



Child Protection and Safeguarding Policy

Status: Revised Policy

Date for Next Review: December 2024



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

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Thank you in advance for your help!

Originator:	Policy owner:	Reviewed by:	Approved by:
Director of Education ESF Centre	Director of Education ESF Centre	Adviser for Safeguarding and Child Protection ESF Centre	SMT
Date: June 2009		Date: February 2024	Date: March 2024

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1. Policy document review

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

1.1 Review status

Review No.	Summary of Revision following Review	Reviewed		Approved	
		By	Date	By	Date
1	For review by SMT	Andrew Sortwell	June 2009	SMT	22 June 2009
2	Reworking and updating of original policy	Jonathan Straker	April / May 2015	SMT	June 2015
3	Reworking and updating of original policy; addition of Child Protection Code of Conduct	Tim Conroy Stocker	June 2018	SMT	August 2018
4	Policy refresh and addition of online learning guidelines	Hodson / Caldwell	August 2020	SMT	August 2020
5	Update of Online Safeguarding provisions following comprehensive review	Hodson / Caldwell	October 2020	SMT	8 December 2020
6	Reworking and updating of policy	Tracey Chitty	November 2022	SMT	10 January 2023
7	Reworking and updating of policy, addition of staff allegation guidance	Jaap Marsman	February 2024	SMT	

2. ESF vision

ESF's vision is for every student to be the best that they can be.

3. Purpose

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

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

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

This policy provides clear guidelines and procedures and an ethical and practical framework to support each school in determining appropriate and effective responses, including situations where harm occurs online or through digital means. This policy adheres to the laws of Hong Kong, guidance provided by the Social Welfare Department, International laws, and the United Nations Convention on the Rights of the Child.

4. Scope

This policy applies to all situations within ESF where adults work directly with students including:

- ESF Centre
- ESF Language and Learning Centre
- ESL Services
- ESF Explore
- ESF Jockey Club Sarah Roe School
- Kindergartens
- Primary schools
- Private independent schools
- Secondary schools

To ensure the protection of ESF students this policy addresses all forms of child maltreatment: neglect, physical harm, sexual abuse, and psychological harm.

5. Definitions

ACA	Against Child Abuse
Allegation	Part of a disclosure that alleges (a) perpetrator(s) as the principal source of maltreatment. Alleged perpetrators can be peers, family, extra-familial and/or ESF staff members.
CAIU	Child Abuse Investigation Unit
Chief Executive	Chief Executive Officer of ESF
Child	Any person under the age of 18
CPO	Child Protection Officer
CPSIT	Child Protection Special Investigation Team
ESF	English Schools Foundation
ESL	ESF Educational Services Limited
FCPSU	Family and Child Protection Services Unit of the SWD
HOS	Head of School in an ESF school/kindergarten
JCSRS	ESF Jockey Club Sarah Roe School
Peer	A person of similar age to another
Principal	Principal of an ESF school or an ESL school or kindergarten
Senior Managers	Members of the Senior Management Team of ESF or the Management Team of ESL
Staff Member	Any employee of ESF or ESL
SLT	Senior leadership team
SWD Guidelines	The Protecting Children from Maltreatment - Procedural Guide for Multi-disciplinary Cooperation, Revised 2020 (Updated 2020).
SWD	Social Welfare Department of the Hong Kong Government
SWO	Social Welfare Officer of the SWD

6. Statutory and professional duties of ESF staff

ESF staff are responsible for the wellbeing of children in their care, governed by legal and professional guidelines. The common law's duty of care principle recognises the vulnerability of children and the power imbalance between them and adults, resulting in a heightened duty of care for teachers. ESF staff are subject to statutory duties and standards of conduct as outlined in the *Guidelines on Teachers' Professional Conduct*. Registered teachers and social workers have a professional obligation to report suspected child abuse. Principals/heads of schools have a duty to protect children from harm. Child protection is everyone's professional and legal responsibility.

7. Communication and coordination in suspected child protection cases

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

The school is part of a wider system involving other agencies such as the Social Welfare Department, doctors, and police, so close and positive liaison is essential and should be based on trust and understanding of each other's roles. The school is not isolated, nor should it place itself in a position of isolation. At times, child protection issues involve more than one ESF school and open communication between principals/heads of school and CPOs is essential. Understanding and communication between agencies is crucial for good child protection practices.

8. Definition of child maltreatment

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

Such acts are not limited to a child-parent/guardian situations but can include anyone entrusted with the care and control of a child, e.g. child-minders, relatives, teachers, peers, students etc. Maltreatment may also be perpetrated by someone unknown to the child.

CPOs, in consultation with the principal/head of school where appropriate, determine if there is a basis for a reasonable suspicion of maltreatment and/or harm. This assessment involves considering various factors such as the child's age, the act(s), the consequences of the act(s) on the child, and the frequency and nature of the incident.

Child-on-child abuse denotes harmful behaviour by one child towards another child of any age. Inappropriate child-on-child behaviour may take the form of physical, sexual, emotional, or financial abuse and may also include coercive control exercised between children and within children's relationships (both intimate and non-intimate), friendships and wider peer associations (**Appendix H**).

There are four main areas of child maltreatment: physical harm, sexual abuse, neglect, and psychological harm (**Appendix A**).

8.1 Physical harm

Physical harm refers to physical injury or suffering inflicted on a child by violent or other means (e.g. punching, kicking, striking with an object, poisoning, suffocation, burning, or shaking an infant) where there is definite knowledge or reasonable suspicion that the injury has been inflicted non-accidentally. Physical harm may also include Fabricated or Induced Illness (FII).

8.2 Sexual abuse

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

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

Sexual abuse may be committed inside or outside the home, through social media or the internet by perpetrators acting individually or in an organised manner. It includes luring a child through rewards or other means and includes sexual grooming, which refers to deliberately establishing a relationship or an emotional connection with a child by various means to gain their trust with an intent to sexually abuse them (e.g. communicating with a child through a mobile phone or the internet).

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

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

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

8.3 Neglect

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

- Physical neglect includes failure to provide necessary food/clothing/shelter, failure to prevent physical injury/suffering, lack of appropriate supervision, leaving a young child unattended, improper storage of dangerous drugs resulting in accidental ingestion by a

child or allowing a child to stay in a drug-taking environment resulting in inhalation of the dangerous drugs by a child; or

- Medical neglect includes failure to provide necessary medical or mental health treatment; or
- Educational neglect includes failure to provide education or ignoring educational needs arising from a child's disability.

8.4 Psychological harm

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

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

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

In accordance with SWD Guidelines (**Appendix B**), there may be cases of child maltreatment and harm that warrant reporting without gaining the consent of students or parents, for example:

- If the parents, guardians, or an extended family member are suspected of being responsible for the abuse, informing them of the report might result in further harm to the child.
- When the student or parent refuses, but the concern remains high regarding the level of risk to the child.
- When the parents or guardians are not acting protectively in the best interest of the child.

The Personal Data (Privacy) Ordinance (Cap 486) provides that personal data can be processed without consent where such processing is for the prevention or detection of crime (s58) or where it is necessary to avoid serious harm to the physical or mental health of a person (s59).

The rationale behind a decision to report without the consent of the child and/or family must be clearly recorded on RecordMy as part of the child's chronology.

10. The decision to report - acting in the best interest of the child

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

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

11. Reporting Standards

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

1. Be factual and objective.
2. Provide context and clarity.
3. Be timely and organised.
4. Reflect consent and confidentiality.
5. Be ethical and professional.
6. Demonstrate communication and collaboration.

These six standards are detailed further in **Appendix P**.

12. Online safeguarding and child protection

Children can experience harm and maltreatment online by people known to them and/or by people not known to them. Online maltreatment may occur through social media, messaging apps, emails, gaming, live-streaming sites, or other digital communication channels. Children who are harmed offline may be re-victimised online if their maltreatment is live-streamed or recorded and uploaded online. Online safeguarding protects children's safety when using any device over the internet.

Online harm can be categorised into four risk areas:

1. **Content** - Children of all ages can be exposed to inappropriate, harmful, or illegal content (e.g. pornography, misogyny, self-harm, sexual violence etc.).
2. **Contact** - Children can be subjected to harmful online contact with other users (e.g. peer pressure, adults posing as children to groom or exploit children for sexual, criminal, financial or other purposes).
3. **Conduct** - Personal online conduct that increases the likelihood of harm (e.g. sending and receiving consensual and non-consensual photos, recordings, images; online bullying, allowing others access to locations etc.).
4. **Commerce** - Children can be both victims and perpetrators of problem commerce-based behaviour (e.g. online gambling, phishing, financial scams etc.).

Schools shall be accountable for compliance with this policy in relation to their practices and engagement when engaging with students online (refer to **Appendix C** for further guidance).

13. Proactive management of child protection and safeguarding

13.1 Ongoing training

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

13.2 Curriculum and course materials

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

13.3 Annual declaration

Each staff member should complete the Annual ESF Child Protection Declaration and the ESF Staff Code of Conduct for Child Protection and the Safeguarding of Students via Gateway before the end of August.

14. Reactive management of child protection and safeguarding

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

1. Disclosure (Appendix D)	
In all cases the CPO will follow the steps below:	Where the alleged perpetrator is a staff member, the principal/head of school will coordinate with the CPO and follow the additional steps below:
<ul style="list-style-type: none"> 2. Recording (Appendix E) 3. Child Protection Officer(s) coordinate response 4. Case conference to determine next steps: <ul style="list-style-type: none"> a. Monitoring b. Working with parents/guardians c. Referral / involvement of 	<ul style="list-style-type: none"> 2. Recording (Appendix E) 3. Principal/head of school to coordinate response (Appendix N) 4. Case conference / assessment panel to determine next steps: <ul style="list-style-type: none"> a. Internal investigation b. Report to authorities c. No further action 5. Ongoing support for victim, staff

other agencies	member and others
5. Ongoing support for victims and others	

The procedural flowchart (**Appendix F**) and procedural guidelines (**Appendix G**) outline the various actions that may occur and the sequence when managing a case of suspected harm and or maltreatment.

Where the alleged perpetrator is a staff member, the steps detailed in **Appendix N** are to be read in conjunction with the Disciplinary Policy.

15. Determining measures to ensure confidentiality

In all suspected child protection cases, communication must be treated with confidentiality. Sensitive information is shared only with the group monitoring the case on a ‘need to know’ basis. It will rarely be appropriate for all staff to be made fully aware of the details of the case.

All records relating to suspected maltreatment and/or harm cases must be kept solely in RecordMy. Through RecordMy, child protection records must be restricted to the CPO and the school principal/head of school. In no circumstances are child protection records kept in a child’s general file.

16. Responsibilities

The Director of Education is the policy owner. The contact officers for this policy are:

- Director of Education
- Adviser for Safeguarding and Child Protection (ESFC)

The Director of Education is responsible for leading the development and professional learning of CPOs throughout the Foundation.

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

16.1 Director of Education

The Director of Education is responsible for communicating this policy and monitoring its implementation. For advice and guidance regarding child protection cases, contact can be made with the Adviser for Safeguarding and Child Protection.

16.2 Adviser for Safeguarding and Child Protection

The Adviser for Safeguarding and Child Protection, with support from the ESF CPOs and guidance from the Director of Education, is responsible for:

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

16.3 Principals/heads of school

Principals/heads of school are responsible for:

- appointing at least one, preferably two or more, CPOs who have access to appropriate training and support, along with the capacity to fulfil the requirements of this role.
- onboarding new CPOs with the necessary skills and training in preparation for the role.
- providing an alternative route for reporting and acting as a support and sounding board to the appointed CPOs.
- providing support and guidance for all external referrals. CPOs should not make external referrals without discussing and exploring the next steps with the principal/head of school.
- the implementation of this policy and ensuring all procedures and guidelines are adhered to.
- ensuring new staff receive the initial child protection training as developed by the school through induction and staff training.
- ensuring the correct procedures are followed appropriately and fairly in the interests of each child and with due regard to the Hong Kong legal framework and SWD guidelines and procedures (**Appendix B**).

16.4 Child Protection Officers

Child Protection Officers, working with the principal/head of school, are responsible for:

- ensuring the rights of the child are central to all child protection discussions and decisions.
- managing any child protection concerns arising in accordance with the procedures and guidelines (**Appendices F & G**).
- accurate record keeping of reported child protection concerns, along with all follow-up actions, conversations, and referrals (**Appendix E**).

- liaising with the relevant statutory agencies (**Appendix I**).
- engaging with caregivers, where appropriate, to establish safety and protection for children.
- delivering ongoing child protection and safeguarding training for all staff, tailored according to role and responsibility. Core training involves the introduction of the Child Protection and Safeguarding policy to all staff; further training expands knowledge and understanding of the various aspects of child protection (**Appendix B**).
- ensuring all parent helpers, associates, interns, consultants, guests, and visitors who enter the school buildings are made aware of the Child Protection and Safeguarding policy. This can be through a variety of ways, including but not limited to handouts at reception, posters placed in strategic places around the school, and information on the back of lanyards etc.

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

16.5 Staff members

Staff members at ESF and ESL schools are responsible for:

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

16.6 Social workers and counsellors (where available)

Social workers and counsellors are responsible for:

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

17. Compliance

ESF staff must follow the procedures outlined in this policy and ensure the child's safety is paramount in all decisions and actions.

A central policy obligation is adherence to SWD guidelines (**Appendix B.6**). Where these

guidelines indicate that a case should be referred to the FCPSU, the CPO or principal/head of school/senior manager must do so without delay and not deal with such cases in isolation unless it is determined to not be in the best interests of the child (refer to Section 9 of this policy).

Any matters concerning implementing this policy in a particular school/organisation should be raised with the CPO or principal/head of school. Any matters concerning noncompliance should be raised with the Director of Education.

Appendix A Checklist for identifying possible child maltreatment

The presence of any one or a combination of these indicators is not in itself any proof of child maltreatment. However, these indicators should alert us to the possibility of child maltreatment.

1. Signs or symptoms which may possibly indicate neglect

Physical and environmental indicators

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

Behavioural indicators

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

2. Signs or symptoms which may indicate physical harm

Behavioural indicators

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

Physical indications

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

Categories of physical harm

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

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

Physical indicators

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

Behavioural indicators of the child

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

Behavioural indicators of the carer

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

4. Signs or symptoms which may indicate sexual abuse

Physical indicators

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

Behavioural indicators

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

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

Appendix B Further references

1. **Addressing child-on-child abuse: a resource for schools and colleges**
<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/addressing-child-on-child-abuse.pdf>
2. **Child Abuse...It Matters to You**
<http://www.swd.gov.hk/vs/doc/publicity/Child%20Abuse%20It%20Matters%20You.pdf>
3. **Convention on the rights of the child**
https://www.cmab.gov.hk/doc/en/documents/policy_responsibilities/CRC_comic.pdf
4. **Education Bureau Circular No. 1/2020 Handling Suspected Cases of Child Maltreatment and Domestic Violence**
<https://applications.edb.gov.hk/circular/upload/EDBC/EDBC20001E.pdf>
5. **Hong Kong Family Court Tables - indispensable information written by experts for litigants and legal practitioners in the family courts**
<https://www.duxburyetc.hk/home>
(Pages 101 - 113 contain websites and contacts to support issues related to children, domestic violence, financial difficulty, legal assistance, adoption, temporary accommodation and hotlines for women and men)
6. **Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary Cooperation**
[https://www.swd.gov.hk/storage/asset/section/1447/en/Procedural_Guide_Core_Procedures_\(Revised_2_020\)_Eng_2Nov2021.pdf](https://www.swd.gov.hk/storage/asset/section/1447/en/Procedural_Guide_Core_Procedures_(Revised_2_020)_Eng_2Nov2021.pdf)
7. **Relevant Ordinances** related to child protection and child abuse include:
 - [Protection of Children and Juveniles Ordinance, Cap 213](#)
 - [Evidence Ordinance, Cap 8](#)
 - [Domestic and Cohabitation Relationships Violence Ordinance, Cap 189](#)
 - [Criminal Procedure Ordinance, Cap 221](#)
 - [Live Television Link and Video Recorded Evidence, Cap 221](#)
 - [Education Ordinance, Cap 279](#)
 - [Adoption Ordinance, Cap 290](#)
 - [Child Abduction and Custody Ordinance, Cap 512](#)
8. **UN Convention on the rights of the child**, November 1989. Available at:
<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
9. **Guidelines on Teachers' Professional Conduct**, Education Bureau.
https://www.edb.gov.hk/en/teacher/guidelines_tpc/index.html
10. **Code of Practice for Registered Social Workers**, Social Workers Registration Board.
<https://www.swrb.org.hk/en/Content.asp?Uid=14>

11. **English Schools Foundation Ordinance 2016.**

https://www.elegislation.gov.hk/hk/cap1117?xid=ID_1438402577350_003

Appendix C Online safeguarding and child protection guidelines

Strong communication is the most effective way to support the online safeguarding approaches by our staff, students and parents/caregivers. Schools should ensure that all understand the following principles:

Students should	Staff should	Parents/caregivers should
<ul style="list-style-type: none">● Be able to recognise when they feel safe/comfortable● Know who they can reach out to if they have a concern	<ul style="list-style-type: none">● Know about safe online working practices● Know about their responsibilities in safeguarding students	<ul style="list-style-type: none">● Know their responsibilities in helping to keep their children safe● Understand the schools' commitments and expectations concerning safeguarding

1. Securing the privacy of students online

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

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

Schools may seek the assistance of the Head of Information Technology at ESFC for support in vetting online tools and systems, as appropriate, for use in relation to online learning and online safeguarding.

2. One-to-one online sessions

A one-to-one session is any occasion where an adult meets with a student, out of sight or earshot of any other people.

ESF Policy Position	Working Guidance
<p>Permit one-to-one sessions with safeguarding measures. No mandatory recording is required.</p>	<p>Only ESF staff may hold one-to-one engagements with students during the normal school day. Staff will follow best practices to manage the safety and wellbeing of both participants, and schools will communicate these practices to students, parents and caregivers.</p> <p>Safeguarding measures:</p> <ul style="list-style-type: none"> ● Using school-approved platforms and/or video/audio conferencing tools ● Making users aware of their rights, including the ability for either the student or teacher to terminate the session at any time, and to voice concerns with a counsellor, senior leader or the Adviser for Safeguarding and Child Protection ● Communicating one-to-one session expectations with parents and caregivers ● Volunteers, such as student teachers, are not permitted to hold one-to-one sessions

3. Peer-on-peer sessions

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

ESF Policy Position	Working Guidance
Permit peer-on-peer activities	<p>ESF schools may make available online spaces that are not always directly supervised by a teacher or other staff member (such as breakout rooms, collaborative online workspaces, student-to-group presentation spaces etc).</p> <p>Students, their parents and caregivers are reminded that these online spaces are to be treated as any other unsupervised physical space at school and that all behavioural expectations still apply. Teachers and school leadership will address any peer-on-peer issues in these online spaces accordingly.</p> <p>Safeguarding measures:</p> <ul style="list-style-type: none">● Reviewing school-level behavioural expectations for students in peer-on-peer environments● Providing clear guidance and support for student leaders and other students hosting peer-on-peer sessions● Encouraging staff to “drop in” on peer-on-peer sessions where appropriate

4. Use and distribution of online materials

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

- Lesson materials
- Photos, videos or audio recordings
- Content published online

ESF Position	Working Guidance
ESF materials, resources and content are not to be shared outside of their intended distribution zone without express permission from an appropriate ESF staff member	<p>ESF schools, teachers and students may, in the course of their online learning, make available online resources or materials, including video or audio recordings, that involve themselves, students and/or others.</p> <p>Staff, students, parents and caregivers are reminded that all online materials are under ESF copyright unless clearly marked as owned by another, and use and distribution of that material are prohibited without ESF's permission.</p> <p>Safeguarding measures:</p> <ul style="list-style-type: none">● Guidance/communications for staff, students, parents and caregivers regarding the ESF Academic Integrity Policy● Permission must be granted by SLT for any requests to share ESF materials outside of school

5. Unauthorised recording of online learning

Unauthorised recording refers to the recording of any ESF online audio or video conferencing session (including but not limited to lessons, one-to-one, and peer-on-peer sessions) without the express permission of the relevant teacher, SLT or ESF staff member. Students, parents and caregivers may withdraw consent for students to be recorded.

ESF Position	Working Guidance
Online learning may only be recorded by ESF staff. Students, parents and caregivers may withdraw consent to be recorded.	<p>Only ESF staff may record online learning (such as lessons or peer-on-peer sessions). Schools and staff commit to ensuring all recordings, whether they are lessons or products of learning, are made using approved platforms and are stored securely by schools.</p> <p>Students, parents or caregivers may withdraw consent to be recorded.</p> <p>Safeguarding measures:</p> <ul style="list-style-type: none">● The right of students or parents to withdraw recording consent, and communication of those rights as appropriate● Guidance on the ESF Personal Data Handling & Data Privacy Policy● Good recording practices guidance for staff

6. Presence of parents and caregivers in online learning

Parents and caregivers may be asked to provide support to young students and students with different needs during online lessons. It is important to reiterate that presence during an online lesson is at the request of the school or teacher, to assist with the facilitation of learning.

ESF Position	Working Guidance
Schools are encouraged to seek parental support and involvement in online lessons where appropriate. Parents should have a clear understanding of what constitutes acceptable involvement.	<p>ESF schools expect that students engaging in online lessons will do so with the same level of independence that they would when physically on campus.</p> <p>Schools will assess their year levels/students by need and set clear expectations for parental assistance where additional support is required.</p> <p>Safeguarding measures:</p> <ul style="list-style-type: none">● Schools to make clear the expectations for parental or caregiver involvement when and where they are required

7. Using volunteers in online learning

A volunteer is any approved non-student, non-ESF employed person who is engaged to assist in the delivery of online learning. A volunteer may include a student teacher or subject matter expert involved in a particular learning topic.

ESF Position	Working Guidance
Continue to permit volunteers and other non-ESF employees where schools see it as appropriate; schools to review their volunteer agreements.	<p>ESF schools may involve volunteers and other non-staff (such as student teachers) in online learning environments. Schools will review their volunteer agreements considering possible future online involvement. All required child protection and safeguarding declarations must be made by volunteers and schools will follow best practices to keep them and the students safe.</p> <p>Safeguarding measures:</p> <ul style="list-style-type: none">● Review of volunteer agreements● Guidance for volunteers around online safeguarding expectations

8. Online safeguarding for audio and/or video conferencing

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

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

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

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

9. Resources for online safeguarding and child protection

- **Safeguarding Network: Online safety and cybercrime**, available at: <https://safeguarding.network/content/safeguarding-resources/online-safety/>
- **International Centre for Missing and Exploited Children: Online Safety Education**, available at: <https://www.icmec.org/education-portal/online-safety/>
- **Get Safe Online**. Available at: <https://www.getsafeonline.org/>

Appendix D Staff guide to dealing with reports of maltreatment

When a child is telling you about a case of maltreatment, it is important to:

- stay calm.
- reassure the child. Tell them they are doing the right thing and that you are pleased they are confiding in an adult. Praise them for having the courage to come forward.
- tell the child that the information they are giving you will be taken seriously and looked into by the school and outside agencies if necessary.
- explain to the child that it is necessary, in order to help them, that you will have to tell certain other parties but assure them that this will not be general knowledge within the school community.
- tell the child whom you will be confiding to next and why. Assure them that (in the case of maltreatment by a parent, or an extended family member) their parents will not be informed until there has been further discussion(s).
- validate their feelings.
- tell them that it is not their fault.
- encourage the child to talk. Listen to them rather than ask leading questions.
- check that you have a full understanding of what the child has told you before the end of the discussion.
- be aware that the child may retract all that they have told you either in the initial interview or later. It is important that you still report it.
- find out if the child has told anyone else, either in or outside of school, this information.
- promptly make a detailed report on RecordMy of all the information using the child's language. Include questions asked but do not include your own opinion or comments. This must be recorded in as much detail as possible so that the child does not have to repeat the details of maltreatment unnecessarily.

When a child is telling you about a case of maltreatment, you must refrain from:

- transmitting anger, shock or embarrassment.
- promising confidentiality. Assure the child that you will make every attempt to help them but let them know that you may have to tell other people about the incidents in order to help.
- asking leading questions or pressing for information.
- telling the child that what has happened to them is "dirty, naughty or bad" in any way.
- commenting on the offender and their morality. It may be someone the child loves.
- talking to anyone about what the child has told you save for, as necessary, to safeguard the best interests of the child.
- acting without informing the CPO/principal/head of school unless delaying taking any action in order to inform the CPO/principal/head of school is not in the best interests of the child.

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

1. What to record

Consideration should be given to any or all of the following:

1. **Patterns of attendance:** Unexplained absences or those that follow a pattern.
2. **Nature and quantity of contact with parents/domestic helpers/caregivers**
3. **Nature and quantity of contact with school staff:** Nurses, EA, frequently seeking out attention and/or reassurance.
4. **Body language and behaviour:** Changing behaviour associated with a particular time or day; marked changes in behaviour or attitude over time; eating disorders or changes in eating patterns; complaints about feeling unwell, difficulties walking or sitting; sexualised behaviour, symptoms of drug/solvent use. Mood (and changes in this) reactions to adults coming to collect the child.
5. **Language:** Either explicit or ambiguous.
6. **Play:** Acting out maltreatment in play situations or drama; exhibiting extreme aggression or withdrawal; change in play
7. **Drawing and writing (including online):** Pictures or people with detailed genitalia; suspicious incidents in diaries or news; detailed stories of maltreatment in “imaginative” writing.
8. **Medicals and Physical Education:** Reluctance to undress; bruising; torn clothing; bloodstains; smell of semen.
9. **Indications of neglect:** Inappropriate clothing; poor personal hygiene; strong attention or affection seeking; underweight or small for age.
10. **Injuries to the child:** Bruises, lacerations and welts, burns and scalds, injuries or medical problems that do not receive medical attention.
11. **Relationships (including online):** Inappropriate dialogue, conversation, or contacts.
12. **Record any individual needs of the child.**

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

2. How to record

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

- **The record must only contain facts.** These records may be open to disclosure to parents and legal representatives, so they must only contain factual material. It is important not to interpret what is seen or heard but to record observable and factual information. This will

also help reduce teachers' concerns about committing such sensitive matters to paper.

- **Day, date, time, and place should be included.** This will make it possible to discern any patterns of behaviour more easily.
- **Background information** should be included to put the incident in context. The events leading up to and surrounding an incident can be as important as the incident itself. Examples of such relevant information would include details of the setting, triggering factors, and school routine that might have a bearing on the observed behaviour.
- **Any record of the child's words should be verbatim** and not the teacher's interpretation of the child's words. This would include the child's words for the body parts rather than the adult ones used by the teacher. Where a teacher tries to clarify what a child is trying to say, the record should include details of the teacher's questions.
- **Photographic evidence.** Do not take photographic evidence of injuries to the child unless requested by the FCPSU and when the child has provided consent. Where possible, photographs must be taken on a school device by the medical professional or nurse. If no school device is available, a personal device may be used, provided that the image is transferred as soon as possible to a school device and the image is deleted from the personal device. If a student does not give consent to be photographed, do not photograph. Injuries and or evidence of maltreatment involving the intimate areas of a child are not to be photographed. FCPSU and/or police will provide the next steps.

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

3. Transfer of records

Transfer between ESF schools

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

- the CPO from the current school/ kindergarten should communicate any relevant case information to the CPO in the receiving school.
- complete the transfer between schools using the RecordMy transfer functionality.
- once the new school has received the record, the previous school's records will automatically be archived.

Transfer outside ESF

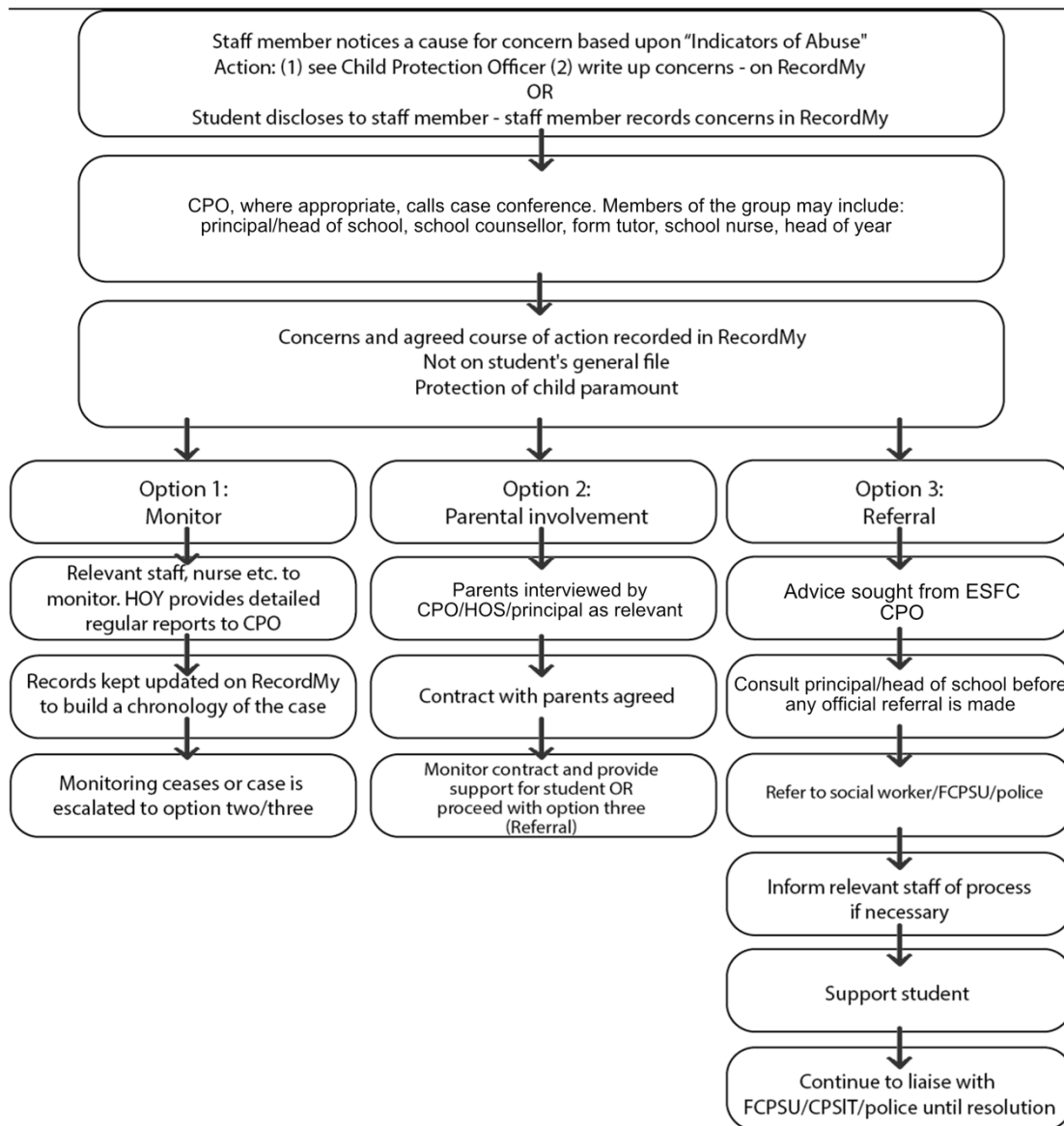
When a CPO or another representative from a school outside the ESF requests safeguarding or child protection information, Hong Kong data privacy laws apply. You cannot send information to a requesting school without parental consent, regardless of whether the school is in Hong Kong or not. Be mindful that privacy laws differ per country. Any handover, be it verbal or

written, would require parental consent.

To ensure pertinent information can be transferred legally, the following steps are to be taken:

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

Appendix F Procedural flowchart for managing allegations not against staff



Appendix G Procedural guidelines

1. Disclosure

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

2. Recording

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

3. Child Protection Officer(s) coordinated response

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

4. In-school case conference

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

The conference is led by the CPO and may include:

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

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

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

The outcomes of the conference will be recorded and added to the RecordMy account under the name of the child in question.

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

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

5. Monitoring concerns

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

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

6. Key components of a monitoring system

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

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

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

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

7. Working with parents/guardians

Parents and children will feel more confident about the school's ability to deal with the problems if they know that a constructive policy is operating within the school. Good liaison with parents will ensure that they understand the role and duties of school staff in promoting child protection.

8. Referral/involvement of other agencies

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

A. Referral to FCPSU

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

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

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

9. Ongoing support for victims and others

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

A. Care for students

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

the student needs access to further support, such as counselling.

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

B. Care for staff

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

Appendix H Child-on-child abuse

1. Introduction

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

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

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

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

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

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

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

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

- involves a misuse of power.

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

Normal (Green)	Inappropriate (Amber)	Problematic (Amber)	Abusive (Red)	Violent (Red)
<ul style="list-style-type: none"> ● Developmentally expected and socially acceptable behaviour ● Consensual, mutual and reciprocal ● Decision-making is shared 	<ul style="list-style-type: none"> ● Single instances of developmentally inappropriate sexual behaviour ● Behaviour that is socially acceptable within a peer group ● Generally consensual and reciprocal ● May involve an inappropriate context for behaviour that could otherwise be considered normal 	<ul style="list-style-type: none"> ● Developmentally unusual and socially unexpected behaviour ● May be compulsive ● Consent may be unclear, and the behaviour may not be reciprocal ● May involve an imbalance of power ● Doesn't have an over element of victimisation 	<ul style="list-style-type: none"> ● Intrusive behaviour ● May involve a misuse of power ● May have an element of victimisation ● May use coercion and force ● May include elements of expressive violence ● Informed consent has not been given (or the victim was not able to consent freely) 	<ul style="list-style-type: none"> ● Physically violent sexual abuse ● Highly intrusive ● May involve instrumental violence which is physiologically and/or sexually arousing to the perpetrator ● May involve sadism
Response guidelines	Response guidelines		Response guidelines	
<ul style="list-style-type: none"> ● Although green behaviours are not concerning they still require a response. ● Listen to what students have to say and respond calmly and non-judgmentally ● Talk to parents about developmentally typical sexualised behaviours ● Explain how parents can positively reinforce messages about appropriate sexualised behaviours and act in ways to keep their children safe from abuse ● Signpost helpful resources ● Make sure young people know how to behave responsibly and safely. 	<ul style="list-style-type: none"> ● Amber behaviours should not be ignored ● Listen to what students have to say and respond calmly and non-judgmentally ● Follow ESF's Child Protection procedures and make a report of your concern on RecordMy ● The Child Protection Officer will help to determine whether the young person needs therapeutic support and will help to make a referral as appropriate. 		<ul style="list-style-type: none"> ● Red behaviours indicate a need for immediate intervention and action ● If a child is in immediate danger call the police ● Follow ESF's Child Protection policy and report your concern on RecordMy immediately ● The Child Protection Officer will help determine the next best steps to ensure safety and support for the student(s) involved. 	

(Adapted from “Harmful sexual behaviour framework: an evidence-informed operational framework for children and young people displaying harmful sexual behaviour, second edition”, NSPCC)

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

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

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

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

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

Where a concern arises, the CPO should ensure that there is appropriate communication and co-ordination of the school’s response to the concern.

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

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

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

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

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

Before deciding on the appropriate action to take the school should always consider the following:

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

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

4. Safety plans

The school should always carry out a safety plan (**Appendix L**) in respect of:

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

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

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

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

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

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

must be concrete information that leads the CPO to believe that the student may have been maltreated.

Establishing the credibility of the concern involves establishing:

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

A. Reporting of child-on-child abuse

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

B. Reporting to the police

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

However, if the school determines that following the guidelines is not in the best interests of the child or children involved, they may choose to deviate from the guidelines.

Communication with ESFC is required for this step. In this case, the school must carefully document the reasons for their decision, and any safeguarding action employed, in RecordMy.

C. Reporting to FCPSU

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

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

Appendix I Community contacts

1. **Against Child Abuse**, (2022). Available at: <https://aca.org.hk/tc/>
2. **Contact Information for Social Welfare Department Family and Child Protective Services Units**, (2022). Available at: [https://www.swd.gov.hk/storage/asset/section/224/en/Updated_contact_information_\(English_version\).pdf](https://www.swd.gov.hk/storage/asset/section/224/en/Updated_contact_information_(English_version).pdf)
3. **End Child Abuse Sexual Abuse Foundation**, (2022). Available at: <https://www.ecsaf.org.hk/en-hk/>
4. **Family and Child Protective Services Units of the Social Welfare Department contact numbers:**

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

5. **Police liaison contact numbers:**

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

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

6. Hotlines:

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

Appendix J Role of the Child Protection Officer

Child protection is a complex issue with five key areas to be considered:

1. Monitoring concerns/suspicion
2. Dealing with clear indications of possible maltreatment
3. Coping with known victims
4. Dealing with parents and community
5. Curriculum development and/or consultation*

**particularly in student agency/ autonomy, and Relationships and Sexuality Education Policy.*

The CPO must:

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

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

Appendix K Childhood timeline: Rights and responsibilities

Hong Kong Family Court Tables - Indispensable information written by experts for litigants and legal practitioners in the family courts (pages 104 - 106), October 2023; by Hong Kong family lawyers. Available at: <https://www.duxburyetc.hk/home>

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

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

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

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

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

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

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

Name of student:	
Year group/ class/ advisory:	
Role in the alleged incident:	<i>(alleged responsible for behaviour or impacted by it)</i>
Date safety plan compiled:	
Background information: <i>An overview of the context; the specific concern(s)/ allegation(s); any relevant detail about relationships; any power differentials; frequency of alleged behaviour; any changes in alleged behaviour over time.</i>	
Action taken to date:	
Advice received from any external or internal agencies: <i>(i.e. school social worker; EDB; police liaison; school counsellors; external psychologist)</i>	
Relevant information about the student: <i>(relevant medical information; previous concerns about behaviour; needs or harm that student may have been exposed to)</i>	
Student/ parents' wishes and feeling regarding proposed safety plan: <i>(Student/ parents to be consulted after safety plan written, and any amendments or comments documented here)</i>	

Identify and assess level and nature of risk:	
In school: <ul style="list-style-type: none"> ● <i>locations</i> ● <i>activities</i> ● <i>contact with particular students</i> ● <i>transport arrangements to and from school</i> 	Contexts outside the school: <ul style="list-style-type: none"> ● <i>at home</i> ● <i>in relationships with friends</i> ● <i>peer groups</i> ● <i>interactions in the neighbourhood</i> ● <i>online activity</i>
Steps and controls that can be put in place to reduce or manage these risks:	
How will safety be ensured:	<i>(may include separating students who present risk from those who may be affected)</i>
b) out of the classroom	
c) during unstructured or extra-curricular activities (including EOTC)	
How will the student be supported?	<i>(If student is affected by the alleged behaviour)</i>
Are there other trusting relationships which can be drawn upon?	
How will the student's behaviour be managed?	<i>(if relevant)</i>
Are there specific triggers for behaviour?	
Is there any language that should specifically be used or avoided?	
Is a positive handling plan in place?	
What targeted interventions will be put into place?	<i>(these will address the underlying attitudes or behaviours of the student; emotional, behavioural, psychological or physical needs)</i>
Within school	

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

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

Appendix M Procedural flowchart for managing allegations against staff

This flowchart is to be read in conjunction with the procedural flowchart (**Appendix F**) and the procedural guidelines (**Appendix G**) for coordinating responses in protecting the student(s). The steps from this flowchart are detailed in **Appendix N**.



Appendix N Procedural steps for managing allegations against staff

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

1. Receiving the allegation

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

The report must be made to the Director of Education and ESF Centre CPO if the allegation is against any of the following:

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

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

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

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

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

2. Establish an assessment panel

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

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

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

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

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

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

2.1 Purpose of the assessment panel

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

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

3. Establish safety

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

An immediate assessment should be conducted and will consider:

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

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

4. Decision whether an investigation is warranted

4.1 Decision criteria

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

1. Credibility:
 - Are there any witnesses or individuals who can provide first-hand accounts or corroborating information?
 - Is there any physical evidence or documentation supporting the allegation?

- Are there any inconsistencies or discrepancies in the information provided that need clarification?
2. Seriousness:
 - If true, does the alleged behaviour or action violate organisational policies, codes of conduct, or legal obligations?
 - What potential harm or impact could the alleged behaviour have on the individuals involved?
 3. Relevance:
 - Does the alleged behaviour pose a safeguarding/child protection risk?
 - Are there any specific policies or guidelines addressing the alleged behaviour or actions?
 4. Corroborating information:
 - Are there any additional witnesses or sources of information that can support or provide further insight into the allegation?
 - Can digital evidence, such as emails, messages, or records, help corroborate the allegation?
 5. Plausibility:
 - Does the available information and evidence support the likelihood of the alleged behaviour or action occurring?
 - Are there any alternative explanations or factors that need to be considered?
 6. Discernible impact:
 - What potential harm or impact could the alleged behaviour have on the individuals involved?
 - Have any observable changes in behaviour, emotional wellbeing, or performance been noted that may indicate the alleged abuse or misconduct?

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

4.2 External report

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

4.3 No further action

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

4.4 Internal investigation

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

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

5. Follow-up actions

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

- a) Removing allegations from file. These will not be included in employer references. A history of repeated concerns or allegations, which have all been found to be unsubstantiated, false, misleading, etc., will also not be included in any reference. In cases where allegations are determined to be false, such details will be removed from personnel records and any other reporting systems immediately following termination of employment.
- b) If an allegation is shown to have been deliberately invented or false, the principal/head of school may consider whether any disciplinary action is appropriate against the student or increase targeted support to the student if deemed necessary.

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

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

- 3) **Communicate the outcome of the investigation** to the alleged perpetrator and the parents. If parents are unhappy with the outcome, they can raise this as a complaint, following the procedures described in the complaints policy.
- 4) **If there is cause to suspect a child is suffering** or is likely to suffer significant harm, and the allegation is not demonstrably false or unfounded, a strategy discussion will be convened to discuss options for increasing student safety and wellbeing. One option may be the transfer of the staff member/student to a different class.
- 5) **Where the allegation is outside of the area of safeguarding and child protection**, if required, it will be resolved through the appropriate policies, e.g. the disciplinary policy.
- 6) **Once any trial/legal proceedings/criminal investigation have been completed**, the principal/head of school will discuss with the Chief Executive Officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or the social welfare department can inform that decision.
- 7) **Consider reintegration for the staff member involved**, in cases where it is determined at the conclusion of the case that a suspended individual can resume work, careful consideration will be given to facilitating their return, considering the fact that most individuals would benefit from assistance and support when re-entering the workplace following a highly stressful experience.

Based on the individual's situation, it may be suitable to implement a gradual reintegration plan and/or assign a mentor to offer immediate assistance and support. Consideration will also be given by the relevant authorities on how to effectively manage the person's interaction with the child or children involved in the allegation, particularly if they are still enrolled as students at the school. Considerations must be made to support staff who are returning to work because of the investigation.

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

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

6. Post-procedure case review

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

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

Appendix O Mandatory staff training cycle

Who	What	When
New ESF staff		
All new teaching staff (teachers, educational assistants, coaches, therapists, etc.)	EduCare course “Child Protection for International Schools” + ESF-specific safeguarding induction + School-specific safeguarding induction	Once, during induction weeks
All new non-teaching staff	EduCare course “Child Protection Basics for International Schools” or “Child Protection Basics for International Schools (Cantonese)”	Once, during the first four weeks of employment
All new CPOs	CPO Induction programme on the CPO Website	Once, during the first term
Current ESF staff		
All current teaching staff	EduCare course “Child Protection Refresher for International Schools 20XX” (where XX stands for the current calendar year)	Every two years
All current non-teaching staff	EduCare course “Child Protection Basics for International Schools” or “Child Protection Basics for International Schools (Cantonese)”	Every two years
All current CPOs	EduCare “Child Protection Advanced” or equivalent training, i.e. ESF Centre provided ICMEC training	Every two years
Principals/heads of school and Vice-Principals		
All Principals/heads of school and Vice-Principals (including Head of ESF Explore)	ESF Centre provided Safer Recruitment Training. If unavailable to attend, an alternative can be used, e.g. EduCare course “Safer Recruitment in International Schools”	Every two years

Appendix P Reporting Standards

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

1. Be factual and objective

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

2. Provide context and clarity

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

3. Be timely and organised

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

4. Reflect consent and confidentiality

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

5. Be ethical and professional

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

6. Demonstrate communication and collaboration

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