



TAIPEI EUROPEAN SCHOOL 台北歐洲學校
POLICY for Child Protection and Safeguarding

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PURPOSE OF POLICY

Every student should feel safe and protected from any form of abuse that, in this policy, means any kind of neglect, non-accidental physical injury, sexual exploitation or emotional ill-treatment.

Introduction:

Rationale

Child abuse and neglect is a concern in schools throughout the world. It is a violation of a child's basic human rights and an obstacle to their education and development. According to the World Health Organisation, child abuse constitutes all forms of physical and/or emotional ill treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power'.

Schools have a particular responsibility in society to protect children and to ensure they are all afforded a safe and secure environment in which to grow and develop. School staffs have the opportunity to observe and interact with children over a long period of time and are in a unique position to identify children who need help and protection. As such, schools have a professional and ethical obligation to identify children who are in need of help and protection and to take steps to ensure that the child and family avail themselves of the services needed to remedy any situation that constitutes child abuse or neglect.

All of the above must be placed in the context of the legal requirements of Taiwan that relate to the schools duties for reporting incidents and cooperating fully with the relevant government agencies.

Objectives

Taipei European School accepts that every student has the right to live in a safe and secure environment. The procedures outlined in this policy are designed to ensure all members of the school community are fully aware of their



responsibilities.

The school's curriculum will seek, at an age-appropriate level, to give information that will inform students of their rights in this area as well as encourage them to seek help when harm is taking place.

The school will make this policy available to parents. It will regularly communicate the policy, in an age-appropriate manner, to students. It will alert staff to their responsibilities, and will make every effort to implement hiring practices that ensure the safety of children.

Pupil Education

Staff will work with children to promote personal protection and awareness. This training, which will begin in Nursery and continue up to H4, will follow the guidance set out in our Sex Education and PSHE policies and schemes of work.

Expectations regarding Staff Conduct

At TES we do not:

- Touch or speak to a child and/or youth in a sexual or other inappropriate manner.
- Inflict any physical or emotional abuse such as striking, spanking, shaking, slapping, humiliating, ridiculing, threatening, or degrading children and/or youth.
- Smoke or use tobacco products, or possess, or be under the influence of alcohol or illegal drugs at any time while working with children and/or youth.
- Accept gifts from or give gifts to children or youth without the knowledge of their parents or guardians.
- Engage in private communications with children via text messaging, email, Facebook, Twitter or similar forms of electronic or social media except for activities strictly involving school business.
- Use profanity in the presence of children and/or youth at any time.

Procedures:

Please see the Child Protection Procedure.

Designated Child Protection Leads:

- James Woodall (BSHS)
- Duncan Millward (BPS)
- Frank Lefevre (FS ESC)
- Jean Yves Vesseau (FS EPC)
- Nicole Ekhart (GS)

Appendices:

Appendix 1 Taipei European School Regulations for Prevention of Sexual Assault, Sexual Harassment and Sexual Bullying on Campus

1. In order to prevent and handle incidents of sexual assault, sexual harassment and sexual bullying on campus, Taipei European School prescribed and promulgated



this regulation in accordance with “Gender Equity Education Act” (hereafter referred to as the “Act”) and “Regulations on the Prevention of Sexual Assault, Sexual Harassment and Sexual Bullying on Campus” (hereafter referred to as the “Regulation”).

2. According to related laws and regulations, the following terms that appear in this regulation are hereby defined:
 - a. Sexual Assault: Any sexual offense defined by the Sexual Assault Prevention Act.
 - b. Sexual Harassment: Cases described by the following and do not constitute as sexual assaults:
 - i) Unwelcome remarks or conducts that carry explicitly or implicitly a sexual or gender discriminating connotation and thereby adversely affect the other party’s human dignity, or the opportunity or performance of her or his learning or work.
 - ii) A conduct of sexual or gendered nature that is served as the condition for oneself or others to gain or lose rights or interests in learning or work.
 - c. Sexual Bullying: Ridicule, attacks, or threats directed at another person’s gender characteristics, gender temperaments, sexual orientation, or gender identity by using verbal, physical or other forms of violence will be under the category of sexual bullying not sexual harassment.
 - d. Sexual assault, sexual harassment or sexual bullying on campus: sexual assault, sexual harassment, or sexual bullying that involves a school’s principal, faculty or staff member, or a student as one party and a student as the other party.
 - e. Teacher: Refers to full-time teacher, part-time teacher, long-term or short-term substitute teacher, nursing teacher, military instructor, and other instructor, researcher, or teaching intern.
 - f. Staff and Manual worker: Refers to person(s) performing work at the school on a fixed or periodic schedule but not defined as teachers in the preceding subparagraph. Includes persons sent by independent contractors and stay on



the campus (for instance, security and chef) or persons who come to school periodically (for instance, persons who maintain a copy machine).

- g. Student: Refers to persons are enrolled in a regular program or a continuing/extension education program or student exchange program.
 - h. Teaching Staff: Refers to the school principal, teachers, staff, janitor, physical training, security, and nurse.
3. To prevent incidents of campus sexual assault, sexual harassment and sexual bullying, the “Gender Equality Education Committee” (hereafter referred to as “Committee”) drafts and implements regulations on gender equity education, establishes mechanisms to coordinate and integrate related resources, and be responsible for investigation and handling of the incident.
 4. The school shall collect and establish information of prevention and relief of sexual assault, sexual harassment and sexual bullying on campus, additionally, provide mechanism of application for investigation, reapplication, and relief when dealing with the incident. Furthermore, the school shall provide resources and necessary assistance to related personnel in order to protect victims’ rights.
 5. The school shall provide safe and gender friendly space without gender bias to decrease opportunities for sexual assault, sexual harassment and sexual bullying. Each office and section shall cooperate and implement following methods in accordance with their duty in order to enhance the knowledge and ability of faculty, staff, and students to respect sexuality or body autonomy of others and of one’s own.
 - a. Regularly hold educational programs for faculty, staff, and students aimed at the prevention of campus sexual assault, sexual harassment, and sexual bullying; evaluate the effectiveness of these programs.
 - b. Encourage members of the Committee or agencies involved in the handling of campus sexual assault, sexual harassment, or sexual bullying cases to attend off-campus seminars or regularly hold in-service education programs each year for them.
 - c. Promulgate these Regulations through a wide range of channels; include them in faculty and staff employment handbooks and student handbooks.



- d. Encourage the victim or the complainant in a campus sexual assault, sexual harassment, or sexual bullying case to apply for an investigation or file a report at the earliest possible time in order to facilitate the collection of evidence, investigation, and other handling.
 - e. Include gender equality education and anti-sexual assault, sexual harassment and sexual bullying courses while conducting pre-occupational education and job training for the faculty.
6. In order to prevent incidents of sexual assault, sexual harassment, and sexual bullying on campus, the school shall implement the following measures for enhancing safety:
 - a. Regularly inspect the planning for and usage of campus grounds and facilities, evaluating overall campus safety by assessing the arrangement, management, and security of indoor and outdoor areas; the signage system; the emergency help system and secure routes; lighting and visibility; and other important safety factors. Record the locations where incidents of sexual assault, sexual harassment, or sexual bullying have occurred on campus, and produce a map illustrating danger areas as necessary.
 - b. The school shall regularly hold campus space safety inspection workshops, make public the results of the inspection and pertinent records mentioned in the preceding Article, and inspect the improvement progress of the hazard zones on campus.
7. The school shall enhance on advertising that during performance of work-related tasks and in interpersonal interactions on and off campus, faculty, staff, and students shall respect gender diversity and individual differences.
8. Teachers shall not develop intimate relationships that violate professional ethic codes with the student under their instruction, guidance, training, evaluation, management, consultation, or when providing students employment opportunities. Find a teacher-student relationship may violate the professional ethical codes referenced in the paragraph above, the teacher shall take the initiative to avoid further interaction with the student or report the matter to the school for handling.



9. The school shall enhance on advertising that students shall respect others' and their own autonomy over their sexuality and body. Additionally, the following conducts are prohibited during interaction with others:
 - a. Unwanted sexual advances or requests for dates.
 - b. Use forcible or violent means to handle conflicts related to sex or gender.
10. If the educational personnel of the school know of any potential/suspicious incident of sexual assault, sexual harassment or sexual bullying, they shall have the responsibility of report and notify the school and competent person. The competent person shall report to "Campus Security Report Center" of the Department of Education within 24 hours after acknowledgment of the incident. Additionally, a report shall be completed and a notification shall be given to "Taipei City Center for Domestic Violence and Sexual Assault" via 113 emergency system within 24 hours after acknowledgment of the incident of "sexual assault, sexual harassment or sexual bullying" in accordance to related laws. Except when investigation is necessary and public safety needs to be considered, the school shall keep all information of the party, informant, or names of persons who assist in investigation or other data that is available for identification in confidence.
11. Establishment of application, receipt, investigation, reapplication, relief, and other related matters of application (compliant) of campus sexual assault, sexual harassment and sexual bullying issues are as following:
 - a. Victim or legal representative (hereinafter referred to as the "applicant") of incidents of campus sexual assault, sexual harassment and sexual bullying or any complainant who has knowledge of conducts constitute of sexual assault, sexual harassment or sexual bullying shall complete the application form, in which personal information, facts, and retrievable related physical evidence or witness shall be included, and send them to the school. If the school has no jurisdiction over the case of application or report, the school shall transfer the case to other agency with jurisdiction within 7 days and notify the party. If the offender is the principal of the school, the case shall be transferred to Taipei City Government for further investigation.



- b. If the application or complainant is made verbally or by email, the school with jurisdiction shall create a text record of the application and read it out to the applicant or the complainant or ask him/her to read it in order to confirm its accuracy. Subsequently, the text record shall be signed or sealed by the applicant or the complainant.
- c. After receiving by the school, a special personnel shall be appointed and manage related administrative matter. If necessary, related offices of this school shall assist cooperatively.
- d. The incident shall be sent to the Committee within three days. Additionally, no repeat application for the same matter shall be received.
- e. After receiving an application for investigation or an offense report, the school shall send a written notification to the applicant or complainant within twenty days to notify him or her whether the application is accepted. The written notification of rejection shall include reasons in accordance to the mandate of Article 29 of the Act. Additionally, the applicant or complainant shall be given the notice of reapplication period and receiving offices.
- f. If the applicant or complainant does not receive a notification of application acceptance or rejection within the time frame mentioned in 11(e) may reapply in writing to the school within twenty days from the date following the notification is received. If the reapplication is made orally, it shall be handled same as Section 11(b). Reapplication to the rejection shall be limited to once. If the reapplication is reasonable, the case shall be transfer to the Committee for further investigation and handling within three days after application for investigation or report is confirmed. Additionally, the school shall give a written notification to the petitioner of the result of reapplication within twenty days.
- g. The Committee may assign the alleged incident to a school “Ad Hoc team” for finding/study of the case; if needed, the Committee may further establish an “Investigation Team” in accordance with the Act and Regulation to investigate incidents of sexual assault, sexual harassment or sexual bullying on campus. Numbers of the investigation team shall be 3 or 5 in principle, and



the constituents of the investigation team shall comply with Article 30 of the Act and Article 21 of the Regulation.

- h. Any person serving in the capacity of counselor to the victim or the alleged offender in a campus sexual assault, sexual harassment, or sexual bullying incident shall avoid participation in the case investigation. Any person involved in the investigation and handling of a campus sexual assault, sexual harassment, or sexual bullying case shall also avoid participation in the counseling of the victim or the alleged offender.
- i. During the investigation of the incident, the school shall be objective, fair and professional, allowing both involved parties sufficient opportunities to make their statements and respond to allegations. Additionally, repetitive interrogation shall be avoided. The offender, applicant and persons or offices who are invited to assist the investigation shall cooperate and provide pertinent information.
- j. Victim(s) of minor age may be accompanied by their guardians during investigations.

When an imbalance of power exists between the offender and the victim, a complainant, or a person requested to assist in the investigation, confrontation should be avoided. Based on the necessity of the investigation, written information may be produced so long as it does not violate the obligation of confidentiality, and be provided to the alleged offender, the victim, or any person invited to assist in the investigation to be read or summarized.

- k. The investigation and handling by the Committee shall not be affected by the judicial proceedings and conclusions of the case. The investigation procedure in the preceding paragraph shall not be suspended due to the offender's loss of his or her status at any point of the procedure. If the applicant (complainant) withdraws the case during investigation, it shall be made by writing. In cases where an applicant withdraws an application for investigation, the school handling the investigation may continue the investigation after the decision of its Committee.



- l. Investigator, who writes the investigative report but not employees of this school, may receive the fees of writing the report; for those scholars and experts engaged or invited to present in the meeting of investigation, they may receive attendance fee.
- m. The Committee of the school shall complete its investigation of a case within two months from the date the application or complainant is accepted. The investigation may be extended at most twice if necessary, and each extension may not exceed one-month's time. The applicant, complainant and offender shall be notified of the extension.
- n. The ad hoc team and investigation team shall have one speaker; after case study/investigation, the result shall be presented via a report for the review of Committee. The meeting of Committee shall not be public in principle. If the chairman cannot hold the meeting because of some reasons, one committee member may be appointed to assume the duty.
- o. After review of the report, the Committee shall present the report to school in writing in regard to investigative report and suggestion/measure.
- p. The school shall submit the case to related competent authority for further filing within two months after it receives the investigative report. Additionally, the school shall send the applicant and the offender the investigation report and the handling of conclusion in the written notification, as well as indicate the deadline for reapplication and the school or institution handling the reapplication, along with a mandate of non-vengeance.
- q. The Committee shall adopt tracing, review, and supervision after occurrence of the incident in order to assure effectiveness of execution of decision and prevent the reoccurrence of the incident or vengeance.
- r. If the applicant (complainant) and offender do not accept the decision, he or she may reapply to the school in writing within twenty days after a written notification is received.
- s. The school shall form an evaluation team in accordance to regulation after it receives the reapplication. Additionally, the school may request its Committee to reinvestigate the case under the conditions that major flaws in the



investigation procedure, or new facts or evidences that would affect the investigation are discovered. The result of such reapplication shall be given to the petitioner in writing within thirty days.

- t. If the applicant (complainant) or offender is not satisfied with the decision of application of this school, he or she may petition for relief within thirty days after the notification is received in accordance to Article 34 of the Act.
- u. All personnel in charge to handle (report included) the incident of campus sexual assault, sexual harassment or sexual bullying shall keep names or other information available for identification in confidence in regard to offender, victim, complainant, assistant of investigation of the incident. Except for the necessity of investigation or public safety concerns, all information shall be confidential. If the person with the duty of confidentiality violates the obligation of confidentiality, he or she shall be subjected to penalties in accordance with Criminal Code of Republic of China and other pertinent regulations.
- v. Any member of the Committee shall recuse himself/herself if he or she is involved in matters of reapplication or other reasons that appear to violate the neutrality requirement. In addition, the party of the reapplication and interested person may apply for recusal. The Committee may decide whether the recusal is proper.
- w. After the Committee of the school has investigated and determined that a campus sexual assault, sexual harassment, or sexual bullying offense has in fact occurred, the school shall turn over the case to the authorized agencies. In cases in which it has been confirmed that a false accusation was made by an applicant for investigation or complainant, an appropriate punishment shall be imposed on the applicant or complainant according to the law. When handling sexual harassment, or sexual bullying incidents, the school, competent authority, or other authorized agency with the jurisdiction to take disciplinary measures and impose penalties shall in addition order that the offender receive psychological counseling, and may also order that he or she is subject must comply with one or more of the following measures:



- (i) Apologize to the victim, if the victim or his or her guardian gives consent.
- (ii) Attend eight hours of gender equity education related courses.
- (iii) Receive psychological counselling,
- (iv) Other measures that serve an educational purpose.

When any disciplinary measure referred to a change to the offender's status, the offender shall be given an opportunity to make a written statement presenting his or her views.

- x. In order to protect the right to education and the right to work of the victim of a campus sexual assault, sexual harassment, or sexual bullying incident, the school may prescribe the following measures when necessary, after a resolution from the Committee is given:

- (i) Handle the attendance record or achievement assessment of the victim with flexibility; assist the victim's studies or work affirmatively, and without limitations stemming from regulations pertaining to requests for leaves of absence, and those pertaining to performance appraisals for teachers and students.
- (ii) Respect the wishes of the victim, and reduce the chance of interaction between the two parties.
- (iii) Avoid situations where vengeful behavior may be undertaken.
- (iv) Prevent or reduce the possibility of further assault or harassment by the offender.
- (v) Other measures deemed necessary by the Committee.

12. The school shall take the initiative to refer the victim to various agencies able to provide necessary assistance, according to his/her physical and mental condition and provide the victim with the following appropriate assistance when necessary: psychological counseling, channels of legal consultation, school work assistance, financial assistance or other assistance or protective measures deemed necessary by the Committee. The school shall make budgetary provisions for payment of any fees incurred. A school at the senior high and lower levels may apply for

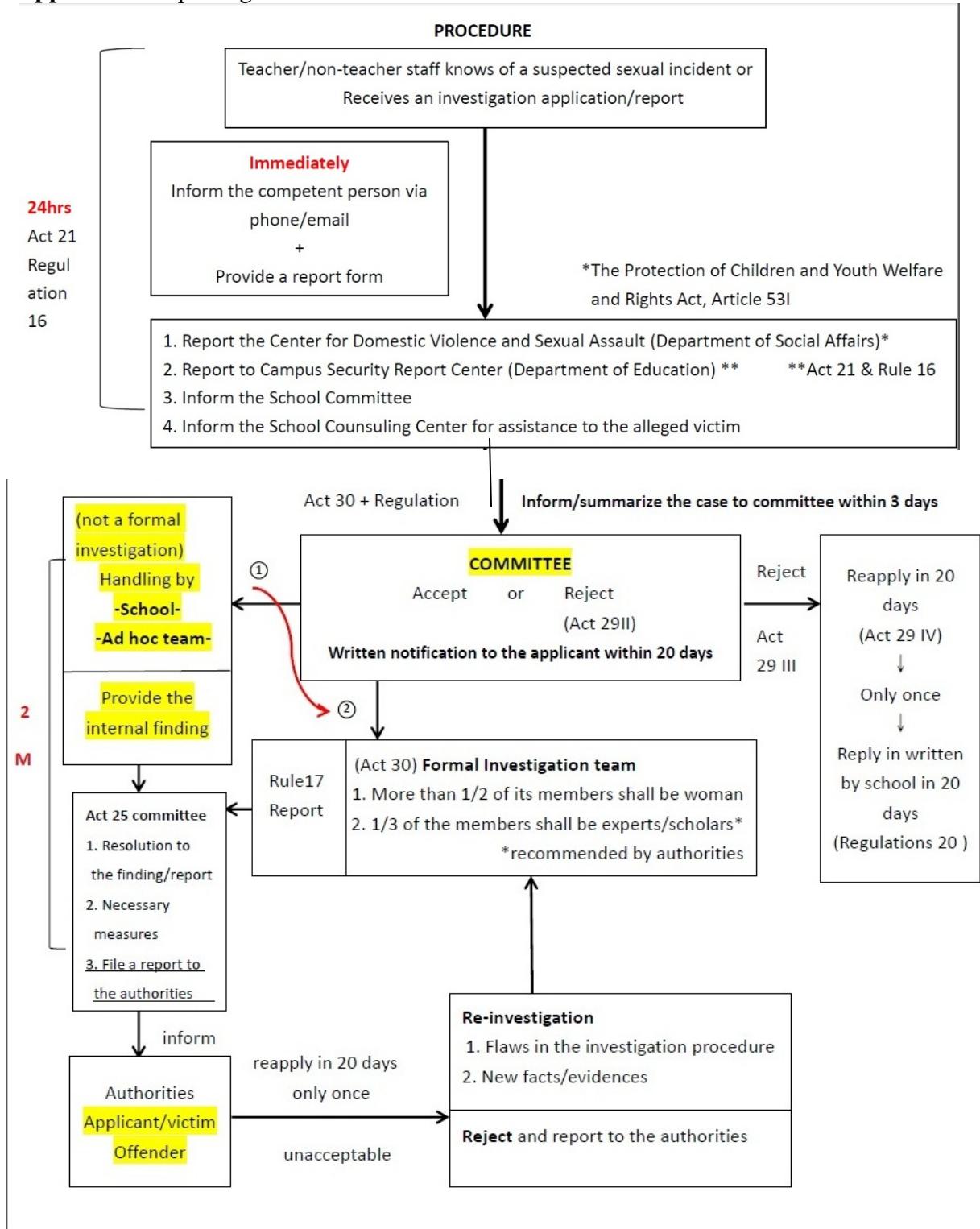


reimbursement from the competent authority under whose jurisdiction that school falls for expenses required for the investigation of an incident of campus sexual assault, sexual harassment, or sexual bullying, or for educational counseling of involved parties.

13. The competent office/person shall establish data and information in accordance to mandates of Article 27 of the Act and Article 32 of the Regulation. Additionally, the competent office/person shall safeguard investigative reports and data of administrative management after the case is closed. The counselor's office shall keep information of counseling under its custody. When the offender transfers to other schools to study or work, the authorized agency and the original school shall notify the new school about the offender within thirty days after acknowledgment. The personnel office shall disclose if the offender is a teacher or staff member, and the counselor's office shall report if the offender is a student. Accordance to Article 33 of the Regulation, the authorized agency or the original school that the offender studied or worked at may add a note of current improvement in notification if it believes that the offender would not commit the conduct again.
14. The school, which receives the notification, shall implement necessary tracing and observing counseling upon offender of teacher/staff/student transfers from other schools. However, the school shall not announce offender's name or other information that make identification available publicly, unless the announcement is supported by appropriate reasons.
15. The school shall report after the occurrence of incidents of sexual assault, sexual harassment or sexual bullying in accordance with laws. Additionally, the competent person shall present documentation of management report, investigative report, and the resolution with meeting minutes of the Committee to the Department of Education in regard to campus sexual assault, sexual harassment or sexual bullying after the completion of incident investigation.
16. This regulation is discussed and approved by the school ELT meeting. It shall be effective after the approval by CEO, Dr. Allan Weston's approval. It shall be the same if any adjustment is made.



Appendix 2 Reporting Child Abuse Procedures Flow Chart





Review

This policy will be reviewed by The Executive Leadership Team, The TES Board and Section Councils on an annual basis.