the CPO will, in liaison with the principal/head of school, notify the parents/carers, and for them to consider what urgent action can be taken to seek specialist help in preventing the images spreading further.

Where appropriate, the school will engage and seek advice from external specialists.

3. Appropriate action in response to child-on-child abuse

The school has an equal duty of care towards the student(s) who has/have harmed and the student(s) who has/have been harmed. Before deciding on the appropriate action to take the

school should always consider the following:

- its duty to safeguard all students in its care from harm;
- the underlying reasons for a child's behaviour;
- any unmet needs, or harm or abuse suffered by the student;
- the risk that the student may pose to other students; and
- the severity of child-on-child abuse and the causes of it.

The school should carefully consider the potential benefits and challenges of using managed moves or exclusion as a response to problematic behaviour. However, please refer to the Suspensions and Exclusion Policy for further guidance. Exclusion should only be considered as a last resort having regard to the safety and wellbeing of other students in the school. If a managed move is necessary, the school should consider sharing information with the receiving school about the child's behaviour to ensure the best protection of all students in the new school.

4. Safety plans

The school may implement a safety plan where it might assist in enhancing the safety of a student at school. The school should always carry out a safety plan (**Appendix L**) in respect of:

- any student who is alleged to have behaved in a way that is abusive or violent; or
- any student who has reportedly been abused or affected by the alleged abusive or violent behaviour of another student.

When a student is accused of behaving inappropriately or problematically (as opposed to abusive or violent), the school's CPO will work with the school's social worker and/or counsellor, if they are available, to decide what to do next based on their professional expertise. If necessary, the Adviser for Safeguarding and Child Protection at ESFC may also be consulted. Developing a safety plan requires careful consideration and judgment to ensure that the plan addresses the issue appropriately. The plan should address the following areas:

1. Whether the alleged inappropriate behaviour poses a risk to another child.
2. The wider context of the alleged behaviour.
3. The severity of the alleged behaviour.
4. The impact of the alleged behaviour on others, risk to others (including staff).
5. Any patterns of behaviour that may be occurring.

A copy of the plan is to be stored on RecordMy.

5. Assessing whether there is a need to make a formal report of child-on-child abuse

If a disclosure of alleged abuse is made, the CPO must conduct an initial assessment to gather enough information about the incident. This assessment will determine whether the disclosure is "reasonably credible" and will require the CPO to obtain more details about what allegedly occurred. To meet a reasonable threshold for the assessment, there must be concrete information that leads the CPO to believe that the student may have been maltreated.

Establishing the credibility of the concern involves establishing:
1. What has happened?
2. What was the sequence of concern?
3. When did this happen?
4. What is/was the potential for harm?
5. To what extent has maltreatment occurred?

A. Reporting of child-on-child abuse

In cases of child-on-child abuse involving the commission of a potential offence, the CPO should make a report directly to the FCPSU and/or the police, as appropriate. The Adviser for Safeguarding and Child Protection at ESFC can be consulted when deciding if and to whom to report.

B. Reporting to the police

When deciding whether to report an incident to the police, the school should assess whether the disclosed facts, if proven, would be considered a criminal offence. If the answer is yes, the school must follow the SWD Guidelines (**Appendix B.6**), the EDB Circular 1/2020 (**Appendix B.4**), and the EDB School Administration Guide (**Appendix B.11**, paragraph 3.7.8) and report the alleged offence to the police.

However, if the school determines that following the guidelines is not in the best interests of the child or children involved, they may choose to deviate from the guidelines. Communication with ESFC is required for this step. In this case, the school must carefully document the reasons for their decision, and any safeguarding action employed, in RecordMy.

C. Reporting to FCPSU

When considering whether to report an incident or concern to FCPSU, the school should assess whether they can manage the situation internally without the need for FCPSU involvement. This assessment involves determining whether the school can guarantee the safety of the child or children involved and whether it is in their best interest not to report.

If child-on-child behaviour is deemed inappropriate but does not constitute an offence, it would typically not require the school to report it to FCPSU.

D. Reporting to the EDB

Specifically to bullying, in line with paragraph 3.7.6 from the School Administration Guide, serious incidents of bullying are to be reported to the EDB: *"Schools should notify the respective Regional Education Offices of the EDB if the school bullying cases are of a more severe nature (e.g. teachers being the bullies, incidents involving brutal violence, injuries or deaths) so that assistance could be offered to schools."*

Appendix I Community contacts

1. **Against Child Abuse**: https://aca.org.hk/tc/

2. **Contact Information for Social Welfare Department Family and Child Protective Services Units**: https://www.swd.gov.hk/en/contactus/

3. **End Child Abuse Sexual Abuse Foundation**: https://www.ecsaf.org.hk/en-hk/

4. **Family and Child Protective Services Units of the Social Welfare Department contact numbers**:

Region	Service Boundary	Office Tel No.
Hong Kong Island	Central, Western, Southern and Islands	2835 2733
	Eastern and Wan chai,	2231 5859
Kowloon East	Wong Tai Sin and Sai Kung	3188 3563
	Kwun Tong	3586 3741
Kowloon West	Kowloon City and Yau Tsim Mong	3583 3254
	Sham Shui Po	2247 5373
New Territories (North)	Tai Po and North	3183 9323
	Tuen Mun	2618 5710
	Yuen Long	2445 4224
New Territories (South)	Shatin	2158 6680
	Tsuen Wan and Kwai Tsing	2940 7350

5. **Police liaisons' contact numbers:**

School	School Liaison Officer	Phone number	Direct line	Community Relations Officer	Phone number
Glenealy School	Mdm Lau	3660 9584	6508 6900 3660 9584	Mr Wong Wai Nam Ivan (Chief Inspector)	3660 9581 (direct) 3660 9583 (secretary)
Peak School					
Island School	Mdm Wong				
Quarry Bay School	Mr Lo	3660 1634	44023964	Mr Chan Ka Leung (Chief Inspector)	36601633
Beacon Hill School	Mdm Tong	3661 8945	93875220	Mdm Lau Ching Nam Rachel (Chief Inspector)	36617808
Kowloon Junior School					
King George V School	Mdm Wong		90595858		
Jockey Club Sarah Roe School					
Tsing Yi Kindergarten	Mdm Chow	3661 2886	36612886	Mr. Ho Wai Kin (Chief Inspector)	3661 2848
Tung Chung Kindergarten	Mr Yu	3661 1912	95805082	Mr Li Ka Chai Denise (Senior Inspector)	3661 1907
Discovery College					
Wu Kai Sha Kindergarten	Mr Ng	3661 2714 3661 2739	3661 2739	Mr Wilson Tam (Chief Inspector) 3661 2740	
Sha Tin Junior School	Mdm Tsui 36612737 3661 2737				
Sha Tin College					
Renaissance College					
Abacus Kindergarten	Mr. Yim	3661 0718	94898516	Mr. Ting Ka Ho (Chief Inspector)	3661 0714
Clearwater Bay School					
Hillside Kindergarten	Mdm Leong	3660 7540	6508 6940	Mr. Li Wing Yip Foreaf (Chief Inspector)	3660 7535

Bradbury School	Mr Yuen				49
Kennedy School	Mr Chu	2546 9476	2546 947692565429	Mr Nelson Wan (Chief Inspector)	2546 9192
South Island School					
West Island School					

6. Hotlines:

Social Welfare Department Hotline	2343 2255
Family Crisis Support Centre	18288
CEASE Crisis Centre 24-Hour Hotline	18281
Against Child Abuse	2755 1122
End Child Sexual Abuse Foundation	2889 9933
Equal Opportunities Commission (DDO)	2511 8211

Appendix J Role of the Child Protection Officer

CPOs oversee safeguarding and child protection, a complex issue with key areas to be considered:

1. Monitoring concerns, worries, niggles or suspicions through multiple reporting pathways, with RecordMy as the primary source
2. Addressing and responding to indications of possible maltreatment
3. Supporting students who have or have been harmed
4. Working with parents and the community
5. Training staff
6. Relationships and Sexuality Education curriculum development and/or consultation

The CPO must:

● familiarise themselves with this policy and its procedures.
● keep up to date with relevant information, legislation and developments regarding child protection.
● be a point of contact and support for staff in cases of suspicion or disclosure.
● refer cases to the SWD's Family and Child Protective Services Unit (FCPSU), where appropriate, after consultation with the principal/head of school and the person who raised the concern.
● coordinate information and develop communication between the school and other agencies.
● ensure there is support within the school for children who have been maltreated and/or neglected.
● ensure safeguarding and child protection are given due emphasis.
● coordinate aspects of personal safety curriculum development.
● contact the Adviser for Safeguarding and Child Protection if in doubt about the procedure.
● if the responsible CPO for administering RecordMy: ensure all registered users are up to date with the staffing list on a termly basis (as a minimum).
● if the responsible CPO for administering RecordMy: ensure onboarding and training for all RecordMy users.
● maintain a training log that keeps track of all staff's training status to ensure compliance with **Appendix O**.

CPOs should be the focal point in the school for all staff. However, this should not mean that they carry the total responsibility, and recognition should be given of their possible need for practical and emotional support.

Appendix K   Childhood timeline: Rights and responsibilities

Hong Kong Family Court Tables - Indispensable information written by experts for litigants and legal practitioners in the family courts (pages 105 - 107), October 2023-2024 edition; by Hong Kong family lawyers. Available at: https://www.duxburyetc.hk/home

Age	Rights and responsibilities	Source
"Sufficient age and understanding"	Guardian or parent must take into account the views of the minor when appointing new guardian	s 6(5) of Cap 13
	Consent to medical operations	*Gillick v West Norfolk and Wisbech Health Authority* [1986] AC 112 (HL)
	Consent to adoption	*Re S (Parent As Child Adoption Consent)* [2018] 2 FLR 111
6	Attend primary school	ss 3(1) and 74(1) of Cap 279
10	Age of criminal responsibility	s 3 of Cap 226
11	Use or hire a bicycle unaccompanied by an adult	s 54 of Cap 374
12	Attend secondary school	ss 3(1) and 74(1) of Cap 279
14	Give sworn evidence in court	s 4 of Cap 8
15	Age of criminal responsibility for possession of an imitation firearm	s 20 of Cap 238
	Work on licensed premises (liquor) with permission of the Liquor Licensing Board	reg 29 of Cap 109B
16	Engage in heterosexual intercourse	s 124 of Cap 200; *So Wai Lun v HKSAR* (2006) 9 HKCFAR 530
	Engage in homosexual buggery	s 118C of Cap 200
	Marry with parental consent	s 13 of Cap 181
	Become a voting member of a registered trade union	s 17 of Cap 332

	Voluntarily admission or discharge from a mental hospital	s 30 of Cap 136
17	Pilot a private aeroplane or helicopter	art 20 of Cap 448C
	Gain admission to a post secondary college	reg 6 of Cap 320A
18 (or majority)	Enter into contracts as an adult (save for necessities)	s 4 of Cap 26; *Nash v Inman* [1908] 2 KB 1; *Roberts v Gray* [1913] 1 KB 520
	Donate an organ	s 5D of Cap 465
	Join an employee MPF scheme	s 2(1) of Cap 485
	Drink liquor on a licensed premises	reg 28 of Cap 109B
	Work on licensed premises (liquor)	reg 29 of Cap 109B
	Purchase liquor	reg 37 of Cap 109B
	Obtain a hawker's licence	reg 6 of Cap 132AI
	Obtain a library card without a guarantor	s 10 of Cap 132AL

	Pilot a commercial aeroplane or helicopter	art 20 of Cap 448C
	Vote as an elector for the Legislative Council	s 29 of Cap 542
	Work on a construction site	reg 4A of Cap 59I
	Make a valid will	s 4 of Cap 30
	Obtain a standard driving licence	reg 7(1) of Cap 374B
	Get tattooed	s 3 of Cap 323
	Become a member of the executive of a registered trade union	s 17 of Cap 332
	Buy tobacco products	s 15A(1) of Cap 371
	Become an air traffic controller	s 65 of Cap 448C
	Serve as a juror	s 4 of Cap 3

21	Serve as a sole executor of a will	s 39 of Cap 10
	Stand for election to the Legislative Council or District Councils	s 37 of Cap 542; s 20 of Cap 547
	Marry without parental consent	s 14 of Cap 181
	Adopt a relative	s 5(1) of Cap 290
	Register as a nurse or midwife	s 8 of Cap 164; s 7 of Cap 162
	Obtain a non-standard driving licence	reg 7(1) of Cap 374B
	Engage in heterosexual buggery	s 118D of Cap 200
25	Adopt a non-relative	s 5(1) of Cap 290

N.B. There is no clear rule on when a child can be left at home alone in Hong Kong. S27 of the Offences Against the Person Ordinance (Cap 212) provides that if anyone over 16 who is responsible for a child/young person:

"wilfully assaults, ill-treats, neglects, abandons or exposes such child… to be assaulted, neglected, ill-treated, abandoned or exposed in a manner likely to cause such child/young person unnecessary suffering or injury is guilty of an offence."

Appendix L   Sample safety plan for child-on-child abuse

Name of student:	
Year group/ class/ advisory:	
Role in the alleged incident:	*(alleged responsible for behaviour or impacted by it)*
Date safety plan compiled:	

Background information:
An overview of the context; the specific concern(s)/ allegation(s); any relevant detail about relationships; any power differentials; frequency of alleged behaviour; any changes in alleged behaviour over time.

Action taken to date:

Advice received from any external or internal agencies:
(i.e. school social worker; EDB; police liaison; school counsellors; external psychologist)

Relevant information about the student:
(relevant medical information; previous concerns about behaviour; needs or harm that student may have been exposed to)

Student/ parents' wishes and feeling regarding proposed safety plan:
(Student/ parents to be consulted after safety plan written, and any amendments or comments documented here)

Identify and assess level and nature of risk:	
In school: ● *locations* ● *activities* ● *contact with particular students* ● *transport arrangements to and from school*	**Contexts outside the school:** ● *at home* ● *in relationships with friends* ● *peer groups* ● *interactions in the neighbourhood* ● *online activity*
Steps and controls that can be put in place to reduce or manage these risks:	
How will safety be ensured:	*(may include separating students who present risk from those who may be affected)*
out of the classroom	
during unstructured or extra-curricular activities (including EOTC)	
How will the student be supported?	*(If student is affected by the alleged behaviour)*
Are there other trusting relationships which can be drawn upon?	
How will the student's behaviour be managed?	*(if relevant)*
Are there specific triggers for behaviour?	
Is there any language that should specifically be used or avoided?	
Is a positive handling plan in place?	
What targeted interventions	*(these will address the underlying attitudes or behaviours of the*

will be put into place?	*student; emotional, behavioural, psychological or physical needs)*
Within school	
How will risks to the wider school community be managed?	*(including other students*, staff and parents)* **For privacy reasons, limit to first names and/or initials only.*
How will students who know about and/ or may be affected by the alleged behaviour be supported? *(Consider if these students need to take part in an investigation, and if they need their own safety plan.)*	
What are the necessary steps to implement any of the actions outlined above?	
Which members of staff will need to be confidentially informed?	

Review of this safety plan will take place on a regular basis (termly), and particularly if there is any change in perceived risk or circumstances.

Appendix M   Low-level concerns about staff

This appendix can help schools safeguard their employees' welfare and contribute to their duty of care towards their staff. It aims to help identify whether arrangements are needed to support these staff in managing children's and their own safety. Such a concern can still be significant even if it does not meet the threshold of harm.

1.   What is a low-level concern?

A low-level concern is any concern that an adult has acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work
- doesn't meet the threshold of harm or
- is not considered serious enough for the school to engage with ESFC support services.

Low-level concerns are part of a spectrum of behaviour. This includes:

- inadvertent or thoughtless behaviour
- behaviour that might be considered inappropriate depending on the circumstances
- behaviour which is intended to enable abuse.

Examples of such behaviour could include:

- being over-friendly with students
- having favourites
- adults taking photographs of students on their mobile phone
- engaging with a student on a one-to-one basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating or offensive language.

2.   When receiving low-level concerns, ESF will

- ensure all concerns that are raised are handled sensitively and proportionately
- undertake to weigh up information to distinguish between unprofessional behaviour and intentional harm or abuse
- identify concerning, problematic or inappropriate behaviour – including any patterns – that may need to be consulted with the ESF Adviser for Safeguarding and Child Protection and ESF Human Resources
- focus on the behaviour, not the language used to describe or report it
- address unprofessional behaviour and support the individual to correct it at an early stage
- identify any areas for development in ESF's safeguarding system as well as any training needs

3.   Recording the Concern

The concern may be shared verbally or in writing via email. Where raised verbally, the CPO/principal/head of school will make a written record at the time or immediately after. The concern is recorded using the six reporting standards (**Appendix P**) and is to contain the

following:

- Name and role of the person sharing the concern
- Name and role of the person about whom the concern is raised
- Brief context in which the concern arose
- Details of the concern, including dates

4. Anonymity

Where the person raising the concern wishes to remain anonymous, this will be respected as much as possible. However, to conduct a fair and thorough investigation it may be necessary to use names so anonymity cannot be promised. In the spirit of an open and transparent culture, staff and volunteers are encouraged to give their consent to be named, wherever possible.

5. Self-reporting

ESF recognises that staff or volunteers may find themselves in a situation which could be misinterpreted, or might appear compromising to others, or, on reflection feel they behaved in a manner which they consider falls below the standards set out in the code of conduct.

ESF encourages self-reporting in these circumstances, and it is seen as a positive action. Self-reporting promotes safeguarding and a safer culture of vigilance by:

- enabling staff and volunteers to get support with a potentially difficult issue and/or address it at the earliest opportunity
- demonstrating awareness of the expected behavioural standards and self-awareness as to the person's own actions or how they could be perceived and
- contributing to maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

Self-reporting can be done in the first instance by speaking to your line manager as soon as possible. The line manager will share the information with the CPO:

- for support and advice
- to identify actions or wider implications for the organisation such as policy or training

6. Responding to the low-level concern

Investigation into a low-level concern will be done discreetly and on a need-to-know basis. On receipt of the concern, the CPO/principal/head of school must take the following actions (not necessarily in the order set out):

- speak to the person who raised the concern (unless it has been raised anonymously), regardless of whether a written summary has been submitted
- speak to any potential witnesses (unless advised not to do so by the ESF Adviser for Safeguarding and Child Protection and/or other relevant external agencies, where they have been contacted)
- speak to the individual about whom the low-level concern has been raised (unless advised not to do so by the ESF Adviser for Safeguarding and Child Protection and/or

other relevant external agencies, where they have been contacted)
- where the concern relates to the individual's behaviour or relationships outside the workplace, the CPO/principal/head of school must conduct a risk assessment concerning transferrable risk into the workplace and the safety of children or adults at risk they work or volunteer with
- review the information and determine whether the behaviour:
    - is entirely consistent with the ESF Code of Conduct
    - constitutes a low-level concern
    - is not serious enough to consider a referral to ESFC, but may merit consulting with and seeking advice from the Adviser for Safeguarding and Child Protection
    - when considered with any other low-level concerns that have previously been raised about the same individual, could now meet the threshold of an allegation and should be referred to ESF Centre using **Appendix N** instead.

7.   Records during investigation

Whilst conducting the investigation and making decisions, the CPO/principal/head of school must make a record of:

- all internal conversations
- all external conversations – for example, with the ESF Adviser for Safeguarding and Child Protection, or the EDB
- the rationale for decisions
- actions to be taken and by whom

The record will include the names, roles, dates and times of conversations, emails and other relevant documentation. See section 11 below for details on how these records are to be stored.

8.   Possible outcomes

If the behaviour is found to be entirely consistent with the ESF Staff Code of Conduct for Child Safeguarding and Child Protection, the ESF Professional Code of Ethics, EDB Guidelines and HK law, the CPO/principal/head of school will:

- update the individual in question and inform them of the action taken as above
- speak to the person who shared the low-level concern to provide them with feedback about how and why the behaviour is consistent with the Codes and the law
- consider if the situation may indicate that the Codes are not clear enough, or if further training is needed
- If the same or a similar low-level concern is subsequently shared about the same individual, and the behaviour in question is also consistent with the Code of Conduct and the law, then an issue may need to be addressed about how the subject of the concern's behaviour is being perceived by others.

If the behaviour is found to constitute a low-level concern, it will be responded to in a sensitive and proportionate way – on the one hand maintaining confidence that such concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff and volunteers from any potential false allegations or misunderstandings.

Most low-level concerns by their very nature are likely to be minor. Some will not give rise to any ongoing concern and, accordingly, will not require any further action.

9. Conversations will include

- being clear with the individual as to why their behaviour is concerning, problematic or inappropriate, using examples
- explaining clearly what change is required in their behaviour
- discussing what, if any, support they might need to achieve and maintain the required behaviour
- being clear about the consequences if they fail to be consistent with the Code of Conduct and/or repeat the behaviour in question
- The approach should be positive and avoid critical, threatening or blaming language or behaviour.

10. Follow-up actions may include

- ongoing and transparent monitoring of the individual's behaviour
- an action plan or risk assessment which is agreed with the individual, and regularly reviewed with them
- Where the low-level concern raises issues of misconduct or poor performance, the CPO/principal/head of school will seek advice from ESF Human Resources and may discuss this with the individual's line manager regarding who has the follow up conversation with the individual.

11. Low-Level Concerns and other Policies and Procedures

- Where the concern is found to require other internal processes to be followed, such as disciplinary, the CPO/principal/head of school will exercise their professional judgement and, if in any doubt, they will seek advice from other external agencies including the ESF Adviser for Safeguarding and Child Protection, ESF Human Resources or the Director of Education.

- Where ESF's disciplinary procedure is triggered, ESF will ensure that the individual has a full opportunity to respond to any factual allegations which form the basis of a disciplinary or volunteer management case against them.

- If the behaviour, whilst not sufficiently serious to consider a referral to the ESF Adviser for Safeguarding and Child Protection, ESF Human Resources or the Director of Education, but nonetheless merits consulting with and seeking advice from them, then action (if/as necessary) will be taken in accordance with such advice.

- If, when considered with any other low-level concerns that have previously been shared about the same individual, the present concern could now meet the threshold of an allegation, then the procedure described in **Appendix N** will be triggered instead.

- If the behaviour in and of itself meets the threshold of an allegation, then the procedure described in **Appendix N** will be triggered instead.

12. Storage

- ESF will retain all records of low-level concerns (including those which are subsequently deemed by the CPO/principal/head of school to relate to behaviour which is entirely consistent with the Code of Conduct for Safeguarding and Child Protection and the ESF Professional Code of Ethics) in a central electronic low-level concerns file.

- The records will be kept confidential and held securely with limited access given to the CPO and the principal/head of school.

- Records will contain referrals made to the ESF Adviser for Safeguarding and Child Protection, or ESF Human Resources, or the Director of Education

- Where multiple low-level concerns have been shared regarding the same individual, these will be kept in chronological order.

- Low-level concerns will not be stored on personnel files. In line with best practice, keeping low-level concerns separately will allow ESF to spot any potential patterns of behaviour whilst reassuring staff and volunteers to share their concerns.

- Records relating to behaviour which meets criteria for an allegation process should be placed and retained on the staff member's personnel file, whilst also being retained on the central low-level concerns file.

- The information on the personnel file will be retained to allow ESF to hold a clear and comprehensive summary of all allegations (except those which are found to have been malicious), details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached. A copy will be provided to the individual about whom the concerns were raised.

13. Review

- The CPO will review the central low-level concerns folder termly to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified and addressed.

- The CPO will create a record of these reviews and it will be stored alongside the folder, along with any subsequent actions taken.

- The ESF Adviser for Safeguarding and Child Protection, together with the Director of Education, will receive relevant data relating to Low-Level Concerns. This will include a review of anonymised samples of low-level concerns at regular intervals, in order to ensure that these concerns have been responded to promptly and appropriately.

14. Retention

Low-level concerns will be retained electronically in a secure central low-level concerns folder. When a staff member or volunteer leaves and/or takes up new employment, this should be

seen as a reminder for the CPO to review the content of the individual's file to ensure it still has value (either as a safeguarding measure or because of its possible relevance to future claims) and is therefore necessary to keep.

If relevant for safeguarding, where staff transfer between ESF schools or centres, the low-level concerns are transferred across.

This is subject to the rights of individuals to object to or seek to erase or correct records about them under data protection law.

15. References

Data protection law and best practice means that ESF must not refer to unsubstantiated, malicious or false allegations in references.

Only safeguarding allegations that have been substantiated should be included in references.

Appendix N   Managing allegations against staff

This appendix describes the steps taken regarding allegations against staff and is to be acted upon in conjunction with the Disciplinary Policy. The procedural flowchart and guidelines (**Appendix F and G)** continue to be applied for the protection of the alleged victim. This appendix describes procedures for the alleged staff member.

1.   Receiving the allegation

All staff must act immediately and, without delay, notify the principal/head of school, vice principal, or the school CPO about the allegation.

The report must be made to the Director of Education and ESFC Adviser for Safeguarding and Child Protection if the allegation is against any of the following:

•   The principal/head of school
•   The Head or CPO of ESF Explore; or
•   A staff member who works at ESFC

The Director of Education will make the necessary arrangements for the investigation of the allegation, having regard to the procedure set out but subject to any necessary modifications.

In all cases of allegations against staff involving school employees, the principal/head of school is responsible for managing the staff aspect of the allegation following the steps in this appendix. In collaboration, the school CPO is responsible for student-focused child protection, following the steps listed in **Appendix G**.

Where the allegation concerns contractors, external service providers or government-provided services, the principal/head of school will inform human resources at ESFC, who will then be responsible for managing the allegation. The procedures in **Appendix F and G** are then followed to protect the student, with any modifications as they are considered necessary.

The initial allegation will be recorded in RecordMy with relevant information on the student and the allegation. Any further recording of the staff member will be kept separate in collaboration with the HR department. Immediate consideration needs to be given to informing the alleged victim's parents/carers.

2.   Establish an assessment panel

The principal/head of school may need to make decisions independently, but it is advisable to establish a panel at the start of the procedure.

The assessment panel will consist of appropriately trained staff, gender-balanced if possible. The panel is led by the principal/head of school (as the lead investigator) and includes at least:

•   The school's lead CPO (for joint coordination of protecting the child in question, following **Appendix F** and **G** with any modifications as are necessary)
•   A human resources representative from ESF Centre

- The ESFC Adviser for Safeguarding and Child Protection

For example, other members may be considered the alleged staff member's direct line manager.

In the case of ESF Explore, the panel will be composed of at least the Head of ESF Explore, its assigned CPO and a human resources representative.

When establishing the assessment panel, the principal/head of school must identify and take necessary measures to prevent conflicts of interest, ensuring that the individuals involved who are aware of the allegation or requiring notification do not have personal, professional, or intimate relationships with the accused individuals or the alleged victim(s).

2.1 Purpose of the assessment panel
The assessment panel will gather relevant information, seek different perspectives, and help to determine the best course of action unless immediate external reporting to police and FCPSU is required. The panel considers:

- the source of the complaint
- the nature and context of the allegations
- the timeline and when the allegations are alleged to have taken place
- factual information - number of victims and perpetrators
- other involved individuals who may have relevant information and involvement of a partner organisation, associate, or NGO

3.   Establish safety

The safety of students is paramount and must be established before any further steps are taken. This provides protection for both the alleged victim and the alleged perpetrator.

An immediate assessment should be conducted and will consider:
1. Risk - level, severity, alleged victim risk, and risk to other students
2. Access - what is the staff member's role and responsibilities? What is the extent of their access to children, including unsupervised interactions or positions of authority?
3. Maximising safety - what measures can be taken immediately to maximise safety for all?

In some cases, the principal/head of school may decide the circumstances of the case warrant the member of staff being suspended from contact with children at the school until the allegation or concern is resolved. Suspension is not the default position – an individual will only be suspended if there is no reasonable alternative, such as moving to another area of the school or removing the staff member from specific types of duties involving contact with children. Advice can be sought from the Director of HR at ESFC, who will liaise with the ESF Director of Education and the ESF Adviser for Safeguarding and Child Protection.

4.   Decision whether an investigation is warranted

4.1 Decision criteria
A decision needs to be made on how best to proceed and whether an investigation is warranted. In determining if an investigation is warranted due regard should be given to the following:

1. Credibility:

- Are there any witnesses or individuals who can provide first-hand accounts or corroborating information?
- Is there any physical evidence or documentation supporting the allegation?
- Are there any inconsistencies or discrepancies in the information provided that need clarification?

2. Seriousness:
   - If true, does the alleged behaviour or action violate organisational policies, codes of conduct, or legal obligations?
   - What potential harm or impact could the alleged behaviour have on the individuals involved?

3. Relevance:
   - Does the alleged behaviour pose a safeguarding/child protection risk?
   - Are there any specific policies or guidelines addressing the alleged behaviour or actions?

4. Corroborating information:
   - Are there any additional witnesses or sources of information that can support or provide further insight into the allegation?
   - Can digital evidence, such as emails, messages, or records, help corroborate the allegation?

5. Plausibility:
   - Does the available information and evidence support the likelihood of the alleged behaviour or action occurring?
   - Are there any alternative explanations or factors that need to be considered?

6. Discernible impact:
   - What potential harm or impact could the alleged behaviour have on the individuals involved?
   - Have any observable changes in behaviour, emotional wellbeing, or performance been noted that may indicate the alleged abuse or misconduct?

The criteria are subject to discussion, and the group should aim to reach a consensus on each criterion discussed. Notes of the discussion and the rationale behind any decisions are documented and filed. Given the serious nature of any allegation made against staff around child protection, it is not necessary to meet every single criterion. An overall judgement needs to be made as to whether an investigation is warranted. The outcome of this phase determines one of the following next steps:

4.2 External report
Allegations of maltreatment that are criminal in nature must be reported to the police immediately. If in doubt whether the allegation is criminal in nature, seek out advice from ESFC. The principal/head of school will make this decision together with the HR Department at ESFC and the ESFC Adviser for Safeguarding and Child Protection. A report is made to both the police and FCPSU. The school may, however, simultaneously undertake an internal evaluation to see if systems, programmes or processes can be improved to prevent similar cases of maltreatment. Through consultation with the police, a decision is made on communication procedures moving forward. The school must not interfere with any criminal investigation.

4.3 No further action

A decision can be made to take no further action if the available information does not provide adequate evidence or justification for proceeding with further inquiries. The decision is documented having regard to the criteria specified in section 4.1. The outcome of the final decision should be communicated to all relevant parties involved in the process.

4.4 Internal investigation

The internal investigation is conducted using the Disciplinary Policy. The principal/head of school will inform the parents at this stage that an internal investigation is being carried out.

The Director of HR at ESFC regularly convenes case conferences to update relevant staff from ESFC throughout the investigation.

5. Follow-up actions

1) **If the allegation is found to be false or misleading**

   a) Removing allegations from file. These will not be included in employer references. A history of repeated concerns or allegations, which have all been found to be unsubstantiated, false, misleading, etc., will also not be included in any reference. In cases where allegations are determined to be false, such details will be removed from personnel records and any other reporting systems immediately following termination of employment.

   b) If an allegation is shown to have been deliberately invented or false, the principal/head of school may consider whether any disciplinary action is appropriate against the student or increase targeted support to the student if deemed necessary.

2) **If the allegation is upheld or substantiated** and/or the person is dismissed or ESF ceases to use the person's services, or the person resigns or otherwise ceases to provide their services, the principal/head of school, together with the CPO, should make a referral to the EDB. This is in alignment with the EDB Circular No. 14/2023, section xv, which states: "When knowing that a teacher is suspected to have committed any serious offence or misconduct act, the school must report the case to EDB immediately for considering whether any further action is necessary, including but not limited to reviewing the teacher registration status of the teacher concerned."

   In the case of employees from other countries, the school will inform their relevant safeguarding authorities and teaching professional bodies.

3) **Communicate the outcome of the investigation** to the alleged perpetrator and the parents. If parents are unhappy with the outcome, they can raise this as a complaint, following the procedures described in the complaints policy.

4) **If there is cause to suspect a child is suffering** or is likely to suffer significant harm, and the allegation is not demonstrably false or unfounded, a strategy discussion will be convened to discuss options for increasing student safety and wellbeing. One option may be the transfer of the staff member/student to a different class.

5) **Where the allegation is outside of the area of safeguarding and child protection**, if required, it will be resolved through the appropriate policies, e.g. the disciplinary policy.

6) **Once any trial/legal proceedings/criminal investigation have been completed**, the principal/head of school will discuss with the Chief Executive Officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided

by the police and/or the social welfare department can inform that decision.

7) **Consider reintegration for the staff member involved**, in cases where it is determined at the conclusion of the case that a suspended individual can resume work, careful consideration will be given to facilitating their return, since most individuals would benefit from assistance and support when re-entering the workplace following a highly stressful experience. Based on the individual's situation, it may be suitable to implement a gradual reintegration plan and/or assign a mentor to offer immediate assistance and support. Consideration will also be given by the relevant authorities on how to effectively manage the person's interaction with the child or children involved in the allegation, particularly if they are still enrolled as students at the school. Considerations must be made to support staff who are returning to work because of the investigation.

8) **For record keeping**, a thorough and concise summary of the allegation, the investigative process, resolution, and any actions or decisions taken will be retained in the staff member's confidential personnel file. A record is kept of all related documentation, including any investigation report, notes or minutes taken during the investigation and all correspondences with the alleged staff member.

9) The purpose of this record is to enable accurate information to be given in response to any future request for a reference, where appropriate. Whilst staff remain employed at ESF, all allegations (including false/unfounded) are kept on staff records. Only proven allegations will be retained on staff records for seven years beyond the staff member's retirement age of 70.

6. Post-procedure case review

At the conclusion of an investigation of a substantiated allegation, the assessment panel will conduct a case review to identify any areas for improvement in procedures or practices. This will include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether suspension was justified. Where necessary, the ESF Adviser for Safeguarding and Child Protection can assist in these conversations.

Within two weeks of concluding the procedure, a final report will be submitted to the Chief Executive Officer, detailing how the allegation was handled, including the investigation findings and any recommendations.

Appendix O   Mandatory staff training cycle

Who	What	When
New ESF staff		
All new teaching staff (teachers, educational assistants, coaches, therapists, etc.)	EduCare course "Child Protection for International Schools" + ESF-specific safeguarding induction + School-specific safeguarding induction	Once, during induction weeks
All new non-teaching staff	EduCare course "Child Protection Basics for International Schools" or "Child Protection Basics for International Schools (Cantonese)" + School-specific safeguarding induction	Once, during the first four weeks of employment
All new CPOs	CPO Induction programme on the CPO Website	Once, during the first term
Current ESF staff		
All current teaching staff	EduCare course "Child Protection Refresher for International Schools 20XX" (where XX stands for the current calendar year) + school-based refresher	Every two years At least annually
All current non-teaching staff	EduCare course "Child Protection Basics for International Schools" or "Child Protection Basics for International Schools (Cantonese)" + school-based refresher	Every two years At least annually
All current CPOs	Advanced Child Protection or equivalent training, e.g. ESF Centre provided ICMEC training	Every two years
Other		
All staff who take part in recruitment panels	ESF Centre-provided Safer Recruitment Training.	Every two years

Appendix P   Reporting standards

Supporting materials to help CPOs introduce these standards to their staff are available on the CPO Website. The six standards are described in more detail in this appendix.

1. Be factual and objective

- Record observable and factual information including who, what, when, how and where.
- Avoid subjective judgments.
- Use precise descriptions and specific details.
- Avoid opinion.

2. Provide context and clarity

- Include the day, time, location, full names, and positions of the people involved.
- Provide only relevant background information and context.
- Document verbatim conversations.
- State the source of information.
- Avoid vague language, acronyms, and abbreviations.

3. Be timely and organised

- Document events as soon as possible.
- Maintain legible, chronological, and organised records.
- Include all relevant details and documentation (e.g. meeting minutes, emails, reports, and photographs where required)

4. Reflect consent and confidentiality

- Follow the child protection policy guidelines (**section 2**) for photographing injuries.
- Maintain confidentiality in accordance with the policy.

5. Be ethical and professional

- Record justifications for actions and decisions.
- Document new developments and progress.
- Avoid bias, defamation of character, opinion, and derogatory language.

6. Demonstrate communication and collaboration

- Document all dialogue with stakeholders, including unanswered calls and messages.
- Record the child's views in an unbiased manner; provide verbatim where possible.
- Document any clarifications or explanations provided.
- Ensure times, dates, and content of discussions are documented for all contacts.

Appendix Q   Safer recruitment

This appendix does not provide a full overview of all relevant HR procedures but is meant to be read in conjunction with. It provides an overview of all refinements to be made in the recruitment process to enable the safer recruiting and employing of suitable staff. This appendix outlines the minimum safeguarding requirements for any ESF recruitment process. To ensure all ESF staff involved in a recruitment panel understand all procedures, it is important that schools follow the training requirements as listed in **Appendix O** are followed. ESF's work in this area is based on the guidance and training provided through the Safer Recruitment Consortium.

1.   General agreements and principles for safer recruitment

- Working with children is a privilege and we make every effort to ensure the staff we appoint, and employ are safe to work with our students.
- The four tenets of safer recruitment operate as follows:
  - **Deter**: Application stage
  - **Reject**: Interview stage
  - **Prevent**: Appointment and induction
  - **Prevent & Detect**: Developing and maintaining a safer culture of vigilance
- Safer recruitment is an ongoing process, from advertising through to employment.
- Ensure all notetaking (including interview notes) is factual, professional, based on observations, objective and with sufficient context and detail. The standards as described in **Appendix P** apply to these notes. This helps capture any concerns or worries in a fair and consistent manner.

2.   Advertising

Advertising posts is meant to attract suitable candidates who are safe to work with children. Displaying a strong commitment to safeguarding is vital to indicate the seriousness we place on this area at ESF. It helps to attract like-minded individuals, and the following deterrents are to be put in place to help deter unsuitable people:

- State ESF's commitment to safeguarding and provide information about ESF's safeguarding policy and practices to candidates
- Include statements about the safeguarding responsibilities of the post as per the job description and person specification
- State the nature of checks and vetting that will be carried out
- Indicate our external affiliation in the advertisement text: "*ESF is committed to safeguarding and child protection. As a member of Keeping Children Safe, all our procedures are in alignment with Keeping Children Safe's International Child Safeguarding Standards. Safer recruitment practices as prescribed by the Safer Recruitment Consortium apply to this process.*"

3.   Before shortlisting

To enhance the shortlisting procedure, it is important to apply a consistent procedure which includes the following actions:

- Produce a **job description** and **person specification** or **volunteer role profile**
- Include skills, abilities, experience, behaviours and attitude/motivation and values

towards students
- Boundaries of role and expectations
- Define the responsibility for children in the role and opportunity for contact with children

Once the **job description** and **person specification** have been completed, these are used to shortlist potential candidates to move forward to interview.

4.   Shortlist

Shortlisting potential candidates is always done using a consistent set of criteria by **at least two people**. Wherever possible, the individuals shortlisting are also the individuals involved in the actual interview. Be mindful of the following:

- A fully completed ESF application form is key, as opposed to a person-provided CV. An application form must contain the full employment history of the individual applying to the role.
- Agree your selection criteria: base the criteria for shortlisting and assessment process on the person specification and job description
- Take the time to properly scrutinise applications. Check the application form has been fully completed, identify any inconsistencies and establish evidence provided related to the person specification and job description. Identify any employment gaps.
- References are an important part in process of gathering information before interview. Due to the type of recruitment, references may be sought before interview, or after a conditional job offer (pending references and other related checks). Be sure that references comply with the following criteria:
  - There must be a reference from the current employer (dependent on role)
  - If not working with children but has done so in the past, a reference should be sought from most recent employer where the role involved working with children
  - Referee should be a senior person with relevant authority – in a school, the HT / principal should confirm the reference is accurate
  - Ask whether aware of any behaviour that might give rise to concern, including any disciplinary action
  - Ask specifically about allegations about their behaviour towards children
  - Specific confirmation of the details and responsibilities of previous post given by applicant
  - Ask the referee to use their official school email address. If retired/no longer employed there, verify they did indeed work at that organisation with the individual involved.
  - Open references are not preferred. Always take up your own references and contact the author of the open reference to verify the content
- Once references have been received, it is important to scrutinise the references. Be mindful of:
  - The importance of comparing information provided by referee with information provided by applicant
  - If any inconsistencies, or doubts about suitability, follow up and explore with referee
  - You should verify that all electronic references are from a legitimate source
  - Wherever possible, make a phone call to confirm the reference and ask for any additional details

5. Interview

- In preparing for the interview, consider a range of **safer selection tools**. It is good practice to have a range of selection tools, next to the interview.
    - Other tools could be a task, a roleplay activity, group work, or a scenario-based task.
    - If the selection is limited to just an interview, someone's performance would be the sole indicator for suitability and would provide a limited insight into their actual functioning.
    - Good practice:
    - Range of selection tools – not just an interview
- During the interview and tasks, explore motives/attitudes as well as skills and experience.
- The staff involved in interviewing and assessing should be well briefed or trained. Specific focus should be given to assessing the interaction with others – role plays, group exercises, and the appropriate involvement of children.
- Specifically for the interview, be mindful of the following:
    - The interview is conducted by at least two people
    - Structured questions and criteria previously agreed are used, with the opportunity to dig deeper and follow up on answers based on the responses.
    - Probe gaps, frequent changes in employment, vagueness or areas of concern
    - Ask about attitudes towards children and child protection and where appropriate motives for working with children
    - Avoid hypothetical questions and seek positive examples or evidence
    - Clearly document your decisions
    - Beware of prejudices and discrimination

6. Post Interview

- When making the decision, ensure it is based on the Person Specification. Establish your indicators: what would you expect a good candidate to say? How did your candidate measure up?
- Use such indicators as a guide, not as a tick box exercise.
- Use the specification in making decisions and to clarify why someone is suitable or unsuitable for appointment.

7. Building a safer culture of vigilance

Throughout the employment time of ESF staff, it is important to build a **safer culture of vigilance** for all staff and students. Such a culture is built and reinforced by every member of the organisation, under the leadership of the principal/head of school and CPO. Intentional training and discussions must be organised to help such a climate. Training related to such a culture focuses on different aspects from this policy, in particular the ESF/ESL Code of Conduct for Safeguarding and Child Protection, **Appendix M** (Low-Level Concerns), **Appendix N** (Allegations against staff) this Appendix, and **Appendix R** (Lone working). These appendices and the Code of Conduct relate specifically to safer interactions between staff and students. Elements of a safer culture include:

- Open, no secrets

- Belief that 'it could happen here'
- Clear staff behaviour / safe working practice guidelines
- Clear procedures for reporting concerns / whistleblowing
- Support in raising concerns & commitment to act
- Commitment to safeguarding & an ongoing culture of vigilance
- Policies and procedures put into practice
- Good use of induction and probationary periods
- Good awareness of the school site (where safety issues may arise)
- School leaders should "Create the right culture and environment so that staff feel comfortable to discuss matters within and, where appropriate, outside the workplace which may have implications for the safeguarding of children."

Appendix R   Lone working

This appendix contains guidance and agreements that all ESF staff and volunteers must follow when working alone with a student. This appendix applies to situations of lone working, e.g. a volunteer parent providing a language lesson after school or an ESF Explore coach working with a group of students. Additionally, this appendix also provides guidance on one-to-one meetings between an ESF staff member and a student.

1.   Key principle: avoid lone working wherever possible

The key principle is to avoid lone working wherever possible. This principle exists to keep the adult and student safe. Where one-to-one interactions are required, it is important for the interaction to be **observable** and **interruptible**.

An example of a situation that can be adjusted to avoid lone working includes work done by cleaning staff, who can use signage to indicate an area is out-of-order whilst being cleaned.

The exception to this principle applies to staff who are specifically appointed to work one-on-one with students and are governed by separate ethical codes or agreements that ensure safeguards are in place. It is the duty of principals/heads of school to ensure appropriate safeguards are considered to enable these individuals to work appropriately with ESF students. Examples of such posts are school nurses, psychologists, counsellors, higher education counsellors, occupational therapists, etc.

2.   One-to-one meetings and lone working

Organised one-to-one meetings with students might not indicate lone working. Typically, such meetings will occur during the school day with other colleagues and/or students nearby. Such a meeting would only be considered lone working if there are no other colleagues nearby who can perform some form of supervision. Where staff are meeting with a student in a one-to-one setting the following reminders are in place support the observable and interruptible aspect:

1.   Always inform a colleague (so they can walk by for informal supervision)
2.   If possible, keep the door open / ajar
3.   Make sure you and the student are visible to anyone walking by
4.   Keep physical distance (sit at the corners of a desk, for example)
5.   Don't position yourself between the student and the doorway
6.   For younger students, provide an activity (drawing paper, some Lego, etc.)

3.   Letting other people know

Where lone working is unavoidable, it's recommended to let another appropriate adult know you will be alone with a student or students, preferably somebody with safeguarding responsibility. This could be your direct line manager or the CPO.

For staff working at ESF Explore, at times you may be working alone with an individual student. Before the session make sure the student's parent or carer knows where you will be and at what time. If you are not able to let them know in advance, inform them as soon as possible afterwards.

4.   Consent and agreements

Before working alone with a student, it's a good idea to arrange a meeting with them and their parent or carer. Consider the following topics for consent:

- Agree what activities you will do and what will happen during sessions.
- Give parents or carers and the child a copy of your safeguarding policy.
- Let the child and parent or carer know what they can do if they have any concerns about the sessions.
- Explain who you will share information with and when you may not be able to keep information confidential.
- Talk about any support the student may need from their parent or carer.
- Consider if it's appropriate to offer for a child's parent or carer or another trusted adult to be present. You could invite parents and carers to wait in a separate room during the session. If the child is happy for you to work alone, you will need to get consent from parents or carers and the child themselves.

It's best practice to get written as well as verbal consent before working alone with a student. You could also use a consent form to gather important information like emergency contact details and any medical conditions or disabilities you should be aware of.

The requirement to obtain consent does not apply to the daily teaching routines where a student may briefly linger after class, for example, to ask a question or seek clarification, if staff take all measures to be observable and interruptible when doing so.

5.   Supervision

You must make sure students are properly supervised. Think about what you will do if you need extra support, for example, if a child is ill, injured or needs to go to the bathroom.

6.   Behaviour

Always behave appropriately when you are around students. This will help make sure everyone feels comfortable and protected.

- Set appropriate boundaries and do not be overly familiar with students.
- Never give children your personal contact details. If you need to arrange meeting times, do this via the child's parents or carers.
- Never make inappropriate jokes or comments to or around children.
- Don't add, follow or interact with students on your personal social media account.
- Any physical contact must be appropriate, justifiable, approached sensitively and agreed to by the student, in alignment with the Positive Support and Physical Intervention policy.
- Consider implementing behaviour codes setting out how you will behave and how you expect the children you work with to behave. You can share these with children, parents and carers before you start working with the child.

7.   Recording information

It is recommended that you keep a record of any time spent working with children. Include the date, time and place, the reason for the contact, a summary of the activity or discussion.

8. Emergencies

It is important that you have the contact details for students' parents or carers and that they can reach you through the appropriate channels in case of emergency.

9. Lone working unexpectedly

It is best practice for there to be more than one adult present when working or volunteering with students. There may be some situations where you are working alone with students unexpectedly. If this happens, there are things you can do to keep this as safe as possible.

- Make sure you are somewhere with the student where other people can see and hear you.
- Tell another adult that you are alone with a student or students.
- Make a record as soon as possible afterwards of why you were alone with a student or students and what happened.
- Tell your line manager and your CPO.

10. Approval

With due regard to this appendix, all situations of scheduled lone working require advanced approval from the principal or head of school for each ESF campus where it occurs. For ESF Explore, approval will be given by the Head of Business Development and Operations. Where such lone working is structural, approval can be given on an annual basis.

Such approval applies to the situations described in this appendix and is not required for the roles and responsibilities which are governed through separate agreements and/or codes of ethics, such as school counsellors, school nurses, educational psychologists, occupational therapists, speech therapists, etc.