



# Safeguarding Policy

Effective June 2023

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## 1. Philosophy

UWC Maastricht is committed to promoting the physical and psychological health and safety of our community, including both students and staff. This promotion is rooted in the development of a healthy culture, and the creation and implementation of effective protocols in response to unsafe events and situations.

## 2. Purpose

The consolidation of this policy aligns this philosophy with the identity and needs of UWC Maastricht as outlined in the school plan; [IB standards and practices](#) (pgs. 14, 17); [CIS standards](#); and as a Dutch International School, following the [Meldcode](#) (Dutch Reporting Code). This policy links the reader to other policies related to safeguarding and includes, in its appendixes, various protocols related to the implementation of this policy.

## 3. Definitions

There are numerous safeguarding definitions available in the literature. The intention, however, is to consistently utilise safeguarding definitions within the related policies at UWC Maastricht. Definitions have been selected to be as consistent with those used in the Dutch context as possible, while meeting the accreditation expectations of both the IB and CIS (CIS, 2021). The overarching understanding driving safeguarding standards within the school is framed by the United Nations Convention on the Rights of the Child (UNCRC, 1989).

### **Child Abuse:**

A form of maltreatment of a child, which can be physical, sexual or emotional in nature. Neglect is a form of abuse and sexual exploitation is a form of sexual abuse. Somebody may abuse a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

### **Child Protection:**

A term used to describe the ways in which individuals and institutions prevent and respond to physical, sexual and/or emotional harm and abuse of children by adults or other children.

### **Designated Safeguarding Lead (DSL)/Designated Safeguarding Officer :**

Staff appointed to take lead responsibility for safeguarding (including child protection) in school. These terms are further unpacked in 5. *Safeguarding team members*.

### **Child Safeguarding:**

A broad term used to describe the ways in which individuals and institutions promote the well-being of students and protect them from physical, sexual and/or emotional harm and abuse. This includes but is not limited to child protection. A useful metaphor to better articulate this understanding: Child safeguarding is the whole filing cabinet. Child protection is one drawer in that cabinet.

### **Peer on peer abuse:**

Refers to the 'physical, sexual, emotional and financial abuse, and coercive control, exercised within young people's relationships, including their intimate relationships,

friendships and wider peer associations.’ (Firman, 2017).

#### 4. Policy Statement

Physical and psychological health and safety should be ensured between multiple parties and in multiple contexts. These circumstances cannot be exhausted within a single document; however, this policy seeks to address, and differentiate between, safeguarding at home; safeguarding between students; safeguarding between adults; and also between adults in the community and students.

#### 5. Safeguarding team members

Within UWC Maastricht, it is the responsibility of all staff to contribute towards a safe environment. It is expected, however, that a number of staff receive additional training (see 8.c. *Safeguarding training*) and are asked to accept additional responsibility for safeguarding.

A **Designated Safeguarding Lead (DSL)** is a member of staff who receives significant additional training in the area of safeguarding, and is ultimately responsible for safeguarding within their school sector. The Director of each school and the Head of Student Services usually operate as a DSL.

A **Designated Safeguarding Officer (DSO)** is a member of staff who receives additional training in the area of safeguarding, is positioned to contribute towards the improvement of safeguarding policies and protocols, and serves as additional reporting points for people who raise safeguarding concerns. To ensure whole school accessibility, it is required that there be at least one DSO in the Primary School, Secondary School, and School Residences

While matters of safeguarding are often sensitive and confidential, a team approach ensures better accountability, resource sharing, reflection, and decisions made in the best interests of the child. For this reason, it is expected that appropriate information is deliberately shared in the following way: DSOs always work under the guidance of a DSL; DSLs are obliged to inform at least one other DSL about any concerns that are raised with them; and DSLs are expected to update the Director of the relevant school about the generalities of a case within 24 hours of their being aware of one.

A Safeguarding Team may be constructed in response to concerns, usually consisting of a DSL, DSOs, and any other staff that may be positioned to positively contribute to the resolution of a specific case.

#### 6. Safeguarding at home

##### *The Meldcode and Abuse and Neglect Protocol*

Dutch law requires organisations and professionals that work in the area of education to adhere to a code regarding to the reporting of all forms of domestic violence and child abuse and Neglect. The *Meldcode* is this reporting code. In order to fulfill the expectations of the *Meldcode*, UWC Maastricht follows the [Protocol for allegation or suspicion of abuse or neglect in the home](#) which was developed with

the support and advice of GGD Limburg (Limburg Public Health Services) and following the Model Reporting Code on Domestic Violence and Child Abuse produced by the Dutch Ministry of Health, Welfare and Sport. This action plan applies to both the UWC Maastricht Primary and Secondary school. A template for documenting and reporting concerns about Child Abuse and Neglect and Fomestic Violence is freely for all staff within the repository for all staff on Google Drive, and is available on the school website.

## 7. Safeguarding relationships between students

Peer on peer abuse is understood to include physical, sexual, emotional and financial abuse, and coercive control, exercised within young people's relationships, including their intimate relationships, friendships and wider peer associations (CIS, 2021). Section 7 of this policy follows the guidance of Farrer & Co (2019), in considering both the age of the child, and the severity of behaviours observed as being on a continuum, when interpreting reported events and deliberating appropriate responses. This policy does not follow the advice of Farrer & Co (2019) in terms of avoiding the terms 'victim' and 'perpetrator': it is noted that the school has a responsibility to safeguard all students in its care, including specific consideration for students who have been accused of inappropriate behaviours, but finds that the use of the above-mentioned terms provides a clarity for ease and accuracy of both investigation and support provision. The qualifier 'alleged' is utilised, not to indicate a conviction of innocence, guilt, or 'not believing' the victim, but to acknowledge the school's role as one of safeguarding over one of having legal or judicial standing in these cases.

### 7.a. Prevention

To be read in conjunction with Student Handbooks and the Care Plan. UWC Maastricht is committed to "*Creating a Positive and Inclusive Community*" as described as the first level of support in the Care plan. An educational approach to diversity, inclusivity, and behaviour in alignment with our school mission and core values is followed. In the Secondary school, preventative programming is implemented, including both Comprehensive Sexuality Education and the Wellbeing Curriculum, and instruction provided through assemblies, student conferences, and organically through how the community is expected to engage with each other.

This culture of dignity stands to prevent student-on-student safeguarding challenges. This policy also speaks to the commitment of UWC Maastricht to appropriately respond should there be instances or allegations of safeguarding challenges as described, such as instances of *Bullying* and *Sexual Harassment and other Sexual Misconduct*.

### 7.b. Bullying

To be read in conjunction with the UWC Student Code of Conduct. As an international school of students and staff from over 100 nationalities, UWC

Maastricht is committed to international and intercultural understanding, learning from and with our community members. We strive to be open and create a culture that is inclusive and therefore bullying behaviour is completely contradictory to everything we stand to be, as captured in our UWC Core Values.

For the purposes of this policy, the term 'bullying' refers to

*“the **repetitive and intentional** hurting of one person by another, where the relationship involves an **imbalance of power**”.*

Bullying can be physical, verbal or psychological and can be through:

- \*deliberate exclusion, malicious gossip and other forms of relational bullying;
- \*cyber-bullying;
- \*identity-based bullying such as homophobic, racist, cultural, religious, appearance and gender based bullying
- \*bullying of those with disabilities, illness or special educational needs
- \*misuse of peer pressure to get others to carry out bullying acts”

However, the 'repetitive' criterion is not applicable in instances of a once-off offensive or hurtful **public** message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people.

Most often, therefore, for the purposes of this policy, bullying is not an isolated or once-off incident of intentional negative behaviour, including a once-off offensive or hurtful private text message or correspondence. While unacceptable, these incidents do not fall within this definition of bullying and should be dealt with, as appropriate, in accordance with the school's code of behaviour.

Exacerbating factors include *discrimination* if the cause or presentation of the unacceptable behaviour suggests underlying prejudice, related to grounds such as gender, civil status, family status, sexual orientation, sexual identity, religion, age, disability, race and membership of the Traveller community.

In the event that one becomes aware of an incident or allegation of bullying, one should follow the **bullying protocol**, included as section [12.b. Protocol for allegations of bullying](#).

### [7.c. Sexual Harassment and other Sexual Misconduct](#)

To be read in conjunction with the **UWC Student Code of Conduct**. UWC Maastricht will not tolerate sexual harassment or any other form of sexual misconduct. Sexual misconduct is understood to be an umbrella term, including actions from the least severe engagement (inappropriate dialogue) to the most severe engagement (rape). In conceptualising the nature of sexual misconduct, and appropriate responses to it, this policy utilises a continuum model (Hackett, Branigan & Holmes, 2019).

Normal	Inappropriate	Problematic	Abusive	Violent
<ul style="list-style-type: none"> <li>• Developmentally expected</li> <li>• Socially acceptable</li> <li>• Consensual, mutual, reciprocal</li> <li>• Shared decision making</li> </ul>	<ul style="list-style-type: none"> <li>• Single instances of inappropriate sexual behaviour</li> <li>• Socially acceptable behaviour within peer group</li> <li>• Context for behaviour may be inappropriate</li> <li>• Generally consensual and reciprocal</li> </ul>	<ul style="list-style-type: none"> <li>• Problematic and concerning behaviour</li> <li>• Developmentally unusual and socially unexpected</li> <li>• No overt elements of victimisation</li> <li>• Consent issues may be unclear</li> <li>• May lack reciprocity or equal power</li> <li>• May include levels of compulsivity</li> </ul>	<ul style="list-style-type: none"> <li>• Victimising intent or outcome</li> <li>• Includes misuse of power</li> <li>• Coercion and force to ensure compliance</li> <li>• Intrusive</li> <li>• Informed consent lacking or not able to be freely given</li> <li>• May include elements of expressive violence</li> </ul>	<ul style="list-style-type: none"> <li>• Physically violent sexual abuse</li> <li>• Highly intrusive</li> <li>• Instrumental violence which is psychologically and/or sexually arousing to the child responsible for the behaviour</li> <li>• Sadism</li> </ul>

Sexual misconduct of any sort is not tolerated at UWC Maastricht. While noted that sexual misconduct exists within the above continuum, this policy understands sexual harassment to be:

*Behaviour which presents **unwelcome** sexual advances, requests for sexual favours, and/or other verbal or physical conduct or other interactions of a sexual nature.*  
(adapted from UN, 2013).

It is clear that anybody, regardless of sexual orientation, sexual identity or position, can fall victim to sexual misconduct from anyone else, regardless of the perpetrator's sexual orientation, sexual identity or position.

The school takes all allegations of sexual misconduct seriously, and investigates all cases considering the best interests of all students, while maintaining dignity and privacy as appropriate. The investigation process is included as section [14.c. Protocol for allegations of sexual harassment and misconduct](#).

If sexual harassment happens outside of the school's jurisdiction, the school will provide support for the victim in engaging with the legal system.

#### *7.d. Online considerations and electronic considerations*

This policy is to be read in conjunction with the Acceptable Use Policy. Online peer-on-peer abuse is any form of peer-on-peer abuse with a digital element, for example, sexting, online abuse, coercion and exploitation, peer-on-peer grooming, threatening language delivered via online means, the distribution of sexualised content, and harassment. It is UWC Maastricht's policy to take any concern regarding communication between students seriously. The author of a particular message is responsible for the content of that message, even if it is forwarded on by

others. Similarly, individuals who choose to forward messages are responsible for that decision. The only safe approach is to assume that no message is private and to never write, send or forward something that could potentially cause harm.

Examples of inappropriate peer-on-peer online behaviours include:

- Harassing, insulting or attacking others.
- Accessing, creating, distributing, displaying or sending offensive messages, images or pictures. Examples include, but are not limited to, pornographic, racist and violent content.
- Using another person's password or attempting to access another person's folders, work or files.
- Posting images, videos/movies of school related situations on social media sites like Facebook, Instagram, WhatsApp etc. without the permission of the people concerned.

In addition to the safeguarding investigation described within this policy, users who exhibit inappropriate behaviour will be subject to appropriate discipline, which may include loss of computer privileges, suspension from classes or school and, in extreme cases, fines or legal action.

## 8. Safeguarding relationships between adults and students

### 8.a. Recruitment

The **UWCM HR Policy Recruitment and Hiring of Staff** has been drafted to reflect UWC Maastricht's commitment to safeguarding. Applicants are required to provide, in addition to positive references:

- A statement on child abuse/inappropriate behaviour
- A police clearance from the country in which the applicant is currently employed (if such a document exists in the relevant country)
- A recent VOG (Dutch police clearance).

### 8.b. Appropriate professional behaviour and relationships

This policy is to be read in conjunction with the **Professional Boundaries Policy**. UWC Maastricht staff, contractors, volunteers and guests of the school (hence referred to as 'the adults') are expected to understand and uphold appropriate relationships and boundaries with students of UWC Maastricht, and any other young people in their care, in order to protect the physical and emotional wellbeing of the young people.

This appropriate behaviour is understood within the context of other UWC Maastricht policies and:

- The [Youth Care Act](#) (Wet op Jeugdzorg - December 2001, updated 2005).
- [The Social Support Act](#) (Wet maatschappelijke ondersteuning - 2007, updated 2015).



Adults are expected to establish appropriate boundaries with young people, and accept their duty to report should they become aware of possible inappropriate conduct between other adults and young people in the community.

The **Professional Boundaries Policy** describes different categories of appropriate boundaries and potential violations, such as boundaries of:

- Communication
- Physical contact
- Location and proximity
- 'Targeted' relationships
- Scope of practice
- 'Consensual' sexual relationships.

The aforementioned policy should be consulted should there be any specific queries regarding inappropriate adult-child engagement. However the following guiding principles will be helpful:

- Social contact should be generated via the relationship the staff member has with the parents of students or by an event (such as a sporting event).
- Staff should avoid being alone with students in these situations.
- Staff should conduct themselves in a way that will not give others reason to question their suitability to work with students and that will not create discomfort for students in their learning relationship with them.
- Staff should politely refuse to discuss matters relating to the workplace and should not discuss a student's learning or social progress other than at times specifically set aside for that purpose.

As per the **Abuse and Neglect Protocol**, should there be any concerns about perceived or suspected staff conduct, one should inform a DSL, the Leadership team, and/or Human Resources who will investigate all allegations or concerns.

### *8.c. Safeguarding Training*

It is the responsibility of UWC Maastricht to address the safeguarding of all students in its care to ensure that adults within the community understand and uphold appropriate relationships and boundaries with the young people in their care. This includes members of staff, volunteers, contractors, and all other adults within reason that engage with students while they are under the care of the school.

All staff will receive annual internal training in Safeguarding policies and procedures, and all DSLs and DSOs will undergo CIS 'deep dive' training at least once every two years.

## 9. Safeguarding relationships between adults

To be read in conjunction with the **Grievance Policy**. In the deliberately diverse staff community at UWC Maastricht, it is likely that there will be misunderstandings and differences of opinion and cultural expectations. It is hoped that many of these may

be resolved through constructive dialogue as described in our mission and values. However, there will be some instances where serious transgressions may have taken place. In these instances, the **Complaints Procedure** is used. If a staff member is unsure of whether a formal complaint should be raised, they can:

- Talk to the Trust Person in the Primary and Secondary schools and/or
- Talk to the external Trust person
- Talk to Human Resources, in confidence and/or
- Talk to someone in the Leadership Team.

As a result of the complexities of the UWC Maastricht governance structures, there are different mechanisms for complaints, related to whether a staff member is on a MosaLira, LVO or UWC Maastricht contract. Regardless, the underlying principles of the complaints procedure are in line with those required by the updated [Sexual Offences law](#) which seeks to provide better care for victims, and following the principle of a fair and equitable hearing (Hoor en wederhoor). If an allegation is raised, the Leadership Team and HR will follow an investigative, and if necessary, disciplinary and/or process.

## 10. Implementation

This policy is to be reviewed and communicated to all staff on an annual basis.

## 11. Associated Policies

This policy supersedes previously promulgated policies such as the *Anti-Bullying Policy* and the *Sexual Harassment Policy*. It makes reference to the *Professional Boundaries Policy*, which supersedes the *Student Safeguarding Policy*. It is also associated with the following policies and handbooks:

- Residential Handbook
- Various Student Handbooks
- Complaints Policy
- Action Plan for Abuse and Neglect
- Recruitment Policy
- Care Plan

## 12. History

Date	Version	Key changes
05/2023	1.0	First version. Intention to create a framework for pre-existing policies and procedures related to safeguarding to be brought into alignment.

### 13. References

CIS (2021). Safeguarding Guidance for Evaluators. *CIS International Accreditation*.

Department for Education. (2021). Keeping children safe in education (2020) Statutory guidance for schools and colleges, updated. United Nations Children's Fund. (1989). *The United Nations Convention on the Rights of the Child*. Retrieved from

[https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC\\_PRESS200910web.pdf?\\_ga=2.78590034.795419542.1582474737-1972578648.1582474737](https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC_PRESS200910web.pdf?_ga=2.78590034.795419542.1582474737-1972578648.1582474737)

Farrer & Co (2019) Peer-on-peer abuse toolkit.

Firmin, C. (2017). *Abuse between Young People: A Contextual Account*. Routledge

Hacket, S.; Branigan, P.I & Holmes, D. (2019). Harmful sexual behaviour framework: an evidence-informed operational framework for children and young people displaying harmful sexual behaviours, 2nd Ed. London: NSPCC

United Nations Convention on the Rights of the Child. (1990). Full text, including article 12. Office of the United Nations High Commissioner for Human Rights. <http://www2.ohchr.org/english/law/crc.htm>. Accessed 2020-09-30.

## 14. Appendix: Related Protocols and Procedures

### 14.a. Protocol for allegation or suspicion of abuse or neglect in the home

The Action Plan for Abuse and Neglect is implemented under the guidance of the Designated Safeguarding Leads, working with the advice of *Veilig Thuis* and other external advisory organisations as needed. It consists of the following steps:

#### **Step 1 Identifying the signs**

When a teacher or staff member identifies signs of domestic violence or child abuse, they are expected to:

- Identify and record the signs that corroborate or disprove suspicions
- Record all instances of contact with the student concerning these signs plus any steps or decisions taken
- Describe the signs as factually as possible
- If you also record hypotheses or assumptions, state explicitly that this is their status
- Add a follow-up note if a hypothesis or assumption is later corroborated or disproved
- If you record information from third parties, always specify the source

A form is available to support teachers and staff members in identifying and recording the signs.

A teacher or staff member who has identified signs of domestic violence or child abuse should immediately notify a person of contact.

If you observe signs of domestic violence or child abuse committed by a teacher/staff member you must inform a member of the Leadership Team immediately.

#### **Step 2 Peer consultation and, if necessary, consultation with Veilig Thuis**

The second step is consultation on the signs of violence or abuse.

The person of contact will arrange a care team meeting. The care team will always include a member of the Leadership Team and the Counsellor for the age group. The care team will discuss the signs and agree whether it is necessary to proceed to step 3.

A person of reference for the case will be assigned from the care team at its first meeting. It is the responsibility of the person of reference to ensure that any actions agreed at the meeting are completed.

As long as information on the student has been rendered anonymous, the care team can consult and should seek advice from *Veilig Thuis*. *Veilig Thuis* can be contacted on 0800 2000. This is a national number available 24/7. You will be requested to give the name of the town the child lives in.

#### **Step 3 Interview with the student/parents**

Dutch Law requires the school to seek contact with the student concerned and/or parents of the student as soon as possible in order to discuss the signs of violence or abuse.

In some cases, the interview will remove suspicion, in which case the next steps in the action plan will be unnecessary. If the interview does not remove suspicion, the next steps will be carried out.

The care team will nominate members to carry out the interview(s).

When a student is under 12 years of age, if possible, the parents should be present when the student is interviewed. However, if a student has disclosed information to a teacher/staff member, the teacher/staff member can talk to the student again to follow up before speaking to the parents.

From 12 to 16 years of age students and parents can be interviewed separately. Students over the age of 16 can choose for themselves.

Parents must be informed and will also usually be interviewed, whether or not it is suspected that they are involved.

The care team can dispense with the interview (for the time being):

- If an interview may endanger the safety of the student
- For fear of the suspected offender that is being interviewed may take it out on the student
- If the school has reason to believe that the parents will take the student out of school as a result of the interview and the school could lose contact with the student

In the interview the designated care team member(s) must:

- Explain the purpose of the interview;
- Discuss the signs of violence or abuse identified, that is, the facts recorded and observations made;
- Invite the student to respond;
- And only after this response, if necessary, interpret what he has seen and heard and what he has been told in response.

Advice on any aspect of step 3 can be sought from Veilig Thuis.

*Please note that steps 1 – 3 may run concurrently.*

#### **Step 4 Assessing violence and child abuse**

The care team will now have quite a lot of information: a description of the signs that have been recorded, the results of the interview and the information from its own meetings and discussions. The care team assesses all of this information.

The care team will assess the risk of domestic violence or child abuse as well as its nature and seriousness.

The care team may (providing the student information has been rendered

anonymous) seek advice from Veilig Thuis.

### **Step 5 Reaching a decision**

The care team will decide whether to organise assistance as a school or to file a report.

#### Organising assistance and tracking its effects

If the care team considers that the school can protect the student sufficiently against the risk of domestic violence or child abuse, it should provide or organize the necessary assistance. The care team should track the effects of this assistance and, if the violence continues or flares up again, the care team must file a report.

#### Filing a report

If the care team considers that it cannot protect the student sufficiently against the risk of domestic violence or child abuse, it should file a report so that the situation can be further investigated and action taken to protect the student and their family sufficiently.

Before filing a report the care team must discuss it with the student (if aged 12 and over) and/or with the parent (if the student is under 16). They must explain their intention to file a report and its purpose. If the student and/or the parents object to the report, the care team will discuss these objections with them, weigh the importance of these objections against the need to file the report in order to protect the student or other parties from violence and abuse.

When filing a report the care team should attach as much factual evidence as possible, and state clearly if the information that is reported (also) comes from third parties.

When drawing up the report the care team should consult Veilig Thuis about how the school can protect the student – within the limits of its normal duties – after the report has been filed.

The person of reference will file the report on behalf of the care team and the Head of College.

### **Emergencies**

If the school identifies signs of violence that are so serious that a student or their family require immediate protection, a member of the Leadership Team should be contacted immediately and a call made to the Veilig Thuis and/or the police.

### **Responsibilities of the school in implementing the action plan and creating a safe working environment**

The school will:

- Inform all staff members, students and parents about the action plan and its purpose

- Offer all staff members adequate and regular training – starting with online training for Dutch speaking staff
- Regularly evaluate the use of the action plan on the basis of case histories
- Ensure that experts are available and consulted
- Oversee the effects of the reporting code
- Arrange support if students or parents hold staff members accountable – in or out of court – for the steps in action plan

Following the action plan is not an individual choice but a matter of policy required by the public authorities in the Netherlands.

### **Students living outside of the Netherlands**

If a day student is resident outside of the Netherlands a report will be made to the appropriate authorities in their home country.

### **Confidentiality**

As a rule, teachers/staff members will seek the permission of a student to share information with a Person of Contact and/or the Care Team (if formed).

If the teacher/staff member believes that information given endangers the wellbeing and safety of a student they will contact a Person of Contact and/or the Care Team (if formed) even if permission is not granted to share the information. The teacher/staff member will inform the student of their decision to share the information.

The care team will carefully consider whom it should provide with what information in order to address the situation effectively.

### **Filing and records**

Records will be kept by the Counsellors and in accordance with their record keeping policy.

### **Definitions of Domestic Violence and Child Abuse**

Domestic Violence is defined as: (threats of) violence, in any location, committed by a person in the victim's domestic circle, violence being defined as physical, sexual or psychological harm to the victims' personal integrity. The victim's domestic circle includes (former) partners, family members, relatives and housemates.

Child Abuse is defined as: any threatening or violent interaction of a physical, psychological or sexual nature with a child that the parents or other persons with whom the child is in a relationship of dependency or constraint imposed actively or passively, causing or liable to cause serious harm to the child in the form of physical or psychological injury (including honour-based violence and female genital mutilation).

### **Other Relevant Dutch Legislation:**

The Dutch Reporting Code takes the following legislation also into account.

- The Personal Data Protection Act
- The Youth Care Act
- The Social Support Act

**Advice and Further information:**

Veilig Thuis can be contacted on 0800 2000/ 046-8506640. This first number is a national number which is available 24/7. You will be requested to give the name of the town you live in. Veilig Thuis can also be contacted by email on [contact@veiligthuisz.nl](mailto:contact@veiligthuisz.nl) The Veilig Thuis website provides further information on the services available <http://www.vooreenveiligthuis.nl/veilig-thuis>

Kadera provides on its website digital signal maps on domestic violence and child abuse and is recommended by Veilig Thuis [www.kadera.nl](http://www.kadera.nl).



## *14.b. Protocol for allegations of bullying in the Primary School*

### **Report to the Phase Coordinator**

\*If there is prima facie reason to believe that there are safeguarding considerations (severity of allegation; likelihood of repetition or escalation of behaviour) then the Coordinator should consult first with a Designated Safeguarding Lead, to ascertain whether the case is better suited to a safeguarding investigation.

\*The Coordinator should inform the Director of Primary that they are going to investigate an allegation of bullying.

\*The Coordinator may inform/form a team from the relevant tutor (of alleged victim and alleged perpetrator); the residence mentor (of alleged victim and of alleged perpetrator); the Head of Student Services (for mobilising of relevant student services); a Designated Safeguarding Lead and/or any relevant staff member of the case and investigation. A 'team' in this instance does not refer to the people involved in gathering information from students, but refers to those who could be consulted during the investigation process.

### **2. Coordinator to provide explanation to alleged victim of investigation procedure**

\*Depending on the circumstances (timing of report, content of report), it may be more appropriate to either invite the alleged victim (hence "AV") to an interview by email or in person. Before the interview occurs, the AV should:

- a) Be offered counselling
- b) Have the disciplinary process explained
- c) Be offered the support of an adult, of the AV's choosing, during the investigation.

\*The parents of the alleged victim will be informed of the allegation and process, but not be informed of the names of any other parties in the process unless absolutely necessary.

### **3. Coordinator to invite AV to an interview.**

### **4. Coordinator to interview the alleged victim, and request a written statement.**

\*The interview should have at least one other adult in the room apart from the HOY. Depending on the circumstances, this other adult could be the one selected by the student for support or another party such as the tutor or other person from the 'team' of point 1.

### **5. Coordinator to inform the alleged perpetrator of a general allegation.**

\*If there are safety considerations, then the Coordinator may elect to accelerate the process of interviewing the alleged perpetrator (hence "AP"), or removing the alleged perpetrator from class until the hearing may take place .

\*Depending on the circumstances (timing of report, content of report), it may be more appropriate to invite the AP to an interview by either email or in person. Before the interview occurs, the AP should:

- a) Be offered counselling (in such a way as to not impede the investigation process)
- b) Have the disciplinary process explained
- c) Be offered the support of an adult, of the AP's choosing, during the investigation.

\*The parents of the alleged perpetrator will be informed of the allegation and process, but not be informed of the names of any other parties in the process unless absolutely necessary.

#### **6. Coordinator to Invite the AP to interview**

\*It is preferable that there is not a lengthy period between the notification of the interview and the interview being held. This is both for procedural reasons, and to decrease discomfort for the AP.

#### **7. Coordinator to interview the alleged perpetrator, and request a written statement.**

\*The interview should have at least one other adult in the room apart from the HOY. Depending on the circumstances, this other adult could be the one selected by the student for support or another party such as the tutor or other person from the 'team' of point 1.

#### **8. If necessary from gathered statements, the Coordinator may invite potential witnesses for interviews and statements.**

\*The dignity and privacy of the alleged victim and alleged perpetrator should be strongly considered in these interviews.

#### **9. Coordinator to evaluate the gathered information**

\*Coordinator makes decisions on a 'Balance of Probabilities' basis

\*May consult with members from the team identified in step 1, and in consultation with any other party viewed to have additional knowledge or expertise in the challenges of the case.

#### **10. If findings include disciplinary action**

\*The Coordinator needs to consult with the Director of Primary and Head of College as appropriate.

#### **11. Findings should be shared**

- a. with the alleged perpetrator in writing
- b. with the alleged victim, in writing

- c. with the relevant families, in writing.
- d. Consideration should be given to any public communication. The privacy and dignity of the alleged perpetrator and alleged victim should be considered, as should the public interest and potential impact on the wider community.

## 12. Record

\*Statements and process notes should be stored on the Wellbeing manager for a period of three years.

### *14.c. Protocol for allegations of bullying in the Secondary School*

#### **Report to the Head of Year.**

\*If there is prima facie reason to believe that there are safeguarding considerations (severity of allegation; likelihood of repetition or escalation of behaviour) then the HOY should consult first with a Designated Safeguarding Lead, to ascertain whether the case is better suited to a safeguarding investigation.

\*The HOY should inform the Deputy Head of Secondary that they are going to investigate an allegation of bullying.

\*The HOY may inform/form a team from the relevant tutor (of alleged victim and alleged perpetrator); the residence mentor (of alleged victim and of alleged perpetrator); the Head of Student Services (for mobilising of relevant student services); a Designated Safeguarding Lead and/or any relevant staff member of the case and investigation. A 'team' in this instance does not refer to the people involved in gathering information from students, but refers to those who could be consulted during the investigation process.

#### **2. HOY to provide explanation to alleged victim of investigation procedure**

\*Depending on the circumstances (timing of report, content of report), it may be more appropriate to either invite the alleged victim (hence "AV") to an interview by email or in person. Before the interview occurs, the AV should:

- a) Be offered counselling
- b) Have the disciplinary process explained
- c) Be offered the support of an adult, of the AV's choosing, during the investigation.

\*The parents of the alleged victim will be informed of the allegation and process, but not be informed of the names of any other parties in the process unless absolutely necessary.

#### **3. HOY to invite AV to an interview.**

#### **4. HOY to interview the alleged victim, and request a written statement.**

\*The interview should have at least one other adult in the room apart from the HOY. Depending on the circumstances, this other adult could be the one selected by the student for support or another party such as the tutor or other person from the 'team' of point 1.

#### **5. HOY to inform the alleged perpetrator of a general allegation.**

\*If there are safety considerations, then the HOY may elect to accelerate the process of interviewing the alleged perpetrator (hence "AP"), or removing the alleged perpetrator from class until the hearing may take place .

\*Depending on the circumstances (timing of report, content of report), it may be more appropriate to invite the AP to an interview by either email or in person. Before the interview occurs, the AP should:

- a) Be offered counselling (in such a way as to not impede the investigation process)
- b) Have the disciplinary process explained
- c) Be offered the support of an adult, of the AP's choosing, during the investigation.

\*The parents of the alleged perpetrator will be informed of the allegation and process, but not be informed of the names of any other parties in the process unless absolutely necessary.

#### **6. HOY to Invite the AP to interview**

\*It is preferable that there is not a lengthy period between the notification of the interview and the interview being held. This is both for procedural reasons, and to decrease discomfort for the AP.

#### **7. HOY to interview the alleged perpetrator, and request a written statement.**

\*The interview should have at least one other adult in the room apart from the HOY. Depending on the circumstances, this other adult could be the one selected by the student for support or another party such as the tutor or other person from the 'team' of point 1.

#### **8. If necessary from gathered statements, HOY may invite potential witnesses for interviews and statements.**

\*The dignity and privacy of the alleged victim and alleged perpetrator should be strongly considered in these interviews.

#### **9. HOY to evaluate the gathered information**

\*HOY makes decisions on a 'Balance of Probabilities' basis

\*May consult with members from the team identified in step 1, and in consultation with any other party viewed to have additional knowledge or expertise in the challenges of the case.

#### **10. If findings include disciplinary action**

\*The HOY needs to consult with the Director of Secondary and Head of College as appropriate, and consider the advice of the relevant Student Handbook.

#### **11. Findings should be shared**

- a. with the alleged perpetrator, and NC, in writing
- b. with the alleged victim, in writing

- c. with the relevant families, in writing.
- d. Consideration should be given to any public communication. The privacy and dignity of the alleged perpetrator and alleged victim should be considered, as should the public interest and potential impact on the wider community.

## 12. Record

\*Statements and process notes should be stored on the Wellbeing manager for a period of three years.

#### 14.d. Protocol for allegations of sexual harassment and misconduct

### Sexual Misconduct Protocol

To be read in conjunction with the **Sexual Harassment Policy** and the **UWC Student Code of Conduct**. UWC Maastricht will not tolerate sexual harassment or any other form of sexual misconduct. Sexual misconduct is understood to be an umbrella term, including actions from the least severe inappropriate engagement (dialogue) to the most severe engagement (rape). Sexual misconduct of any sort is not tolerated at UWC Maastricht. This policy understands sexual harassment to be:

*Behaviour which presents **unwelcome** sexual advances, requests for sexual favours, and/or other verbal or physical conduct or interactions of a sexual nature.*

(adapted from UN, 2013).

#### 1. Report to a Designated Safeguarding Officer (DSO) or Lead (DSL)

\*In the event that any student, staff member, or other member of the community becomes aware of an allegation related to sexual harassment or other sexual misconduct, they are **required** to inform a Designated Safeguarding Officer or Designated Safeguarding Lead.

\*The DSO or DSL should carefully document what information is shared, describing objective information as factually as possible; if hypotheses or assumptions are recorded, it should be stated explicitly that this is their status, and if they are later corroborated or disproved, this should be later documented. The source of all information should always be specified. Those making the report can be asked to write a statement, depending on the circumstances of the case. If the person making the report is the alleged victim, then one should immediately offer them the rights afforded to them in step 4.

\*If there is prima facie reason to believe that there are urgent safeguarding considerations (severity of allegation; likelihood of immediate repetition or escalation of behaviour) then the Designated Safeguarding Officer should consult first with a Designated Safeguarding Lead, to ascertain whether other steps - such as exploring legal avenues - should be followed.

\*The DSO should inform and consult with a DSL, or the DSL should inform and consult with another DSL, that they are going to investigate an allegation of sexual misconduct.

\*The investigating officer should form a team consisting of a DSL, a DSO, a counsellor, and preferably the tutor of the alleged victim. If available, it is desirable for the Director of the relevant school to be invited to be part of this team. This team is not expected to always operate as a collective (for example, in interviewing students) but is expected to contribute from their various expertise in case deliberations. The DSL may elect to have a DSO operate as 'chair' of the team.

#### 2. External consultation

\*In the event that there is uncertainty about legal investigation and reporting expectations, perhaps from a lack of precedent, it is advisable that the DSL, or DSO if appropriate, anonymously consult with external organisations about the uninvestigated report. The *school police officer* (sander.alberts@politie.nl) and *Veilig Thuis* (0800 2000) are available for this purpose. If the legal advice is to deviate from the school policy, then this needs to be carefully documented and adhered to.

### 3. Factors to be considered

\*The safety of students and others in the community is paramount. If any deviations from the investigation process are required in order to ensure safety then, following appropriate consultation and documentation, these deviations are allowable.

### 4. Guidance provided to alleged victim regarding investigation procedure

\*Depending on the circumstances (timing of report, content of report), it may be more appropriate to invite the alleged victim (hence “AV”) to an interview by either email or in person. Before the interview occurs, the AV should:

- a) Be offered counselling during and after the investigation process
- b) Have the investigation process explained
- c) Be offered the support of an adult, of the AV’s choosing, during the investigation.

\*The parents of the alleged victim will be informed of the allegation and process, but not be informed of the names of any other parties in the process unless absolutely necessary. Due consideration should be given to the views of the AV in informing their parents, considering aspects such as safety, but the principle is that parents should be informed when their children (regardless of their age) in the care of UWC Maastricht are involved in safeguarding situations.

\*The Safeguarding Team chair invites the AV to an interview.

### 5. Safeguarding interview with AV alleged victim

\*The interview should have at least two staff members in the room, including at least one DSO or DSL. Depending on the circumstances, a third adult selected by the student for support or another party such as the tutor or other person from the formed safeguarding team could be present. It is important that the student be allowed to feel as safe and empowered as possible.

\*Depending on the circumstances, the student may be asked to write a written statement. If this could be traumatic or harmful for the student, then a report can be drafted by the adults in the room detailing the student’s account, which the student could then be asked to sign to confirm its accuracy.

\*The wishes of the student in how to proceed are important, as developmentally appropriate. For example, if the student wishes to undertake legal advice, the school should



assist the student in reporting the case. In the event that that student does not wish to follow a legal process, the school will be guided by the anonymous advice sought in 2. *External consultation*.

\*In the event that the student does not wish to proceed internally or externally, the school has an obligation to continue to investigate the case regardless, as a result of its responsibility to keep others in the community safe. This needs to be gently communicated to the student, and every step needs to be taken to ensure the dignity and privacy of the alleged victim in this unfortunate circumstance.

## **6. The Investigating Officer to inform the alleged perpetrator of a general allegation**

\*If there are safety considerations, then the DSL may elect to accelerate the process of interviewing the alleged perpetrator (hence “AP”), or removing the alleged perpetrator from class and/or residence until the interview may take place.

\*Depending on the circumstances (timing of report, content of report), it may be more appropriate to either invite the AP to an interview by email or in person. Before the interview occurs, the AP should:

- a) Be offered counselling (in such a way as to not impede the investigation)
- b) Have the investigation process explained
- c) Be offered the support of an adult, of the AP’s choosing, during the investigation.

\*The parents of the alleged perpetrator will be informed of the allegation and process, but not be informed of the names of any other parties in the process unless absolutely necessary.

\*The alleged perpetrator should be afforded all privacy, dignity and care as is to be expected as a student under the care of the school.

## **7. Safeguarding interview with alleged perpetrator**

\*The interview should have at least two staff members in the room, including at least one DSO or DSL. Depending on the circumstances, a third adult selected by the student for support or another party such as the tutor or other person from the formed safeguarding team could be present. It is important that the student be allowed to feel as safe and empowered as possible.

\* The student should be asked to prepare a written statement within the next 24 hours. This statement needs to be shared with the Safeguarding Team. The statement should not be edited, or guided in any way, by any member of staff including the adult operating in a supportive capacity to the alleged perpetrator. The student will be able to clarify any misunderstandings, if necessary in subsequent discussions.

## **8. If necessary, the Investigating Officer may invite potential witnesses for interviews and statements.**

\*The dignity and privacy of the alleged victim and alleged perpetrator should be strongly considered in these interviews.

\*The aim is to gather more information, not share information with those interviewed.

## 9. Evaluation of gathered information by Safeguarding Team

\*The team evaluation is a consultative process, not intended to make decisions by vote or consensus.

\*Others outside of the team may be consulted if they are viewed to have specialised knowledge or expertise that would benefit the investigation. The privacy and dignity of the alleged victim and alleged perpetrator are still paramount during this process.

\*A DSL will always be required in this evaluative step, considering precedent and extraneous factors in addition to the deliberation within the team.

\*The DSL will document findings and make recommendations on a 'Balance of Probabilities' basis. The DSL needs to share these recommendations with the Director of Primary or the Director of Secondary, including consideration of what responses to the case are within the school's power.

\*The Head of College is notified if a report is likely to result in a disciplinary hearing, with the potential to result in suspension or expulsion.

## 10. Distribution of findings

\*Findings should be shared:

- a. with the alleged perpetrator
- b. with the alleged victim
- c. with the relevant families.

\*Consideration should be given to any public communication. The privacy and dignity of the alleged perpetrator and alleged victim should be considered, as should the public interest and potential impact on the wider community.

## 11. Record

\*Statements and process notes should be stored on the Wellbeing manager for a period of three years.

#### *14.e. Protocol for allegations of staff safeguarding misconduct*

The protocol for responding to allegations of staff safeguarding misconduct continues to be updated, in order to ensure alignment with legal requirements as laws develop. The principles of ensuring the safety of students and ensuring a fair hearing are paramount.

### **Protocol for reporting concerns of staff safeguarding misconduct**

#### **1. Document source of information**

\*In the event that any student, staff member, or other member of the community becomes aware of an allegation related to staff safeguarding misconduct, they are required to inform a Designated Safeguarding Officer or Designated Safeguarding Lead; a member of the Leadership Team; or Human Resources.

\*Should the initial recipient of the information not be Human Resources, they will need to be immediately informed.

\*The recipient of the information should carefully document what information is shared, describing objective information as factually as possible; if hypotheses or assumptions are recorded, it should be stated explicitly that this is their status, and if they are later corroborated or disproved, this should be later documented. The source of all information should always be specified. Those making the report can be asked to write a statement, depending on the circumstances of the case.

\*It is in the best interest of the alleged victim and the alleged perpetrator to limit wider communication of the allegation unless necessary to maintain the safety of the alleged victim and other students.

#### **2. Consultation**

\*Staff are subject to the expectations of the collective labour agreements that are appropriate for their employment status.

\*The school will engage with the legal advice of the appropriate school board to ensure response appropriate to the current legal context.

#### **3. Investigative procedure**

\*Human Resources will open a file, and begin an investigative procedure as guided by law, the collective labour agreement, and the Head of College.

\*A principle in law is that the staff member facing the allegation should be invited to hear the nature of the allegation and be provided the opportunity to respond.

\*A principle in law is that students should be and feel safe, and should not be positioned to face possible backlash from making an allegation. Therefore, steps may be taken to remove the staff member from contact with students pending the investigation.

#### **4. Possible consequences**

\*The law and collective labour agreements dictate possible outcomes. Should the allegations meet a legal threshold, the school will support legal and police action immediately.

\*Should the allegations not meet a legal threshold, both collective labour agreements include advice on disciplinary measures that may be followed as appropriate.