

# CHILD PROTECTION



# **CHILD PROTECTION POLICY**

## **1. INTRODUCTION**

1.1 Nido de Aguilas recognizes its responsibility to protect and safeguard the welfare of children and young people in its care.

1.2 The main elements to the Child Protection Policy are:

- a) Prevention through the creation of a positive school atmosphere and the teaching, and pastoral support offered to students.
- b) Protection by following agreed procedures, ensuring staff are trained and supported to respond appropriately and sensitively to child protection concerns.
- c) Support to students who may have been abused.

1.3 This policy applies to all students, staff, volunteers and visitors to Nido de Aguilas.

## **2. SCHOOL POLICY**

2.1 We recognize that for our students, high self-esteem, confidence, supportive friends and clear lines of communication with a trusted adult helps to prevent abuse.

Our school will therefore:

- a) Establish and maintain an environment where students feel safe and secure and are encouraged to talk, and are listened to.
- b) Ensure that students know that there are adults within the school who they can approach if they are worried or are in difficulty.
- c) Include curriculum activities and opportunities, which equip students with the skills they need to stay safe from abuse.
- d) Train faculty and staff to recognize and support issues of abuse or neglect.

2.2 The school will work with parents to ensure that children are safe and are knowledgeable about their rights and responsibilities to themselves and to each other so that they can grow and learn in a safe and supportive environment.

## **3. ROLES AND RESPONSIBILITIES**

3.1 All adults working with or on behalf of children have a responsibility to protect them.

3.2 The administration shall be responsible for ensuring that the school follows safe recruitment processes. As part of the school's recruitment and vetting process, police and criminal background checks will be sought on all staff that have access to children.

#### **4. PROFESSIONAL CONFIDENTIALITY**

4.1 Confidentiality is an issue which needs to be understood by all those working with children, particularly in the context of child protection. The only purpose of confidentiality in this respect is to benefit the child. A member of staff must never guarantee confidentiality to a student nor should they agree with a student to keep a secret, as where there is a child protection concern this must be reported in accordance with established procedures.

4.2 Staff will be informed of relevant information in respect of individual cases regarding child protection on a "need to know basis" only. Any information shared with a member of staff in this way must be held confidentially to themselves.

#### **5. REPORTING AND RESPONDING TO CHILD ABUSE**

5.1 It is obligatory for parents, guardians, professionals, teachers, teacher's aides, and administrators to report incidents of physical or psychological violence, aggression, harassment, physical or sexual abuse immediately or within the next school day, to: a school administrator (e.g. principal, assistant principal) or any of the school's counselors who, in turn, shall inform the principal/assistant principal. The principal/assistant principal shall inform the Headmaster. Students are encouraged to report incidents for which they themselves or others may be the victim. Reporting by students, may be verbal or in writing and shared with any school employee, who, in turn, shall communicate this information to a school administrator or counselor. The administrator and counselor shall investigate and provide written documentation including the date, person or persons involved, and any additional relevant information. Following a thorough investigation, the Principal/Asst. Principal shall follow the steps noted in these guidelines, documenting all aspects of the investigation and resulting actions. Such actions include, but are not limited to, one or more of the following:

- conference with students involved
- parent notification
- meeting with parents

- meeting with others pertinent to the case, including the alleged perpetrator(s)
- contacting school nurse
- psychological assessment
- mandatory counseling sessions
- referral to the Social & Emotional Committee
- reporting to child protection services
- legal action and prosecution by the authorities
- suspension or termination of employment (if a school employee)

## **5.2 Appeal Procedure:**

Step One: An appeal on behalf of either the victim(s) or alleged perpetrator(s) of actions taken by the school administration shall be submitted, in writing, within 5 school days from the date of written notification of the disposition of the matter, to the school's Social and Emotional Development Committee. In the case of an appeal of measures taken by the Principal or Asst. Principal involved, these persons shall be recused from any decision made by the committee.

Step Two: The committee's decision may be further appealed to the Headmaster, in writing, within 5 school days of notification of disposition by the Social and Emotional Development Committee.

Step Three: Review by the Headmaster, who, within 5 days shall render a decision. Such decision, on behalf of the school, shall be final.

## **5.3 Social and Emotional Development Committee (Referred to as "Comité de Buena Convivencia Escolar" in law #20.536)**

The school's Social and Emotional Development Committee's purpose is to promote the social and emotional development of students, foster respect for one another, and appreciate diversity in order to promote a safe and harmonious environment free of abuse.

The Committee shall be composed of the following:

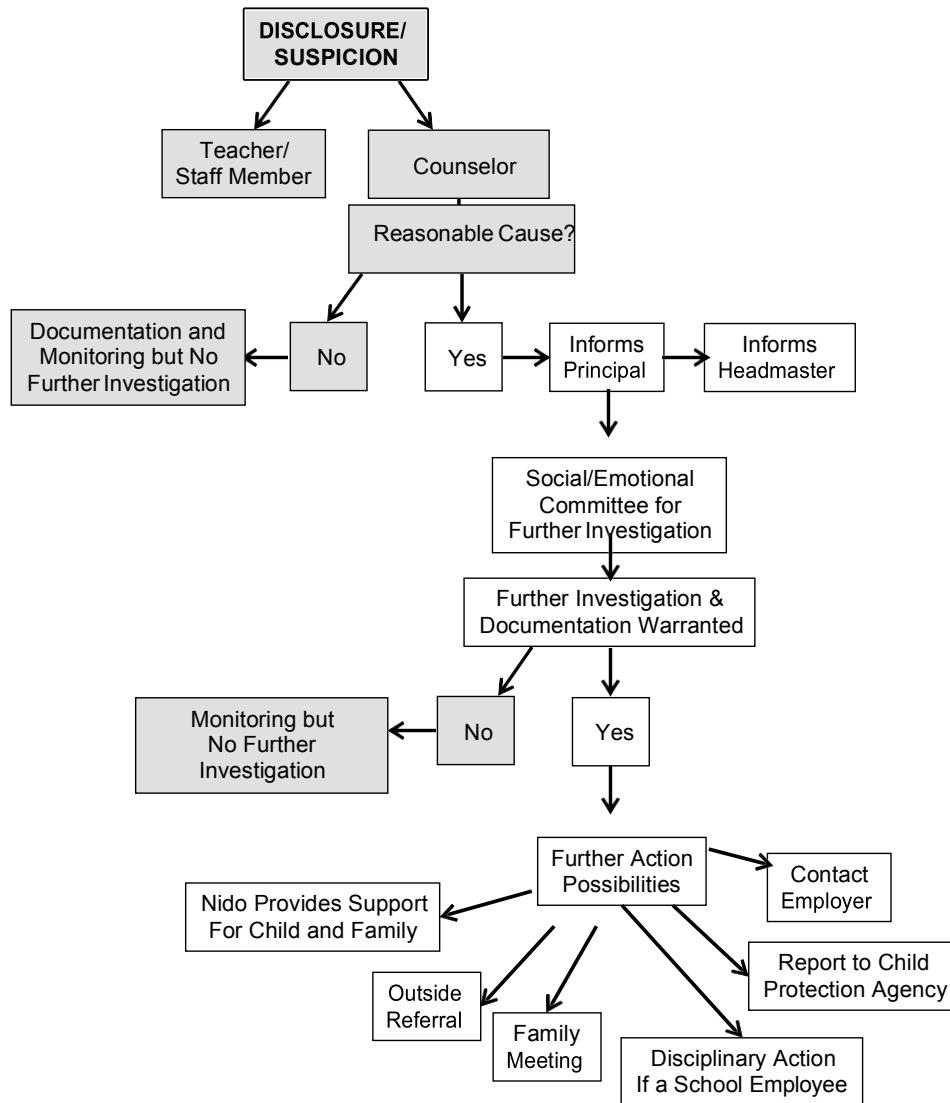
- Head of Counseling (Chairperson)
- ES, MS and HS Principals
- ES, MS and HS Assistant Principals
- ES, MS and HS Counselors
- School Psychologists

The Committee shall meet quarterly to review and address topics related to students' social and emotional development, including a review of bullying, abuse, harassment or anti-social behavior

referrals reported to and, subsequently addressed by counselors and/or principals. The committee may convene additional meetings to address a specific issue and/or serve as an appeal body should a matter be referred from the Principal, as well as promote training for school staff, students and parents on related issues.

In the case of alleged abuse by a school employee, the Headmaster shall be responsible for investigating, documenting and determining disciplinary actions. Depending on the circumstances this may include referral to the appropriate legal authorities. If allegations are determined to be true, it may result in termination of employment or other disciplinary measures.

Steps Followed After Disclosure



## **6. SUPPORTING STUDENTS AT RISK**

6.1 The school recognizes that children who are abused or who witness violence may find it difficult to develop a sense of self-worth or view the world as a positive place.

6.2 The school may be the only stable, secure and predictable element in the lives of children at risk. Nevertheless, while at school their behavior may still be challenging and defiant or they may be withdrawn.

6.3 The school will endeavor to support students through:

- a) The curriculum to encourage self-esteem and self-motivation.
- b) The school ethos which promotes a positive, supportive and secure environment and which gives all students and adults a sense of being respected and valued.
- c) A consistent approach which will endeavor to ensure the student knows that some behavior is unacceptable but he/she is valued.
- d) A commitment to develop productive, supportive relationships with parents, whenever it is in the child's best interest to do so.
- e) The development and support of a responsive and knowledgeable staff, trained to respond appropriately in child protection situations.
- f) Recognition that in a home environment where there is domestic violence, drug or alcohol abuse, children may also be vulnerable and in need of support or protection.

## **7. SAFE SCHOOL, SAFE STAFF**

7.1 It is essential that the high standards of concern and professional responsibility adopted with regard to alleged child abuse by parents are similarly displayed when members of staff are accused of abuse.

7.2 In the case of a staff member reported as an alleged offender, Nido de Aguilas will conduct a full investigation and take any and all professional and legal steps deemed necessary to protect students.

## **8. DEFINITION OF ABUSE AND NEGLECT**

### **8.1 Definition of Abuse and Neglect**

The primary determination of abuse is that it is dependent on some form of a relationship that is used to meet the need of the more powerful person, such as a member of the family, a teacher, or a friend. Abuse can be physical, emotional, and/or sexual in nature.

## 8.2 Abuse is:

- Inflicting physical injury on a child by other than accidental means, causing skin bruising, burns, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function, death; and/or
- Creating a substantial risk of physical harm to a child's bodily functioning; and/or
- Committing acts that are cruel or inhumane regardless of observable injury. Such acts may include, but are not limited to, instances of extreme discipline demonstrating a disregard of a child's pain and/or mental suffering; and/or
- Assaulting or criminally mistreating a child as defined by either the criminal code or school policy; and/or
- Engaging in actions or omissions resulting in injury to, or creating a substantial risk to the physical or mental health or development of a child; and/or
- Failing to take reasonable steps to prevent the occurrence of any of the above.

### POSSIBLE INDICATORS OF PHYSICAL ABUSE

- Unexplained bruises and welts on any part of the body
- Bruises of different ages (various colors)
- Injuries reflecting shape of article used (electric cord, belt, buckle, ping pong paddle, hand)
- Injuries that regularly appear after absence or vacation
- Unexplained burns, especially to soles, palms, back, or buttocks
- Burns with a pattern from an electric burner, iron, or cigarette
- Rope burns on arms, legs, neck, or torso
- Injuries inconsistent with information offered by the child
- Immersion burns with a distinct boundary line
- Unexplained laceration, abrasions, or fractures

## 8.3 Neglect is failure to provide for a child's basic needs within their own environment. Neglect may be:

- Physical (e.g., failure to provide necessary food or shelter, or lack of appropriate supervision -this would include failure to provide proper adult guardianship such as leaving children unsupervised at home for any extended period of time. Should parents/guardian leave the country for any reason, then the responsibility of informing the school of all appropriate contact details lies with the parent or guardian. Temporary

Change of Guardian Forms are available from Nido de Aguilas. These are expected to be completed prior to parents/guardians leaving the country); and/or

- Medical (e.g., failure to provide necessary medical or mental health treatment); and/or
- Emotional (e.g., a pattern of actions, such as: inattention to a child's emotional needs, failure to provide psychological care, or permitting the child to use alcohol or other drugs, specific examples may include verbal humiliation, refusing to acknowledge presence of child, invasion of privacy for no specific reason, violent threats, etc.)

#### POSSIBLE INDICATORS OF NEGLECT

- Child is unwashed or hungry
- Parents are uninterested in child's academic performance
- Parents do not respond to repeated communications from school
- Child does not want to go home
- Parents cannot be reached in the case of emergency

**Behavioral indicators in and of themselves do not constitute abuse or neglect nor does an accusation or alleged abuse equate to guilt. Together with other indicators, such as family dynamics, they may warrant a referral.**

**8.4 Sexual Abuse is** committing or allowing to be committed any sexual offense against a child as defined in either the criminal code of the host country or school policy, or intentionally touching either directly or through clothing, the genitals, anus, or breasts of a child for other than hygiene or child care purposes. Abuse includes sexual contact that is accomplished by force or threat of force, regardless of the age of the participants, and all sexual contact between an adult and a child, regardless of whether there is deception or the child understands the sexual nature of the activity. Sexual contact between an older and a younger child also can be abusive if there is a significant disparity in age, development, or size, rendering the younger child incapable of giving informed consent. The sexually abusive acts may include sexual penetration, sexual touching, or non-contact sexual acts such as exposure or voyeurism.



Sexual abuse has some different characteristics of child abuse that warrant special attention. While physical abuse is often the result of immediate stress and not usually planned, sexual abuse often requires planning with results that are more insidious. The planning, referred to as Grooming, often results in victims accepting the blame, responsibility, guilt and shame for the sexual behavior of the offender. Sexual abuse requires far more secrecy than other forms of child abuse, so is more difficult to report.

Many victims, through the process of grooming, are taught that the sex is a form of love, so children may present themselves as happy and well-adjusted with no negative symptoms because of their perception of being loved.

Working with the sexual offender cannot be done by school counselors.

#### POSSIBLE INDICATORS OF SEXUAL ABUSE

- Sexual knowledge, behavior, or use of language not appropriate to age level
- Unusual interpersonal relationship patterns
- Venereal disease in a child of any age
- Evidence of physical trauma or bleeding to the oral, genital, or anal areas
- Difficulty in walking or sitting
- Refusing to change into PE clothes, fear of bathrooms
- Child running away from home and not giving any specific complaint
- Not wanting to be alone with an individual
- Pregnancy, especially at a young age
- Extremely protective parenting

#### **Bullying / Conflict /Harassment**

Bullying, conflict, and harassment are similar, yet have distinct differences and vary in severity of response by the school.

**Harassment** - is a form of bullying that is based on discriminatory behavior, including but not limited to, a member of the Nido communities' race, color, national origin, gender identity, sex, disability, or religion. Harassment is considered a more severe form of bullying (<https://nobullying.com/harassment-and-bullying-is-there-a-difference/>)

**Bullying**- is the umbrella term and explicitly mentioned in Chilean law, and includes harassment (Article 16 B, Law 20,563). For a situation to be defined as bullying it requires the following criteria be met: intentional, repeated, with an imbalance of power.

(<https://www.stopbullying.gov/what-is-bullying/definition/index.html>).

**Conflict** - is defined as incidents that happen without a pattern or frequent repetition, there is relatively equal power between the conflicting parties where there is a “back and forth” between the parties (equal participation in the aggressive behavior), and can be intentional or unintentional.

Bullying, Harassment or Conflict can arise and be defined as such between, but not limited to, parents, students, staff, and faculty. (I.E. can be between students with other students, teacher to student, parent to student, parent to teacher, and a variety of combinations of conflict not specifically mentioned here yet fit the above criteria)

When addressing a situation between students, it is important to look at the definition of bullying to determine if the situation is, indeed, bullying, and determine the best course of action. These distinctions and definitions are also based on Chilean law (Article 16, Law 20,563)

The following criteria can assist in determining if a situation is a conflict or bullying behavior.

### **Conflict**

- Equal Power
- Can be intentional or unintentional
- Happens once in a while
- Goes back and forth

### **Bullying Behavior**

- Repeated
- Intentional
- Power Difference

Bullying is anti-social behavior further defined more explicitly as “every action or omission which constitutes repeated aggression or harassment, which is carried out within or outside the school grounds, by: a) students, who individually or collectively threaten another student, by making use of a situation of superiority or defenselessness of the affected student, which provokes in the latter mistreatment, humiliation or instills fear of being exposed to a grave wrongdoing, either by technological or any other means, taking in consideration his/her age and condition; b) whoever holds a position of authority, as can be a principal, teacher, teacher’s aide or other; c) by an adult or parent of the educational community against a student, other parents, teachers, or staff.” (Article 16, Law 20,563)

Bullying comes in many forms.

- **Physical bullying:** Pushing, kicking, hitting, including threats to harm another, and taking or damaging others' property
- **Verbal bullying:** Name-calling, sarcasm, gossiping, spreading rumors and persistent teasing
- **Emotional bullying:** Tormenting, humiliating, ridiculing, ignoring or excluding
- **Sexual Harassment:** Unwanted physical contact, comments of an unwelcome sexual nature
- **Harassment:** Gestures, taunts, graffiti, physical violence or mocking where discrimination is the basis for the harassment
- **Cyberbullying:** See below.

**Cyberbullying:** Cyberbullying comes in many forms and its definition is in constant change. With new applications being created annually, the below definitions and examples are limited based on the current technological trends. These contextual definitions and examples can be applied to new technology and applications not specifically mentioned here.

Our basic definition is: Cyberbullying is [bullying](#) that takes place using electronic technology. Electronic technology includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. Examples of cyberbullying include mean text messages or emails, rumors sent by email or posted on social networking sites, and embarrassing pictures, videos, websites, or fake profiles. <https://www.stopbullying.gov/cyberbullying/what-is-it/>

Cyber Bullying is often considered more severe than other forms of bullying because of the instant and permanent characteristics of modern communication technology.

Cyber Bullying through Chat Groups: This is defined as when students, parents, or faculty use chat groups to harass, intimidate, exclude, or cause psychological harm (intended or unintended) through the use of social media chat groups including Whatsapp, SnapChat, Facebook, or similar immediate applications of communications. This type of Cyberbullying takes on many different forms and can include, but not limited to, chatting negatively about another party with or without their knowledge, sharing compromising pictures or personal data of another party, or making false accusations.

The particular nature of these “instant” share applications amplify the psychological impact of the bullying chat due to both the instant nature of the application and the permanency of the data shared. This is why the

“intent” of the behavior is not part of the definition as is required by the definition of bullying not through technological means. Aspects of the definition of bullying (imbalance of power, intention, and repetition) are satisfied instantly in the case of technology use. Anyone who is sending data has immense power over another individual(s) regardless of the nature of the relationship outside of technology. Anyone who “post” “shares” “tweets” etc. one time has actually offended multiple and indeed uncountable amount of times based on the permanent and exponential possibilities of data sharing between individuals or groups. Anyone who engages in data sharing that leads to an incident of cyberbullying can be at fault, although it was not the original intention of collecting or sharing of the data. The preceding examples and definitions are in place to protect students, parents, teachers, and staff from incidents of aggression through the use of technology, and are widely defined such to include various future technological advances and giving validity to the suffering that is caused by this specific form of bullying.

This applies to class groups (parents, students, staff, or faculty), groups created for a particular event, or any similar virtual group created with the intent to share common information. In certain cases, that the group is created with the purpose to exclude, expose, or share information about a third party with or without their knowledge.

Bullying in any form is unacceptable and students who engage in any form of bullying behavior will be subject to serious disciplinary consequences, including suspension, withdrawal or formal expulsion from school. Bullying is a specific form of abuse. Abuse is a more general term that has a more broad definition. <https://nobullying.com/is-bullying-abuse/>

### **Aggressive Behavior, PHYSICAL AND VERBAL AGGRESSION :**

It is also helpful to differentiate aggressive behavior (physical, verbal, or technological) and bullying. Not all aggressive behavior fits the definition of bullying, yet bullying by its definition always includes aggressive behavior. As Rigby (2002) and Findley (2006) suggest, it is not the behavior itself so much as the context and nature of the behavior that makes it bullying. And if we don't make that distinction, we can over- or under- react. This conflict may include aggressive behavior, and yet still fit the definition of conflict (shown above). Yet when the conflict results in aggressive behavior or the aggressive behavior arises without conflict and includes repetition, imbalance of power, intent to harm, then it is considered bullying.