

# Johannesburg Heritage Foundation

## Child Safeguarding Policy

### 1. Purpose of Child Safeguarding Policy

- 1.1 It is the responsibility of the Johannesburg Heritage Foundation and all of its representatives and employees to ensure that when children are involved in tours or any of our functions they are in a safe environments.
- 1.2 As a member of the Holy Family College (HFC) community the Johannesburg Heritage Foundation has a responsibility and commitment of to protect learners from sexual misconduct and any form of sexual abuse. This commitment will be fulfilled through:
  - The strict compliance to South African laws relevant to sexual misconduct as well as applying due screening of prospective employees in line with South African law.
  - The development and implementation of effective policies to govern the interaction between learners and JHF employees or volunteers.
  - The establishment of appropriate reporting channels in the case that sexual misconduct has taken place or is suspected.
  - Appropriate labour practice to deal with any matter reported.
- 1.3 This policy is intended to protect all parties and proper adherence by all JHF staff and volunteers to these policies will ensure a safe environment for learners and also protect employees from false accusations as all misunderstandings will be avoided.
- 1.4 The fundamental principle is that there is to be no improper conduct or relationship between any member of the staff of the JHF (whether teacher, volunteer or other staff member) and any learner. Improper conduct includes sexual misconduct and conduct otherwise regarded as improper in accordance with the Code of the South African Council of Educators, the Child Safeguarding policy of CaSPA, and in accordance with the Employment of Educators Act.

### 2. Communication between Employees and Pupils

- 2.1 Communication can take the form of in-person communication or electronic communication.  
*In-person*
- 2.2 Conversations with learners should focus on matters related to instruction and heritage activities. JHF employees and volunteers should not enter into discussions about their private lives or the intimate details of the private lives of unrelated learners.
- 2.3 Conversation by employees and volunteers with learners that could be interpreted as flirtatious, romantic or sexual is prohibited.
- 2.4 The sharing of sexually explicit or obscene jokes and verbal “kidding” of a sexual nature between employees, volunteers and learners is prohibited.
- 2.5 Private, one-on-one conversations with pupils should take place within the potential view, but out of the earshot of other adults - such as in a classroom with the hallway door open.
- 2.6 Employees may not conduct an on-going series of one-on-one meetings with a pupil without the knowledge of the principal and without written permission of a parent or guardian.
- 2.7 Staff must keep a record of all one-on one meetings held with pupils.  
Teachers may not drive pupils home and if required to do so a senior member of staff must be informed and the pupil must sit in the rear of the car and parents/guardians must be advised.

- 2.8 No teacher, volunteer or staff member can request a class to not share a conversation with parents or administrators nor instruct learners to 'keep secrets' from their parents.
- 2.9 No photographs of children taking part in a heritage tour may be published in promotional material or on the internet without the written permission of their parent/s.

### *Electronic Communication with Pupils*

- 2.10 Teachers, volunteers and employees may not use personal wireless communications devices to 'text' learners and are prohibited from interacting one-on-one with learners' personal online social-networking sites. They must decline or disregard invitations from pupils to interact privately through texting and personal social-networking sites.

### **3. Physical contact between teachers, volunteers and staff of JHF and learners**

- 3.1 Physical contact between teachers and learners whether from Holy Family College or any visiting school should be public, nonsexual, and appropriate to the circumstances.
- 3.2 Physical contact between an adult and learner that is expected and appropriate in preschool and in the early primary school grades - such as a spontaneous hug between a teacher and a child at the end of the day - is not appropriate with older children. With older children any such form of contact may only be 'shoulder to shoulder' and may not be a frontal hug. Before any such gesture a staff member should think twice as to its risks.
- 3.3 Physical contact meant to encourage or reassure learners, such as a hand on the shoulder or a pat on the back, should be brief and unambiguous in meaning.
- 3.4 Appropriate physical contact required in the case of first aid being applied is acceptable.
- 3.5 No teacher, volunteer or employee of JHF may hit (or otherwise physically assault or physically abuse) a learner, or use any other ways of punishment that are not allowed. This includes verbally abusing a child.
- 3.6 At no time may a male teacher or volunteer be present when female learners are changing. Teachers must be very careful when assisting learners to put on pinafores or sailor suit tops or a period costume that no interactions take place as defined by this policy.

### **4. Social interactions and relationships between employees and pupils**

- 4.1 Teachers, employees and volunteers should avoid situations in which they are alone with a pupil and not observable by other adults or learners.
- 4.2 All off-site, school-related activities involving employees and pupils must be approved by an authorised administrator and be supervised by a least two unrelated adults. Written parental permission must be secured for all off-site, school-related activities.
- 4.3 The giving of expensive gifts or gifts of a personal nature, such as jewellery and clothing, to pupils by employees is prohibited. School employees may not accept such gifts from individual pupils (This excludes the regular practice of gift giving at the end of the year).
- 4.4 Employees shall not grant special privileges, rewards, or opportunities to a specific child beyond those customarily provided as incentives to promote and recognise achievement.
- 4.5 Employees are prohibited from hosting or participating in private social gatherings and parties with pupils, such gatherings would be even more problematic if accompanied by the consumption of alcohol and/or other drugs.
- 4.6 Employees shall not share pornographic or sexually explicit materials with pupils.

- 4.7 Romantic or sexual relationships between employees and pupils are prohibited, regardless of the age of the pupil or the proximity in age of the employee and pupil.
- 4.8 One-on-one interactions between clinical professionals and pupils are guided by the professional code of ethics of such professionals.

## **5. Training and Dissemination of the Policy**

- 5.1 JHF and its leadership will be responsible for providing training on the prevention of sexual misconduct and abuse policy.
- 5.2 All teachers, volunteers and employees of the JHF who come to the research centre, or teach learners within the precincts of Holy Family College and on any other school tour will be trained and will be provided with a copy of this policy.

## **6. Reporting of suspected sexual misconduct and abuse**

### *Teachers, Volunteers and Employees*

- 6.1 The Chairman shall ensure that all teachers, volunteers and employees are aware of their legal obligation to report suspected abuse and that when reporting it will be done in a manner that complies with the law.
- 6.2 The chairman shall ensure that all teachers, volunteers and employees are aware of their obligation under the safeguarding policy on the prevention of sexual misconduct to report misconduct to the principal or his or her designee. Failure to report any misconduct will be seen as an act of serious misconduct in terms of the employment conditions.
- 6.3 Employees who observe or otherwise become aware of sexual misconduct by another employee must notify the principal or his or her designee promptly.  
It is the duty of the chairman or his or her designee to follow due legal requirements when reporting on the alleged sexual misconduct and they are at all times required to bring such allegation to the attention of the Board of Trustees.
- 6.4 If such teacher, volunteer or employee is found guilty of sexual misconduct then all relevant authorities and offender lists will be immediately notified.

## **7. Policies for the reporting of inappropriate behaviour of a pupil**

- 7.1 Should a teacher, volunteer or an employee observe inappropriate behaviour of a learner towards a JHF employee, such staff member is obliged to report such behaviour to the principal and or the chairman.
- 7.2 This would include any such behaviour deemed to be sexually provocative in nature be it behaviour through actions or verbal statements or gestures.
- 7.3 Due action will then be taken by such designated person to clarify the nature of the behaviour and assist in managing the response of the employee and the future behaviours of such a pupil.

## **8. Consequences for employees who violate sexual misconduct and abuse prevention policies**

- 8.1 Violations involving sexual relations with a pupil, regardless of the age of the pupil or the proximity in age of the pupil and employee; sexual abuse of a pupil; or communication with a pupil of a sexual or romantic nature; can result in dismissal, prompt notification of law enforcement and social services if required by law, and the notification of SACE.
- 8.2 The response to violations involving wilful conduct, or conduct or communication of a sexual or romantic nature not involving actual sexual relations or abuse, may include a formal reprimand, suspension, dismissal or other personnel action deemed necessary to prevent sexual abuse and

protect the health, welfare, discipline or morale of pupils, and if warranted the reporting of such incident to SACE.

8.3 The response to violations determined to have been inadvertent, and/or not involving conduct or communication of an abusive, sexual or romantic nature, may include counselling and training, and in cases involving multiple violations, a formal reprimand or other action deemed warranted to prevent future violations of school policy.

9. **REQUIREMENT OF A POLICE CLEARANCE CERTIFICATE FOR ALL TEACHERS AND SUPPORT STAFF INVOLVED IN THE SCHOOL TOURS.**

**It is essential that all teachers and assistants in the programmes for schools i.e. those who deal directly with learners must have a police clearance certificate stating that their names have not been listed in the Sexual Offences Register.**

I..... the undersigned hereby indicate my understanding of the policy above and accept its precepts, and the consequences which arise from it.

**I undertake to provide the Police Clearance Certificate as I shall be involved in the Schools Heritage Programme.**

Signed: .....

Print Name .....

Date:.....

ID Number: .....

Witness:.....

(Print Name and Date) .....

Witness .....

(Print name and date) .....

**Annexure 1**

In order for schools to be able to employ the most suitable staff to work with children, there are various National Registers of people who have been found unsuitable to work or be near children. An employer can ask a potential employee for a police clearance certificate or apply for one themselves. If the potential employee provides one the employer must check its validity in case it is forged.

1. **South African Council of Educators (SACE)** Phone SACE to check on every single person employed to work at the school. All serious issues (such as cases of abuse) should be reported to SACE. Chief Executive Officer, South African Council for Educators (SACE), Private Bag X 127, Centurion 0046 . The letter may also be hand delivered to Chief Executive Officer, South African Council for Educators (SACE), 261 West Street, Centurion 0046.
2. **National Register for Sex Offenders (Department of Justice)** (Sexual Offences and Related Matters) Amendment Act No 32 of 2007) Section 42. A register is kept of every person convicted of a sex-crime. Check this before employing anyone to work at the school. An employer will face prosecution if he/she fails to check whether a current employee or possible employee is on the register.
3. **National Child Protection Register** (Department of Social Development). A record is kept of every case of child abuse.