

# **Plan International Hong Kong: Kindergarten Child Safeguarding Practice Manual**

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Foundation

## **Messgae from the Wu Jieh Yee Charitable Foundation**

In recent years, there have been several appalling cases of child abuse in Hong Kong, with some happening inside campus and institutions, showing that it is urgent to address child abuse in Hong Kong and that educators are especially responsible.

Plan International has, based on global experience in child safeguarding and opinions of experts and practice in Hong Kong, developed Kindergarten Child Safeguarding Practice Manual for kindergarten educators, raising school administrators and teachers' awareness of child safeguarding and helping them establish a sound mechanism of child safeguarding to reduce the incidence of child abuse.

For there to be as little as child abuse as possible, the Foundation has always been supporting Plan Hong Kong in promoting child safeguarding, so that the young generation can grow up in a safe and healthy environment. We hope that the Manual will benefit the preschool education sector in Hong Kong and that child safeguarding covers preschool children.

The Foundation, founded by Dr. WU Jieh Yee, former president of Wing Lung Bank, in 1982, is committed to promoting education and helping those in need. Social development and public welfare in Hong Kong have remained high in concerns of the Foundation.

## Message from the Board Chairman

Plan International has always been dedicated to the welfare of children. Since becoming the Board Chairman of Plan International Hong Kong, I have witnessed our passionate team working tirelessly to protect the rights of children and girls in developing countries and locally through various projects and programs worldwide. I am proud of our team's achievements in creating a healthy and safe growing environment for them.

"Child Safeguarding" is an essential topic advocated and promoted by Plan International in Hong Kong. Since 2015, we already recognised a local need and, through a series of research, established a local "Child Safeguarding Policy" with an evidence-based framework in 2018. Our goal is to integrate relevant theories and concepts from abroad with local educational experience to derive a feasible "Child Safeguarding Policy" solution suitable for local educational institutions. I am deeply grateful for the sponsorship of the Wu Jieh Yee Charitable Foundation, the support of our volunteer Child Safeguarding Professional Advisors and frontline educators, and the efforts of our colleagues at Plan International in jointly producing the "Kindergarten Child Safeguarding Practice Manual" and developing the relevant online self-learning platform. This provides guidance and training for educational institutions looking to implement the "Child Safeguarding Policy". I hope everyone can recognise the importance and benefits of the "Child Safeguarding Policy" as soon as possible, and implement it promptly so that local children can grow healthily within a safety net.

I eagerly anticipate that these comprehensive "Child Safeguarding" resources will effectively address the challenges faced by local educational institutions and contribute to the nurturing endeavors of all educators. At the same time, I sincerely wish for all children to thrive in a safe and joyful environment!

**Andrew WEIR, MBE, JP**  
**Board Chairman of Plan International Hong Kong**

**March, 2023**

## Message from the CEO

It is 80 years since 1937 when Plan International was established in the UK. Over the years, Plan International's effort of safeguarding the rights and interests of children has reached almost every corner of the world. In 1950, Plan International set foot on Hong Kong. From 1959 to 1973, it provided education and other assistance for over 12,000 poor children and their families in Hong Kong to ensure healthy growth of children. Over time, as children grew into talents, the former fringe town has become an international city. In 2009, Plan International set up its Hong Kong office. In recent years, it has paid greater attention to the city's children and youth issues. Since 2017, we have launched local projects and initiatives to protect the best interests of children.

Safeguarding children's safety and healthy growth is a universal value. Pitifully, child abuse keeps occurring, and even educational institutions are not exception, an issue we believe worries all those caring about children's well-being. Therefore, Plan International struggles to promote Child Safeguarding Policy (CSP) in the preschool education sector. In order to nip potential problems in the bud and minimise risk of harm, it developed four categories and 20 standards, pushing the sooner implementation of the CSP to ensure the maximum safety of children.

However, we are aware that frontline educators, on top of busy schedules and high expectations from the society, also have various government decrees to execute. To promote relevant policies more concisely and effectively, with the Foundation's support and sponsorship, Plan International developed the Manual, a practical and effective toolkit capable of channelling resources to the endeavor. Our thanks go to professional consultants, legal teams, and educational institutions participating in the trial programme for their support and help. Their selfless dedication and valuable input have greatly enhanced the Manual.

Education has always been a sacred work. The dozen years children spend in school may become the most precious memories in their life. By creating a safe, healthy environment for them to grow happily, the school can prepare them well for challenges they will encounter in society. It takes ten years to grow a tree but a hundred years to bring up a generation of good men. I believe that the hard work of educators will bear a lot of fruit. Let us work together to safeguard children.

**Dr. Kanie SIU, DBA, MBA, MSSDS**  
**Chief Executive Officer of Plan International Hong Kong**

**March, 2023**

## Recommendation Messages from Child Safeguarding Professional Advisors

(In no particular order)

### **Dr. KAM, Sanly, MH, Vice Chairman of Pacific Early Childhood Education Research Association (Hong Kong)/Member of Commission on Children**

Kindergarten Child Safeguarding Practice Manual by Plan International Hong Kong (Plan Hong Kong), substantial and practical, can help the kindergarten create a safe learning environment for children in accordance with school-based policies and daily operations, foster a culture of "child safeguarding", and fill the society with a child-friendly atmosphere. Highly recommended!

### **Dr. LEE, N.Y. Amelia, MH, Associate Dean Head (Programme Development) of Early Childhood and Elementary Education School of Continuing Education, Hong Kong Baptist University**

I am happy to see Kindergarten Child Safeguarding Practice Manual (the "Toolkit") published. For the welfare of children, Plan International Hong Kong ("Plan Hong Kong") has spent energy, resources, and time setting up this powerful Toolkit, addressing the needs of child care services and providing timely support for child workers. Hopefully, this substantial Toolkit with rich scenarios and cases will be well employed by our colleagues to have a good command of practical principles, helping to promote early childhood education more purposeful and forceful.

### **Dr. TIK Chi Yuen, JP, SBS, Legislative Council Member, Director of The Hong Kong Institute of Family Education, Member of the Task Force on "Home-school Co-operation and Parent Education"**

I am happy to see the Manual, product of the effort of Plan International to further improve child safeguarding policy. I hope for there to be redoubled concerted effort to create a comprehensive and safe environment for children to grow up healthily.

### **Ms. PUN Cindy, Chairperson of Council of Non-profit Making Organizations for Pre-primary Education, General Secretary of Tsung Tsin Mission of Hong Kong Social Service**

Everybody is responsible for child safeguarding, and it is especially so with preschool education professionals. I am grateful to Plan International for formulating prospectively the Manual, a toolkit covering CSP, suggestions for the school to develop and implement child safeguarding policy, risk assessment and management, training and continuous development of teaching staff, reporting mechanism, and how to maintain an open culture and communication. The Manual provides important reference and model for kindergartens to promote child safeguarding policy, and lays a good foundation for child safeguarding.

### **Dr. TSANG Sandra, JP, Board Director of Plan International Hong Kong, Member of the Commission on Children, Registered Clinical Psychologist**

The Manual details CSP, including the content and ways of implementation, and provides practical resources. It will greatly benefit organisations interested in the endeavor. I sincerely recommend it to the education sector.

**Dr. KOONG, Maggie, President of OMEP (Hong Kong), General Principal of Causeway Bay Victoria Kindergarten, Victoria (China) Education Group**

Children are vulnerable group, and it is urgent to formulate CSP to realize the United Nations Convention on the Rights of the Child. The Manual, clear and specific, is of great reference value to the education sector.

**Dr. Annissa LUI Wai Ling, JP, Chief Executive Officer of Hong Kong Lutheran Social Service**

The Manual provides us with a clear and practical guide regarding how to build a good foundation for children, put in place a network of protection, and ensure that they grow up in a healthy and happy environment.

**Mr. PANG Chi Wa, Registered Educational Psychologist**

Whether children grow up happily or not will affect their physical and mental health and the future of society. Therefore, the public must promote child safeguarding and protect them from any harm. As an educational psychologist, I strongly support the CSP.

**Dr. IP, Patrick, Clinical Associate Professor, Department of Children and Adolescents, University of Hong Kong**

The environment in which a child grows up has a significant impact on the child's health, learning and brain development. Adverse childhood experiences, especially neglect and abuse, will significantly increase the risk of mental and physical problems. I would like to recommend to you Kindergarten Child Safeguarding Practice Manual by Plan International. And I hope for there to be concerted effort to promote positive parenting education and create a safer and more caring learning environment for children.

**Dr. KWOK C.Y., Paulina, R.S.W.PgD (Family-Centred), MASW, DSW**

The recent years have seen mounting cases of child abuse at home and in institutions. Most abused children are at their most vulnerable for they do not know how to protect themselves. Therefore, I highly appreciate IPHK for developing the proactive, preventive and comprehensive CSP to protect the safety and well-being of all children. Especially, the Manual offers so practical guidelines that it can surely guide pre-school education institutions in Hong Kong to create a child-friendly and all-round safe learning environment for children.

**Ms. LUI TSANG Sun-kai, Priscilla, BBS, Member of the Commission on Children**

Would you like to make a difference in the lives of children? Let us translate the principle of child safeguarding into a culture of safety and no violence, and set the flower of respect, care, fairness, and no violence blooming in their hearts!

**Ms. CHEA Shuk Mui Candy, MH, Senior Media Practitioner, Child Safeguarding Ambassador**

Last year witnessed a group of people work hard on CSP and develop 20 standards for protecting children from abuse. I am happy that they have drawn much attention and hope for them to be implemented at an early date. Child safeguarding is everyone's responsibility. May Hong Kong become a "Capital of Child Safeguarding" at an early date! Let us fight for it!

## Recommendation Messages from Pilot Schools

(In no particular order)

### **Five Districts Business Welfare Association**

**Mr. YAN Man Fai, Chairperson and School Board of Early Childhood Service**

Two kindergartens under the Association co-signed CSP with Plan International, ranking among the first batch of educational institutions that have executed the policy. The FDBWA Kindergarten and FDB Kindergarten have established code of conduct against standards suggested by Plan International. We believe that the Manual will guide education sector to protect the rights of children. We will work with Plan International to implement CSP.

### **Hong Kong Ling Liang Church Kindergarten (Causeway Bay, Ma On Shan, Lam Tin, Diamond Hill, Tsuen Wan and Sau Tak)**

**Ms. Pei-Shan HSIEH, Principal; Ms. Wing Man CHAN, Principal; Ms. TING Man Yee, Principal**

We highly appreciate Plan Hong Kong for developing the Manual, part of its consistent effort to safeguard children. As a quick response to social needs, the Manual is informed by professionals' opinions and advice, that is why it is both clear and practical. We hope all kindergartens can make good use of the Manual to put children under better protection.

### **Chan Mung Yan Lutheran Kindergarten**

**Ms. SO Yu Ha, Principal**

The Manual, a guide co-developed by professionals, provides a standard framework for preschool educators. I believe it will greatly benefit the education sector.

### **Fu Tai Lutheran Day Nursery**

**Ms. KWAN May Lei, Principal**

To safeguard the well-being of children, IPHK has developed the Manual, which addresses child safeguarding principles and ways of implementation. While offering scenarios for staff to reference, the Manual details recruitment, training, supervision, employee rights and protection to help school management foster a campus culture of child safeguarding.

### **Christian & Missionary Alliance Fairview Park Kindergarten**

**Ms. Chiung-Mei LIN, Principal**

**President of Professional Association of Master of Education In Early Childhood Education of Hong Kong Institute of Education,**

Plan International is highly appreciated for working hard on the Manual. Hopefully, the education sector will reference or implement the Manual, which will surely align them with the world's practice.

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## Foreword

Kindergartens play a very important role in early childhood education, ensuring that children can grow up in a safe and trustworthy learning environment. As organisations that regularly contact and serve children, kindergartens should protect children from harm and maltreatment as their professional and moral responsibility, and legally hold the duty of care of children.

Seeing the mounting child maltreatment in families and organisations in recent years, the government, while taking more targeted measures to protect maltreated children, is considering drawing up "failure to protect children' bill" and "mandatory reporting for suspected child abuse cases" to impose legal liability on persons who fail to take reasonable steps to protect children from maltreatment. Given the mounting child maltreatment in Hong Kong and related legislative proposals, drawing up an appropriate Child Safeguarding Policy (CSP) not only prevents injury or maltreatment of children on campus as early as possible to ensure the safety of children, but also protects the reputation of schools and staff and reduces legal risks.

Plan Hong Kong has been committed to safeguarding the four rights of children enshrined in the United Nations Convention on the Rights of the Child, including the right to be free from maltreatment and exploitation. Guided by this principle, Plan Hong Kong conducts studies on the CSP, probing into its implementation in the HK education sector and how its stakeholders, including children, their parents, and educators view child safeguarding. It has developed an evidence-based CSP framework and suggested standards to provide clear, specific and easy-to-operate standards for child safeguarding.

Kindergarten Child Safeguarding Practice Manual ("the Toolkit") was written in reference to the CSP framework and in light of the practical operation of kindergartens. The Toolkit, in essence, is a comprehensive set of guides for kindergartens, with additional situation analysis and a series of document templates to help kindergartens develop CSP as early as possible, minimise the harm or maltreatment of children as a result of misconduct or neglect by school staff, and prevent child victimisation.

### How to use the Toolkit

The Toolkit informs kindergartens of such contents as the concept of CSP, process of policy formulation, various risks confronting children in kindergartens and coping methods, ways of execution of CSP, necessary procedures for reporting and handling suspected child maltreatment, and child safeguarding culture building in schools. It also offers an easy access to existing ordinances, requirements and guidelines on child safety of the Education Bureau and the Social Welfare Department for relevant parties, who will thus develop appropriate internal guides easily.

Kindergartens can use measures as Plan Hong Kong suggested and attached document templates, in light of resources, structure and operational needs, develop on their own and internally implement CSP, creating a safe and protective environment for children.

Plan Hong Kong also provides advisory and training services for schools and child-related institutions, assists staff in understanding and establishing CSP and checking whether the current policy is in line with the policy requirements, and raises awareness of potential risks facing children, so as to create a safe learning environment for children. For more information, please contact Plan Hong Kong through the following channels:

Tel: 3405 5305

Fax: 2893 3619

E-mail: [KeepChildrenSafe@plan.org.hk](mailto:KeepChildrenSafe@plan.org.hk)

### About Plan International Hong Kong

Established in 1937, Plan International is one of the world's leading development organisations specifically focusing on children. Headquartered in the U.K., we are working in 57 developing countries, concentrating on making lasting improvements to quality of life in the areas of education, early childhood development, ending violence, sexual and reproductive health and rights, skills and decent work and young people driving change, with funding from 21 fundraising offices. Plan International is independent, with no religious, political or governmental affiliations.

### Copyright

Plan Hong Kong owns the copyright of this Toolkit. Interested parties are welcome to make copies for internal reference, but sources must be noted.

### Disclaimer<sup>1</sup>

**This Toolkit only serves as a reference for kindergartens to develop and implement their CSPs in accordance with the proposed framework of Plan Hong Kong, and the minimum standard recommended by the policy. It does not replace existing ordinances, requirements or guidelines of the Education Bureau and the Social Welfare Department. For details, please refer to the Education Bureau website [www.edb.gov.hk](http://www.edb.gov.hk) or the Social Welfare Department website [www.swd.gov.hk](http://www.swd.gov.hk).**

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<sup>1</sup> Hong Kong authorities may introduce a series of laws, regulations, policies and mechanisms to promote child safeguarding. For example, the Law Reform Commission of Hong Kong incorporated the concept of duty of care in its criminal law reform proposals in the area of "causing or sitting watching death or serious harm to a child", and the Hong Kong Government sought views on legislating mandatory reporting of suspected child abuse and neglect. As of the publication date of the Manual, no such proposed new criminal law provisions or mandatory reporting mechanisms have been promulgated. Users of this Manual should take into account of the requirements of new laws, regulations, policies and mechanisms if they are enacted.

**Situational analysis of this Toolkit aims to highlight key points by clarifying existing statutory requirements or the risks of child victimisation. Some contents are based on past cases. However, the contents are purely fictitious and not targeted at any school, organisation or person. Its child safeguarding suggestions are by no means mandatory nor its content exhaustive, and therefore it does not supersede any legal, regulatory or contractual requirements.**

**Its presentation and interpretation of the Personal Privacy Ordinance and other relevant legislation are generalisations that is easy for readers to understand. Users of this Toolkit should refer to the original legislation or seek legal advice if necessary. This Toolkit does not constitute a final or complete legal statement on any subject, nor does any part of it constitute legal advice on any particular situation. Neither Plan Hong Kong nor any contributor to the Toolkit is obliged to ensure that (i) the information provided in the Toolkit is sufficient or (ii) appropriate for any particular purpose or situation. Neither Plan Hong Kong nor any contributor to the Toolkit is responsible for any action taken or waived based on the contents of this Toolkit or as a result of the use of this Toolkit. To the extent permitted by law, neither Plan Hong Kong nor any contributor to the Toolkit accepts full liability for all claims arising out of or in connection with this Toolkit. Users of this Toolkit should seek independent legal or other professional advice on cases or matters rather than relying on the information contained in this Toolkit. Even if Plan Hong Kong has collaborated with contributors to prepare the Toolkit, it does not follow that it represents the views of every contributor.**

**Plan Hong Kong hopes for kindergartens to refer to this Toolkit to minimise the risk of harm to children in kindergartens and to intervene effectively in suspected child maltreatment. However, it does not mean that following this Toolkit can ensure that children are safe from any harm at school under any circumstances.**

**This English version of the Toolkit is translated from its Chinese version. If there is any inconsistency between the Chinese version and the English version, the Chinese version shall prevail.**

## Chapter 1: Introduction to Child Safeguarding

### 1.1 What is child safeguarding?

#### **What is child safeguarding?**

Child safeguarding refers to preventing children from harm and maltreatment and taking actions to promote the safety and well-being of children.

#### **What is the difference between child protection and child safeguarding?**

Child protection is protecting individual children who have suffered significant harm or are at high risk of maltreatment, and only intervening when a child has been hurt or maltreated.

Child safeguarding aims at providing preventative and all-encompassing solutions to prevent maltreatment to all children.

#### **What is Child Safeguarding Policy (CSP)?**

CSP is a clear set of standards and guidelines about how to make an organisation safe for children in its governance and activities to ensure that the organisation takes all reasonable measures to reduce the risk of harm to children arising from its day-to-day operation or the misconduct/negligence of its staff. CSP is not just a document. Rather, it involves creating an open and child-friendly organisational culture, so that all staff, including employees, volunteers and service contractors, can interact with children safely at all times.

#### **What is CSP needed by organisations?**

Maltreatment can cause very serious and long-term damage to the physical and mental health of children. Further, because child victims are often not aware of their rights and ways to get help, they, and even some adults who suspect or know about the maltreatment, may dare not report incidents of injury or maltreatment, causing the injury or maltreatment to continue or worsen. Therefore, an organisation that regularly works with and serves children is obliged to take all reasonable steps to reduce the risk of harm to children within the organisation. It should create an open and child-oriented culture, make every effort to prevent harm to children and intervene in child maltreatment as soon as possible, so as to protect the healthy growth of children.

#### **What preparations should organisations make before executing the CSP?**

The Toolkit aims to provide a concise practical process, sample documents and situation analysis related to the policy formulation for organisations interested in implementing the CSP. However, employees' recognition and cooperation are crucial to the execution of the policy. Organisations should get employees' opinions, adjust their mentality, and emphasize organisations' trust in them, making it clear to them that the aim of the CSP is not just to monitor staff, but to engage all stakeholders in building a safety net for children. Hopefully, the Toolkit will help organisations set

clear, specific and easy-to-use standards for child protection, minimise the risk of front-line staff committing an offence due to unfamiliarity with complex legislation, and protect the reputation of the schools and their staff while protecting the safety of children. Before execution of the CSP, **organisations should encourage all employees to put the needs of children first, develop the right mentality, understand their duty of care, and truly put "children first"**. Plan Hong Kong will offer training workshops on related topics. Please contact us for more details.

Plan Hong Kong also developed an Online Learning Platform for all Kindergartens who are interested in formulating their CSP, to provide necessary training and useful resources for all staff and relevant personnel. Please visit <https://cspcertificate.plan.org.hk/> for further details (Chinese only)



## 1.2 The CSP framework and recommended minimum standards



### **Policy**

1. To commit to child safeguarding and state measures to be taken to guarantee children's safety.
2. To provide a clear code of conduct describing appropriate and inappropriate behaviours.
3. Policy is applied to all staff with acknowledgement by signing.
4. Policy is applied to all relevant persons (volunteers, associates, and partners) with acknowledgement by signing.

### **Procedures**

5. To provide clear guidelines to employees, parents and children, so as to support them in reporting any suspicions of child abuse.
6. All incidents, allegations and complaints should be clearly recorded and stored.
7. To establish a clear time limit on case handling for child abuse allegation.
8. To establish clear guidelines ensuring children are well-protected during the investigation of a child abuse allegation.
9. To establish a whistleblowing policy where employees should be able to report abuse or suspicions of abuse without fear of retribution and discrimination in the workplace.
10. To identify, manage and minimise potential risks to children in daily operation.
11. To respect and protect the privacy of children and seek the consent of the child and parent before distributing the child's personal information or pictures.

### **People & Culture**

12. To check job candidates' sexual conviction record.
13. To understand the candidates' attitude and ability towards child protection during recruitment to confirm that he/she fits for the role.
14. To provide employees with regular training and support on how to maintain child safety.
15. To provide training to volunteers, partners and other persons who have contact with children to maintain child safety.
16. To assign child safeguarding responsibilities to at least 1 designated staff in order to promote CSP's implementation within the organisation.
17. To cultivate a culture where workers feel that they can openly discuss issues related to harm to children.

### **Accountability**

18. Keep the Child Safeguarding Policy public and accessible to all, especially children and parents.
19. To consult children and families on reviewing the effectiveness of child safeguarding policy & procedures.
20. To conduct regular reviews on existing child safeguarding policy and procedures every 1-2 years.

## Chapter 2: How to set up a Child Safeguarding Policy (the CSP)?

This chapter informs readers of:

- ✓ The importance of an appropriate CSP document by the school and the responsibility of the management;
- ✓ Parts and relevant sections to be included in the CSP document;
- ✓ How to formulate staff code of conduct;
- ✓ Responsibilities of a child safeguarding focal point;
- ✓ Regular review of policies to promote child safeguarding culture.
- ✓ Situation analysis
- ✓ Template of the Kindergarten CSP

### 2.1 The importance of setting up an appropriate CSP by the school management

When the well-being of children is involved, schools have the duty to take appropriate actions and "reasonable" steps to prevent children from being harmed. Failure to do so is considered negligent discharge of duty to protect children.

Therefore, the management (generally represented by the Board of Trustees), in fulfilling their duties in the management of the school, has the responsibility to:

- Confirm that the school has developed and continues to implement an appropriate set of policies, practices and cultures to protect children from preventable harm; and ensure that,
- In case of any suspected or confirmed cases of child maltreatment, there are effective mechanisms for handling, reporting and responding to such cases.

The management should fully engage employees in the endeavour and exert continuous follow-up and close monitoring to ensure the execution of measures so that children have a safe environment to learn and grow. Therefore, it is advisable for the management to clearly explain the core of the policy to staff before its formulation and execution, adjust the CSP and related guides after understanding the actual situation of front-line work to suit the actual operation of the school, and foster a child-safeguarding and open school culture.

## 2.2 Composition of the CSP

### 2.2.1 Personnel under supervision and its duration

The CSP should cover anyone in the school who contacts with children, including school staff, teachers, service contractors, volunteers and guests who may come into contact with children, who are required to implement and observe this policy at all times when dealing with children.

The CSP is an important school document. All relevant personnel (staff, volunteers and service contractors) working with children should be aware of the importance of the policy and procedures.

The CSP (Chinese and English versions) documents should be placed in prominent positions in schools and uploaded to the school website for public inspection.

## 2.3 Proposed framework for the CSP

Given that Hong Kong has no official framework for CSP, Plan Hong Kong, based on a comprehensive literature review, and a knowledge of the relevant laws and regulations in other countries and regions, such as the UK and Australia, as well as the high-risk factors for institutional child maltreatment, proposes 4 major areas and 20 standards as CSP framework. It is hoped that feasible and easy-to-operate child safeguarding standards will be developed by relevant organisations.

The CSP should contain:

Four categories	20 standards for CSP as proposed by Plan Hong Kong	Corresponding contents of the CSP
Policy	1. Organisations are committed to protecting children and taking reasonable measures to ensure their safety.	1. Statement and commitment to child safeguarding by the school
	2. Establish a clear code of conduct, listing appropriate and inappropriate behaviours towards children.	2. CSP document with specific terms and guidelines
	3. Ensure that the policy applies to all staff by signing the relevant policy terms and conditions with them.	3. Formulate a staff code of conduct applicable to all school staff, service contractors and volunteers.
	4. Ensure that the policy applies to volunteers and related partners by signing the relevant policy terms and conditions with them.	4. Define the roles and responsibilities of the school staff (including but not limited to the school management committee members, principals, staff and volunteers) in carrying out CSP, inform them and commit them to their responsibilities.

<b>Procedures</b>	<ol style="list-style-type: none"> <li>5. Provide clear complaint handling guidelines to staff, parents and children</li> <li>6. Keep clear records of suspected child maltreatment complaints/incidents</li> <li>7. Specify a time limit for complaints</li> <li>8. Ensure that children are protected during an investigation</li> <li>9. Establish a whistleblowing policy so that staff can feel comfortable when whistleblowing suspected child maltreatment within the organisation without fear of being pursued or discriminated against</li> </ol>	<ul style="list-style-type: none"> <li>• Put in place a process for identifying and managing child maltreatment crisis, including internal and external reporting on and handling procedures for suspected child maltreatment</li> </ul>
	<ol style="list-style-type: none"> <li>10. Assess the risk of harm to children arising from the day-to-day operations and activities of organisations</li> <li>11. Protect the privacy of children's personal data</li> </ol>	<ol style="list-style-type: none"> <li>5. Develop effective child safety risk assessment and management measures</li> </ol>
<b>People &amp; Culture</b>	<ol style="list-style-type: none"> <li>12. Check employees for sexual offences</li> <li>13. Understand the candidate's attitude towards and ability of child safeguarding</li> <li>14. Provide child safeguarding training and support for staff</li> <li>15. Provide child safeguarding training and support for volunteers/service contractors</li> </ol>	<ol style="list-style-type: none"> <li>6. Provide appropriate guideline for the school's recruitment, training and supervision processes</li> </ol>
	<ol style="list-style-type: none"> <li>16. Promoting policy for child safeguarding focal point</li> <li>17. Foster a culture that is open to child safeguarding</li> </ol>	<ol style="list-style-type: none"> <li>7. Responsibilities of Child Safeguarding Focal Point appointed by schools</li> </ol>
<b>Accountability</b>	<ol style="list-style-type: none"> <li>1. Ensure that the policy is available for public inspection</li> <li>2. Proactively consult children and families on the effectiveness of the policy</li> <li>3. Review policy effectiveness regularly</li> </ol>	<ol style="list-style-type: none"> <li>8. Develop effective systems of policy implementation, management and review, including procedures and decision-making processes for child and parent participation</li> </ol>

**Please refer to Resource 1: Template of CSP for Kindergartens**

## 2.4 The code of conduct for staff

Professional boundaries must be established on all occasions in the interests of all stakeholders. All staff working with children in kindergartens, including teachers, non-teaching staff, school management committee members, volunteers, and service contractors, must abide by the relevant code of conduct.

The following principles may serve as a guide for writing a staff code of conduct:

1. Take into account children's backgrounds and needs, as well as the work and responsibilities of employees
2. Specify the professional boundaries within which interaction with children occurs:
  - Staff purpose of work
  - Children's expectations of different relationships (such as between children and staff, volunteers, and family)
  - Risks and consequences adult behaviours may pose to children
3. Clearly state what constitutes appropriate and inappropriate behaviours towards children in the service and any circumstances, and set clear standards for defining such behaviours
4. Responsibility to report suspected incidents of harm to children
5. Punishment for breach of staff code of conduct

**Please refer to Resource 2: Template of the Staff code of conduct**

### 2.4.1 Punishment for breach of staff code of conduct

#### **Staff**

Staff are liable for consequences if they breach the staff code of conduct and use their position or relationship with the child to establish an emotional connection to gain the trust of the child for the purpose of exploiting or criminalising the child. If the school receives a complaint and confirms its validity, the staff member concerned will face disciplinary action, including termination of

employment and suspension of participation in any school affairs. (It is recommended that the school include such terms in the employment agreement or sign a supplementary agreement to such terms.) The police will be invited to investigate if necessary. This will affect the person concerned in his/her teaching qualifications or future application for work with children. For recommended screening procedures for recruitment, please refer to Chapter 4.

### **Service contractors**

The school must immediately terminate the contract with the service contractor and suspend the relevant personnel (it is recommended that the school includes relevant terms in the service agreement or sign a supplementary agreement to relevant terms). Where appropriate, the case will be referred to the police and the person involved may bear legal liability. Please refer to Chapter 4 of the Toolkit for the recommended procedures for selecting service contractors.

### **Volunteers**

The school must blacklist misbehaving volunteers on internal records in its database. Where appropriate, the case will be referred to the police. Please refer to Chapter 4 of the Toolkit for the proposed screening procedure for volunteers. If a volunteer is under the age of 18, he or she is subject to both supervision and protection under CSP. During the event, the organisation has multiple responsibilities for such a volunteer. For details, please refer to Section 4.5 of Chapter 4.

## **2.5 Role of the Child Safeguarding Focal Point in school**

Plan Hong Kong suggests that the management appoint at least one or two staff members as the Child Safeguarding Focal Point to promote the implementation of the policy in the school. Not only can the Child Safeguarding Focal Point act as an ambassador to promote the importance of child safeguarding in the school and provide training and professional advice to all departments to keep children safe, but he/she communicates with different stakeholders in dealing with suspected child maltreatment to ensure that investigations and child protection actions are carried out in a timely and confidential manner. For the specific responsibilities of the Child Safeguarding Focal Point and proposed candidates, please refer to section 4.4 "Roles and responsibilities of child safeguarding focal point" in Chapter 4.

## **2.6 Provide appropriate training for staff**

Raised awareness of child safety and enhanced response are important for the implementation of CSP. All staff (including employees, volunteers and service contractors) are required to receive regular training to familiarise themselves with CSP and understand their responsibilities for child safeguarding. Staff should be sensitive enough to the risk of harm to children, establish



appropriate professional boundaries for interaction with children, and listen to children's voices in an open and trusting manner. Plan Hong Kong provides a series of child safeguarding training for school staff. For details, please refer to section 4.3.1 "Staff training" in Chapter 4.

## 2.7 Develop a mechanism for reporting and handling suspected child maltreatment

Schools should establish a clear mechanism for reporting and handling suspected child maltreatment, to ensure timely and effective intervention in suspected cases and protect children from further harm.

The management should specify the whistleblowing policy in detail in CSP, inform all staff of the whistleblowing channels, the confidentiality principle of the school's handling of incidents, and the way the school protects the safety of the children involved and the rights of the whistle-blowers, to ensure that staff will feel comfortable when whistleblowing suspected child maltreatment within the school, so that the school can be informed of relevant incidents and take intervention actions as soon as possible. The school should also be aware that it is obliged to report to the authorities and handle suspected child maltreatment in a fair and equitable manner. For the reporting and handling mechanism of suspected child maltreatment, please refer to Chapter 5 "Principles of internal whistleblowing policy".

The Social Welfare Department, together with relevant government authorities, non-political organisations and relevant professionals, has developed the Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary Co-operation (Revised 2020) ("the Guide"), which took effect on 1 April 2020 for reference of different professionals, who may take necessary actions in case of suspected child maltreatment. The Guide is also one of the references for this Toolkit.

## 2.8 Regular policy review and update

In establishing policies, the school should consider current and future potential conflicts of interest, and develop comprehensive codes and procedures.

Regular review (every one to two years) must be performed for CSP, procedures and staff code of conduct to identify areas for improvement in policy implementation, learn about staff and parents' awareness of the policy, and seek their suggestions on improvement, so as to bring about continuous improvement on child protection measures in the school. The school should keep abreast of the administration's latest legislation and guides to ensure their policies keep up with the times. The management should issue relevant updates to all staff to ensure that they are aware of changes in the policy and procedures. For a self-assessment tool for regular policy review, please refer to "Conducting regular policy review" of section 6.4 in Chapter 6.



## 2.9 Situation analysis

1. Principal CHAN said, "Our school staff will never inflict physical punishment on students! Our school has enjoyed a good reputation for decades, and our teachers always love their students, so we will never punish students physically. As the winner of last year's Outstanding Kindergarten Teaching Award, we have no reason to distrust our teachers and colleagues, and there is no need to bind them with a CSP."

### Analysis

<b>Child safeguarding crisis</b>	<p><b>No supervision of school operations and staff</b></p> <ul style="list-style-type: none"> <li>• Failure to objectively review the operation of the kindergarten may lead to overlooking the well-being and safety of children. There is a risk that individual staff members may harm or maltreat children by abusing the trust placed in them from the principal and children concealing their harm to children.</li> </ul> <p><b>The reputation of the school and its staff lacks institutional protection</b></p> <ul style="list-style-type: none"> <li>• CSP is not just about supervising school staff. Rather, it makes all staff aware of professional boundaries for dealing with children and measures to keep them safe. These rules and regulations will not only make it easier for staff to keep children safe, but will keep themselves safe from undeserved blame, and protect the reputation of staff and the school.</li> </ul>
<b>What can the kindergarten do with it?</b>	<ul style="list-style-type: none"> <li>• Establish the CSP to supervise and support all staff.</li> <li>• Ensure that all staff members are aware of the CSP and their responsibilities to protect children.</li> <li>• The school should be functioned in a child-centred manner with priority given to the safety and well-being of children.</li> </ul>

## 2.10 Chapter 2 Resources

2.10.1 Resource 1: Template of CSP for Kindergartens  
[FDBWA Cheung Chuk Shan Kindergarten template](#)

2.10.2 Resource 2: Template of the Staff code of conduct  
[Extract from the FDBWA Cheung Chuk Shan Kindergarten's code of conduct](#)

## Chapter 3: Child Safeguarding: Risk Assessment and Management

The chapter will discuss:

- ✓ Definition of child safety risk assessment
- ✓ Ways to identify, analyse and assess risks associated with children
- ✓ Common campus risks and solutions
- ✓ Ways to set up a School Crisis Management Team
- ✓ **Situation analysis to explain the principles of risk management**
- ✓ **Risk assessment template**

### 3.1 Child safeguarding: Definition of risk assessment

To ensure the safety of children and the reputation of the school and its staff, the school shall identify and assess potential risks associated with children in the school and take all reasonable measures to protect children from harm. The following sections will introduce the "duty of care" of the school to children and basic principles for the school to identify, analyse and assess child safety risks, with a brief description of common and foreseeable risks related to child safety.

#### 3.1.1 "Duty of care" of the school to children

In a broad sense, a party owes the "Duty of care" to the other party when that party reasonably foresees that the other party will be harmed due to lack of reasonable care. Proximity between the parties is a prerequisite for the duty of care. The court will not impose such an obligation unless it is just, equitable and reasonable to do so.

It is highly dependent on facts whether a specific situation meets the standards and generates the duty of care, though the court has made it clear that:

**"The school has the obligation to ensure that reasonable care is taken of students, who are in the school attending classes, and that the expected standard of care is that which a reasonably prudent parent should adopt."<sup>2</sup>**

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<sup>2</sup> For details, see *Man Hin Fung-v- SKH Chan Young Secondary School* [2018] HKDC 323; [2018]3 HKC 246; DCPI 2725/2015; *Leung Sze Nok-v- Tsuen Wan Properties Limited t/a Riviera Ice Chalet* [2010] HKDC 173; DCPI 1470/2007. What is discussed here is for informational purposes only and is not intended as a complete description of all relevant and applicable legal positions. Readers are again reminded to seek independent legal advice as described under the disclaimer.

An overly general and concise definition of law in this area is unattainable and undesirable. Still, the court has, through years of rulings, developed standards to guide the public in recognising the "Duty of Care" and in fulfilling that duty when it arises. Here are some common standards for reference:<sup>3</sup>

- The school has the obligation to take due care of students attending classes in the school. As long as the school knows there are students on campus, the "Duty of care" exists. This includes the period before class (i.e. the school gates are opened to allow students to enter) and after classes or exams are over (i.e. students are allowed to remain in the school).
- The school must create a system to ensure that teachers can take care of the children under their management as do **their reasonably attentive parents**. Furthermore, teachers' duty is only to take reasonable care of the children, and this duty is not unconditional:
  - When judging how reasonably teachers perform the duty of care, the following factors must be considered: (i) school life is different from home life; (ii) a class has many children; and (iii) the students are of different quality.
  - For example, it is beyond a teacher to ensure that no child is harmed when playing on the playground, for there are so many children.
- The school is obliged to **create a safe environment for students to learn the techniques and skills**, and adopt teaching procedures and methods that can ensure child safety. The school should give adequate care to children participating in inherently dangerous sports.
- Teachers are obliged to **take all reasonable and appropriate steps, bear in mind the children's known tendencies, and prevent harm to any child**, whether the harm comes from an object, from a classmate's behaviour, or from combination of the two. What may harm a student is a matter of degree, depending on the nature of the thing and the age of the student.
- Teachers are obliged to **supervise students while they are in school**. Supervision is exercised in light of students' age and their classroom activities; but it is unlikely for teachers to keep an eye on all the students all the time, except that there is a need to remind them of a previous incidents of the same type.
- It is necessary to **balance strict supervision of students during their stay in school all the time and encouraging their independent growth**. Only a high standard of negligence during children's play may hold the teachers accountable. It takes a high degree of negligence during children's play to hold the teachers accountable.
- High teacher-student ratios are not essential for the school to fulfil the "duty of care".

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<sup>3</sup> For details, see *Man Hin Fung -v- SKH Chan Young Secondary School* [2018] HKDC 323; [2018] 3 HKC 246; DCPI 2725/2015 (23 March 2018). In 2021, the Law Reform Commission of Hong Kong incorporated the concept of duty of care in its criminal law reform proposals in relation to "causing or sitting watching death or serious injury to a child". As at the publication date of this Toolkit, the proposed criminal law provisions have not yet been enacted. The new criminal law provisions, if enacted, should be taken into account by those using this Toolkit.

Given the ever-changing human behaviours and interactions, which is especially so when it comes to contact with children, there is no universal safety standards that is applicable at all times. The school must pay attention to the nuances and subtleties associated with particular learning or sporting activities, because details alone determine what is reasonable and what is not in a particular area. Therefore, the following sections will, in an extensive and non-exhaustive manner, outline a reasonable supervision system, especially such a system that can manage and reduce common and predictable child safety related risks in school, for school reference. The school generally will seek parental consent for activities in and out of the campus. However, making students and parents aware of the risks and obtaining their full "informed consent" can only be a defence against an alleged breach of the school's duty of care, and it may not necessarily lead the court to conclude that the school has not failed to perform its "duty of care" of students. In other words, **the school should not neglect to manage risks associated with activities on the grounds of "having obtained parental consent"**. Even with full and informed parental consent, the school must carefully manage risks to protect children from harm. In addition, the school should provide parents with a reasonable, comprehensive and accurate description of activities in or out of the campus to obtain their full informed consent.<sup>4</sup>

### 3.1.2 Definition of child safety risk assessment

Risk is the probability of harm. During their stay in campus, children may, be they in classroom, at break, in extra-curricular activities, or after school, be subject to harm from people, events or things. To minimise reasonably foreseeable harm to children caused by negligence, the school should identify in advance potential risks, take preventive measures and conduct appropriate crisis assessment and management. Effective risk management ensures that:

- **Risks are identified, discussed and understood:** When making any decision/action about children, the responsible personnel should comprehensively analyse the potential impact of the decision/action on children and discuss potential risks with colleagues;
- **Response to associated risks is provided:** After identifying relevant risks, the responsible personnel should follow the established procedures of the school or provide and adopt feasible approaches to minimise such risks that affect the children;
- **Personnel are specially assigned to risks and responsibilities:** The school should put first children's safety, assign dedicated personnel to handle risks, and define the roles and responsibilities of school staff, administrators and management;
- **There are feedback, review and improvement:** All parties should take an open and positive attitude to difficulties, and correct and learn from mistakes, if any.

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<sup>4</sup> What is discussed here is for informational purposes only and is not intended as a complete description of all relevant and applicable legal positions. Readers are again reminded to seek independent legal advice as described under the disclaimer.

**\*This chapter focuses on safety risks facing children that arise from a particular environment or their needs. Human risks, such as child maltreatment and related information are detailed in Chapter 4.**

### 3.1.3 When is it necessary to conduct a child-related risk assessment?

The school, in its daily operation, shall follow the Operation Manual for Pre-Primary Institutions by the Education Bureau, conduct regular entity risk assessments, and provide practice guidelines for staff reference. Plan Hong Kong encourages schools to conduct an independent risk assessment to ensure the safety of participants before any activities, and to establish basic implementation procedures for risk assessment as defined in the ISO31000 Risk Management Principles and Guidelines<sup>5</sup>. It includes identification, analysis, and assessment of child-related risks, and implementation of safety measures.

## 3.2 Identification, analysis and assessment of child-related risks

### 3.2.1 Risk assessment framework

It is important to be vigilant in the daily operation of the school and in the event of an emergency, and to be constantly aware of any harm that may be caused to children as a result of the activity. The following is a framework for **identifying** child-related risks in school operations:

Time	Venue	Related personnel	Activity	Environmental resources/tools
<ul style="list-style-type: none"> <li>• Before class</li> <li>• During class</li> <li>• At break</li> <li>• Lunch time</li> <li>• After class (The period when students are waiting for their families to pick them up)</li> <li>• Extra-curricular activities</li> </ul>	<ul style="list-style-type: none"> <li>• On a vehicle</li> <li>• Inside the school, such as in the auditorium, classroom, or restroom</li> <li>• Outside the school, such as in community centres or parks</li> </ul>	<ul style="list-style-type: none"> <li>• Academic staff (full-time or part-time)</li> <li>• Students</li> <li>• Parents</li> <li>• Voluntary workers</li> <li>• Service contractor</li> <li>• Attendees of the event</li> </ul>	<ul style="list-style-type: none"> <li>• Daily activities</li> <li>• Single activity</li> <li>• Emergency</li> </ul>	<ul style="list-style-type: none"> <li>• Building</li> <li>• Furniture</li> <li>• Articles for use</li> <li>• Food</li> <li>• Others</li> </ul>

<sup>5</sup> "Global Policy on Risk Management", Plan International, 2020.

### 3.2.2 Six steps of child safety risk assessment

This section provides a simple 6-step approach for staff to assess risks of activities according to established procedures and record the results to the attached Child Protection Risk Assessment Form.

#### **Step 1: What is the event or activity?**

Staff should carefully check the full process of the activity from start to end, divide the activity into several phases, and understand and document all potential risks. The following are some basic areas that should be covered by the activity process:

- Meeting place
- Means of transportation and methods
- Departure and return
- Venue
- Tools needed
- Activity
- Breakup place

#### **Step 2: Who will participate in the event or activity?**

Staff need to consider the participants that will be exposed to risks during the event, such as:

- Academic staff (full-time or part-time)
- Students
- Parents
- Voluntary workers
- Service contractor
- Attendees of the event

#### **Step 3: What are the risks?**

During the preparation, staff must ensure the safety of children and other participants. List at each phase of the activity all events or situations that you believe may cause harm to the participants. The following are examples of general risks:

- Risks caused by topography, such as beaches and high grounds
- Risk of tripping or slipping on uneven roads/stairs
- Risk of traffic accident (e.g. employing a driver with bad driving attitude)
- Risk of accidents arising from inappropriate activities (e.g. high physical demands that children cannot meet)
- Risk of ingestion of medicines and drugs (e.g. improperly placed medicines and cleansers)
- Risk of fire (e.g. improper disposal of flammable materials or smoking)

- Risk of infectious diseases
- Weather-related risks, such as hot weather or cold snaps

\* See Annex II for more information about the risk-related questions and the thinking framework.

#### **Step 4: What are the current safety measures?**

After listing all known risks, staff can assess whether such risks are controllable by knowing the current safety measures in the general organisation and at the site. Staff can refer to the information provided by the venue to understand and ensure the suitability of the venue (to check whether the venue has the necessary licences and certified staff, etc.), and check if safety guidelines and measures (e.g. survival routes, and use of first aid tools) are clear, complete and enforceable.

For example, when students are on means of transportation, the school should instruct staff to ensure that everyone wears seat belts so as to mitigate injuries in the event of an unfortunate accident; during outdoor activities, staff should clearly understand the areas where children are not allowed to enter, ensure sufficient manpower, and designate personnel to take care of designated students to avoid children getting lost or injured. The above safety measures can help staff understand and implement the relevant steps.

#### **Step 5: What is the risk level?**

		Possibility of occurrence				
		Very low	Low	Medium	High	Very high
<b>Impact</b>	Very high (Immediate threat to life by the incident regardless of the number of participants)	H	VH	VH	VH	VH
	High (Very high risk of accidents that may cause serious physical or mental injury, or even death to participants in the activity, regardless of the number of participants)	M	H	H	H	VH
	Medium (Risk of accidents that may bring relatively minor but obvious physical or mental injury to some participants)	L	M	M	M	H
	Low (Risk of accidents that may bring very minor or short-term physical or mental injury to very few participants)	VL	L	L	L	M
	Very low	VL	VL	VL	VL	L



	(No physical or mental injury)					
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After identifying child-related risks, the staff should analyse the possibility of occurrence and impact of the risks.

### **Step 6: What are the additional actions needed to reduce the risk?**

After risk assessment, staff can check based on the risk level

1. Is the level of risk acceptable?
2. Are there any additional actions or measures that can be taken to reduce the risk?

Given that current safety measures may not be fully applicable to particular scenarios of different activities, step 6 is for staff to put forward corresponding safety measures in light of the actual situation to put participants under comprehensive protection. For example, when there are several breakup points for an out-of-campus activity or a parent suddenly wants his/her child to leave earlier at a specific time, given that no guidelines can list all responses to all scenarios possible, staff must check whether the child to depart is the parent's child, so as to avoid other children being sent away mistakenly.

After risk assessment, all relevant safety measures shall be **clearly recorded** and **implemented**, and relevant documents shall be kept on file.

\*Staff can refer to Annex I Risk Assessment Template and fill in as required.

**Further learning on Risk Assessment, please register our Online Learning Platform <https://cspcertificate.plan.org.hk/> (Provide Training in Chinese Only).**

## 3.3 Some common campus risks and management measures

The following sections will describe situations that are special or not detailed in general manuals, and recommend safety measures and relevant effective resources. However, it is impossible to exhaust all the scenarios. Schools should keep up with the times and keep abreast of updates to relevant laws and regulations, including but not limited to the Education Ordinance (Cap. 279), Education Regulations (Cap. 279A), as well as updates of circulars and guidelines on school administration and services issued by the Education Bureau and Social Welfare Department.

### 3.3.1 Environmental risks

For daily classroom operation, the school can refer to the Operation Manual for Pre-Primary Institutions by the Education Bureau and the Safety Guideline for Pre-primary Institutions by the Centre for Health Education and Health Promotion of the Chinese University of Hong Kong, in

reviewing and implementing safety measures. Meanwhile, the school can implement additional safety measures in various situations.

To promote child safeguarding, it is suggested that the school should implement more measures to safeguard children. For example, when designing campus hardware, ensure that classes and activities are in open and transparent areas, preferably monitored by closed circuit television systems. Staff shall try to avoid one-on-one communication with a child in closed rooms.

In case of classes or activities in a classroom or multi-purpose room, staff should keep the door open for a long time to achieve high visibility. If it is necessary to close the door, small windows can be installed on the door to enhance visibility. Schools should ensure that windows are not blocked and that vacant and unused rooms are locked at all times for enhanced safety of children and staff.

During lunch or nap time, there should be at least two teachers on duty to keep students safe and protect them from injury. During nap time, students should have their own bedding to ensure personal hygiene and safety during the rest.

Where resources permit, additional teachers/staff can be assigned to the classroom for mutual care and supervision, which can improve the safety of children and teachers.

**\*Reference:** [Safety Guideline for Pre-primary Institutions](https://www.cuhk.edu.hk/med/hep/healthResource/centrePublication/safety_guideline.pdf)

[https://www.cuhk.edu.hk/med/hep/healthResource/centrePublication/safety\\_guideline.pdf](https://www.cuhk.edu.hk/med/hep/healthResource/centrePublication/safety_guideline.pdf)

### 3.3.2 Understand the needs of children of different traits

The school should consider the traits of students (including their age, ability, and special needs) when making risk assessments. In other words, if a school or its staff harms a child, no such harm or neglect may be justified on the grounds that the child's physical or mental condition is particularly fragile. Non-Chinese speaking students, and children with special educational needs (SEN) or additional medical needs are relatively vulnerable physically or psychologically, and need different forms of support or more attention from the school. During risk management of its daily operations or activities, the school should refer to relevant guidelines of the authorities to ensure the safety of students with different traits and needs.

#### 3.3.2.1 Different health needs of children

For school codes on general child health, see chapter 4 "Health" of the Operation Manual for Pre-Primary Institutions, where general guidelines on health inspection, records, management of sickness and first aid are available, as well as 3.5 "Health Matters" in the School Administration Guide to learn healthy learning environment, precautions, health services, management of infectious diseases and healthy diet. For professional advice on children's

exercise ability, healthy diet and health education<sup>6</sup>, see guidelines provided by the Centre for Health Education and Health Promotion, the Jockey Club School of Public Health and Primary Care Faculty of Medicine, Chinese University of Hong Kong.

Operation Manual for Pre-Primary Institutions (January 2023 Version 3)  
[https://www.edb.gov.hk/attachment/en/edu-system/preprimary-kindergarten/about-preprimary-kindergarten/Operation\\_Manual\\_eng.pdf](https://www.edb.gov.hk/attachment/en/edu-system/preprimary-kindergarten/about-preprimary-kindergarten/Operation_Manual_eng.pdf)

School Administration Guide(2022/23 school year), Education Bureau  
[https://www.edb.gov.hk/attachment/en/sch-admin/regulations/sch-admin-guide/SAG\\_E.pdf](https://www.edb.gov.hk/attachment/en/sch-admin/regulations/sch-admin-guide/SAG_E.pdf)

香港中文大學醫學院賽馬會公共衛生及基層醫療學院健康教育及促進健康中心 (Chinese only)  
<https://www.cuhk.edu.hk/med/hep/healthResource/centrePublication/guides.html>

Generally, the school should provide clear guidelines and, while protecting students' medical privacy, ensure that teachers and non-staff concerned are aware of students' medical conditions and communicate with them, so that staff can assess whether a planned activity poses a health risk to children. Also, the school should encourage staff to increase their awareness of students' diseases and symptoms, so as to prevent such students' health from being affected. For example, the school can arrange for students to have a simple physical examination every day when they go to school.

According to the Ordinance of the Education Bureau, general schools should have 2 teachers qualified in first aid training, and some schools may require all teachers to be qualified in first aid for higher safety.

### 3.3.2.2 Children with additional medical needs

Sometimes, some children need to take medication during school hours, such as general cold medicine prescribed by a doctor. According to guidelines of Social Welfare Department, medical negligence includes failure to provide required medication or mental health treatment to students.

If a student's parent informs one of the school staff that his/her child needs to take medicine, the staff member shall report this to the responsible staff member or nurse onsite, if applicable, in order to provide medicine to the student. The school should obtain the consent of the child's guardians (i.e. parents) to ensure that they allow the school to supply medicine to their child. The school should have 2 staff members to double-check the name of the medicine, the child's name, the dosage, the method and the time to take the medicine.

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<sup>6</sup> For details, see <https://www.cuhk.edu.hk/med/hep/healthResource/centrePublication/guides.html>

### 3.3.2.3 Care for students with special educational needs (SEN) in kindergartens

SEN students have one or more learning difficulties, including autism, attention deficit and hyperactivity disorder, dyslexia, communication difficulties, emotional and behavioural problems, hearing impairment, visual impairment, physical impairment, and low intelligence.<sup>7</sup> The growth and development of children is a continuous process. When children reach a certain age and stage of growth, they will develop a corresponding level of cognitive, behavioural, social and language abilities. Parents may not know whether their children have SENs before their children start kindergarten. Kindergarten teachers are next to parents who come to contact with the children<sup>8</sup>. Therefore, teachers, while giving special care to children with special educational needs, should heed the condition of other children. For example, if they find out that a child has obvious developmental problems and difficulties, and extreme behaviours (antagonistic behaviours, impulsive behaviours, etc.), they should contact and consult their parents and social workers onsite immediately for countermeasures, so that the child can be referred for further assessment, timely and appropriate treatment and training can be provided, and relevant assistance to the child in the future can be offered.

The Education Bureau has launched the one-stop information website "SENSE" on 30 September 2021<sup>9</sup>, making it easier for schools, parents and the public to obtain the latest information and online resources on integrated education and special education to help students with special educational needs.

Some additional materials are available for staff:

Resources	Content
"SENSE", one-stop website by The Education Bureau (EDB) <a href="https://sense.edb.gov.hk/en/index.html">https://sense.edb.gov.hk/en/index.html</a>	<ul style="list-style-type: none"> <li>• Integrated Education</li> <li>• Special Education</li> <li>• Professional Support</li> <li>• Professional Development of Teachers</li> <li>• Types of Special Educational Needs</li> </ul>
Kindergarten Education - Comprehensive Child Development Service (0-5 Years Old) EDB	<ul style="list-style-type: none"> <li>• Process for teachers to identify children with health, developmental and behavioural problems early</li> </ul>

<sup>7</sup> "Understanding and Helping SEN Children - A Guide for Teachers", Hong Kong Education Bureau

<sup>8</sup> Kindergarten Education - Comprehensive Child Development Service (0-5 Years Old), Hong Kong Education Bureau

<sup>9</sup> For details, please refer to <https://sense.edb.gov.hk>

<a href="https://www.edb.gov.hk/en/edu-system/preprimary-kindergarten/comprehensive-child-development-service/index.html#reference">https://www.edb.gov.hk/en/edu-system/preprimary-kindergarten/comprehensive-child-development-service/index.html#reference</a>	<ul style="list-style-type: none"> <li>• Overview of the growth and development of preschool children</li> <li>• How to identify children with special needs</li> <li>• How to make referral recommendation to parents</li> </ul>
<p>Pre-primary Children Development and Behaviour Management - Teacher Resource Kit EDB Chapter 3 How to Identify Children with Special Needs <a href="https://www.edb.gov.hk/attachment/en/edu-system/preprimary-kindergarten/comprehensive-child-development-service/4_Chapter%20III%2020200821.pdf">https://www.edb.gov.hk/attachment/en/edu-system/preprimary-kindergarten/comprehensive-child-development-service/4_Chapter%20III%2020200821.pdf</a></p>	<ul style="list-style-type: none"> <li>• Causes of children's problems</li> <li>• Key points of observing children's academic performance</li> <li>• Recommended referral process</li> <li>• Common developmental and learning problems</li> </ul>
<p>Understanding and Supporting Children with Special Educational Needs - Guidelines for Teachers (Chinese version only) <a href="https://sense.edb.gov.hk/uploads/page/integrated-education/learning-and-teaching/sen_guide.pdf">https://sense.edb.gov.hk/uploads/page/integrated-education/learning-and-teaching/sen_guide.pdf</a></p>	<ul style="list-style-type: none"> <li>• Right attitude towards SEN students</li> <li>• How to help SEN students</li> <li>• Teaching and counselling strategies</li> <li>• Interaction between teachers and dedicated staff, school staff, parents and the community</li> <li>• Auxiliary teaching materials and resources</li> </ul>
<p>Operation Guide on the Whole School Approach to Integrated Education <a href="https://sense.edb.gov.hk/uploads/page/integrated-education/landing/ie_guide_en.pdf">https://sense.edb.gov.hk/uploads/page/integrated-education/landing/ie_guide_en.pdf</a></p>	<ul style="list-style-type: none"> <li>• How to identify SEN students early</li> <li>• Characteristics and coaching methods students with different SENs</li> <li>• How to establish inclusive policy and culture on campus</li> </ul>
<p>Leaflet on Child Assessment Service for School-age Children Suspected of Developmental Disorders (Chinese only) Department of Health <a href="https://www.dhcas.gov.hk/tc_chi/information_nr/files/information_referrer_chi_text.pdf">https://www.dhcas.gov.hk/tc_chi/information_nr/files/information_referrer_chi_text.pdf</a></p>	<ul style="list-style-type: none"> <li>• Evaluation service process</li> <li>• Common clinical signs of various developmental disorders</li> </ul>

Facts prove that children with long-term illnesses, physical disabilities, mental disabilities or other special care/educational needs are more vulnerable to harm or maltreatment than other children. In addition, according to the United Nations World Health Organisation, children with disabilities are nearly four times more vulnerable to maltreatment than non-disabled children. As children with disabilities are more dependent on adults and may have communication difficulties, they are at higher risk of being harmed by adults than normal children.<sup>10</sup> Also, such children (especially those with attentional deficit/hyperactivity disorder (ADHD) or autism spectrum) are more vulnerable to harm because they have lower self-control, tend to be more

<sup>10</sup> "Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary Co-operation (Revised 2020)", Social Welfare Department

impulsive and slower in receiving teacher instructions, and. Separation anxiety can also happen to young children and is more common among new kindergartners.

The school shall take management measures to prevent SEN children from maltreatment in its daily operation. For example, the head teacher and grade teacher should have regular meetings to share the special situations in each class, such as students or situations requiring special attention, sharing experience in dealing with students with particular behaviours, so as to better monitor and support SEN children on an ongoing basis.

Also, the head teacher and social workers should maintain close liaison with parents of SEN children, keep informed of students' extra-curricular activities, and be able to respond timely and effectively to emergencies. The school should encourage or train staff (including teachers, workers, and school affairs office staff) to learn more about children with special needs, such as causes, habits, behaviours, and handling techniques, so that they can respond quickly to emergency (such as hitting or biting) in the future.

The school should teach students interpersonal skills, remind them to accept, accommodate and care for students with special needs, rather than negatively labelling them. School social workers should follow up closely with students with special needs. For example, the school can organise special needs groups for students in need on a regular basis, so that students with special needs can help each other.

School staff should be attentive and prudent when addressing the needs of children with disabilities. In general, children with disabilities need more assistance in standing or moving. For example, if a student is physically or visually impaired and needs support or assistance, there may be physical contact. Staff should explain what action will be taken before touching the child and encourage the child to express his/her feelings if the child feels uncomfortable. When planning activities of different types, the school should try best to assess the risks that children with disabilities may face, for example, whether the venue is equipped with barrier-free facilities and whether the manpower is sufficient, so as to minimise the risks to children.

#### 3.3.2.4 Ethnic minority (non-Chinese speaking) students

Child safeguarding should cover children of different ethnic, religious and cultural backgrounds. Some ethnic minority groups in Hong Kong are less competent in Chinese, making it difficult for school staff to communicate with such parents and children. Some parents of non-Chinese speaking children are afraid of the "authority" of the school and seldom express their opinions, including on matters concerning their children's safety.

Considering the special needs of non-Chinese speaking children, the school should ensure that admission is fair and equitable, and that non-Chinese speaking children and their parents



are aware of the support from the school. The Education Bureau has reminded kindergartens through various channels to ensure that all children have equal access to kindergartens and comply with relevant anti-discrimination regulations. So, the school, to enhance communication and contact with non-Chinese speaking students and their parents, should consider taking the following measures:

- The school website should make it clear that when meeting non-Chinese speaking children, translation or interpretation services can be arranged for applicants as required, or that non-Chinese speaking parents and children are allowed to be accompanied by relatives and friends who can speak Chinese to assist in communication
- Kindergartens should list their support measures for non-Chinese speaking children on their website
- The school should optimise its website to ensure that parents have access to information about kindergartens in both Chinese and English

Kindergartens can obtain relevant resources from the authorities to support non-Chinese speaking students. Since the 2019/2020 school year, the Education Bureau has further optimised relevant financial assistance measures for eligible kindergartens admitting non-Chinese speaking students, offering five-level funds in line with the number of non-Chinese speaking students admitted, with the maximum amount equivalent to salaries of 2 kindergarten teachers, so that kindergartens can provide more manpower support and professional training for teachers, and develop effective strategies to assist non-Chinese speaking children in learning Chinese. Kindergartens, if resources allow, can recruit additional teachers or teaching assistants (including teaching assistants of different races), purchase off-campus professional services (including translation/interpretation services), and organise cultural integration activities.<sup>11</sup>

In daily communication, the school should prepare daily external communication documents in both languages, so that parents are better informed of the school affairs; in special cases where parents are unable to communicate in the official language of Hong Kong, they may use the following resources and appoint specific personnel to communicate with the school. To encourage minority children to raise their issues, the school can try to use relevant resources to teach children Chinese and enhance communication. The Home Affairs Department has organised language courses or pre-school play courses with some non-profit-making organisations to enable pre-school children to learn Chinese, and the school can introduce such courses to parents and children to enjoy such services.

The school can also use free translation services provided by some non-profit making organisations, or invite community centres that serve minorities to teach basic Chinese for free,

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<sup>11</sup> "Progress in Supporting Non-Chinese Speaking Students in Learning Chinese by Legislative Council Panel on Education", Legislative Council No. CB(4)1455/20-21(05), 2021

especially teaching minorities how to ask for help when dealing with safety issues (such as domestic violence) and how to raise their awareness of self-protection. Inviting interpreters or volunteers can help improve communication between parents and teachers and promote home-school collaboration.

For detailed support services or activities for ethnic minorities, please refer to the website of Home Affairs Department:

[https://www.had.gov.hk/rro/english/programmes/support\\_service\\_centres.htm](https://www.had.gov.hk/rro/english/programmes/support_service_centres.htm)

To know more about better communication and resources, please refer to the website of the Education Bureau:

Parents Handbook on the Education of Non-Chinese Speaking Students (2015)

[https://www.edb.gov.hk/attachment/tc/curriculum-development/kla/chi-edu/second-lang/Book\\_2.pdf](https://www.edb.gov.hk/attachment/tc/curriculum-development/kla/chi-edu/second-lang/Book_2.pdf)

### 3.3.3 Protect children's personal data and privacy

The school should formulate a personal privacy protection policy in accordance with the law, and attach a personal data collection statement when collecting personal data. In addition, when photographing or videotaping a child or releasing any personal information about the child in any form, online or offline, including the use of the child's images in media, the consent of the child and his/her parents/guardians must be obtained and the rights of the child must be protected. Even if the photos of the child are used for school work and with the consent of the child and his/her parents/guardians, the school should exercise caution in the use and preservation of relevant information, including but not limited to the removal of the child name and any clues that may lead to the disclosure of his/her personal data when publishing photos, so as to protect his/her privacy. Additionally, the school should remind all children, their parents, and participants involved in school activities that consent must be obtained from the children and their parents/guardians before photographing the children, that the privacy of the children should be respected, and that they must avoid uploading images of the children to social media or related platforms. If there are child visitors, their data needs to be protected.

In rare cases, some child sex offenders would use the child's name, school or area to find the location of the child and his or her family in order to prey on the target. Therefore, children's data should be carefully protected.

To prevent and detect child maltreatment as early as possible, we advocate use of closed circuit television (CCTV) surveillance equipment in kindergartens. Use of any CCTV surveillance equipment must comply with the CCTV Practices issued by the Office of the Privacy Commissioner for Personal Data, Hong Kong (click here for consultation). Kindergartens must:

- Assess whether installing CCTV surveillance equipment is the right approach to deal with the current problem.



- Ensure that relevant persons are clearly informed that they are subject to CCTV surveillance through the privacy policy and visible notices posted in CCTV surveillance areas. The notices should describe the organisation operating the CCTV system, the purpose of the surveillance and contact of the person responsible for dealing with personal data privacy issues.
- Organisations are required to conduct regular compliance inspection, and review the effectiveness of CCTV surveillance systems.

CCTV surveillance must not be installed in secret or in places where privacy may be exposed (such as changing rooms).

Office of the Privacy Commissioner for Personal Data: **Guidance on CCTV Surveillance Practices**

[https://www.pcpd.org.hk/english/publications/files/CCTVpractices\\_e.pdf](https://www.pcpd.org.hk/english/publications/files/CCTVpractices_e.pdf)

### 3.3.4 Ensure children's Internet safety

Given the widespread online teaching among schools, the Education Bureau issued the Reference Principles on Supporting Students' Home Learning with E-learning Modes During Class Suspension in September 2020.<sup>12</sup> If the school continues to conduct online education after classes are resumed, it should formulate an online education policy in accordance with the relevant guidelines issued by the Office of the Privacy Commissioner for Personal Data, Hong Kong. When conducting online teaching, the school should minimise the collection of students' personal data, take all practicable measures to prevent disclosure of personal information, and ensure that the personal data collected are for educational purposes only. Without consent of students and their parents/guardians, the school should not record or video students during online teaching. The school should remind students and teachers not to make audio and video recordings during online teaching, and not to post any online teaching pictures on the Internet.

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<sup>12</sup> For the Chinese version, see [https://www.edb.gov.hk/attachment/tc/edu-system/primary-secondary/applicable-to-primary-secondary/it-in-edu/Support/Principles-onE-Learning\\_C.pdf](https://www.edb.gov.hk/attachment/tc/edu-system/primary-secondary/applicable-to-primary-secondary/it-in-edu/Support/Principles-onE-Learning_C.pdf); For the English version, see [https://www.edb.gov.hk/attachment/en/edu-system/primary-secondary/applicable-to-primary-secondary/it-in-edu/Support/Guidelines on E-learning at home\\_EN.pdf](https://www.edb.gov.hk/attachment/en/edu-system/primary-secondary/applicable-to-primary-secondary/it-in-edu/Support/Guidelines on E-learning at home_EN.pdf).

The school can also organise online extra-curricular activities. Some criteria for child safeguarding:

Risk	Possible impact and consequences	Proposed safety measures
Unsafe online activity	<ul style="list-style-type: none"> <li>• Non-activists enter the event platform</li> <li>• Malicious disruption of participants occurs (zoom bombing, forced sharing of objectionable content such as pornographic and/or images of hatred, threatening phrases, etc.)</li> <li>• User's password and ID are stolen and sold in other channels</li> </ul>	<ul style="list-style-type: none"> <li>• Use only reliable, private and protected platform links, and entry is restricted to participants only before the event</li> <li>• ZOOM allows setting the Meeting ID independently for each event and changing the platform password periodically</li> <li>• Participants are reminded not to share activity links and passwords</li> <li>• Registration prior to the event and review of the list of participants are required</li> <li>• Select the activity platform with a waiting room, and check the identity of the participants before letting them in</li> </ul>
Inappropriate behaviours by participants	<ul style="list-style-type: none"> <li>• Share inappropriate or offensive content</li> <li>• Make noise or speak casually</li> <li>• Attack and annoy other participants with words or images in private or in public, including grooming</li> <li>• Transfer files that are not related to the activity</li> <li>• Make unauthorised video recordings</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure that participants are aware of the code of conduct for online activities</li> <li>• Only the host or co-host has the right to share, and the content must be checked before sharing</li> <li>• Participants are forbidden to turn on the microphone during entry and keep it silent as required during the event</li> <li>• Avoid separate grouping, for it may give participants the opportunity to have individual contact with children</li> <li>• Disable participants from use of annotations and private chat</li> <li>• Disable participants from file transfer</li> <li>• Disable participants from recording</li> </ul>
Leaking of participants' personal data	<ul style="list-style-type: none"> <li>• Private data or inappropriate actions are exposed on camera</li> </ul>	<ul style="list-style-type: none"> <li>• The host or assistant should heed the camera images of the participants</li> <li>• Remind participants not to place their personal belongings and information and to keep themselves well groomed (offering dress requirements if necessary)</li> <li>• Virtual backgrounds are used</li> </ul>

When the school entrusts a service contractor to teach students or organise an event on its behalf, the school may still be liable if some tutor deliberately injures or maltreats the children, or unfortunately negligence in the course of performing his or her duties brings harms to any children. Therefore, in order to prevent such problems, the school should not only purchase insurance, but try to have a better understanding of the background of service contractor staff in the recruitment process, and provide appropriate child safeguarding training to all staff. For details, see Chapter 4 "Staff Recruitment, Training and Sustainable Development"

### 3.4 Set up a School Crisis Management Team

The school should try its best to avoid accidents of all types. However, when an unfortunate incident occurs, the School Crisis Management Team must assess any potential risks, handle the consequences, and support students and parents. Also, the Team should develop special policies and measures to deal with unexpected crises or emergencies, including child maltreatment, suicide, self-harm, sudden or unexpected death, serious injuries to students or staff, violence and natural disasters. The School Crisis Management Team should assist in ensuring the safety of all students and staff.

The Team should comprise the principal, senior head teachers, specially assigned teachers, school social workers, educational psychologists, and other administrative staff. If the principal is absent at the time of the incident, the representative of the principal shall organise and arrange manpower and resources, etc.

The school should conduct post-crisis reviews and discuss follow-up matters. The Team should prepare preventive measures, such as regular emergency drill, guidelines on handling behaviours of children, and crisis management measures to cope with different emergencies. For more information, please refer to School Crisis Management on the Education Bureau's website: <https://www.edb.gov.hk/attachment/en/student-parents/crisis-management/about-crisis-management/crisise.pdf>

### 3.5 Situation analysis

#### **Failure to carry out risk assessment and management**

The school has small playground facilities, such as slides and rickety boards for children to play during breaks or waiting for pick-up. There is limit to the number of children playing on the playground and sufficient teachers have been assigned to supervise the children playing. Teachers also have instructed the children on the proper use of the facilities. One day, a K3

student suddenly cried while playing on a slide. The teacher went to check, finding uneven edge and breakages on the slide, and the student's hand was cut and bleeding. After the incident, the child's parents complained that the school failed to safeguard the children.

### Analysis

<b>Child safeguarding crisis</b>	Sufficient assessment of environmental risks is not performed.
<b>How shall the kindergarten do?</b>	<p>The school should establish guidelines for inspection of the environment and facilities, such as regular inspection of the condition of the environment, facilities, furniture and teaching aids</p> <p>If a facility is damaged or risky, it should be reported to the administration immediately, which will take timely action to enclose the facility up, notify all staff to pay attention, and repair it immediately to eliminate the risk.</p>

### Case of child with special needs

1. Siu Fai, a 5-year-old K3 student, has developmental delay and difficulties in language communication. He does not like loud sounds and is very sensitive to light. Other children do not know how to interact with him or play with him, so they just leave him alone. The teacher usually arranges for him to play in a quiet corner, and when he feels sad, or cannot express his emotions directly, he will hit or bite others. As a response, the teacher would just put him in another room and let him calm down alone. Siu Fai 's mother complains that he should not be separated from other children so often that he has no chance to socialise with his classmates.

### Analysis

<b>Child safeguarding crisis</b>	<ul style="list-style-type: none"> <li>• There is a possible neglect of duty of care</li> <li>• The method for handling of the child's behavioural problems is inappropriate</li> <li>• The method for handling of the child's safety is inappropriate as the child was left unattended in another room</li> </ul>
<b>How shall the kindergarten do?</b>	<p><b>Immediate action</b></p> <ul style="list-style-type: none"> <li>• The teacher should address this child's emotion by directly comforting him, such as using gentle tones and words</li> </ul>

	<ul style="list-style-type: none"> <li>Where there is a need to separate children with special needs from others, they should be placed in compartments of the same classroom, instead of placing them unattended in another classroom</li> <li>The teacher should teach children to be more receptive and inclusive of peers with special needs</li> </ul> <p><b>Following-up action</b></p> <ul style="list-style-type: none"> <li>All teachers must be trained to deal with children with special emotional needs</li> <li>They should help children with special needs improve their social strategies and skills</li> <li>Teachers should be regularly trained on child safeguarding, and be reminded of their duty of care to all children, including those with special needs or disabilities</li> </ul>
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### About outdoor activities

- Siu Lai is a 3-and-a-half years old K1 student. One day, Siu Lai 's mother found bruises on her neck after she came back from the kindergarten. Her mother told the school about the incident and asked the school director to probe into it. After investigation, the director replied that Siu Lai was injured while playing in the park. It turned out that Siu Lai was wearing a necklace that day, and another child accidentally tightened grip on her neck.

### Analysis

<b>Child safeguarding crisis</b>	<ul style="list-style-type: none"> <li>Watching of children during activity time/sports play is insufficient</li> </ul>
<b>How shall the kindergarten do?</b>	<p><b>Immediate action</b></p> <ul style="list-style-type: none"> <li>At the end of activity time/sports games, teachers should briefly examine all children's bodies for bruises. If a bruise is found, it should be treated. If the injury is serious, teachers should consider whether a physical examination is necessary</li> <li>The school should inform the parents at the end of the day about the bruise, even if it is a minor one. Parents should sign an incident report to prove that the school has informed them of the matter</li> </ul> <p><b>Following-up action</b></p>

- 
- Ensure that a first aid trained teacher is present during the activity/sports games
  - Arrange for adequate staffing to watch the children
  - Check the environment for potential hazards and ensure that children wear appropriate clothing (e.g. they should not wear accessories).
  - Train regularly teachers on child safeguarding, and remind them of their responsibility to care for children, especially during outdoor activities/sports games

## 3.6 Chapter 3 Resources

### 3.6.1 Resource 1: Risk Assessment Template

#### **Resource 1: Child Risk Assessment Template**

Identifying and assessing risks for planning events involving children and youth

#### **Event Info:**

- Date:
- Time:
- Venue:
- Target audience

		Likelihood				
		Very Low	Low	Mid	High	Very High
Impact	Very High	H	VH	VH	VH	VH
	High	M	H	H	H	VH
	Mid	L	M	M	M	H
	Low	VL	L	L	L	M
	Very Low	VL	VL	VL	VL	L

#### **Date of Risk Assessment:**

Risk Assessment								Risk Management	
Step 1: What is the event stage or activity?	Step 2: Who is at risk? (Think about the factors which put them at risk)	Step 3: What are the risks?	Step 4: What are the control measures currently in place?	Step 5: Risk Calculation			Stage 6: What are the agreed additional controls/actions to be put in place to mitigate the risk?	By Whom	By When
				Impact	Impact	Risk Level			



Is the risk assessment currently favourable to proceed with event/ child/youth participation/engagement

Yes ☐

No ☐

Where the answer is no and a decision is taken to proceed with the proposal please provide reasoning:

Prepared By:

Signature

Date

CS Focal Point:

Signature

Date

Management Sign off:

Signature

Date:

Any event organised by the school requires the responsible personnel to conduct a risk assessment 30 days prior to the event and submit it for approval by the Child Safeguarding Focal Point. The principal must also be notified of and sign the assessment form. All signatories must ensure that the above safety measures are properly implemented



### 3.6.2 Resource 2: Questions related to risk assessment

Here are some questions that should be taken into consideration when conducting risk assessment. In different scenarios, you can consider the following areas (if applicable) to analyse and assess the risk of an activity:

- **Nature of the activity:**
  - Is the activity routine and guided by the school? If so, is the guide updated regularly? If not, conduct a comprehensive child safety risk assessment.
- **Time:**
  - Is the activity time appropriate?
- **Venue:**
  - Is the venue suitable for the activity?
  - Are there any factors (e.g. weather) that may affect the activity at the venue?
  - Will all relevant personnel get to or leave the venue smoothly? (e.g. adjacent an MTR station)
  - Are there any factors near the venue that could endanger the participants? (e.g. roads without CCTV systems, traffic blackspots, etc.)
- **Activity content and arrangement**
  - Are there any circumstances that could affect the safety of children?
  - Has content verification been conducted before the activity?
  - Has the educational benefit of the activity been balanced with the safety risk?
  - Is it ensured that all activities, whether on or off campus, are carried out in a safe environment?
  - Are contingency plans in place? Have the contingency plans been communicated to students, teachers, parents and other school staff? Does the school's insurance cover the risks?
  - Is there any risk of infecting infectious diseases?

For details of extra-curricular and outdoor activities, please refer to the Guidelines on [Extra-curricular Activities in Schools](#) and [Guidelines on Outdoor Activities](#) provided by the Education Bureau.

- **Related personnel:**

Academic staff (full-time or part-time)

- Are the personnel the right one to hold or supervise the job? (Do they have relevant qualifications and first aid skills?)
- Are there sufficient staff to care for children?
- Are they aware of the risks associated with the activity for children?
- Is there any potential intentional or unintentional harm to the student in the activity?

	<ul style="list-style-type: none"> <li>Are appropriate supervision, demonstration and safety guidelines provided to students during the activity?</li> </ul>
Students	<ul style="list-style-type: none"> <li>Is the activity content within the ability of the participating students? Do students need to be trained step by step before the activity?</li> <li>Personal characteristics of students, such as medical history, and special medical and learning needs</li> <li>Student age</li> <li>Will students' physical and mental conditions be checked before and after the activity?</li> </ul>
Parents/guardians	<ul style="list-style-type: none"> <li>Are they informed of their children's participation in the activity?</li> <li>Will they be present on the spot?</li> <li>Are they aware of the content of the activity and activity-related risks facing their children?</li> </ul>
Voluntary workers Service provider (e.g. coach, mentor, etc.) Attendees	<ul style="list-style-type: none"> <li>Are they the right persons for the job?</li> <li>Are there child safety recruitment procedures for people who have close contact with children?</li> <li>Is there any potential intentional or unintentional harm to the student in the activity?</li> <li>Are they aware of the risks associated with the activity for children?</li> </ul>

● **Environmental resources/tools**

- Is there any prior site inspection?
- Is the building suitable for the activity, such as capacity and equipment?
- Is safety gear or equipment for the event adequate and properly arranged?
- Are the furniture and equipment in the venue child friendly? Are there any devices that could cause harm to children?
- Are the tools used in the activity appropriate? If there are tools that must be used and may cause harm to children, are there safety measures in place to prevent children from accessing them?
- Are first aid kits in place in case of emergency?

## Chapter 4: Staff recruitment, training and sustainable development

This chapter informs the readers of:

- ✓ How to formulate staff code of conduct
- ✓ How to screen out unsuitable prospects (including staff, volunteers and service contractors) in the recruitment process
- ✓ Content of staff training
- ✓ How to engage staff in safeguarding children and their sustainable development

### 4.1 Formulate the code of conduct

The Education Bureau strongly recommends that schools clearly express their ethical expectations of staff. The chapter "Staff Ethics" in the Kindergarten Administrative Guide states clearly that "Kindergartens should convey to all staff (including non-teaching staff) the expectations regarding their conduct and performance on a regular basis through different channels, such as staff meetings and teachers' handbook. ."<sup>13</sup>

In fact, to safeguard the safety of children and the reputation of all who work in schools and for all working with children, all staff working with children in kindergartens, including teachers, non-teaching staff, school management committee members, volunteers, and service contractors, must abide by staff code of conduct, and ensure the safety of children at all times.

When formulating the code of conduct for staff, schools should refer to the harm/maltreatment of children as defined by the Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary Co-operation ("the Guide"), clarify the scope and responsibilities of staff, identify **inappropriate behaviours** towards children and **high-risk behaviours** that may result in harm to children, and make clear to school child workers the boundaries of working with children and the definition criteria.

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<sup>13</sup> Kindergarten Administration Guide, Education Bureau. (July 2020.) Retrieved from:  
[https://www.edb.gov.hk/attachment/en/edu-system/preprimary-kindergarten/free-quality-kg-edu/KG\\_Admin\\_Guide\\_Eng\\_2020\\_final.pdf](https://www.edb.gov.hk/attachment/en/edu-system/preprimary-kindergarten/free-quality-kg-edu/KG_Admin_Guide_Eng_2020_final.pdf)

#### 4.1.1 Define inappropriate behaviours

When defining "appropriate and inappropriate behaviours" of staff members, schools can refer to the definition and related categories of child harm/maltreatment in Chapter 2 of the Guide, the Education Ordinance, and relevant administrative guidelines of the Education Bureau.

Noticeably, in the Guide (Revised 2020), the Social Welfare Department particularly suggests that schools avoid focusing on whether the behaviour is "harm" or "maltreatment" when communicating with different stakeholders. Schools should mainly consider the harm and possible impact of such behaviour on the physical and mental health development of children, instead of judging whether the person who did/did not do the act intended to harm the child. Therefore, when defining inappropriate behaviours, schools should always be rigorous and cautious and, in the mentality of nipping the bud, try to eliminate any behaviour that may cause harm to children. Also, schools should consult staff on establishing a code of conduct for staff, and building consensus with employees on how to distinguish between "appropriate and inappropriate behaviours" and "high-risk behaviours". Only in this way will staff have a clear understanding of the boundaries of interaction with children.

The following are excerpts from the Guide (Revised 2020) and relevant regulations of the Education Bureau:

Child maltreatment means doing/failing to do something with **a person under the age of 18 with the result that the physical or mental health of the child is jeopardized or harmed**, and such action or non-action is usually performed by people who take advantage of their special status (such as age, status, knowledge, and form of organisation) in relation to **the power difference** between themselves and the child to put the child in a vulnerable situation.

If an organisation does not define "inappropriate behaviours" and "high-risk behaviours" and fails to instruct staff to identify these behaviours in a timely manner, carers who have already had the above behaviours may be more likely to injure/maltreat children in impulse under the blurred boundaries. Generally, impulsive child harm/maltreatment occurs when: 1). dealing with a child's behavioural problems; or/and 2). in the face of uncooperative and provocative actions of children. These two situations are more likely to affect the carers' personal emotions and cause out-of-control reactions and behaviours. While training staff to identify "inappropriate behaviours" and "high-risk behaviours", and regulating and monitoring relevant behaviours in a timely manner, organisations can strengthen the training of mental introspection and emotional control of carers to reduce the likelihood of impulsive child harm/maltreatment by carers.

## Physical maltreatment

Physical maltreatment refers to physical injury or suffering inflicted on a child (including non-accidental use of force, deliberate poisoning, suffocation, burning or "Factitious Disorder Imposed on Another"), when there is evidence to ascertain or reasonably doubt that the harm is not accidental.

Noticeably, section 58 of the Education Regulations states: "Teachers shall not inflict physical punishment on students." According to the Guide, physical punishment generally refers to "inflicting pain on a child in order to change or control the child's behaviour." There is no absolute standard for identifying specific physical punishment as physical harm or maltreatment. The main consideration is the harm and possible influence of such a particular act on the physical and mental health of the child.

Therefore, to protect children from harm, schools should define inappropriate behaviours by eliminating any **direct behaviour** that may cause pain to children (such as flapping or ear-twisting) or **indirect behaviour** (such as requiring children to act beyond their physical capacity), and support and encourage staff to correct children's undesired behaviours in a positive way. When it is necessary to punish a child, schools should, while maintaining discipline, consider the student's self-esteem, right to education, personal difference, and health condition, including physical, mental and spiritual health, and see that the punishment is not in breach of existing legislation.

## Neglect

Neglect refers to a severe or repeated pattern of lack of attention to a child's basic needs that endangers or impairs 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, and leaving a young child unattended.
- Medical neglect includes failure to provide necessary medical or mental health treatment to a child; or
- Educational neglect includes failure to provide education or ignoring the educational/training needs arising from a child's disability.

## Sexual maltreatment

Sexual maltreatment refers to forcing or enticing a child to take part in any acts of sexual activity for sexual exploitation or abuse and the child does not consent to or fully understand or comprehend this sexual activity that occurs to him/her due to mental immaturity.

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 his/her sexual organs, or to pose in an obscene way/watch sexual activities of others, production of pornographic material, forcing a child to engage in prostitution, etc.).

Sexual maltreatment also includes **sexual solicitation**, namely designedly establishing relationship and/or emotional contact with children through different means to gain their trust (or the trust of their family members) and then offering rewards or other enticing means to sexually violate children.

Noticeably, though sexual activity between adults and children may sometimes seem consensual, if adults take advantage of their special status of power difference between themselves and children, or to restrict, manipulate or deceive children and other ways to engage them in sexual behaviour, such sexual activity is **sexual exploitation**, or sexual maltreatment.

### Psychological maltreatment

Psychological maltreatment refers to a repeated pattern of behaviour and/or an interaction between carer and child, or an extreme incident that endanger(s) or impair(s) the child's physical and psychological health (including emotional, cognitive, social and physical development).

Psychological maltreatment includes:

- Disdain (to send a message to a child that he/she is useless, unwanted or unloved)
- Rejection or isolation
- Terrorising
- Neglect of the emotional need of the child
- Encouraging children's deviant behaviour (e.g. bullying and stealing)

In addition to these four categories of child maltreatment, schools should understand the definition of "domestic violence" and "bullying" and the harm, impact on children, identify relevant **behaviours** early, and provide children with appropriate protection.

### Domestic violence

According to the Domestic and Domestic Partnership Violence Ordinance (Section 189), domestic violence is "any criminal or miscellaneous case involving violence or upsetting social peace that happens to persons commonly referred to as married or in an intimate partnership, including couples in a long-term relationship or who have parted". In general, domestic violence refers to actual/threatened use of violence among family members due to anger or conflicts, resulting in harm to and control over the other party.

If parents/carers totally ignore the impacts of witnessing domestic violence on children by forcing them to witness and/or participate in the use of violence, or if they teach children to view violence

as an appropriate way to handle disputes and disagreements, the children thus exposed to domestic violence may be subjected to psychological harm/abuse.

## Bullying

Bullying refers to the behaviour of a person or a group of people who bully or deliberately injure the weak or the individuals. Most bullying involves the following three elements:

- Recurring - Bullying occurs repeatedly over a period of time, rather than as a single incident.
- Malicious - Bullies deliberately oppresses and harms others.
- Power imbalance - Bullies are stronger than the victim, and bullying occurs when the victim is unable to protect himself or herself.

Bullying can be broadly divided into the following four categories:

<b>Bullying with physical/behavioural violence</b>	Punching, kicking, slapping, pushing, tripping, pulling hair, and demanding money or goods.
<b>Bullying with verbal aggression</b>	Terrorising, foul language, abuse, vilification, sarcasm, and calling "nickname", as well as malicious ridicule and insults against people for their personal characteristics such as physical characteristics, abilities, and race.
<b>Indirect bullying</b>	Fabricating rumours, being unkind, ignoring the existence of others, isolating, boycotting or marginalizing the victim.
<b>Cyber bullying</b>	Malicious rumour, dissemination of insulting information or personal remarks in order to taunt and slander the victim by means of the Internet, such as e-mail, web, chat tools, or mobile phone text message

The Education Bureau has a range of practical resources on bullying prevention and intervention for schools, including textbooks on how to formulate a school-wide anti-bullying policy and proposed teaching activities. For details, please visit the Education Bureau website. [https://www.edb.gov.hk/en/teacher/student-guidance-discipline-services/gd-resources/anti\\_bullying2/index.html](https://www.edb.gov.hk/en/teacher/student-guidance-discipline-services/gd-resources/anti_bullying2/index.html)

When formulating staff code of conduct, schools can refer to the following "examples in schools" for different types of child harm/maltreatment. For details, please refer to the "Child Safeguarding Policy" model in Chapter 1.



The following examples are provided to help school staff understand the definition of child harm/maltreatment, rather than listing all examples of child harm/maltreatment. When writing staff code of conduct, schools should take into account the work and responsibilities of staff. Apart from preventing child harm/maltreatment, school staff should report any suspected incidents of child harm/maltreatment within the school or the child's family as soon as possible. For information on reporting suspected child maltreatment and related actions to protect children, please refer to Chapter 5 "Principles of internal whistleblowing policy".

Types of child harm/maltreatment	Examples in schools	Examples in families
Physical maltreatment	<ul style="list-style-type: none"> <li>• Punching and kicking children</li> <li>• Slapping children on the face</li> <li>• Punishing children to sit on a shadowless stool until physical exhaustion</li> <li>• Sealing children's mouth tightly with adhesive paper</li> <li>• Hitting a child's hand with a ruler</li> </ul>	<ul style="list-style-type: none"> <li>• Punching and kicking children</li> <li>• Slapping children on the face</li> <li>• Different ways of inflicting physical pain on children</li> </ul>
Sexual maltreatment	<ul style="list-style-type: none"> <li>• Using the special status of power differences to sexually entice or exploit schoolchildren, such as                             <ul style="list-style-type: none"> <li>○ having a romantic relationship with students</li> <li>○ sending sexually explicit messages to students via messaging apps/social networks</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• sexual assault from a family member such as a parent, stepparent, sibling, other relative or co-resident</li> </ul>
Neglect	<ul style="list-style-type: none"> <li>• Requiring children to receive inappropriate physical training without knowledge of children's medical records</li> <li>• Failure to keep an eye on children</li> <li>• Failure to seek medical assistance in real time when a child is physically injured</li> <li>• Failure to intervene in child bullying</li> </ul>	<ul style="list-style-type: none"> <li>• Failure to provide necessary food and clothing</li> <li>• Failure to provide hygienic and safe shelter (e.g. a home filled with drugs within reach of children)</li> <li>• Leaving young children at home alone</li> <li>• Prohibiting children from attending school or</li> </ul>



		<p>allowing them to be absent from school without a reasonable reason</p> <ul style="list-style-type: none"> <li>• Pregnant women abusing drugs/alcohol during pregnancy</li> </ul>
Psychological maltreatment	<ul style="list-style-type: none"> <li>• Engaging in bullying, including <ul style="list-style-type: none"> <li>○ Calling abusive names to children</li> <li>○ Slighting children, denying children classroom activities without proper reason</li> </ul> </li> <li>• Insulting or verbally humiliating or devaluing children</li> <li>• Intimidating children</li> <li>• Finding fault with children conveying a message that whatever they do is wrong</li> </ul>	<ul style="list-style-type: none"> <li>• Exposing children to domestic violence</li> <li>• Encouraging children's deviant behaviour</li> <li>• Intimidating children</li> <li>• Insulting children</li> <li>• Disdaining children and conveying a message that no one loves them.</li> </ul>

#### 4.1.2 Define high-risk behaviours

To nib the bud and protect the reputation of staff, schools should list **high-risk behaviours** that may cause harm to children to avoid stigmatisation of staff members, and ensure the safety of children. Schools should define a range of high-risk behaviours based on operational procedures and daily interaction between staff and children.

Here are some examples of high-risk behaviours for schools' reference:

- Avoid being alone with children, giving teaching openly and making it in plain view of others
- Avoid communicating with students or their parents privately on non-work related matters via messaging apps/social media
- Avoid meeting children outside of school
- Avoid giving gifts to children or their family members without proper reasons
- Avoid home visit alone
- Avoid inappropriate physical interaction with children (e.g. tickling or massaging) (other than physical contact to help children care for themselves)

**Further learning on Inappropriate Behaviours, please register our Online Learning Platform <https://cspcertificate.plan.org.hk/> (Provide Training in Chinese Only).**

## 4.2 Recruitment procedures for child safety

To create a safe environment for children, schools should screen the right personnel in multiple ways, including:

- Highlight child safeguarding in job ads
- Conduct employment interview
- Check the background of candidates
- Sign employment/service contractor contracts

Child safeguarding measures in the recruitment process should be clearly documented and properly maintained for the following objectives:

- Ensure that all staff practice the school's child safeguarding idea in an aligned manner
- Screen the most suitable child workers in a consistent and equitable manner
- Ensure that supporting documents are available for future checking if necessary

### 4.2.1 Highlight child safeguarding in job ads

The school's job ads should clearly state the requirements for child safeguarding and clear commitment to keeping children safe, to discourage the unqualified or those bearing evil intentions from applying for the job. Examples of job descriptions:

*“The school shows zero tolerance to maltreatment of any kind. Any act of child maltreatment or failure to report any suspected child maltreatment will incur disciplinary action, including but not limited to termination of employment.”* Relevant position and terms should be listed in the employment contract.

The above description sends an important message to the candidates, bringing home to them the school's position and commitment to child safeguarding, and the supervision and control that will be imposed to them.

Job ads should also emphasize the high level of child safety and protection involved in the recruitment process. All applicants must agree to undergo a background investigation and follow child safety and protection screening regulations.

### 4.2.2 Employment interview

It is advisable that schools examine candidates' values, work attitudes and related work performance during recruitment interviews, assigning at least two properly trained staff as interviewers to collect a wide range of perspectives and opinions. A series of questions should be designed to understand the candidates' behaviour and values in order to determine whether they are suitable for working with children and identify any potential risks to children.

Interview should include:

- Examine the candidates' motivation for applying for or working with children.
- Understand the candidates' perception of the appropriate school's handling of child maltreatment, including what they think can be done to prevent child maltreatment in school.
- Understand the candidates' work history, including previous positions, their responsibilities, and the reasons for leaving (especially some jobs that entail work with children).
- Review the applicants' resume for any gaps outside of their work history and ask for any inadequacies.
- Design different scenarios to understand whether candidates have the awareness of professional boundaries when working with children.

Recruiting volunteers is different from employee recruitment, but the school should learn as much as possible about volunteers' background, purpose and motivation, and the information collected should be kept properly. The school should ensure that the personal data collected through the above procedures comply with the school's privacy policy and personal data collection statement.

**For questions designed for interview, please refer to Resource 1 "Sample Questions on Screening Staff and Recruitment of Volunteers"**

### 4.2.3 Background check

According to the section "Appointment of teaching staff" in the Kindergarten Administrative Guide, kindergartens should follow the following audit procedures in the recruitment process:

- Check the original of applicants' teacher registration certificate and qualification documents carefully (for teaching posts only)
- Request candidates to report whether their registration certificates have been cancelled/refused (for teaching posts only)
- Request candidates to declare whether they have been convicted of a criminal offence in Hong Kong or elsewhere
- Require prospective employees to undergo the Sexual Conviction Record Check

- Check the certificates of service issued by the candidates' previous employers. After obtaining their consent, inquire about their work performance from their previous employers

(Note: The school should ensure that the personal data collected through the above procedures comply with the school's privacy policy and personal data collection statement.)

Schools should state in the application form and/or other relevant documents that accepted applicants who misrepresent data/conceal material facts may face serious consequences of criminal prosecution.

To protect the safety of children, schools should require the above declaration of any staff member (including staff, volunteers and staff of service contractors) before they commence service. Please refer to Resource 2 "Child Safeguarding Declaration Form" for detailed declaration form.

#### 4.2.3.1 Sexual Conviction Record Check

According to the "Operation Manual for Pre-Primary Institutions" and "Kindergarten Administrative Guide", the Education Bureau strongly suggests that schools carry out sexual conviction record check in the appointment process to enhance child protection. If the Incorporated Management Committee (IMC)/School Management Committee decides not to check prospective employees or individual prospective employees for sexual conviction record, the reasons for the decision shall be discussed in detail at the meeting of the Corporate School Board/School Management Committee and be recorded in the minutes of the meeting and properly filed.

Even if personnel concerned is not a school employee, the school may require the service contractors to instruct their staff to undergo a sexual conviction record check and authorize the school to check the results. (Note: The school should ensure that the personal data collected through the above procedures comply with the school's privacy policy and personal data collection statement.)

The time limit for each sexual conviction record check is 18 months. Therefore, it is suggested that the school check the employee's sexual conviction records once every 18 months.

#### 4.2.3.2 Inquire about the candidate's past work performance

It is advisable that schools consult at least two of the candidates' previous employers about candidates' past work performance, preferably asking those who have directly supervised the candidates and observed their interactions with the children. Background investigation should include candidates' past experience of interacting with children. (Note: The school should

ensure that the personal data collected through the above procedures comply with the school's privacy policy and personal data collection statement.)

**For reference questions for background investigation, please see Resource 3 "Sample Reference Questions for Background Investigation".**

#### 4.2.4 Contract

In general, all staff should be provided with a copy of CSP of the school in full version before commencing service. All staff, volunteers and service contractors are required to sign contracts or documents prior to the commencement of any work that involves contact with children. And the schools should make sure that they understand and agree to abide by their CSPs.

Schools should clearly explain the concept and contents of their CSPs before signing contracts with staff, informing staff of their intention in establishing staff code of conduct, whistleblowing policy and reporting procedures for suspected child maltreatment, stating that any violation of the CSP will incur disciplinary action, including warning, suspension and dismissal. The relevant terms should also be reflected in the employment contract or service contract.

#### 4.2.5 Minimum standards applicable to single service contractors or volunteers

Given that service contractors/volunteers who provide a single service may not have enough time to understand the whole CSP, the school should, before they offer the service, brief them on the CSP to ensure that they:

1. Have a clear understanding of the school's concept of child safeguarding;
2. Understand their obligations under CSP and the rules to be followed;
3. Know the reporting channels and mechanisms of the school.

After that, the person concerned should sign to confirm that the school has explained CSP to them and fill in the Child Safeguarding Declaration Form.

**A 5-minute video explaining the CSP will be posted on the online education platform of Plan International. An affidavit of child safeguarding is attached to the video. Please scan the visit the link <https://cspcertificate.plan.org.hk/signing/> for details.**

#### 4.2.6 Internal records of misconducts

The school should blacklist the misconducts of staff/service contractor staff/volunteers on the internal records in the database and have it kept by the designated administrative department. The school, when recruiting staff, selecting service contractors or soliciting volunteers, should

submit the names of relevant personnel to designated administrative department for checking records. The school should ensure that the above records comply with the privacy policy and personal data collection statement. Such personal data are recommended for internal use only, unless disclosure is required by law and regulation.

## 4.3 Personnel training and sustainable development

A safe and friendly environment for children presupposes recruiting suitable talents and conducting personnel training. Staff need to have a consistent and adequate understanding of the school's CSP and stay sufficiently sensitive to the needs of children and operational risks, so that they can put into practice the policy of child safeguarding and ensure the safety of children in daily work.

### 4.3.1 Personnel training

We recommend that school staff (including staff, volunteers and service contractors) be trained in child safeguarding within one month of their appointment or before they start any work with children, whichever is earlier. Proposed contents of training:

- Explain the content of the code of conduct in context
- Principles, situation analysis and precautions of risk assessment and management
- How to report and handle suspected child maltreatment

\*Plan Hong Kong has launched "Child Safeguarding Training" to provide training for school staff. Please contact our staff for details.

Apart from the above CSP training, kindergartens should provide more professional training to teachers in accordance with the Education Regulations and the Kindergarten Administrative Guide to enable them to better respond to the special needs of different children.

According to section "Training to satisfy the diverse needs of children" of the Kindergarten Administrative Guide, preferably, each kindergarten joining in the Kindergarten Education Programme has one director who has received professional training on supporting NCS children and children with special needs or those with developmental delays. The Education Bureau has provided corresponding training courses for kindergarten staff.

Section 55(1)-(4) of the Education Regulations requires that "at least two teachers in every school shall be trained on first aid" to protect the safety of children.

### 4.3.2 Staffing

To have sufficient manpower to ensure the safety of children and to cater for their special needs, the Education Bureau requires a certain number of teachers in the school to care children.

For details and the calculation method of the teacher-student ratio in different types of kindergartens, please refer to Section 5.1.1.1 "Personnel Management" in Chapter 5 of the Kindergarten Administrative Guide and "Model for Calculating the Number of Teachers"

### 4.3.3 Work supervision

The school management and intermediate supervisors should conduct regular work supervision and surprise inspections, by, say, sending one or two who are directors to attend school events, coupled with random surprise visits to daily operations or activities to ensure that staff comply with code of conduct and procedures for child safeguarding. This will also keep the management informed of questions and difficulties of frontline staff in child safeguarding, so that appropriate guidance and support will be provided.

### 4.3.4 Sustainable development

To ensure continuous and effective child safeguarding practice among staff, schools should conduct staff performance appraisal and service contractor evaluation to bring home relevant expectations and requirements to staff and, based on this bridge of communication, continue to monitor and support related personnel in child safeguarding in their daily work.

## 4.4 Roles and responsibilities of the Child Safeguarding Focal Point

Responsibilities include:

1. Clearly understand, fully support and promote the school's CSP.
2. Ensure that administrative and other activities related to child safeguarding are in line with policy guidelines.
3. Continue to monitor schools for risk management and provide professional advice on relevant matters.
4. Review and update the school's CSP regularly.
5. Provide regular briefings and training on the CSP for fellow workers, students, parents and interested parties.
6. Provide appropriate, feasible and high-quality advice and support for child safeguarding enquirers.
7. Be the contact point for all complaints/incidents of suspected child maltreatment. Ensure that any case is handled in accordance with the reporting guide of the school and that the child is protected during the investigation.



#### 4.4.1 Who is the right candidate for child safeguarding focal point?

Apart from senior teachers, school social workers are also suitable candidates. In the 2018/2019 Kindergarten Social Work Pilot Programme, kindergartens introduced the role of school social worker to provide more support for students, parents and colleagues. But the practice to have a social worker onsite has yet to prevail in some kindergartens. So, the management should take an open attitude towards school social workers and strengthen mutual cooperation.

The Child Safeguarding Focal Point should be armed with the skills and knowledge to deal with suspected child maltreatment and related crises, and responsible for communication in the investigation. In ensuring that schools follow the guidelines on child maltreatment reporting procedures, they should make sure the child feels safe and comfortable when providing information, and ensure that the child is properly protected during the investigation. Schools can consider appointing senior teachers and school social workers as the Child Safeguarding Focal Point at the same time, and work together on child protection when allegations or disclosures of child maltreatment arise.

### 4.5 Staff and volunteers under the age of 18

If an organisation employs staff or volunteers under the age of 18, they are subject to both supervision and protection under the CSP. The organisation has multiple responsibilities for employees/volunteers during their employment/service.

#### 4.5.1 Organisations' responsibility to protect staff/volunteers under the age of 18

Child in the CSP of Plan Hong Kong, according to United Nations Convention on the Rights of the Child, refers to those under the age of 18. Therefore, persons under the age of 18 working/serving in organisations, whether as full-time, part-time staff or volunteers, are subject to the protection of the CSP. Organisations are responsible for ensuring that such staff/volunteers enjoy the same protection and rights as children in the CSP during their employment/service.

Organisations should ensure that their recruitment of staff under the age of 18 is in line with provisions of the Employment of Young People (Industry) Regulations (Chapter 57C) and/or the Employment of Children Regulations (Chapter 57B).

Written consent of their parents and guardians should be acquired before recruiting any volunteer under the age of 18.

#### 4.5.2 Organisations' responsibility to protect staff/volunteers under the age of 18



If employees/volunteers under the age of 18 will have contact with children in their work, they shall also be subject to the regulations of the CSP. Given that contract and declaration may not be binding on the minor, their responsibility for child safeguarding will be shared between themselves, their parents and the employing organisations. Proposed procedures are as follows:

1. Organisations, if employing full-time/part-time staff or volunteers under the age of 18, should screen candidates in accordance with all the procedures in 4.2 above;
2. If staff/volunteers under the age of 18 need to sign the contract or declaration, their parents or guardians should also co-sign the contract and declaration.
3. Before the young staff/volunteers start work, organisations should provide at least one briefing and training session of not less than 30 minutes on the CSP for them to ensure that they:
  - a) Have a clear understanding of the organisations' concept of child safeguarding;
  - b) Understand their rights and obligations as described in the CSP and rules to be observed;
  - c) Know the organisations' whistleblowing channels and mechanisms, and
  - d) Have a preliminary understanding of the criminal laws and regulations concerning harm to children, and know that minors over the age of 10 cannot be exempted from legal responsibility if they commit criminal offences.
4. Upon completion of the above training, the minors concerned should sign a brief declaration confirming that the organisation has explained to them the CSP.
5. Under no circumstances should any organisation leave an underage employee/volunteer to look after or be with a child alone. At least an adult employee/volunteer should be assigned to supervise his/her work or work together with him/her.

## 4.6 Situation analysis

1. A kindergarten was in a bad need of a substitute teacher. The principal decided to hire the candidate without conducting a thorough interview, nor asking about the candidate's experience with children or doing a background investigation. The teacher physically punished children several times during the several months' of service, violating the code of conduct. After a call to the former employer of the substitute teacher, the principal learned that the teacher had slapped a child rudely on the head during work. However, as there were no bruises on the head, the former employer did not take disciplinary action against the teacher. When asked by the school management committee why he had hired the substitute teacher, the principal was speechless.

## Analysis

<b>Child safeguarding crisis</b>	<ul style="list-style-type: none"> <li>• Lack of recruitment procedures for child safety</li> <li>• Insufficient probing questions in the interview to learn about staff's past experience and interaction with children</li> <li>• Lack of full background investigation</li> </ul>
<b>What can the kindergarten do with it?</b>	<ul style="list-style-type: none"> <li>• Develop pre-set guide for staff selection and performance assessment</li> <li>• Even staff on short-term contracts or volunteers must be briefed on the CSP and understand that breaches of the code of conduct may incur disciplinary action</li> <li>• Director level staff should closely monitor the performance of frontline staff</li> </ul>

2. Ms. Cheung is a new kindergarten teacher. She is friendly and loves children. One day, when all the classmates left after class, Chun Wah, a male student in the class, cried to her and told her that he had been physically punished by his father with rattan and he was covered in wounds. He wanted to lift his clothes and take off his pants so that Ms. Cheung could see the wounds and believe he was telling the truth. Considering the privacy of the child, Ms. Cheung closed the classroom doors and windows. Seeing Chun Wah was covered with scars, she promised to follow up. The next morning, Chun Wah's father called the principal, complaining that Ms. Cheung made lewd acts. Because no one could testify, Ms. Cheung could not prove herself innocent.

## Analysis

<b>Child safeguarding crisis</b>	<ul style="list-style-type: none"> <li>• Be with a child alone</li> <li>• Lack of boundaries of interaction with children (under no circumstances should physical examination of a child be conducted)</li> </ul>
<b>What can the kindergarten do with it?</b>	<ul style="list-style-type: none"> <li>• Even if it is necessary to be alone with children in some cases, staff should try to do so in an open and safe environment and report to the management immediately afterwards and explain the reasons.</li> <li>• All classrooms on campus should be properly transparent (e.g. installed with glass windows or glass doors) so that staff, students or parents outside the classroom can observe what is going on inside.</li> <li>• If possible, schools should arrange at least two teachers in the classroom for mutual support and supervision.</li> </ul>

	<ul style="list-style-type: none"> <li>Closed-circuit television should be installed in the classroom, so that the footage can be reviewed when parents report suspected child maltreatment to the school.</li> </ul>
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3. Mr. Chan plays favorites with bright students of high self-care ability, but dislikes students with poor self-care ability. One of his students suffers from enuresis. Mr. Chan dislikes him and sometimes even scolds him loudly in public as "useless" or "the whole class looks down upon you". And he even goes so far as having the student stand in the corner for one hour as a punishment. The victim's weeping never moves him, but convinces him that he is doing the right thing.

### Analysis

<b>Child safeguarding crisis</b>	<ul style="list-style-type: none"> <li>May constitute physical child maltreatment (standing in corner for more than 1 hour)</li> <li>May constitute psychological child maltreatment (the child being isolated, including being made to stand in a corner of the classroom and being teased by the whole class)</li> <li>Neglecting the child's mental health and negative labels may affect the child's self-esteem, confidence and self-image, or have long-term physical and mental consequences</li> </ul>
<b>What can the kindergarten do with it?</b>	<ul style="list-style-type: none"> <li>Develop a consistent set of student discipline standards for all teachers to follow</li> <li>Supervisors regularly monitor teachers' teaching methods and their handling of children</li> <li>Regularly train teachers on child safeguarding, with focus on informing teachers of the developmental characteristics and self-care ability of children of different ages</li> </ul>

4. Aya, a child of South Asian descent, attends a kindergarten. Because she cannot speak Chinese, she is often left out by other students. The students refuse to play with her because they feel her skin dark. The teacher not only does not correct the wrong behaviors, but sometimes calls Aya a "black girl" in public. As a result, her classmates follow suit and call her "black girl", making Aya embarrassed and isolated. The teacher ignores Aya's feelings and allows other students to continue to do so.

### Analysis

<b>Child safeguarding crisis</b>	<ul style="list-style-type: none"> <li>This may cause discrimination against the child and bring psychological harm to her.</li> </ul>
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	<ul style="list-style-type: none"> <li>Neglecting children's mental health and negative labels may affect a child's self-esteem, confidence and self-image, or have long-term physical and mental consequences</li> </ul>
<b>What can the kindergarten do with it?</b>	<ul style="list-style-type: none"> <li>Remind the teacher not to create divisions in the class and stop using discriminatory words such as "black girl"</li> <li>Remind all staff to use appropriate and positive language in class</li> <li>Foster a tolerance culture in the class</li> <li>Provide more assistance to non-Chinese speaking students or students who have difficulties in speaking and learning Chinese, such as: Arrange for a teaching assistant, speech therapy, or after-school tutor to tutor them Chinese</li> <li>Commit ethnic minority students to outside service organisations for regular Chinese language courses</li> </ul>

5. One day, two students of kindergarten K2 had conflict. Siu Shan bit hard at Siu Ming's hand for a few seconds. Mr. Chan intervened and shouted at Siu Shan to stop, then separated the two with such force that Siu Shan fell to the ground. Mr. Chan immediately called Siu Shan to sit down in a chair to calm down. However, Siu Shan cried for 30 minutes. When other teachers tried to calm Siu Shan, Mr. Chan shouted at them not to approach Siu Shan because he was still cooling off. At the same time, other staff took out medical kit to treat Siu Ming's wound. Siu Shan stopped crying and kept touching his arm. The staff informed parents of Siu Shan and Siu Ming of the conflict after school. The next day, Siu Shan's parents informed the school that Siu Shan's arm was broken. They asked the school to follow up Siu Shan's medical condition and wanted to make a complaint. They were very upset that the school did not inform them of the case in detail and there was no treatment of his injuries.

### Analysis

<b>Child safeguarding crisis</b>	<ul style="list-style-type: none"> <li>It may be a neglect (neglect of the child's medical needs), even if the conflict itself did not involve the teacher staff</li> </ul>
<b>What can the kindergarten do with it?</b>	<p><b>Real-time action</b></p> <ul style="list-style-type: none"> <li>Schedule cooling-off time in real time for the teacher who mishandled the situation, suspend the teacher from dealing with any child matters, and assign other teachers to deal with the situation.</li> </ul>

- If possible, take the child for a medical examination after the conflict

**Follow-up action**

- Carry out regular supervision and performance assessment for all staff (including senior staff) and discuss how to improve their skills in dealing with children's behaviours
- Encourage teachers to speak up and help children in dangerous situations
- Give children the opportunity to discuss the appropriate interaction/response they should take in such a situation, and provide a way for children to report their safety concerns
- Teach children how to deal with conflicts between peers instead of hitting or biting
- All staff should receive regular child safeguarding training and understand their caring responsibilities
- All teachers must be trained to deal with children's conflicts and emotions and understand their needs

## 4.7 Chapter 4 Resources

### 4.7.1 Resource 1: Sample Questions on Screening Staff and Recruitment of Volunteers

1. Why did you choose this career (e.g. teacher/child worker)?
2. Which supervision mode do you prefer? Why?  
(To find out if the applicant is not suitable for a job under close supervision)?
3. What age/gender of students do you prefer? How would you like to teach pre-school children?
4. What do you think makes you good at dealing with children? How do your friends or colleagues describe you when you are with children?
5. Has anyone suggested that you should not to be a teacher of teenagers or children? Why?
6. Have you ever worked in a place where your colleagues maltreated children? What happened and how did you handle it? What do you think of the way it was handled? If you had to do it again, would you handle it differently?
7. Are you mindful of our school's CSP and procedures? What do you think of them?
8. When do you think is appropriate or inappropriate to be alone with children?
9. What do you think are the do's and don'ts when taking a picture of a school child for the annual report?  
(e.g. face should be blurred and name changed with the permission of the child and the consent of his/her parents)
10. What will you do in the following situations?
  - Be alone with a child
  - Discipline a child
  - A child complains that another child is forced to stand in a hallway for more than an hour by a teacher  
(Special attention should be paid to applicants who ignore school policies or handle certain situations improperly)
11. What hobbies or activities do you enjoy?  
(To observe the maturity of the applicant and the relationship with adults)

#### 4.7.2 Source 2: "Child Safeguarding Declaration Form"

According to the Circular No.7/2021 (Enhanced Measures to Protect Children: Employment of Teaching and Non-Teaching Staff in Schools) of the Education Bureau, all staff in the school who have direct contact or are likely to come into contact with children are required to make the following declaration. Personal data collected will be used to inform decision on job/volunteer applications and assessment of the suitability of candidates for the job/volunteer position. The data will be used internally only.

1. Have you been convicted, sentenced, suspended or otherwise convicted of a criminal offence in Hong Kong?  
☐Yes ☐No
2. Have you been involved in any ongoing criminal proceedings or investigations (including but not limited to arrest or custody by the police)?  
☐Yes ☐No
3. Have you ever been the subject of any charges or disciplinary action by any organisation in relation to your contact with children?  
☐Yes ☐No
4. Have you been suspended from employment/cooperation/service by any organisation due to inappropriate behaviour with children?  
☐Yes ☐No
5. Have you been prohibited from jobs that serve children aged 18 or under by any organisation?  
☐Yes ☐No
6. Have you ever had your teacher registration certificate cancelled/refused?  
☐Yes ☐No
7. Have you been or are you being investigated by your school or the Education Bureau for allegations of professional misconduct?  
☐Yes ☐No

If your answer to any of the above questions is "yes", please offer explanation and submit it and this form to the School Management Committee.

☐ **(Only applicable to the application for the position of registered teacher)**

I understand and agree that the school may request the Education Bureau to release my teacher registration information to the school.

☐ I understand and agree that the above information will be used by the school internally for recruitment and/or screening of service contractors/volunteers.

I hereby declare that all the above information and accompanying documents are correct and accurate, and I am obliged to notify the school of any changes to this information after the date of signature. I understand that any misrepresentation of information/concealment of material facts may subject me to serious consequences of criminal prosecution and the school may terminate my employment/co-operation/service.

This declaration form must be signed and returned to the school prior to the commencement of employment. It should be signed again every 18 months after the commencement of employment, and returned to the school with an updated sexual conviction check.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Date: \_\_\_\_\_



### 4.7.3 Resource 3: Sample Reference Questions for Background Investigation

1. How do you describe the applicant's character?
2. How does the applicant interact with children?
3. Why do you think the applicant is a right candidate to work with children?
4. Is there any weakness in the applicant that decides he/she should not or cannot work with children?
5. Has the applicant ever been disciplined during his/her employment?
6. Has the applicant ever been complained during his/her employment?
7. Have you ever seen the applicant deal with unruly children (other than his/her own children)? How did he/she handle it?
8. Are you familiar how the applicant stays alone with a child?
9. Will you rehire this applicant? Why?
10. Do you like him/her to work in your school again in the future? Why?

## Chapter 5: Principles of Internal Whistleblowing Policy

The chapter will inform the readers of:

- ✓ The reason why the school should develop an internal whistleblowing policy
- ✓ Principles for developing an internal whistleblowing policy

Here a whistleblowing policy refers to the reporting mechanism within the school for suspected child maltreatment. As for procedures for reporting to relevant authorities, the Government set up an inter-policy working group in July 2021 to explore the establishment of a mandatory reporting mechanism in Hong Kong, requiring designated professionals to report cases of child maltreatment/neglect in the course of their work, and it is planned to be executed in 2023. This Toolkit will not elaborate on the proposed procedure for external reporting on suspected child maltreatment cases until the latest government regulations have been put in place. Therefore, this chapter mainly describes the principles and directions for the development of an internal whistleblowing policy, for the reference of schools in developing relevant policies.

### 5.1 Why the school should develop an internal whistleblowing policy

Although the Education Bureau and the Social Welfare Department have specific guidelines on reporting suspected child maltreatment, the school should have a clear set of internal policies and procedures in place before reporting the maltreatment to relevant government authorities, to guide staff to identify, report and record suspected child maltreatment. A whistleblowing policy is developed to encourage school staff to report suspected child maltreatment, so that school authorities can be aware of child maltreatment or potential safety crises **in the school or children's families** as early as possible, and take timely intervention actions.

Here we aim to unfold the process of internal whistleblowing principles and policies. This Toolkit will not discuss whether any specific suspected child maltreatment should be reported to the police and/or the Family and Child Protective Services Units of the Social Welfare Department. Plan Hong Kong plans to explore relevant policies and procedures separately after the mandatory whistleblowing mechanism is implemented.

## 5.2 Principles for developing an internal whistleblowing policy

The whistleblowing policy should state clearly on its principles, responsibilities of staff in reporting, the school's protection of whistleblowers, and the methods and guidelines for whistleblowing. For details on how to develop a whistleblowing policy, please refer to Resource 1: Template of CSP for Kindergartens on How to Set Up/Write Child Guarding Policy in Chapter 2.

### 5.2.1 Report any suspected child maltreatment

If school staff **witness, suspect or have knowledge** that any child is harmed or abused, whether the suspected abuser is a school staff member, a family member of the child or someone outside the school, they should report the case to the school immediately, or as soon as possible within 24 hours.

The following are examples that must be reported:

Category	Examples
Staff are suspected of harming/having been harming/likely to harm or abuse children	<ul style="list-style-type: none"> <li>You witness another teacher slapping a student in class</li> <li>At lunch, you hear a colleague talking about a teacher of a class, who, decades ago, secretly videotaped students in the bathroom, and the students have graduated</li> <li>You have lunch with a colleague and learn that he regularly imposes corporal punishment on his children</li> <li>You come across a voluntary worker's phone with images of child molestation, and the child is not a student of the school</li> </ul>
Staff members are suspected to be breaching/have breached/may be about to breach the code of conduct	<ul style="list-style-type: none"> <li>You hear that a teacher often visits the home of a child and gives expensive gifts to the child's parents</li> <li>You witness a teacher closing the curtains in the office while having a 1-on1 discussion to a student</li> </ul>
A child discloses to you that he/she is being/has been/may be harmed or abused at school, at home or elsewhere	<ul style="list-style-type: none"> <li>A student appears very afraid of a voluntary worker and tells you that he does not like the volunteer because the</li> </ul>

	<p>worker often plays "weird games" with him</p> <ul style="list-style-type: none"> <li>• A student reveals to you that he is beaten at home by his father</li> <li>• A student tells you that he was sexually assaulted by his cousin when he visited relatives on New Year's Eve</li> </ul>
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It should be noted that the principle of whistleblowing policy is "**report when you suspected child maltreatment**". Encouraging staff to "report any suspected child maltreatment" will help the school gather more comprehensive information and identify suspected child maltreatment more effectively. Some seemingly insignificant individual behaviours, when connected together, can reveal the truth. For example, employee A finds that student Y resists the touch of volunteer X; Employee B witnesses volunteer X take student Y to a room for a private conversation; Employee C has inadvertently seen indecent pictures of children in volunteer X's mobile phone. If all the above staff report in good faith, the school will have a better understanding of the situation. It is the responsibility of the school, not individual whistleblowers, to investigate suspected child maltreatment. Therefore, staff only need to be honest in reporting suspicious behaviour base on the code of conduct, other elements of the CSP and a range of suspected signs of child maltreatment. The school should not require whistleblowers to provide sufficient evidences of suspected child maltreatment or harm as a condition of handling a report.

The school should bring home to children and their parents the contents and principles of the whistleblowing policy and encourage them to report to the school immediately if they have any concerns about the safety of children. For more information on how to maintain close communication with children and parents, please refer to Chapter 6 "Mechanism of Openness and Accountability: Effective Communications with All Stakeholders".

### 5.2.2 Establish diverse, clear and transparent whistleblowing channels

The school should establish clear and diverse whistleblowing channels and contact information so that all relevant staff in the school (including frontline staff, management staff, volunteers or service contractors) are not immune from liability. In general, suspected child maltreatment should be reported to the Child Safeguarding Focal Point, but the school is required to establish more than one whistleblowing channels. For example, frontline staff should be reported to the Child Safeguarding Focal Point for alleged violations; if the Child Safeguarding Focal Point is suspected of violations, he/she should be reported to the principal; If the principal is suspected of violating the rules, he/she should be reported to the School Supervisor.

In addition, the whistleblowing channels should be transparent and clearly communicated to all relevant staff, parents and even the general public. Ensure that anyone who encounters suspected child maltreatment in a school knows how to report the event, who to report it to, and has a general understanding of subsequent procedures.

### 5.2.3 Safeguards for whistleblowers

According to Section 2.13 of [the Guidelines for Handling School Complaints](#), schools should see to it that the rights of the complainants or other persons involved in the complaint are being protected and that their future communication and contact with the school would not be affected.

Therefore, the school should set out their whistleblower protection in their whistleblowing policy, making it clear that staff members who report in good faith will be protected from retaliation or unfair treatment, including unjustified dismissal, disciplinary action or other acts of discrimination or retaliation at work, regardless of the outcome of the investigation; and that children and parents will not be denied services or treated unfairly as a result of whistleblowing.

On the contrary, any malicious whistleblowing or adverse action against a person who has made a complaint in good faith, including any discrimination, retaliation, or threat of retaliation, constitutes violation of the policy and is subject to disciplinary action by the school.

### 5.2.4 Principle of Confidentiality

If the school needs to collect personal data in response to a report, it should follow relevant requirements and recommendations of the Personal Data (Privacy) Ordinance, clearly stating the purposes and manners of collecting personal data, and making it clear that the data should only be used to deal with reported cases. The school should state in the whistleblowing policy that all the reported information will not be disclosed to the public except by the designated panel in the whistleblowing process, unless otherwise required by law or for legal purposes (including but not limited to the need to refer the matter to the Education Bureau or law enforcement agencies).

The school should also set up procedures to ensure that only authorised officers have access to information relating to suspected child maltreatment, unless disclosure is required by law or for legal purposes. Unless such disclosure is required by law, the responsible personnel shall not disclose or publicly discuss the contents and information of the case without authorisation. The whistleblower should sign a consent

form, guaranteeing that during the investigation period and before the school closes the case, the content and nature of the reported incident will be kept confidential, that he/she will keep the above matters confidential after the conclusion of the case, and that he/she will disclose information to relevant persons only on a "need to know" basis, unless the disclosure is required by law or made for a legal purpose.

### 5.2.5 Handling anonymous reports

To protect the safety of children, the school should take seriously any anonymous reports relating to suspected harm to or maltreatment of children. However, because anonymous whistleblowing may make investigation difficult, the school should make it clear in the whistleblowing policy that if the whistleblower does not wish to disclose his or her name and contact information at the time of whistleblowing, the report should contain sufficient information, including details of the incident and relevant evidences, so that the school can follow up.

### 5.2.6 Dealing with children's disclosures

When reporting suspected child maltreatment, staff may encounter a child who discloses to them that he/she has been or is being harmed or abused.

As stated in Chapter 4 of this Toolkit, the school should appoint at least one member of staff of the school to act as Child Safeguarding Focal Point, who acts as a bridge during the investigation of suspected child maltreatment, handling the disclosures of children, liaising with parents, and informing other agencies or authorities. The school should strengthen the link between children and the Child Safeguarding Focal Point, ensuring that children are familiar with and have confidence in the Child Safeguarding Focal Point at school, encouraging them to report any harm or maltreatment to them if they have concerns about their safety, so as to prevent children from repeated harm or maltreatment. Under no circumstances, however, shall the Child Safeguarding Focal Point or staff promise the children or discloser that their disclosures will be kept secret, for it will impede the notification and investigation process.

However, the children may choose to disclose to other staff that they have been harmed or abused. Therefore, all staff should heed the following precautions when dealing with children's disclosures:

Dos	Don'ts
✓ Stay calm	✗ Embarrass the child by appearing excited, frightened, or disgusted
✓ Show patience and allow the child to speak at his/her own pace and with his/her own expressions	✗ Make improper guidance or assumptions
✓ Appreciate and praise the child for his/her trust and courage to speak up	✗ Interrupt the child
✓ Let the child know that it is not his/her fault	✗ Question or criticise the child
✓ Let the child know that you will refer his/her data to a professional for his/her protection in accordance with the "need to know" principle, and that no other irrelevant persons will have access to the data	✗ Scold the abuser in front of the child, or assume that the child necessarily hates the abuser
✓ Clearly record the time, place, people and other basic information about the incident	✗ Promise to keep relevant information confidential
✓ Clearly document the exact wording and physical/psychological condition of the child at the time of disclosure	✗ Contact the suspected child abuser privately afterwards
✓ Inform the school immediately	✗ Investigate the incident or verify it later
	✗ Talk about the incident with an unrelated person afterwards

### 5.2.7 Cooperate with the authorities for guidance and notification responsibilities

The school should also consider its notification responsibilities under government regulations when formulating the whistleblowing policy. Under the current framework, the school and staff can consult: [Social Welfare Department's Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary Co-operation](#) (Revised 2020); Education Bureau's Operation Manual for Pre-Primary Institutions (January 2023 Version 3); Kindergarten Administration Guide; Education Bureau Circular No. 1/2020 "Handling Suspected Cases of Child Maltreatment and Domestic Violence"; Guidelines for Handling School Complaints, to understand the school's whistleblowing responsibilities and procedures. The school policy should be adjusted in accordance with the latest government regulations.

## 5.3 Situation analysis

1. A newly employed teacher Ms Wong, witnessed a senior teacher Ms Chan, vigorously pulling a K2 child during an activity, bawling at him to stop making noise

with warning that otherwise she would report to his parents. The child was in great pain and shouted, but Chan ignored him. Wong, though knowing that something was wrong, did not report the incident, partly due to fear of retaliation, partly due to consideration of Chan being the niece of a school board.

## Analysis

<b>Child safeguarding crisis</b>	<ul style="list-style-type: none"> <li>• Vigorously pulling a child may constitute physical harm/maltreatment</li> <li>• Warning that the teacher would report the child's mischief to his parents may impose threat and psychological harm</li> <li>• Lack of a whistleblowing policy to protect the rights of whistleblowers may discourage staff from reporting child harm/maltreatment, and cause children to be in danger</li> </ul>
<b>How shall the kindergarten do?</b>	<p><b>Immediate action:</b></p> <ul style="list-style-type: none"> <li>• Immediate intervention - stop the teacher pulling hard the child</li> <li>• Report the incident according to school notification procedures</li> <li>• Provide or seek medical assistance to children as needed</li> <li>• Inform parents of the teacher's behaviours towards the child and provide details of the school's follow-up to the incident</li> <li>• Suspend the accused teacher until the investigation is complete</li> </ul> <p><b>Following-up action:</b></p> <ul style="list-style-type: none"> <li>• Establish a confidential whistleblowing policy so that whistleblowers can report suspected child maltreatment on campus without fear of reprisal or discrimination</li> <li>• All staff investigating the incident are required to declare conflicts of interest. To avoid a conflict of interest, the school board member who is related to Chan should not be involved in the investigation or have access to any information relating to the incident</li> <li>• Establish appropriate employee screening mechanisms to avoid appointing people by favouritism and prevent failure to disclose when an employee inappropriately treats a child</li> <li>• Ensure that staff receive regular child safeguarding training and remind them of their child safeguarding responsibilities and the consequences of breaching the policy</li> </ul>

2. A four-year-old K2 student told a senior teacher, Mr. Li, that she did not like a volunteer who came to the school for three weeks to help with the activities. Li thought the student was sort of "irksome" and "complaining a lot," and thought she



probably just wanted more of the teacher's attention. Later, the student told a new teacher surnamed Cheung that she did not like the volunteer. Cheung expressed concern and asked her why, and she said "I don't like the man to touch me". Cheung continued to ask where the volunteer had touched her, and the student pointed to the private parts of her lower body. Cheung reported it to Li, but Li thought it to be unlikely, and decided to ask the student for details.

## Analysis

<b>Child safeguarding crisis</b>	<ul style="list-style-type: none"> <li>• Case of ignoring or dismissing child sexual assault</li> <li>• Making inappropriate assumptions about the child's behaviours (assuming that she simply wanted attention and complained) and failing to examine suspected signs of child maltreatment</li> <li>• A staff member's distrust of a child's disclosure may make the child less confident to disclose the incident to others, making it more difficult for the school to learn about and deal with suspected child maltreatment occurring inside the school</li> <li>• Lack of a sound notification mechanism makes it necessary for the child to repeat the incident many times, which may result in secondary injuries</li> </ul>
<b>How shall the kindergarten do?</b>	<p><b>Immediate action:</b></p> <ul style="list-style-type: none"> <li>• Report the child's disclosure in accordance with the school notification procedure</li> <li>• Provide or seek medical assistance to the child as needed.</li> <li>• In principle, physical examination should be conducted by medical staff. If the situation is critical and the staff member needs to perform an immediate physical examination of the child, it must be performed in a private (not public) place and by at least two staff members of the same sex as the child. If circumstances permit, the school can invite the child's parents to observe the process. To protect the child's privacy, no photography or video should be taken during the process.</li> <li>• Inform parents of the incident and the details of the school's follow-up</li> <li>• Suspend the volunteer immediately until the investigation is completed</li> </ul> <p><b>Following-up action:</b></p> <ul style="list-style-type: none"> <li>• Establish sound whistleblowing mechanisms and clear whistleblowing channels (e.g. to Child Safeguarding Focal Point) to reduce the times children have to retell their experiences</li> </ul>

	<ul style="list-style-type: none"> <li>• Re-examine the environment in which activities are held. If necessary, arrange extra staff to monitor volunteers' performance and avoid contact between volunteers and children alone</li> <li>• All staff and volunteers should receive child safeguarding training, including understanding of the principles and precautions when dealing with children's complaint</li> <li>• Provide sex education to children to enhance their awareness of self-protection</li> </ul>
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3. Wai Shan was studying preschool education, and worked as an intern in a kindergarten. One day, Wai Shan helped other teachers in Class K1. As she came to assist Li in dealing with a child's behaviour problems, Li suddenly slapped the child in the face. Wai Shan was shocked at the sight. She looked around for the reaction of other teachers, but they continued to take care of other children as if nothing had happened. The next week, Wai Shan witnessed Li slapping another child. Wai Shan worried about the safety of children. She wanted to report the matter, but feared it would affect her internship in the school.

### Analysis

<b>Child safeguarding crisis</b>	<ul style="list-style-type: none"> <li>• Slapping a child may constitute physical injury or maltreatment</li> <li>• Lack of a whistleblowing policy to protect the rights of whistleblowers may discourage staff from reporting child harm/maltreatment, and cause children to be in danger.</li> </ul>
<b>How shall the kindergarten do?</b>	<p><b>Immediate action:</b></p> <ul style="list-style-type: none"> <li>• Immediately intervene and stop the teacher slapping the child</li> <li>• Report the incident according to school notification procedures</li> <li>• Suspend <u>Li</u> immediately until the investigation is completed</li> <li>• Inform parents of <u>Li</u>'s behaviours towards the child and provide details of the school's follow-up to the incident</li> </ul> <p><b>Following-up action:</b></p> <ul style="list-style-type: none"> <li>• Establish a confidential whistleblowing policy, so that whistleblowers can report suspected child maltreatment on campus without fear of reprisal or discrimination</li> <li>• All staff (whether full-time or part-time, volunteers or service contractors) should understand the elements of</li> </ul>

	<p>the CSP, including the school's notification mechanism, before they start to work</p> <ul style="list-style-type: none"> <li>• Ensure that all staff receive appropriate child safeguarding training to tackle behavioural problems in young children head-on</li> </ul>
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4. Mr. Chan, a 38-year-old man, is an alumnus of the kindergarten and often works as a volunteer in PTA activities. Although his position required no much contact with students, he was trusted because he was friendly with many parents in the PTA. Because he was good at twisting balloons, other parents would take their children to learn the skill from him, and even let their children play alone with him.

While teaching the skill, he would make obscene acts to one of the kindergarten students named Siu Ling, such as kissing, hugging and caressing, and told her it was a "secret" and not to tell anyone. Siu Ling said Chan often did such things when playing with her. On the other hand, Chan told Siu Ling's parents that she was naughty and often told lies.

Siu Ling's family also found some strange behaviours of her at home. For example, Siu Ling would try to kiss her mother in a strange way, stroke her mother's genitals randomly, and show her private parts to her family. Her parents noticed her inappropriate and sexual behaviours. Siu Ling's parents were confused. Out of concern for their daughter's conditions, they finally reported her precocious puberty to one of the teachers.

## Analysis

<b>Child safeguarding crisis</b>	<ul style="list-style-type: none"> <li>• Such behaviours may constitute sexual solicitation and sexual assault</li> <li>• For children, experiencing sexual assault may have physical and mental effects on their future growth and development</li> <li>• Ruining a child's reputation may leave the child unable to protect himself or herself, discouraging the child from trying to disclose anything even if he or she is in danger</li> </ul>
<b>How shall the kindergarten do?</b>	<p><b>Immediate action:</b></p> <ul style="list-style-type: none"> <li>• Teachers should report it to Child Safeguarding Focal Point according to the school notification mechanism</li> <li>• The Child Safeguarding Focal Point should meet with the child to learn about the truth</li> <li>• Immediately stop Mr. <u>Chan</u>'s voluntary work until the investigation is completed</li> <li>• Inform parents of the school's follow-up action</li> </ul>

#### Following-up action:

- Re-examine existing procedures for recruiting and screening volunteers
- Provide sex education to children to enhance their awareness of self-protection, and remind parents to be vigilant against people who deal with their children and define dos and don'ts
- Parents are encouraged to maintain close communications with their children every day. If they perceive unusual emotional behaviours of their children, they can raise their concerns and seek assistance from the school
- Regularly arrange for all staff and volunteers to receive child safeguarding training

5. Principal Wong received a complaint from a parent about a student being pushed hard by a teacher. The principal thought it impossible for the teacher to push the student so hard, concluding that the student might be too "sensitive". Maybe it was just a word or a touch from the teacher rather than a hard push? Now many children learn to lie very early! Maybe the student was lying!

#### Analysis

<b>Child safeguarding crisis</b>	<b>Ignore children's statements</b> <ul style="list-style-type: none"> <li>• Distrust of children or ignoring what they say can lead to child maltreatment being hidden. Victim-blaming may reduce the children's confidence and discourage them from expressing needs in the future.</li> </ul> <b>Make false assumptions</b> <ul style="list-style-type: none"> <li>• It is very dangerous to make assumptions. Accusing children of lying without any evidence or proof may put them in danger.</li> </ul>
<b>How shall the kindergarten do?</b>	<ul style="list-style-type: none"> <li>- Be non-critical, do not make assumptions, and try to listen to children. Write down the exact words the child says</li> <li>- Conduct a full investigation, and notify the authorities in accordance with statutory requirements or relevant guidelines, respond promptly and take action to protect children in accordance with the recommended procedures of the CSP, respond promptly and take action to protect children</li> </ul>

#### 5.4.1 Resource 1: Record of Suspected Child Maltreatment in School (for reference only)

1. Name of child: \_\_\_\_\_ Class: \_\_\_\_\_
2. Child gender: Male/female Age: \_\_\_\_\_
3. Names of persons suspected of child maltreatment: \_\_\_\_\_
4. Identity of suspected child abuser: ☐ Family member of the child ☐ School staff ☐ Others (please specify: \_\_\_\_\_)
5. Category of suspected child maltreatment: ☐ Bodily maltreatment ☐ Sexual assault ☐ Psychological maltreatment ☐ Neglect of care ☐ Others (please specify: \_\_\_\_\_)
6. Information collected:  
*(Please specify when, where, by whom, etc. you witnessed, knew or suspected any child maltreatment. If the child directly discloses the experience to you, please clearly record the exact wording of the disclosure and the physical and psychological conditions of the child, including the child's superficial injuries, behaviours and mood. If there are more than one incident that arouses your suspicion that child maltreatment has occurred or is occurring, please list the time, place, person, etc. of the incidents.)*

Detail

85

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Remarks:

- 1) As the school or authorities may need to contact you to conduct investigation, it is strongly recommended that you provide your contact details. If you choose to remain anonymous, you may also choose to leave the above name, title and signature fields blank. However, since anonymous whistleblowing makes it difficult to conduct investigation, anonymous whistleblowers are advised to list in detail all information related to suspected child maltreatment, so that the school or the authorities can follow up and conduct investigation.
- 2) The school or authorities may contact you to assist in the investigation, but you may not be informed of the progress and all relevant contents of the investigation, as it will be conducted in accordance with the "principle of confidentiality".

Part 2: To be completed by the Child Safeguarding Focal Point

(Note: If the principal or the Child Safeguarding Focal Point is the person involved, this part should be completed by the school supervisor or principal)

---

7. Recommended follow-up actions:

- ☐ Need to report to the authorities

Government department(s) to report to (Write all if more than one):

\_\_\_\_\_

Cause:

- ☐ Do not need to report to the authorities

Recommended handling methods and reasons:

Name: \_\_\_\_\_ (title: \_\_\_\_\_)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### Part 3: To be completed by the principal

*(Note: If the principal is the person involved, this part should be completed by the school supervisor)*

---

I am aware of the above suspected child maltreatment and approve the above recommended follow-up actions.

Name: \_\_\_\_\_ (title: \_\_\_\_\_)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## 5.4.2 Resource 2: Notification to Family and Child Protective Services Units of the Social Welfare Department

*From Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary  
Co-operation (Revised 2020)*

### **Appendix II, Chapter IV**

#### **Notification Form (for reference)**

Organisation/unit responsible for  
preliminary evaluation

Name and address of the  
institution/school

Mr./Ms. X X:

#### **Report suspected child maltreatment case**

This institution/ school discovered suspected child maltreatment on \_\_\_\_\_day\_\_\_\_\_month\_\_\_\_\_year, and reported to your esteemed institution/school on \_\_\_\_\_day\_\_\_\_\_month\_\_\_\_\_year. Case information is attached for your reference and record:

#### **A. Information on suspected abused child and his/her families**

Name: \_\_\_\_\_ Gender: \_\_ Date of birth/Age: \_\_\_\_\_

Birth paper/Identity card number: \_\_\_\_\_ Current location:

Class: \_\_\_\_\_ Commonly-used language:

Name of parent/guardian: \_\_\_\_\_ Relation:

Address:

Contact telephone:

Commonly-used language:

Preliminary information on whether the child is at immediate risk:

1. Whether there is an immediate danger to the child if continuing to live in his/her home/place of residence: Yes/No
2. Whether immediate medical examination and treatment of the child is required: Yes/No
3. Whether the child needs urgent statutory protection: Yes/No
4. Whether the suspected child maltreatment needs to be reported to the police as soon as possible: Yes/No

Whether the child is disabled or has special needs:



Known cases of whether the child and/or his/her families work in social service units:

☐ Yes

[Please specify: Name of the unit:                      Name of the responsible social worker:    ]

Contact:

☐ No   ☐ Not clear

**B. Incident data**

1. Date/time/place of the incident:

2. Category of suspected maltreatment:

☐ Physical injury/maltreatment    ☐ Sexual assault    ☐ Psychological  
injury/maltreatment

☐ Neglect of care    ☐ Failure to classify clearly

3. Name/identity card number of the person suspected of harming the child (if available):

4. Relationship between the person suspected of harming the child and the child:

5. Brief description of the incident:

Follow-up actions are expected of your esteemed institution/unit. For enquiries, please contact Mr/Ms (Name) at (convenient time) by telephone (telephone number)

Name:

(Notification institution/school)

Date: \_\_\_\_\_ " \_\_\_\_\_

----

**Reply**

By: (Receiving institution/unit)                      (fax number:                      )

To: (Notification institution/school)                      (Fax No.:                      )

Date: (                      )

**Report suspected child maltreatment case**

This institution/unit has received the above report.

- ☐ The social worker has/will conduct a preliminary assessment.
- ☐ The above case is a known case of the institution/unit. Please contact the responsible social worker \_\_\_\_\_(Tel.: \_\_\_\_\_).

For enquiries, please contact (name) by telephone.

Name:  
Position

### 5.4.3 Resource 3: Review Form of Suspected Child Maltreatment (for reference only)

Upon receipt of a report of suspected child maltreatment, the School Crisis Management Team will complete this form within 3 days after the initial assessment of the case crisis and the decision on whether to report the case to the authorities, review the case at least every two weeks during the investigation, and ensure that the child is properly protected by the school until the investigation is completed and the case is officially closed.

Members of the School Crisis Management Team should use this form to record in detail the **actions taken** and **proposed** follow-up actions.

Information about the suspected abused child		
Is the suspected abused child properly protected from harm or maltreatment?	Yes (Please detail actions taken to protect the child, including when, where and by whom.)	No (Please detail proposed follow-up actions.)
Are there any unresolved issues regarding the welfare of the suspected abused child? (Such as post-traumatic stress disorder)	Yes (Please detail the child welfare issues and the follow-up actions taken.)	No

Have all parents/guardians of the suspected abused or affected child been notified?	Yes (Please detail the follow-up actions taken by the school.)	No (Please detail the reason.)
<b>Other children who may have been affected by the incident</b>		
Are any other children affected by the incident?	Yes (Please detail how other children are affected)	
	Is the child's welfare taken into account?	
	Yes (Please detail the follow-up actions taken by the school.)	No (Please detail proposed follow-up actions.)

<b>Staff affected by the incident</b>		
Do staff members suspected of maltreatment get support to keep the case secret?	Yes (Please detail the support actions taken. For example, the whistleblower signs a confidentiality agreement/suspending of relevant staff is done confidentially.)	No
Are there any signs of retaliation or discrimination against the whistleblower in the workplace?	Yes (Please detail relevant situation and follow-up actions taken by the school.)	No

Confirmed by

Name: \_\_\_\_\_ (title: \_\_\_\_\_)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Chapter 6: Accountability with openness to all: effective communications with stakeholders

This chapter inform the readers of:

- ✓How to keep close communication with parents
- ✓How to make children feel comfortable in expressing their concerns about school safety
- ✓How to review policy on a regular basis

### 6.1 How to be openly accountable?

As institutions serving children, schools are ultimately accountable to children for providing a pleasant and safe learning environment for them. Therefore, schools should inform children and their parents or guardians of their CSPs in an open and honest manner, regularly consult them about how the school operates and report safety problems or potential dangers facing children, so as to improve child safeguarding measures.

To have an open system of accountability, schools need to empower children to understand their rights and what schools are doing to protect their safety and well-being, creating an open and friendly environment where children feel comfortable expressing concerns about their safety. Schools should maintain close communication with parents or guardians of children on the CSP and the safety of children, promoting home-school cooperation to protect the safe development of children.

### 6.2 How to keep close communication with parents

Effective communication between kindergarten and parents helps children adapt to the learning environment, embrace challenges of the environment, and grow up happily and healthily.

According to Chapter 10.1 of the Operation Manual for Pre-Primary Institutions, "Institutions should set up communication channels to seek parents' views on their services and should consider parents' suggestions on service improvement.." It

emphasizes the importance of home-school collaboration in improving school services. According to Chapter 2.7 of Guidelines for Handling School Complaints, " Schools should prepare guidelines for stakeholders on the relevant policies, procedures and responsible staff for handling complaints. They may make parents and staff fully aware of the details of the procedures through different channels". That is, schools should establish a clear and transparent accountability mechanism for child safety.

Generally, schools should maintain close communication with parents on the following child safety issues:

- Provide parents with information on the CSP
- Consult parents regularly on the effectiveness of the CSP
- Communicate with parents in real-time when a child is (suspected of) being harmed or maltreated
- Encourage parents to raise concerns about their children's safety, so that schools can easily detect children's safety problems or hidden dangers

Schools can maintain close contact with parents via various communication channels, including:

- School website
- Notice to parents
- Student handbook
- Parent-teacher gathering, seminar and event
- Circulars with Parents
- Contact with individual parents, such as during daily drop-off, telephone contact, interview, and home visit

### 6.2.1 Provide parents with information on the CSP

Schools should provide parents with information on the CSP through different channels, including uploading a copy of the policy to the school website in the foreground to let parents know the details and inform parents about the specific measures taken by the schools to protect children through seminar.

By doing so, not only will parents understand the schools' commitment and determination to protect children on the basis of enhanced mutual trust, but they will become more aware of children's safety. By inviting parents to monitor the effectiveness of the CSP, the schools will identify children's safety problems or hidden dangers more easily, so as to improve child safeguarding measures.

### 6.2.2 Communicate with parents in real-time when a child is (suspected of) being harmed or maltreated

When a child is harmed in any form or suffers suspected maltreatment, unless the school is suspicious of the child's parent, the school should appoint the Child Safeguarding Focal Point to contact the child's parent as soon as possible on the same day, keep them informed so that they can prevent their child from further harm or maltreatment.

When communicating with parents on above matters, the following should be noted:

- Keep calm
- Understand the parents' emotions and reactions
- Inform the parents of the details of the accident, child disclosure or suspected child maltreatment
- Explain the actions the school has taken to protect the child
- Explain the school's mechanism for reporting suspected child maltreatment
- Explain how the school will handle or investigate the incident (if the incident involves reporting to the authorities, parents should be informed that the investigation takes time)
- State the school will provide support for the affected child during the investigation
- Ask the parents to keep the case of suspected child maltreatment confidential during the investigation
- Leave the name and contact information of child safeguarding focal point

### 6.2.3 Consult parents regularly on their view of the CSP

The school should consult parents regularly on the effectiveness of the CSP, so as to review the effectiveness of the policy in ensuring child safety. The school could do so by issuing questionnaires to parents to know about their awareness of the CSP and encourage them to report their opinions of the policy to the school.

**For relevant resources, please refer to Resource 2: Reviewing Child Safeguarding Policy - Parent Questionnaire.**

## 6.3 Empower children

A kindergarten, home to a large number of children in its daily operation, shoulders great responsibility to establish a safe environment for the well-being of children.

While taking all reasonable steps to minimise the risk of harm to children, the kindergarten should also empower children to understand their rights, create an open

and child-friendly culture, so that children feel comfortable reporting any concerns about safety to the school, and the school can be aware of and remove the child safety threats as early as possible.

### 6.3.1 Provide children with information on the CSP

The school should provide children with information on the CSP in a child-friendly manner so that they can understand how the school ensures their safety. Examples:

- Post staff code of conduct in the classroom and other prominent areas of the school, explaining appropriate and inappropriate staff behaviors to children in child-friendly language
- Develop a "Children Code of Conduct" with children, and post it in the classroom and other prominent areas of the school, making them aware of appropriate and inappropriate behaviors towards others, so as to reduce bullying among children
- Give lesson on the CSP to children, with examples and role plays to illustrate when and to whom children should report their safety concerns (Example: who should they tell when they know that their classmate has been hurt or maltreated)
- Strengthen children's contact with Child Safeguarding Focal Point through weekly groups or activities. Ensure that children are familiar with trust the focal point
- Let children know how to report to the school their concerns about safety; make sure children know what communication channels are available and that the school trusts and values their views (e.g. put up posters in prominent places in the school to let children know the contact information of child safeguarding focal point)

### 6.3.2 Make children aware of their rights to protection

Teachers should tell children about appropriate and inappropriate behaviors towards them and enhance their ability to recognise child harm/maltreatment. Teachers should give sex education to children as early as possible, teaching them how to set boundaries for their bodies to enhance child protection. Topics taught may include:

- Know your body parts - teach children to describe body parts in appropriate language, telling them that some parts are private and should not be touched by others
- Safe and unsafe touch - explain the difference between "safe touch" and "unsafe touch - touching private parts", and that which touches will make children angry, upset or confused
- Secrets - teach children the difference between good secrets and bad secrets, and the importance of not casually keeping secrets for adults



- It's okay to talk about it - let children know that they won't be in trouble even if they tell adults that they feel uncomfortable being touched
- Adults aren't always right - explain to children that adults may also make mistakes, and that it's important for children to tell other adults about their concerns
- Encourage and help children to identify and share about their feelings

### 6.3.3 Create an open and child-friendly culture

The school should create an open and child-friendly culture, in which children feel that their opinions will always be heard, respected and trusted, and feel comfortable reporting to the school their safety concerns.

Despite young children's limited verbal skills, school staff should respect the non-verbal way children express themselves, including body language, and let children know that school staff respect their physical autonomy and value their opinions.

The school can establish the following communication channels for children to express their views on school operations:

- Create an opinion board for children to write down their opinions or draw their thoughts
- Set up a suggestion box for children to express their opinions anonymously in simple words or pictures. Children should also be informed of who will collect their opinions in the box and when
- Distribute feedback forms suitable for children at each activity for children to express their opinions on the school's teaching activities or other matters (for details, please refer to Resource 3: Children Feedback Form)

By continuously collecting the opinions of children to improve daily operations and teaching activities, the school can make children feel that their voices are heard and valued, and create a child-centred culture.

School staff should be consistent in enforcing school rules. A clear standard in reward and punishment will make children feel that teachers will deal with different matters fairly and strictly, and increase children's confidence in expressing safety concerns to teachers. When dealing with children's behavioral problems (e.g. aggressive behavior or anger and emotion management problems), teachers should exert behavior management in a consistent manner, educating children about inappropriate behaviors, teaching and helping them to learn appropriate behaviors by means of clear standard of reward and punishment, and avoiding any sense of "bias" in the process. When children feel respected at school and believe that the school will treat fairly all people (including children and staff), they will feel more confident to tell their experiences to staff and ask them for help if they have been hurt or maltreated.

## 6.4 Review policy on a regular basis

Regular review every one to two years should be conducted for the CSP to identify areas for improvement in policy implementation, learn about staff and parents' awareness of the policy, and seek their suggestions on further enhancements, so as to bring about continuous improvement in child protection measures in the school.

For a checklist to review the implementation of the CSP in the organisation, please refer to Resource 1: CSP - Institutional Self-Assessment Table. The school can learn about the implementation of the policy according to the checklist, relevant supporting documents and the results of questionnaires to parents and staff on the CSP. For sample questionnaires, please refer to Resource 2: Reviewing Child Safeguarding Policy (Questionnaires to Parents) and Resource 4: Reviewing Child Safeguarding Policy (Questionnaires for Staff)

## 6.5 Chapter 6 Resources

### 6.5.1 Resource 1: CSP - Self-Verification Form for organisation

**Suggest to be written by the Child Safeguarding Focal Point and then reviewed by the management**

Child safeguarding standards		Applicable (established* /not yet/being established) *Records should be attached for verification	Improvement goals and follow-up issues
<b>Policy</b>	1. Does the organisation have a comprehensive CSP? <ul style="list-style-type: none"> <li>● CS Statement and commitment</li> <li>● Staff code of conduct</li> <li>● Child safeguarding focal point</li> <li>● Effective child safety and safeguarding measures</li> <li>● Guide and risk assessment for school daily activities</li> <li>● School recruitment, training and supervision guide</li> <li>● Internal and external reporting on and handling procedures for suspected child maltreatment</li> <li>● Policy implementation, management and review system</li> </ul>		
	2. Has the organisation posted its CSP in a prominent place for visitors to refer to?		
	3. Has the organisation posted information on its CSP on its website for public search and reference?		
<b>Procedures</b>	4. Has the organisation established a whistleblowing policy so that staff can feel comfortable reporting suspected child maltreatment within the organisation without fear of being pursued or discriminated against? (Refer to employee questionnaire data Q11-Q14)		
	5. Has the organisation built up multiple reporting channels so that all its staff are not relieved of their responsibility to protect children?		

6. Does the organisation have the telephone numbers of the district reporting rooms and the information and contact details of the child protection services? Is it updated regularly?		
7. Has the organisation clearly instructed its staff on how to ensure the safety of the children and which on-duty supervisor to report in the event of an incident?		
8. Has the organisation set detailed guides and clear procedures that staff can follow in dealing with suspected child maltreatment, such as time limit for handling complaints and how to protect the privacy of maltreated children and staff involved?		
9. Does the organisation provide safety guides for its daily activities and update them regularly according to the latest legislation and government guides?		
10. Does the organisation provide safety guides for updated daily activities to all staff?		
11. Do the staff conduct risk assessment about the environment when designing activities and ascertaining whether the location is suitable for children to carry out activities?		
12. Has the organisation specified that parents' consent, in addition to children's consent, is required before children participate in any activity?		
13. Has the organisation designed a comprehensive privacy policy on how the data about the participants (children) will be used and how the data will be kept confidential?		
14. Does the organisation include information on its child protection measures in its publicity publications?		
15. Are child participants and their guardians aware of the activity process and their right to refuse filming or video recording in order to protect their privacy?		
16. Has the organisation obtained written or oral consent from the participating children and their families before using or publishing children's photographs and/or films?		
17. Before collecting any child's personal data for publication in any form of media, does the organisation clearly explain to the child and parents the specific purposes for which the		

	data is to be collected and obtain their consent?		
	18. Has the organisation made it clear in a policy that, except in exceptional circumstances, personal data provided by children and/or their families should be kept confidential and that staff should not discuss children and/or their families in public to avoid disclosure of the conversation?		
	19. Has the organisation required staff to inform their on-duty supervisor of the purpose, time and activities of the interview before or after meeting or spending time alone with a child?		
<b>People &amp; Culture</b>	20. Has the organisation appointed at least one child safeguarding focal points to drive the implementation of its CSP?		
	21. Does the organisation clearly specify in its job ads that the prospective employer must undergo the "sexual conviction record check" every time it recruits staff?		
	22. Does the organisation state its CSP in the job ads every time it recruits staff?		
	23. Has the organisation prepared a safety recruitment checklist to ensure that prospective employees undergo a series of background check, including a "sexual conviction record check" and a check of their past work performance, before being hired?		
	24. Does the organisation try to learn about the candidate's attitude towards and ability of child safeguarding in job interviews?		
	25. Does the organisation require new employees to sign the CSP to confirm his/her acknowledgement and agreement to abide by it?		
	26. Does the organisation explain its CSP in detail to new staff?		
	27. Does the organisation include a brief description of the child safeguarding duties of the position in the job description?		
	28. Does the organisation include child safeguarding requirements in its staff performance appraisal?		
	29. In the past year, did the organisation provide training on the CSP to its staff (if so, please specify the frequency and details)?		

30. Is the organisation regularly informed of the requirements of the government's legislation or guides to update the CSP?		
31. When there is an update on child safeguarding, will it be circulated and discussed by staff in the organisation?		
32. According to the questionnaire survey, get to know whether employees clearly understand the following contents: <ul style="list-style-type: none"> <li>● The CSP (Q1-3)</li> <li>● Staff code of conduct (Q4-6 and Q8)</li> <li>● Reporting and procedures for handling suspected child maltreatment (Q10-Q14)</li> </ul>		
33. According to the questionnaire survey, whether employees: <ul style="list-style-type: none"> <li>● agree with the staff code of conduct (Q7 and Q9)</li> <li>● feel comfortable whistleblowing suspected child maltreatment within the organisation (Q15-18)</li> <li>● agree that the organisation's CSP effectively protects children's safety (Q19-23)</li> </ul>		
34. Does the organisation include child safeguarding requirements in examining tenders for service contractors?		
35. Has the organisation included the CSP requirements in its contract with the service contractors to ensure that the contractor staff are aware of and agree to comply with the policy, including the staff code of conduct, risk management measures, and procedures for reporting suspected child maltreatment?		
36. Have service contractor staff received child safeguarding training before coming into contact with children?		
37. Has the organisation assessed the attitude and capability of the contractor staff in child safeguarding when reviewing the services provided by the contractors and ensured that their staff complied with the CSP requirements?		
38. Does the organisation require volunteers to sign the CSP to show that they are aware of it and agree to abide by it?		

	39. Have volunteers received child safeguarding training before coming into contact with children?		
<b>Accountability</b>	40. According to the questionnaire survey, whether parents clearly understand the following contents: ● The CSP (Q1-3) ● Staff code of conduct (Q4) ● What feedback to be given (Q5) ● Procedures for handling suspected child maltreatment (Q6-Q9)		
	41. How many times has the organisation consulted staff, children and parents on the CSP in the last year?		
	42. How many talks and workshops on child safeguarding did the organisation host to children and parents to give them a good understanding of its CSP in the last year?		
	43. Has the organisation established regular communication channels for children to express their views on the operation of the school? (e.g. suggestion form and suggestion box)		
	44. Is supervisor of each work unit committed to implementing the CSP in their operations and staff supervision? (Refer to employee questionnaire Q19)		
	45. How many reports of suspected child maltreatment or child safety concerns did the organisation received in the past year?		
	46a. Does the organisation conduct internal investigation or notify the authorities of the incident according to legislation or guidelines?		
	46b. Have such events been properly recorded and saved?		
	46c. Does the organisation ensure the safety and well-being of the child in a timely manner during the investigation, including but not limited to prohibiting the suspected abuser from continuing to contact the child?		
	46d. After the investigation, does the organisation take any measures to review or strengthen its CSP to prevent similar incidents from happening again?		

<b>CSP verification date</b>	
<b>Signed by child safeguarding focal point</b>	

<p><b>Does the principal agree to the above proposed follow-up matters?</b></p>	<p><input type="radio"/> Yes <input type="radio"/> No, for the following reasons:</p>
<p><b>Review and signature by the principal</b></p>	
<p><b>Does the School Management Committee agree to the above proposed follow-up matters?</b></p>	<p><input type="radio"/> Yes <input type="radio"/> No, for the following reasons:</p>
<p><b>Review and signature by the School Management Committee</b></p>	



### 6.5.2 Resource 2: Reviewing Child Safeguarding Policy - (Questionnaires to Parents)

[Q1] What access do you know is there to the school's Child Safeguarding Policy (CSP)?

- ☐ Yes (via: \_\_\_\_\_)
- ☐ No

[Q2] What are the purposes of our CSP? (Multiple choices)

- ☐ Minimise the risk of children being harmed or maltreated at school
- ☐ Identify and remove timely potential child safety threats at school
- ☐ Intervene promptly to protect the child whether it is at school or home that the suspected child harm or maltreatment occurs

[Q3] Which of the following measures are relevant to the school's CSP? (Multiple choices)

- ☐ Risk management measures to reduce child harm
- ☐ Staff code of conduct that lists appropriate and inappropriate behaviors towards children
- ☐ Signing contracts with service contractors to ensure that their staff understand and abide by the school's CSP
- ☐ Child safeguarding training to all staff
- ☐ Sexual conviction record check of candidates
- ☐ Protecting the rights and interests of whistle-blowers
- ☐ Mechanism for reporting to the school suspected child maltreatment

[Q4] Which of the following is part of the staff code of conduct of the school? (Multiple choices)

- ☐ Intervene immediately in bullying among children
- ☐ Prohibit physical punishment to children
- ☐ Prohibit inappropriate physical interaction with children. Such as itching and kissing
- ☐ Prohibit taunting, belittling, or derogatory comments about children
- ☐ Prohibit criticizing or blaming children without cause
- ☐ Avoid being alone with children, giving teaching openly and making it
- ☐ in plain view of others

- ☐ Avoid communicating with students or their parents privately on non-work related matters via messaging apps/social media
- ☐ Avoid meeting children outside of school
- ☐ Avoid giving gifts to children or their family members without proper reasons
- ☐ Avoid home visit alone

[Q5] Under what circumstances will you report your concerns about your child's safety to the school? (Multiple choices)

- ☐ Staff are suspected of violating the code of conduct
- ☐ Children are found with physical or behavioral signs of suspected maltreatment (e.g. unusual and suspicious injuries)
- ☐ When suspecting that your child is being hurt or maltreated at school (e.g. frequent accidents, etc.)
- ☐ When finding that your child has been harmed or abused at school

[Q6] If you find or suspect that your child has been harmed or maltreated at school, do you know which internal contact person you should report to?

- ☐ Yes (name of the contact person: \_\_\_\_\_)
- ☐ No

[Q7] What is the time limit for staff to report suspected child maltreatment?

- ☐ Report as soon as possible within 24 hours
- ☐ Report as soon as possible within 48 hours
- ☐ Report as soon as possible within 72 hours

[Q8] The school reviews all suspected child maltreatment to ensure that both the person involved and the child receive appropriate support.

What is the time limit to review suspected cases?

- ☐ One week
- ☐ Two weeks
- ☐ Three weeks
- ☐ Four weeks

[Q9] To safeguard the safety and best well-being of children, the school will handle suspected child maltreatment in accordance with the principle of "limited confidentiality". Please select the following measures that comply with the principle of "limited confidentiality": (multiple choices)

- ☐ If the parent is not the suspect, he or she should be contacted as soon as possible to let him/her know about the child's situation and the action taken by the school
  - ☐ Report the suspected child maltreatment to the Education Bureau or the Social Welfare Department as instructed by the authorities
  - ☐ The Child Safeguarding Focal Point should communicate with the children involved, staff, parents and law enforcement officers to reduce the chance of information leakage
  - ☐ Parents should sign a confidentiality agreement during the investigation
- [Q10] If you find or suspect that your child has been harmed or maltreated at school, do you have confidence that the school will handle the incident fairly and seriously and intervene as soon as possible to protect your child from further harm?
- ☐ Have great confidence
  - ☐ Have lots of confidence
  - ☐ Just so so
  - ☐ Have little confidence
  - ☐ Have no confidence at all
  - ☐ I don't know

The reasons for my confidence/lack of confidence are:

--

[Q11] Do you think the school's CSP is effective in reducing the risk of child harm/maltreatment?

- ☐ Very effective
- ☐ Quite effective
- ☐ Just so so
- ☐ Not very effective
- ☐ Totally ineffective
- ☐ I don't know

The reasons why I feel that the CSP can/cannot effectively reduce the risk of harm or maltreatment to children are:

[Q12] Do you have any comments or suggestions on improving the school's CSP?

### 6.5.3 Resource 3: Children Feedback Form

#### We'd like to hear from you

We'd like to know how you feel about your activities at school today, and we'd appreciate your feedback. The data you offer will greatly help us to improve school activities for children.










The activity:







Date:

Your name:

Your class:

*Depending on the age/literacy of the child, staff may ask the child to read or read the questions to the child, ask him/her to circle the face that represents his/her feelings, and fill in the simple answer. Parents may also assist their children in completing the form.*

Questions	Child's response
1. How do you feel about this activity? (Circle the faces that best describe your mood - Happy; unsure; sad)	• • • • •
2. Which area/ part of the activity makes you happy or sad the most? (Circle the faces that best describe your mood - Happy; unsure; sad)	
The teacher's explanation	  
Location	  
Time	  

Subject			
<p>3. What do you think of the staff/volunteers? (Circle the option that best describes the staff/volunteers - Good; not sure; not so good)</p>			
<p>4. When the staff/volunteers treated you/your friends, did anything happen that worried you?</p>	<p>Yes/No If so, can you tell us what worried you?</p>		
<p>5. Did anything happen during the event that caused you to fear for your/your friend's safety?</p>	<p>Yes/No If so, can you tell us what worried you?</p>		
<p>6. Do you want to tell us anything that happened at the event, regardless of good or bad things?</p>			

#### 6.5.4 Resource 4: Reviewing Child Safeguarding Policy - (Questionnaires to Staff)

[Q1] Are the school's CSP accessible to you?

- ☐ Yes (via: \_\_\_\_\_)
- ☐ No

[Q2] What is the purpose of our CSP? (Multiple choices)

- ☐ Minimise the risk of children being harmed or maltreated at school
- ☐ Identify and remove timely potential child safety threats at school
- ☐ Intervene promptly to protect the child whether it is at school or at home that the suspected child harm or maltreatment occurs

[Q3] Which of the following measures are relevant to the school's CSP? (Multiple choices)

- ☐ Risk management measures to reduce child harm
- ☐ Staff code of conduct that lists appropriate and inappropriate behaviors towards children
- ☐ Signing contracts with service contractors to ensure that their staff understand and abide by the school's CSP
- ☐ Child safeguarding training to all staff
- ☐ Sexual conviction record check of candidates
- ☐ Protecting the rights and interests of whistleblowers
- ☐ Mechanism for reporting to the school suspected child maltreatment

[Q4] Which of the following is part of the staff code of conduct of the school? (Multiple choices)

- ☐ Intervene immediately in bullying among children
- ☐ Prohibit physical punishment to children
- ☐ Prohibit inappropriate physical interaction with children. Such as itching and kissing
- ☐ Prohibit taunting, belittling, or derogatory comments about children
- ☐ Prohibit criticizing or blaming children without cause
- ☐ Avoid being alone with children, giving teaching openly and making it in plain view of others
- ☐ Avoid communicating with students or their parents privately on non-work related matters via messaging apps/social media
- ☐ Avoid meeting children outside of school
- ☐ Avoid giving gifts to children or their family members without proper reasons
- ☐ Avoid home visit alone

[Q5] The following is a scenario about child safeguarding. Please determine whether the following handling method is correct.

If a child discloses to you that he or she has been maltreated and begs you not to tell the story to others, you should keep it a secret.	<input type="checkbox"/> Right <input type="checkbox"/> Wrong
Your colleague reveals in conversation with you that he regularly punishes his/her child. As there are no signs that the child in the school has been harmed, you don't need to report it to your supervisor.	<input type="checkbox"/> Right <input type="checkbox"/> Wrong
Your colleague sends expensive gifts to a child's parents and often visits their home. You feel it is inappropriate and that it may even prove a grooming. You decide to find out whether the child has been harmed/maltreated.	<input type="checkbox"/> Right <input type="checkbox"/> Wrong
One of your colleagues has retired for many years, and recently an alumnus revealed that he had been sexually abused by the retired teacher. You decide not to report it to the school because it was long ago.	<input type="checkbox"/> Right <input type="checkbox"/> Wrong

[Q6] Do you think you have a clear understanding of the definition and assessment criteria of "appropriate and inappropriate behaviors towards children" by the school?

- ☐ Very clear
- ☐ Quite clear
- ☐ Just so so
- ☐ Not quite clear
- ☐ Confused

[Q7] Do you agree with the definition and description of appropriate and inappropriate behaviors towards children in the staff code of conduct?

- ☐ Highly agree
- ☐ Quite agree
- ☐ Just so so
- ☐ Don't quite agree
- ☐ Strongly disagree

What part of the code of conduct worries you?



[Q8] Do you think you have a clear understanding of the definition and assessment criteria of "high-risk behaviors towards children" by the school?

- ☐ Very clear
- ☐ Quite clear
- ☐ Just so so
- ☐ Not quite clear
- ☐ Confused

[Q9] Do you agree with the definition and description of high-risk behaviors towards children in the staff code of conduct?

- ☐ Highly agree
- ☐ Quite agree
- ☐ Just so so
- ☐ Don't quite agree
- ☐ Strongly disagree

What part of the code of conduct worries you?

[Q10] Are you confident that you can recognise the signs of potential child maltreatment?

- ☐ Have great confidence
- ☐ Have lots of confidence
- ☐ Just so so
- ☐ Have little confidence
- ☐ Have no confidence at all

[Q11] If you suspect that some employee is maltreating a child, do you have a clear understanding of how to report the incident to the school?

- ☐ Yes (Report to: \_\_\_\_\_)
- ☐ No

[Q12] What is the time limit for staff to report suspected child maltreatment?

- ☐ Report as soon as possible within 24 hours
- ☐ Report as soon as possible within 48 hours
- ☐ Report as soon as possible within 72 hours

[Q13] The school reviews all suspected child maltreatment to ensure that both the person involved and the child receive appropriate support. What is the time limit to review suspected cases?

- ☐ One week
- ☐ Two weeks
- ☐ Three weeks
- ☐ Four weeks

[Q14] To safeguard the safety and best well-being of children, the school will handle suspected child maltreatment in accordance with the principle of "limited confidentiality". Please select the following measures that comply with the principle of "limited confidentiality": (multiple choices)

- ☐ If the parent is not the suspect, he or she should be contacted as soon as possible to let him/her know about the child's situation and the action taken by the school
- ☐ Report the suspected child maltreatment to the Education Bureau or the Social Welfare Department as instructed by the authorities
- ☐ The Child Safeguarding Focal Point should communicate with the children involved, staff, parents and law enforcement officers to reduce the chance of information leakage
- ☐ Parents should sign a confidentiality agreement during the investigation
- ☐ The school should regularly report all relevant aspects of the investigation to the whistleblower

[Q15] If you suspect that a **frontline staff** member in the school is maltreating a child, are you confident that the child will be properly protected if you report the incident to the school?

- ☐ Have great confidence
- ☐ Have lots of confidence
- ☐ Just so so
- ☐ Have little confidence
- ☐ Have no confidence at all

[Q16] If you suspect that a **frontline staff** member in your school is maltreating a child, are you confident that the school will protect your rights as a whistleblower if you report the incident to the school?

- ☐ Have great confidence
- ☐ Have lots of confidence
- ☐ Just so so
- ☐ Have little confidence
- ☐ Have no confidence at all

[Q17] If you suspect that a school **management or supervisor** is maltreating a child, do you have confidence that the child will be properly protected if you report the maltreatment to the school?

- ☐ Have great confidence
- ☐ Have lots of confidence
- ☐ Just so so
- ☐ Have little confidence
- ☐ Have no confidence at all

[Q18] If you suspect that a school management or supervisor is maltreating a child, are you confident that the school will protect your rights as a whistleblower if you report the incident to the school?

- ☐ Have great confidence
- ☐ Have lots of confidence
- ☐ Just so so
- ☐ Have little confidence
- ☐ Have no confidence at all

[Q19] To what extent do you think the management/supervisory staff support frontline staff in child safeguarding during work?

- ☐ Full support
- ☐ Great support
- ☐ Just so so
- ☐ Little support
- ☐ No support at all

How do you think the management/supervisors can improve or strengthen support for frontline staff in child safeguarding?

[Q20] Do you think there is consistency in the standards and practices of child safeguarding among the colleagues in the school (including the management and frontline staff)?

- ☐ Highly consistent
- ☐ Quite consistent
- ☐ Just so so
- ☐ Quite inconsistent
- ☐ Completely inconsistent

What do you think are the inconsistencies in the standards or practices of child safeguarding among your colleagues in the school?

[Q21] Do you think the school's CSP is effective in reducing the risk of child harm/maltreatment?

- ☐ Very effective
- ☐ Quite effective
- ☐ Just so so
- ☐ Not very effective
- ☐ Totally ineffective
- ☐ I don't know

The reasons why I feel that the CSP can/cannot effectively reduce the risk of harm or maltreatment to children are:

[Q22] Do you think the school has built an open and child-centred culture?

- ☐ Yes
- ☐ No

The reasons why I think the school culture is open/not open:

[Q23] Do you have any comments or suggestions on improving the school's CSP?

[Q24] Your position in the organisation is:

- ☐ Frontline staff
- ☐ Supervisory personnel
- ☐ Senior management personnel

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## Child Safeguarding Professional Advisors:

(Name list ranked by alphabetical order of Surname)

- Dr. CHAN, Louis, Hong Kong Special Administrative Region Election Committee Member, Member of All-China Youth Federation Committee
- Dr. CHEUNG Hun Ping Rebecca, Expert of Early Childhood Education
- Mr. CHOW Yuet Yan Kenneth, Supervisor of Five Districts Business Welfare Association and School Board Chairperson of Education Department
- Ms. CHOW Rosa, Chairperson of Hong Kong Early Childhood Educators Association, School Board Member of Five Districts Business Welfare Association Early Childhood Service, Manager of Early Childhood Service Development
- Ms. Feng Yanmei, Principal of FDBWA Kindergarten
- Dr. IP, Patrick, Clinical Associate Professor of the Department of Paediatrics & Adolescent Medicine, The University of Hong Kong, Member of the Commission on Children
- Dr. KAM, Sanly, MH, Vice President of Pacific Early Childhood Education Research Association (Hong Kong), Member of the Commission on Children
- Ms. Lu Juanyi, Principal of FDBWA Cheung Chuk Shan Kindergarten
- Dr. KOONG, Maggie, JP, BBS, Chairperson of OMEP Hong Kong, Chief Principal of Causeway Bay Victoria Kindergarten and Victoria (China) Education Group
- Dr. KWOK C.Y., Paulina, R.S.W.PgD (Family-Centred), MASW, DSW
- Dr. LEE, N.Y. Amelia, MH, Associate Dean Head (Programme Development) of Early Childhood and Elementary Education School of Continuing Education, Hong Kong Baptist University
- Ms. LUI TSANG Sun-kai, Priscilla, BBS, Member of the Commission on Children
- Dr. LUI Wai-ling, Annissa, JP, Chief Executive of Hong Kong Lutheran Social Services
- Mr. PANG Chi Wa, Registered Educational Psychologist

- Ms. PUN Cindy, Chairperson of Council of Non-profit Making Organizations for Pre-primary Education, General Secretary of Tsung Tsin Mission of Hong Kong Social Service
- Dr. SIU, Kanie, Chief Executive Officer of Plan International Hong Kong
- Dr. TIK Chi Yuen, JP, SBS, Legislative Council Member Director of The Hong Kong Institute of Family Education, Member of the Task Force on "Home-school Co-operation and Parent Education"
- Dr. TSANG Sandra, JP, Board Director of Plan International Hong Kong, Member of the Commission on Children, Registered Clinical Psychologist
- Ms. WONG Mei Ling, Director of The Boys' & Girls' Clubs Association of Hong Kong
- Mr. YAN Man Fai, Chairperson of Five Districts Business Welfare Association, School Board of Early Childhood Service

## Pro Bono Legal Advisor Team:



**Freshfields Bruckhaus Deringer**

富而德 律師事務所

## Child Safeguarding Ambassador

- Ms. CHEA Shuk Mui Candy, MH, Senior Media Practitioner

## Organisation of Pilot Reading Scheme:

( Name list ranked by alphabetical order of the organisation name )

- Causeway Bay Victoria Kindergarten & International Nursery
- Chan Mung Yan Lutheran Kindergarten
- C. & M.A. Fairview Park Kindergarten/Nursery School
- Diamond Hill Ling Liang Kindergarten
- Five District Business Welfare Association Cheung Chuk Shan Nursery Cheung Chuk Shan Kindergarten
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