

Child Safeguarding and Protection Policy

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INTRODUCTION AND PUBLICATION

Institut Florimont supports the Convention on the Rights of the Child, of which the host country Switzerland is a State Party, and undertakes to promote and defend the rights of its students to their physical and mental wellbeing.

This policy is reviewed and updated annually and intended for employees, volunteers, providers, parents and students of Institut Florimont. It is published on the school website.

The Child Safeguarding and Protection Policy consists of four documents:

- Policy
- Definitions and indicators of mistreatment and neglect
- Child Safeguarding and Protection Code of Conduct
- Appendices (contact details of designated child protection staff within Institut Florimont and external services, laws governing the obligation to report abuse and mistreatment)

Adopted by the Institut Florimont Board on 14 June 2023.

* The masculine gender is only used in this and associated documents to make the text easier to read.

SECTION 1: SCOPE, PRINCIPLES AND AIMS OF THE POLICY

1.1 SCOPE

This policy applies to all people in contact with students of Institut Florimont, including academic and non-academic staff, Institut Florimont Board members, members of the Missionnaires de Saint François de Sales (MSFS) community, volunteers, third-party providers and any other person working at the School.

This policy applies to all Institut Florimont students under the age of 18 years, including when they are studying abroad, participating in educational trips or on work or study placements. It also applies to students from other schools being hosted by Institut Florimont. This policy applies in all alleged and proven cases of violence, abuse and mistreatment of students occurring in the school, outside school and at home, committed by adults or children.

1.2 GUIDING PRINCIPLES OF THE POLICY

This policy is based on the principles below:

- All students have the same rights to be protected against harm and abuse ;
- Everyone is responsible for protecting students ;
- Institut Florimont has a duty of care to the students attending the school ;
- All measures to safeguard and protect students will be taken to serve the child or young person's best interests.

1.3 POLICY AIMS

Institut Florimont undertakes to prevent and address any form of violence, abuse, mistreatment and neglect which may be suffered by its students.

Safeguarding is defined as preventing and reducing the risk of physical, sexual and emotional abuse, neglect and mistreatment.

Protection refers to the legal obligation (from regulations at the federal and canton level) to take action that protects a student from a situation in which he is being harmed or at risk of being harmed.

Institut Florimont considers the protection and promotion of children's welfare to be everyone's responsibility. The school operates within a culture of openness and recognises that mistreatment can occur in any situation, including at home and in educational settings. At Institut Florimont, any suspected and all proven cases of abuse of students must be reported.

Institut Florimont fulfils its responsibilities by:

- Recruiting people who are suitable and appropriate for working with children and who have a positive attitude towards protection.
- Informing all employees on the procedures described in this policy and supporting documents and providing training when necessary.
- Providing an age-appropriate prevention program to help students understand their personal safety needs and rights.

- Creating a school atmosphere of positivity and trust where students feel secure and are encouraged to talk and ask for help when they need it.
- Encouraging staff to discuss child safeguarding and protection issues confidentially with the designated staff within Institut Florimont to ensure they are confident in their own abilities to identify and handle risks and cases of mistreatment appropriately.
- Offering required support to students, their families and teachers.
- Ensuring the school operates in a culture of openness, trust and transparency in which any concerns about the conduct of staff, visitors and other adults will be shared and dealt with appropriately and sensitively.
- Ensuring that individuals who report cases of child protection are protected from discrimination and reprisal.

1.4 LEGAL FRAMEWORK

The United Nations Convention relating to the rights of the child defines the rights which must be satisfied to allow children (every human being under the age of 18 years) to develop fully.

Article 19 of the Convention establishes the right of children to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.

Under Swiss federal law, Genevan cantonal laws and the regulations and directives enforcing them¹, all private school employees (including health professionals, educators and teachers, faith group members, sports instructors, psychologists active in an educational setting) have an obligation to report to the relevant authorities any suspected or proven cases of violence, abuse and mistreatment suffered by its students. The obligation to report is satisfied in all cases on reporting the case to the Director General. Reporting procedures are described in section 4 of this policy.

Institut Florimont also acknowledges that its employees reserve the right to report child protection cases directly to external child protection authorities, particularly if they are concerned that this policy and procedures are not adequately upheld or implemented, as provided for in paragraph 3.7 of this policy.

¹ The laws and directives governing the obligation to report abuse are as follows: Swiss Civil Code, Article 314d, which came into force on 1 January 2019; Article 34 of Law implementing the Swiss Civil Code and other federal civil laws, which came into force on 1 January 2013; Article 18, Para. 3 of the Loi sur l'enfance et la jeunesse (Law on childhood and youth) of the Canton of Geneva (LEJ 12054, 2018 amended in 2022; Directive produced by Geneva's Service de l'enseignement privé (private education service): "Enfants en danger et écoles privées", 2023 version pending approval. The relevant texts from these laws and directives are included in the appendices to this document.

SECTION 2: PREVENTION

Institut Florimont is committed to preventing all forms of violence by carrying out safer recruitment on all employees and candidates, training staff, educating students, informing parents and creating links between this policy and other regulations which are indirectly associated.

2.1 SAFER RECRUITMENT OF ACADEMIC AND NON-ACADEMIC STAFF

All candidates for academic and non-academic positions must provide an extract of their judicial record and an extract from their judicial record relating to people working specifically with children. Background criminal record checks are to be repeated every three years for the duration of service at Institut Florimont.

Institut Florimont also requests a minimum of two formal references on the suitability of candidates to work with children.

All future employees will be informed and familiarized with the safeguarding requirements by signing the code of conduct before taking up their duties. Institut Florimont's HR personnel are to receive training on safer recruitment to ensure best practices are followed.

An information session on safeguarding and child protection will be conducted for all new employees.

2.2 THIRD-PARTY PROVIDERS

Third-party providers are persons or organisations providing services to Institut Florimont. In order to work regularly with students, third-party providers must sign and declare that their employees and ancillaries have signed Institut Florimont's Code of Conduct for third-party providers². A signed copy of the Code of Conduct for third-party providers and the declaration must be submitted to Institut Florimont.

2.3 MEMBERS OF THE MISSIONNAIRES DE SAINT FRANÇOIS DE SALES COMMUNITY

Members of the MSFS community must undergo criminal background checks. They must also read and understand the Child Safeguarding and Protection Policy and sign the Child Safeguarding and Protection Code of Conduct.

² Versions of the Code of Conduct are to be produced for third-party providers, visitors and employers who take on students for work experience.

2.4. VOLUNTEERS

Volunteers who supervise children and students must be 18 years old or over. Volunteers who work one-to-one with children or in small groups (library assistants, after-school volunteers, etc.) must undergo criminal background checks. They must also read and understand the Child Safeguarding and Protection Policy and sign the Child Safeguarding and Protection Code of Conduct.

2.5 SCHOOL TRIPS AND OUTINGS

On occasions when no Institut Florimont employees are to accompany students on a school trip or outing, volunteers must undergo criminal background checks, read and understand the Child Safeguarding and Protection Policy and sign the Child Safeguarding and Protection Code of Conduct.

2.6 WORK EXPERIENCE

When students participate in work experience outside school, the external contacts responsible must sign the Child Safeguarding and Protection Code of Conduct for employers, under the same conditions as third-party providers (see Art. 2.2).

2.7 STAFF TRAINING

Institut Florimont is to ensure that the people responsible for child protection (CP) receive a sufficient level of child safeguarding and protection training in line with their roles and responsibilities.

The Director General, who is the Designated Safeguarding Lead (DSL) within Institut Florimont, the Deputy Director and the Head of Maternelle and Primaire (Kindergarten and Primary), who are joint Deputy DSLs, school nurses and psychologists, members of the Vie scolaire (pastoral care) team, and year and section heads are all to receive CP training.

2.8 PARENT INFORMATION

The documents and information below are available on the Institut Florimont website :

- Child Safeguarding and Protection Policy ;
- Child Safeguarding and Protection Code of Conduct ;
- Emergency contact details for child protection and contact details of child protection authorities.

Parents are to be notified through the appropriate channels of any changes to the documents above.

2.9 STUDENT TRAINING AND INFORMATION

Students will be made aware of the Convention on the Rights of the Child using teaching methods and techniques adapted to their age.

2.10 LINKS BETWEEN THE CHILD SAFEGUARDING AND PROTECTION POLICY AND OTHER EXISTING POLICIES, REGULATIONS AND PROCEDURES

The DSLs are to ensure explicit reference is made to the Child Safeguarding and Protection Policy in any existing and future policies and regulations with direct or indirect links to child safeguarding and protection. The following regulations are to include such references:

- Pkikas regulation ;
- Regulation on technology and digital use ;
- General regulations ;
- Special needs policy ;
- Health and safety regulations ;
- School nurse regulations ;
- Specific regulation on risk management and internal control ;
- Emergency organisation ;
- Staff regulations ;
- Regulations on Internet, social media and email use at Institut Florimont ;
- Regulations governing general and financial conditions of Institut Florimont.

SECTION 3: REPORTING PROCEDURES

3.1 HOW TO MANAGE A STUDENT DISCLOSURE OF ABUSE

Children are better protected when the adults responsible for them are clear about what is expected of them individually, and how they should collaborate to promote the best interests of children and families. No single person can have a complete view of a child's situation and needs, so to ensure that children and families get the help they need when they need it, everyone in contact with them has a part to play in quickly identifying the issues, sharing information and taking action.

If an Institut Florimont employee is concerned about the welfare of a student, the greatest danger is for him to do nothing about it or to assume that someone else will. Countless investigations into child deaths have shown that people suspected abuse but were not sure or afraid of being wrong. If in doubt, it is always preferable to report the facts rather than do nothing, wait or remain silent.

People often have doubts, especially if they know and like the alleged abuser. They may also worry about how speaking out may impact on themselves, regardless of whether ultimately there is reason for concern or not. Institut Florimont guarantees the respect, confidentiality and protection of all staff members who report suspected or proven cases of abuse, in accordance with the procedures described in this policy. If an employee has questions and does not know what to do, they must contact the DSLs within Institut Florimont.

Institut Florimont employees must always listen to a child or adult who wants to talk. If a student talks to an Institut Florimont employee in terms that indicate suspected mistreatment at the very least, the staff member must:

- Remain calm and be patient ;
- Find a quiet place where the conversation will not be interrupted but within sight of others ;
- Be attentive and willing to listen even if it is not the right moment. The child or young person may have had to take a lot of courage to approach the employee and may change his mind about speaking ;
- Try to reassure the child or young person and make them feel comfortable (they have done nothing wrong by talking to you) ;
- Listen carefully and attentively; take the student seriously ;
- Only ask questions to clarify and understand the situation ;
- Tell the child what will be done with the information they have given you and what will happen next ;
- Seek help if the child is distressed ;
- Note what has been said as soon as possible and forward all information at the earliest opportunity to the dedicated email address for reporting an abuse disclosure mentioned in Art. 3.2.

Employees must not:

- Promise confidentiality if the student is in danger as this may not be in the student's best interests ;
- Ask leading questions ;
- Show disgust, shock or anger ;
- Ask the child or young person to repeat their account ;
- Interrupt the child or young person ;
- Give an opinion on what is being said ;
- Inform the student's parents before reporting the case ;
- Look at any pictures or take photos of injuries, physical marks, etc ;
- Suggest that the child is to blame.

If emergency assistance is required, the staff member must immediately contact the DSL within Institut Florimont.

Institut Florimont employees should remain judgement-free. They should guarantee that they will not tell anyone who does not have a clear need to know and that they will pass on information in confidence only to the people who must be informed to ensure that appropriate action is taken. All Institut Florimont employees involved will also take whatever steps they can to protect the staff member from any reprisal or unnecessary stress that may occur after a disclosure has been made.

If the student asks for confidentiality and is told that it cannot be guaranteed, and consequently refuses to say anything, the staff member must report the case immediately. The DSL within Institut Florimont, with the advice of the médecin répondant (school's doctor, on-call but off-campus), is duty-bound to inform the student's parents of all issues regarding the protection of their child unless doing so puts the child in danger.

3.2 DEDICATED EMAIL ADDRESS

Any alleged or proven case of mistreatment of students must be reported in writing to the following email address: protection@florimont.ch
Reports sent anonymously will not be accepted.

This email address can be used by students, all Institute staff, parents, third party providers and volunteers. Staff members will comply with their legal duty to report by informing their line managers and sending their child protection concerns via the email address.

Access to the email account is restricted to Institut Florimont's DSLs. Only members of the CP teams authorised to receive, assess, handle, report externally and follow up cases are permitted to access the information received at this email address.

3.3 HOW TO REPORT A DISCLOSURE OR CONCERN

The email message must contain:

- The child's name ;
- The child's class or year ;
- The name, role and relationship to the school of the person reporting the concern ;
- Specific and precise facts surrounding the concern (date, time, place, specific observations) ;
- Exact words used by the child/staff member when the concern was voiced (where possible).

Reporting a disclosure or concern is not the result of an investigation so to avoid contaminating the potential evidence in a possible legal investigation and sending illegal material, the email must NOT contain:

- Any photos ;
- Attachments of any kind ;
- Any interpretations, opinions, assumptions, etc.

Institut Florimont does not act for or on behalf of parents regarding their responsibility to report suspected or proven cases of mistreatment of other students they know or have direct experience of.

3.4 SEVERITY LEVELS OF REPORTS

Institut Florimont recognises three levels of child protection case, each calling for different procedures and various internal and external representatives or bodies to be involved. The CP teams determine the level of each case.

Level 1 - Non-urgent cases. Concern about the attitude of Institut Florimont staff, parents and/or peers which could put students in a vulnerable situation, but which does not put them in danger or at immediate risk.

Level 2 - Urgent cases. Serious concern or report of repeated inappropriate behaviour of Institut Florimont staff members, parents and/or peers, or behaviour which puts students in significant or imminent danger, requiring reference to health professionals, child protection agencies and/or police.

Level 3 - Cases involving a staff member or of a criminal nature. Any concern or alleged serious misconduct by an Institut Florimont employee or any concern leading to a criminal investigation. Serious misconduct includes the following:

- Harm caused to a student (including physical, sexual and emotional abuse) or neglect resulting in harm ;
- Behaviour and/or relationship with a student considered to be inappropriate (grooming, corporal punishment or reprimand) ;
- Behaviour towards a student which constitutes an offence under Swiss criminal law.

3.5 DESIGNATED SAFEGUARDING LEADS IN INSTITUT FLORIMONT AND CP TEAMS

Institut Florimont recognises the need to assign responsibility for student protection at every level of the school management. Best practice requires responsibilities to be clear and allocated to different people so that appropriate decisions are made collectively by people from multiple professional backgrounds. It is also important to have an internal mechanism for allocating responsibilities to ensure that no case is overlooked and that every case is handled with professionalism and impartiality³.

The Board of Institut Florimont adopts and revises this policy and ensures it is correctly implemented. The Board receives and follows up any cases involving the Director General.

The **Director General is the Designated Safeguarding Lead (DSL) for Institut Florimont**. He consults the médecin répondant (school's doctor) on level 2 and 3 cases and forwards them to the Genevan CP service (Service de la Protection des Mineurs/SPMI). He consults the médecin répondant and/or Genevan child and youth health services (Service de la santé de l'enfance et de la jeunesse/SSEJ) and any other external specialist services in urgent cases or if required.

The **Deputy Director and Head of Maternelle and Primaire (Kindergarten and Primary) are Deputy Designated Safeguarding Leads for Institut Florimont**. They stand in for the Director General if he is absent or unable to perform his functions as DSL. They receive and have joint access to internal reports of abuse, call and chair CP team meetings and are responsible for archiving reported cases.

There are **two CP teams** with responsibility for following up internal reports of abuse : one for cases involving students in Maternelle and Primaire (Kindergarten and Primary), and one for those involving students in secondary (Middle School and Diplomas).

Within 24 hours of receiving an email containing an internal report of abuse, the Deputy DSLs call a meeting of the CP teams, as described in Art. 3.2. In-person meetings are preferred but members may attend via videoconference.

The CP teams confirm receipt of the email containing the report of abuse⁴, decide on the severity level of the case (level 1, 2 or 3), forward level 2 or 3 cases to the Director General, and are responsible for handling and following up cases. The CP teams decide whether to consult the Vie Scolaire (pastoral care) representative, year/section head and the person who has raised the report if necessary. The Deputy DSLs may also informally contact the Service de la protection des mineurs/SPMi (Geneva's child protection service) and/or médecin répondant (school's doctor) and Service de santé de l'enfance et de la jeunesse/SSEJ (Geneva's child and youth health services) if they need advice on how to assess a case.

³ The names and contact details of the Designated Safeguarding Leads are included in appendixA2

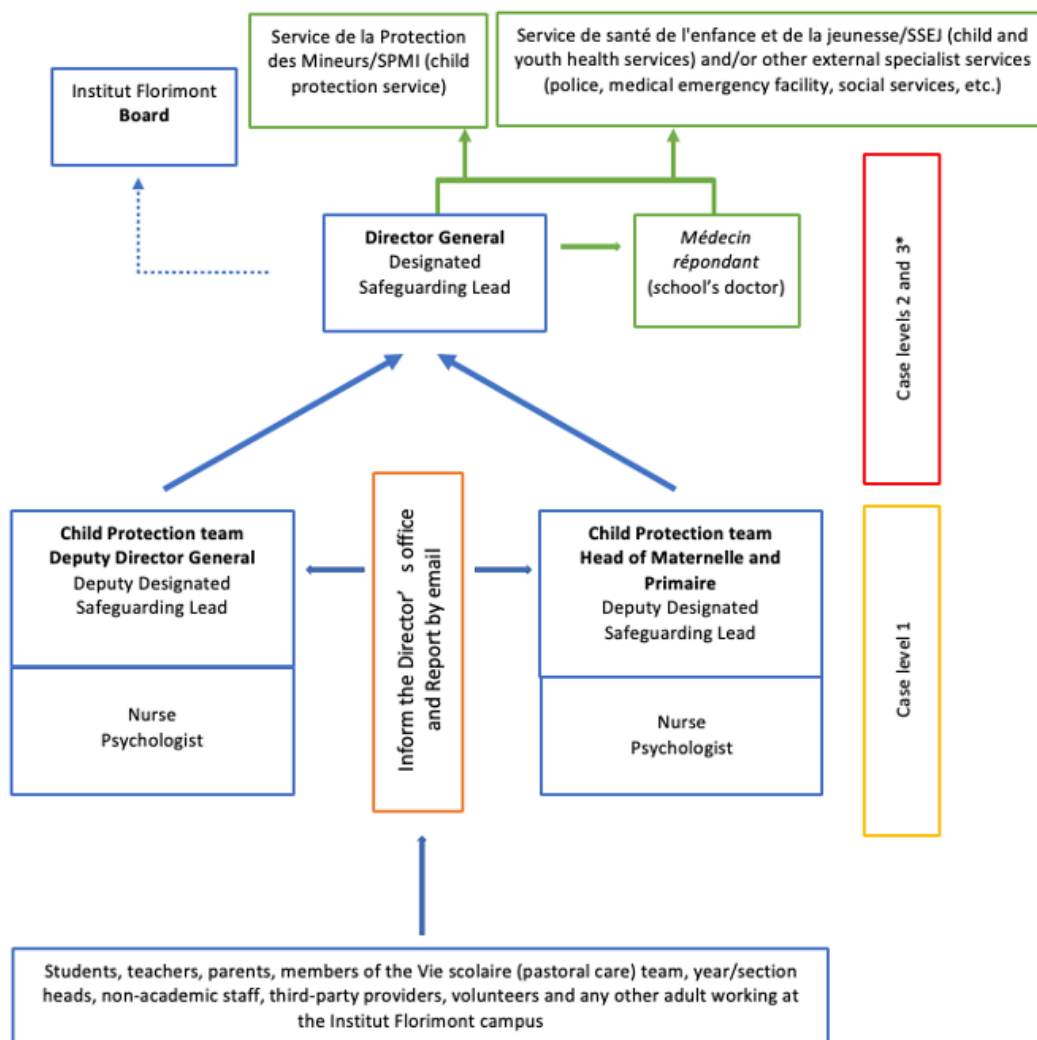
⁴ An implementation manual containing all necessary resources is to be produced to describe the function of the CP teams.

The CP team in the Maternelle and Primaire school (Kindergarten and Primary) consists of: Head of Maternelle and Primaire (Kindergarten and Primary), Nurse and Psychologist. The Head of Maternelle and Primaire (Kindergarten and Primary) can be replaced by his Deputy Director if he is absent or unable to perform his functions.

The CP team in the secondary school consists of: Deputy Director General, Nurse and Psychologist. The Deputy Director General can be replaced by the Secondary School Deputy Director if he is absent or unable to perform his functions.



DIAGRAM 1: FLOWCHART OF REPORT OF ABUSE



Explanations

Case level 1: non-urgent (see definition in Art. 3.4)

Case level 2: urgent (see definition in Art. 3.4)

Case level 3: cases involving a staff member or of a criminal nature (see definition in Art. 3.4)

→ Internal reporting

→ External reporting

→ Line of reporting

* Level 2 and 3 cases must always be escalated to the Director General and the médecin répondant (school's doctor), in accordance with Art. 3.5

3.6 SECURE ARCHIVAL OF REPORTED CASE FILES AND CONFIDENTIALITY

Institut Florimont retains an electronic archive of all reported cases. This archive is protected; access is restricted to designated safeguarding staff and only authorised on a need-to-know basis, and for specific purposes directly linked to the care and protection of the child. Child protection (CP) files are stored separately from the student's academic record.

CP files are retained for 10 years in accordance with Swiss federal data protection law⁵.

Institut Florimont will evaluate any request made by a family to access the content in the CP file. Requests must be sent to the CP representative.

In accordance with cantonal legislation, files can only be transmitted if requested by the CP agency, judge and the police as part of an open investigation.

3.7 WHISTLEBLOWING

All Institut Florimont employees are encouraged to report any concerns they may have about wrongdoing with regard to student safeguarding and protection.

If an employee feels that the procedures in this policy are not being respected or poorly applied, he must inform the Director General of his concerns. If the concerns relate to the Director General, the employee may refer to the CP representative appointed by the Institut Florimont Board.

The employee may refer his concerns to CP agencies if he feels that wrongdoing has occurred in spite of alerting a concern as described in the previous two paragraphs.

No employee will be dismissed or disciplined for having reported a genuine concern about an unsafe practice, provided he does so in good faith and in accordance with whistleblowing procedures.

Similarly, no employee or student will be harassed for raising concern about an unsafe practice, or subjected to personal or other disadvantages in any way. Any form of reprisal constitutes an incidence of serious misconduct. Any person found to be threatening a whistleblower or exercising reprisal will result in disciplinary measures, including termination of employment without notice of the person concerned.

Complaints or reports made with malicious, slanderous or abusive intent will result in disciplinary measures, including termination of employment without notice of the person concerned.

⁵ Swiss data protection law stipulates that personal data must not be retained "any longer than necessary". There is no specific directive relating to child protection data therefore Institut Florimont has decided to retain child protection data for a period of ten years.