

# POLICY ON STUDENT PROTECTION

Approved at Board Meeting

8 November 2018

Review Date: April 2020

*Internal and external circulation*

## 1. RATIONALE

- a. This document focuses on the students in the care of the College, and the standards of conduct required to offer the protection they deserve.
- b. Presumption must be that people act well, and teachers are people who have committed their lives to the care of their students.

The teacher is a person of authority in the eyes of students, and students must be protected from abuses of that authority.

- c. Every member of the College community must demonstrate respect for all other members of the community.
- d. Where physical contact is concerned, teachers and support staff as a group are in a high risk occupation. This is especially so in the international setting of the College where students come from a variety of backgrounds, and cultural awareness demands that the sensitivities of all backgrounds are respected. Having made this point, the College has established an atmosphere of easy informality, which is appreciated and celebrated. Therefore, this policy aims to preserve the high quality of personal relationships while at the same time setting professional limits to protect the integrity of those relationships.
- e. The safety and well-being of students in the care of the College are paramount, regardless of whether the students are over or under 18 years of age.
- f. Any physical contact with students presents a potential risk to the teacher because:
  - i. Contact could be misinterpreted by the student, other students, and adults (staff, parents);
  - ii. Misinterpretation could lead to unease, rumours, formal complaint, community action, and even criminal charges;
  - iii. If found guilty of complaints or charges, whether made by the “victim” or others, then employment can be terminated.
- g. It is possible that some students who have been the victim of abuse may not report the incident for a variety of reasons, the main ones being embarrassment and fear. The College wishes to protect all its students, but if students choose not to report that they have been abused, they must be aware that the College may not be able to offer the protection it wishes. It is also important that teachers are protected against false allegations or malicious rumours.
- h. This policy should be read in conjunction with the College’s Harassment Policy.

## **2. COMMON OCCURRENCES OF PHYSICAL CONTACT**

- a. Although for many cultures, physical contact is encouraged and celebrated, there is also an inherent risk that physical contact between a staff member and student may be misconstrued as inappropriate affection, assault or harassment. The risk will be reduced by restricting physical contact to those times where common sense says that public social ritual, or the safety and well-being of the student, clearly require physical contact.
- b. It is important to recognise the differences in individual personalities as well as cultural traditions and values regarding appropriate touching,
- c. There are some requirements of the UWC program or emergency procedures which may involve physical contact between staff member and student. These include:
  - i. sports training and outdoor education activities;
  - ii. giving comfort and first aid;
  - iii. restraint in the interests of safety;
  - iv. lifting and caring for students with disabilities; and
  - v. giving encouragement or emotional support (e.g. with hugs) of a non-sexual nature.

## **3. POLICY SUMMARY**

- a. Members of staff must not have sexual relations or physical contact of a sexual nature with students, whether or not by consent.
- b. Romantic relationships between students and College staff are prohibited.
- c. Teaching and residential practices must minimize the vulnerability of staff to allegations of indecency or abuse.
- d. Visibility in the workplace should protect both staff and students.
- e. Teachers should be alone with students only in appropriate and professional circumstances.
- f. All non-teaching staff, and temporary teachers who are involved with students, must be informed of and adhere to this policy.
- g. Staff must normally knock, wait, and knock again prior to entering a student dorm. The exception to this is dorm checks and if there is concern that conduct in the residences does not conform with College requirements & protocols, or if there is a potential emergency.

- h. Staff have a professional responsibility to report allegations of indecency or abuse and any other conduct by another staff member that is potentially detrimental to student welfare to a trusted person such as their line manager, the accused person's line manager, the Principal and/or the Police, depending on the situation.
- i. Malicious false allegations will be regarded as harassment and will be dealt with under the procedures of the College's Policy on Harassment.
- j. Unprofessional behaviour towards students by staff may involve action being taken via the College's complaints and disciplinary procedures. Under these procedures, serious misconduct will lead to suspension and/or dismissal and/or police investigation.

#### **4. COLLEGE OBLIGATIONS**

- a. To go over the policy annually at an appropriate meeting (e.g. staff, tutor team) early in the year.
- b. To allocate a tutor group session to discuss the policy and cultural/individual understandings of appropriate levels of contact.
- c. To explore this further on Sex CoP day, including 'sexual harassment'.
- d. To provide professional development for staff in effective classroom management, anger management, safe professional practice, and prevention of adolescent abuse.
- e. To ensure students are aware of support opportunities via introduction (e.g. peer supporters, tutor, HOH, DoSW, counselor).
- f. To apply safe recruitment practices which includes the requirements by the HKSAR Government of the Sexual Conviction check for teachers and administrative staff.
- g. To apply safe student practices with the range of volunteers and agencies that support the college which includes awareness of the College Policies on Student Protection and Harassment.

#### **5. PROFESSIONAL PRACTICES**

- a. Students should not normally be in staff residences between 10pm and 10am. However, in their role as tutors, there may be occasions when it is necessary for teachers to speak to students confidentially.

- b. If students visit teachers when they are alone in their residence, left open; or (i) the student could be encouraged to bring a friend; or (ii) the teacher should meet the student elsewhere, such as in the corridor or the day room; or (ii) the teacher inform a colleague that s/he alone with a student, giving the name of this student.
- c. If confidentiality is necessary then teacher should inform a colleague.
- d. Provided one or more of these provisions is in place, then depending on the cultural backgrounds of the student and teacher involved, physical comfort of a non-sexual nature may not be objectionable and indeed may be necessary to deal with distress effectively.
- e. Notwithstanding the preceding points, the door(s) must be left unlocked whenever a teacher is alone with a student.
- f. Teachers should attend to injuries or illness suffered by students immediately in the same way that a responsible parent or caregiver would do, and in the presence of other students or another staff member if possible.
- g. Wherever possible, teachers should ensure that another staff member or witnesses are present when assisting and comforting a student.
- h. Staff must not body search students as this could lead to allegations of physical or indecent assault.
- i. If a teacher is physically attacked by a student, he/she should try to protect him/herself fully using whatever means are available while at the same time seeking to minimize any injury to the student involved. If others are present, they should move away or restrain the student if this is possible. Staff should get assistance immediately and report any incident to the Principal. If injuries occur, these should be dealt with through the Nurse or emergency services.
- j. Physical punishment is unacceptable and unlawful. Students must never be disciplined in anger as this can lead to unprofessional and unlawful actions.

## **6. DEALING WITH STUDENT PROTECTION MATTERS: COMPLAINT AND RESOLUTION PROCESS**

- a. The College takes very seriously any matter of abuse that takes place on campus or during any college-run activities. The first approach is that anyone who feels that they have been abused or suspect that another person has been abused should contact a trusted adult on campus which may include a tutor, another teacher or counsellor.

- b. The designated member of staff which oversees Student Protection matters is the Director of Student Welfare with the Principal being a point of contact if there is conflict of interest with the Director of Student Welfare. If there is a conflict of interest with the Principal the College Supervisor (College Board) is the point of contact. Contacts are detailed in *Appendix 1*.
- c. The procedure for filing a complaint follows the “Complaints Procedures” which is published on the College website. Complaints under this Policy will be dealt with according to the Complaints Procedures that are approved by the Board and updated from time to time. Details are posted on the College’s network and are published in the Staff Handbook.

## **7. OTHER RELEVANT POLICIES**

This policy should be read in conjunction with:

- i) Policy on Harassment
- ii) Complaints Procedure

Both policies are to be found on the College website.

## **8. EFFECTIVE DATE**

- a. This policy will be posted in a public place, such as on the College’s website and the Network.
- b. This policy was reviewed in November 2018 and the revision was approved by the Board on 8 November 2018, replacing the previous policies dated 25 April 2013 and is effective immediately.
- c. This policy will be reviewed by the end of April 2020 or beforehand if necessary.

## **Contact Details**

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