

POLICY: SAFEGUARDING

Introduction

1. Waterford Kamhlaba is committed to providing students and staff with a safe, productive and supportive school environment. The safety and wellbeing of students in the care of the College is paramount, regardless of age. All members of the College community must be vigilant, proactive and responsive if they have reason to believe that any student and/or staff member may be at risk of abuse. Staff should be aware of the indicators of abuse and neglect so they can identify children who may be in need of protection or assistance. They should also be knowledgeable of the indicators of grooming so that they can identify adults who may be grooming or abusing children.

“Child protection concerns include suspected, alleged, self-disclosed, or witnessed abuse of a child by anyone which must be investigated and followed by appropriate action. Child Abuse constitutes “all forms of physical and emotional ill treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity.”

A person may abuse a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting; children may be abused online or in person by individuals known to them, or more rarely, by a stranger. Children may experience multiple forms of abuse simultaneously. Most child abuse is inflicted by someone the child knows, respects or trusts. All adults should understand reasons children may not talk about the abuse they might have experienced.”

Definitions, Signs and Indicators of Abuse,
International Centre for Missing and Exploited Children (ICMEC)

2. Members of the community are expected to treat each other with respect and dignity.
3. Programs that encourage tolerance, respect and positive social behaviour are implemented. Deliberate efforts are made to model and teach coping and mediation skills.
4. The active support of students, staff (both paid and unpaid) is required to provide a healthy and caring community. This involves:
 - 4.1. Quality interaction between members of staff and students at all times.
 - 4.2. Ongoing discussion to improve the healthy and caring nature of community life.
 - 4.3. All staff to participate in relevant safeguarding training, including refresher courses.
 - 4.4. All students to participate in education programs relating to safeguarding.

Definitions

- 5 Sexual abuse:** Sexual abuse is when someone is forced or coerced to take part in any activity that has sexual intent by the perpetrator.

5.1 Sexual abuse includes any sexual activity involving:

- 5.1.1** An adult (regardless of role) and a student (regardless of age),
- 5.1.2** An adult (regardless of role) or a student and a child who is not a student,
- 5.1.3** Non-consensual contact or interaction between a student and another student,
- 5.1.4** The age of consent in Eswatini is 18 years old. Any sexual activity below this age is considered abuse.

5.2. Sexual abuse may also include physical or non-contact activities (for example inappropriate communications) involving students / children looking at pornography or inappropriate displays of nudity.

5.3. Age of Consent: Any actions by any staff (paid, unpaid, part-time or full-time), external contractors, and link families which would be considered abusive to a student under the age of

consent are, for the purposes of the College, to be considered abusive even if the student is over the age of consent and maintains that consent was freely given. The reason for this is the position of trust and unequal balance of power of staff and students.

6. **Physical abuse:**

- 6.1. Any physical action that can result in injury (including emotional injury).
- 6.2 Corporal punishment: is illegal in Eswatini and prohibited at Waterford.

7. **Emotional abuse:** any action or series of actions (generally understood as ill-treatment) which cause or are likely to cause severe and persistent effects on the student's emotional development.

8. **Abuse by neglect:** the persistent failure to meet a child's basic physical and / or psychological needs resulting in serious impairment of health and / or development.

9. **Grooming:** the process by which an individual prepares a child, significant adults and the environment for abuse of this child. Perpetrators of grooming manipulate their victims over a period of time, sometimes years, gradually gaining the victim's trust, desensitising and sexualising them for the purposes of abuse.

Safeguarding at Waterford Kamhlaba

10. **The Safeguarding Team:** Child abuse is preventable but prevention requires a commitment by every member of staff to support and adhere to the school Code of Conduct and Safeguarding Policies using a team approach that aims to create an ethos of prevention by:

- 10.1 Minimizing the impact of bias or perceived conflict of interest.
- 10.2 Reinforcing a transparency of process.
- 10.3 Reducing the burden of responsibility for addressing allegations and concerns and eliminating a single point of decision-making.
- 10.4 Providing multiple perspectives and cultural understandings when reviewing cases and be responsible.
- 10.5 Ensuring deep child protection expertise and a shared understanding of response protocols is maintained within a school despite inevitable staff transitions.
- 10.6 Selecting a Safeguarding Response Committee of not more than 5 members to investigate in response to each individual safeguarding concern.
- 10.7 The composition of the college safeguarding team will ensure:
 - 10.7.1 Gender and cultural representation to ensure a diversity of voices and views.
 - 10.7.2 Staff representation from various school divisions and levels of seniority.
 - 10.7.3 The character and reputation of team members, eg. highly regarded by staff and display characteristics of integrity, trustworthiness, responsibility, etc.
 - 10.7.4 Annual training for all team members, including knowledge of local laws pertaining to child protection and safeguarding.

SAFEGUARDING TEAM	
Purpose	To support the designated Safeguarding Officer in creating a school culture that embodies an ethos of protection.
Who	<ul style="list-style-type: none"> • Safeguarding Officer (SO) • Deputy Safeguarding Officer (SO) • A vertical safeguarding team (usually no more than 5) from any department but must include counselling and medical staff
Key duties	<p>Meet regularly to review progress related to the implementation of the school's safeguarding policies/ programme, including:</p> <ul style="list-style-type: none"> • staff training, • parent engagement, • student education & awareness campaigns, • annually review all safeguarding policies and provide recommendations to the school leadership as to how to strengthen these,

	<ul style="list-style-type: none"> ● review anonymised cases, including responses, to inform school policies, to ensure consistency of approach and for training purposes, ● receive and report to the SO low-level concerns about adults in school, ● implement (or support) safety plans as needed. <p>Established sub-committees for a specific role and duration (eg. to review the college safeguarding policy or supplemental policies). These may be led by the SO or a Safeguarding Team member and include:</p> <ul style="list-style-type: none"> ● Board representative ● Parents ● Students ● External MDT members if appropriate. <p>Investigate safeguarding concerns by setting up:</p> <ul style="list-style-type: none"> ● Safeguarding Response Committees in response to allegations involving students, ● Allegations Management Committees in response to allegations involving staff members.
Frequency of meeting	<p>Once a term for policy review and reporting.</p> <p>When there is an allegation to set up a Safeguarding Response Committee</p>

External Multidisciplinary Team (MDT)

11. A MDT is an advisory committee that provides advice to the college safeguarding team. MDT members are drawn from:

- 11.1 Local police and law enforcement,
- 11.2 Medical and mental health services,
- 11.3 Local government agencies representing children,
- 11.4 NGO's, and
- 11.5 Local Embassies
- 11.6 Eswatini Counselling Association, ISASA Safeguarding, UNDP Human Rights and related organisations.

Responsibilities of the Safeguarding Officer (SO)

12. Safeguarding programme leadership:

- 12.1 Lead the college Safeguarding Team, developing and leading the implementation of the safeguarding programme, including the review of all safeguarding related policies, audits.
- 12.2 Ensure student and staff voice is captured in safeguarding policies and implementation plans.
- 12.3 Develop and maintain relationships with local service providers as an external Multi-Disciplinary Team (MDT) that can be activated as needed.
- 12.4 Maintain a network of other school safeguarding designates for information exchange and professional development.
- 12.5 Provide regular, anonymised reporting to the Board and liaise as needed with the Board designated Safeguarding Lead.
- 12.6 Support the transfer of student child protection files when a student transitions to another school. Ensure the onward school is aware of any additional supports the student may require.

13. Response to child protection concerns:

- 13.1 Establish multiple reporting pathways for students, staff and parents. Include anonymous reporting options.
- 13.2 Act as the point of contact to school staff for all child protection concerns or queries.
- 13.3 Regularly consult with the school counsellor and other staff members to review and support children who are at risk of harm.

- 13.4 Establish and lead a Child Protection Response team to manage child protection concerns using a child centred, trauma-informed approach.
- 13.5 Support staff who report a concern or low-level concern. • Refer cases to the appropriate authorities, where applicable.
- 13.6 Meet regularly with Principals or Division Heads and the Head of School to review all concerns, including low-level concerns.
- 13.7 Meet regularly with year group faculty or other relevant staff members (eg. School counsellor, learning support) to review students at risk, ensuring reporting, follow-up and safety planning is undertaken.
- 13.8 Maintain the Child Protection Central Record and the Low-Level Concerns central record.
- 13.9 Regularly review child protection records to identify patterns of concerning behaviour.

14. Training and Awareness Raising:

- 14.1 Lead or support the training of all staff ensuring the school's child protection policies are known, understood, and used appropriately.
- 14.2 Identify and support staff that can deliver training in the host country language for all local staff (eg. security, maintenance, drivers, catering, cleaning, etc.)
- 14.3 Maintain a staff child protection training register.
- 14.4 Oversee the design or adaptation, delivery and evaluation of an abuse prevention education curriculum.
- 14.5 Lead or support parent and community outreach and awareness raising.
- 14.6 Ensure the school's child protection policy is on the web site.

Responsibilities of the Deputy Safeguarding Officer (DSO)

- 15. The Deputy Safeguarding Officer should be trained to the same degree as that of the SO and the role needs to be explicit in their job description including:
 - 15.1 Acting in the role of the SO when the SO is unavailable.
 - 15.2 Performing any identified responsibilities of the SO to facilitate the smooth running of the safeguarding programme.

Staff recruitment

- 16. All full and part-time employees (coaches, music teachers, volunteers, etc.) will abide by safe recruitment practices which includes:
 - 16.1 Obtaining a police clearance certificate from the country in which the applicant previously worked. Such certificate is to be resubmitted on the renewal of every subsequent contract from the relevant authorities in Eswatini.
 - 16.2 A declaration of any breaches of safeguarding policies and / or legislation from any prospective employees. Such declaration will be resubmitted on the renewal of every subsequent contract.
 - 16.3 A declaration of any breaches of safeguarding policies and / or legislation from 3 references, including the prospective employee's previous employer.
 - 16.4 A job offer will not be made or will be immediately withdrawn if a prospective employee has any record of any breach of any safeguarding policy or regulation
 - 16.5 Employees living on campus will be required to ensure spouses, partners and other adults (including children over 18) and employees living and / or working in their home will be required to abide by the above safe recruitment practices. Employees living and/or working in residential campus homes are to submit a renewed police clearance every two (2) years from the date of hire.

Legal requirements and compliance

- 17. In compliance with the "Swaziland Children's Protection and Welfare Act of 2012" and the "Sexual Offences and Domestic Violence Act, 2018" (SODV Act) all employees (both paid, unpaid and contractors) of the College are mandatory reporters of any case of abuse, whether or not the alleged act takes place at school. Clause 70 (1) of the SODV Act: "Any person who witnesses or receives any information of an offence under this Act or has reasonable grounds to believe that an offence under this Act, has taken place or is about to take place, shall report the case to the police or to the relevant structure."

- 17.1 In practice it means that the first person that receives the information of alleged abuse is required to report to the safeguarding authorities. A statutory institution called The One Stop Centre has been established for this purpose at the Mbabane Magistrate's Courts.
- 17.2 A detailed description of offences to be reported to the police is contained in the SODV Act.
- 17.3 It is possible that the College will receive allegations against a member of the public or against a member of the accused person's own family. Any employee who receives such information or suspects such abuse is legally obliged to report as described above.
- 17.4 A Safeguarding Officer and Deputy (opposite gender), appointed by the College's principal, will have oversight and responsibility for ensuring that the Safeguarding Policy and associated procedures are in place and operate in practice and provide reports as required.
- 17.5 Members of the Governing Council and any of its committees, the PSA, any external contractors and adult link family members are required to obtain police clearance certificates (resubmitted every five years) and declarations as stated above.

Visitors to Waterford Campus

18. All visitors to the College campus will be required to sign in at the College gates and be issued with a Visitors Pass which will be visible at all times while on campus. This requirement could be waived in certain circumstances by the Principal.

18.1 All visitors interacting with Waterford community members for programmes and services, will be required to sign a Safeguarding Declaration Form which defines the college safeguarding protocols, records the individual's personal identification details and the commitment to:

18.1.1 Refrain from behaviour which compromises the physical, emotional and sexual safety of Waterford community members, and

18.1.2 Report any form of abusive behaviour witnessed during interactions with the community, to the authorities and the management of the college, as required by national law and the college Safeguarding Policy.

18.2 When larger groups of visitors such as a visiting school access the college campus, the responsible adult(s) of the group will sign a Safeguarding Declaration Form committing to ensure the safe behaviour of all members of that group.

18.3 Employees living on campus who host visitors, are required to inform the Eco-Estate Manager of the personal details of their visitor(s) and the specific details regarding the length of the visit. They are also to ensure that their visitor(s) have completed the college Safeguarding Declaration Form.

Reporting and Investigating Allegations of Abuse Safeguarding Response Committee

19. Where there is a concern that a child may be exposed to harm or abuse, the SO will lead the response to that concern, drawing on the DSO and others if needed for support in coordinating a child-centred, trauma-informed response. Every effort to maintain the confidentiality of the child & the alleged perpetrator, will be taken. The members and size of any response team will vary on a case by case basis, and a response team may include:

19.1 SO: Coordinate a child protection response, including an internal inquiry, and provide recommendations to school leadership.

19.2 DSO: Support the SO in leading the response and provide a second opinion on complex matters.

19.3 Safeguarding Team members or other member of staff as appropriate:

19.3.1 The Principal – the threshold beyond which concerns should be reported to the Principal of the college will depend on the context of the school but could include, for example, where external agencies are involved, cases of intrafamilial abuse and/or where it raises legal issues for the school.

19.3.2 The school counsellor/psychologist – for example, where the child requires counselling support.

19.3.3 IT staff member - for example, if the case involves online abuse, image sharing, etc.

19.3.4 School nurse – for example, where the child is the victim of physical abuse and requires assistance from the school nurse.

- 19.3.5 Depending on the case, additional support from staff or an external partner may be required to be an advocate for the victim and victim's family and to support and speak on behalf of any victims.
- 19.3.6 External MDT members may be called upon to provide specific expertise (eg. Legal, communications, mental health professional).

20. In cases involving safeguarding allegations perpetrated by an adult at the school, the Safeguarding Response Committee will be led by the Principal of the college. The nature and size of this committee will depend on the allegation. In addition to the members outlined above, this team may also include a representative from the Governing Council (GC).

21 In the event that the Principal of the college is involved in the concern or allegation, or is unable to remain impartial, the GC Chairperson will lead the response.

Formal Disciplinary Process

22. Any safeguarding concern against a student or staff member, perceived or actual, will be investigated thoroughly by the college Safeguarding Response Committee. A report will be made to the college Principal or the GC Chairperson as relevant, to facilitate the college disciplinary procedures:

- 22.1. For students according to the Code of Conduct for Students published in the General Information Booklet (GIB).

- 22.2. For any staff (including any external contractors), according to the College's employment policies, in particular the Staff Disciplinary Procedure.

Action on receiving a Safeguarding Allegation or Concern

23. In light of any risk, action must be taken within 48-hours of becoming aware of any abuse. This includes:

- 23.1. A report being made to the authorities (See Clause 17) by the first person to have received the information of alleged abuse, with the support of the SO, DSO and/ School Counsellor(s). The college Safeguarding Report Form is to be used to facilitate consistency of record keeping.

- 23.2. Action to address any risk, even if unproven at that stage, must be taken to keep the alleged victim safe. This may involve the suspension or removal of any person about whom concerns have been raised. An immediate suspension during an investigation can be actioned by the college principal or the GC Chairperson, on the advice of the SO.

24. The person against whom the concerns or allegations have been reported will be afforded due process and confidentiality will be maintained to the extent practicable and appropriate to protect the privacy of all persons concerned. A person against whom allegations have been made retains all rights afforded in law.

25. It is possible that some students and other community members who have been the victim of abuse may not report an incident for a variety of reasons, including anxiety, embarrassment and fear. In cases when incidents are not reported, unfortunately the ability of the college to fulfil its obligation to protect all community members from any form of abuse is severely hampered.

26. It is also important that all members of the College community are protected against false allegations or malicious rumours. Malicious false allegations will be regarded as harassment and may be dealt with according to the Code of Conduct for students or the Staff Disciplinary Procedure.

27. When a complaint has been made, retaliation against the person making the complaint or against others who cooperate in a school investigation is prohibited. Such retaliation will be dealt with according to the Code of Conduct for students or the Staff Disciplinary Procedure.

General Guidelines

28. It is the responsibility of staff to keep high standards of behaviour in order to protect children from abuse and at-risk situations, and to protect them from unwarranted suspicion. As the College community is

composed of diverse cultures with differing norms, discretion should be used. No person should be made to feel uncomfortable by being forced into or exposed to a close level of intimacy.

29. It is good practice for a member of staff to compile a written record of any meeting with a student where that student divulges information of a sensitive nature, including harassment or abuse, whether or not the author of that harassment is a member of the College community. This should be done as soon as possible after such a meeting, including as protection in the case of litigation against the accused perpetrator who received such information and litigation against the College. Such notes should be kept permanently as cases may be raised years or even decades after alleged offences.

Board Oversight

30. The Chairperson of the Governing Council shall ex officio act as the governor responsible for oversight of all abuse concerns.

Policy Approval and Review

31. This policy is approved by the Central Management Group (CMG) and by Governing Council.

32. It is reviewed on an annual basis.

Updated by CMG: 17 February 2023
Approved by Governing Council: April 2023

Supporting Documents

- Safeguarding Report Form
- Safeguarding Declaration Form
- Standing Members of the Safeguarding Response Committee