

Supporting your school: A new protocol for managing allegations of child abuse by educators and other adults in international communities

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Introduction

We have an urgent situation at our school involving an allegation of abuse against a teacher. - School Director, Middle East

Four years ago, it was discovered that a teacher, William Vahey, had drugged and abused a large number of his students. This discovery led to a wide-reaching FBI investigation and it is now suspected that he abused hundreds of boys over his 40-year career, involving ten international schools in nine countries.¹ Since the discovery of Vahey's crimes, awareness of the risks and realities of abuse in international school communities has increased significantly. This has been accompanied by a corresponding increase of awareness in other sectors.

Although the prevalence and extent of abusive behaviour remains hidden, there is no doubt that abuse of children by professionals in positions of trust is a significant risk facing organisations around the world. The recent allegations of child sexual abuse against aid workers in Haiti², Catholic priests in Chile³, swimming and gymnastics instructors in the United States⁴, and kindergarten teachers in the United Kingdom⁵ and China⁶ illustrate the range of organisations in which abuse can take place and the diversity of the adults

¹ The Guardian, *How did one of the worst paedophiles in history get away with his crimes?* 14 June 2016: <https://www.theguardian.com/society/2016/jun/14/how-did-one-of-most-prolific-paedophiles-in-history-get-away-with-crimes>; Hugh Davies, *Interim Report*, July 2014: <https://www.safeguardingschools.co.uk/wp-content/uploads/2014/09/Vahey-W-Hugh-Davies-QC-Interim-Report.pdf>

² International Development Committee, *Sexual exploitation and abuse in the aid sector*, July 2018: <https://publications.parliament.uk/pa/cm201719/cmselect/cmintdev/840/84002.htm>

³ The Economist, *Chile's Catholic church faces new charges of sexual abuse*, July 2018: <https://www.economist.com/the-americas/2018/07/28/chiles-catholic-church-faces-new-charges-of-sexual-abuse>

⁴ The Guardian, *Rachael Denhollander: Predators know where they're going to be safe*, July 2018: <https://www.theguardian.com/sport/2018/jul/24/rachael-denhollander-larry-nassar-predators-know-where-theyre-going-to-be-safe>; <https://abcnews.go.com/Politics/congress-alleged-sexual-abuse-usa-swimming-olympic-sports/story?id=55364290>

⁵ Plymouth Safeguarding Children Board, *Serious Case Review in respect of Nursery Z*, March 2010: [https://cscb-new.co.uk/downloads/Serious%20Case%20Reviews%20-0exec.%20summaries/SCR_Archive/Plymouth%20SCR%20-%20Nursery%20Z%20\(2010\).pdf](https://cscb-new.co.uk/downloads/Serious%20Case%20Reviews%20-0exec.%20summaries/SCR_Archive/Plymouth%20SCR%20-%20Nursery%20Z%20(2010).pdf)

⁶ The New York Times, *Beijing Kindergarten is accused of abuse, and internet erupts in fury*, November 2017: <https://www.nytimes.com/2017/11/24/world/asia/beijing-kindergarten-abuse.html>

committing it. They also illustrate that abuse occurs regardless of jurisdiction, culture, or geographic location, and can be perpetrated by both men and women.⁷ Furthermore, the fluidity and ease of mobility that international work provides, coupled with weak recruitment practices, different cultural norms, and underdeveloped legal systems make certain international organisations prime targets for child abusers.

This article

In responding to a difficult and troubling child safeguarding case, I have found it very hard to know what to do in order to protect the children involved from further harm. - Head of School, Europe

The disclosure of William Vahey's crimes in 2014 led to the formation of the International Taskforce on Child Protection (ITFCP). A group of international school association representatives and child protection experts, the ITFCP helps international schools around the world to keep children safe. In 2015 the [Safeguarding Unit](#) at Farrer & Co was launched to provide legal and safeguarding advice to organisations working with children, including international schools. In 2016 funding was secured through the US Department of State Overseas Schools Advisory Council to develop a new open-source child protection education portal for schools worldwide at the International Centre for Missing and Exploited Children (ICMEC), furthering the work of the ITFCP and disseminating resources.⁸

Throughout our work advising internationally on the management of abuse allegations, we have become acutely aware of the challenges faced by schools around the world. While we know that it is possible to manage allegations effectively and in a way that protects the children involved, we also know this is no easy task. The reality on the ground is that many allegations are being, and have been, handled poorly by schools with little or no support from external agencies. The result is that some abusers have been able to move on without challenge.

To address these concerns, a working group came together in January 2016 to share experiences and design a protocol to help international school leaders respond effectively to allegations of abuse against staff and other adults in positions of authority and responsibility in their communities. We are now proud to launch this [protocol](#). Developed from multiple perspectives, in consultation with a broad range of professionals, this protocol is intended to help international school leaders navigate the complexities of responding to abuse in culturally, linguistically, and legally diverse communities.⁹

Co-written by the ITFCP and the Safeguarding Unit, this article (i) sets out some of the challenges faced by international school leaders when managing allegations of abuse against adults; (ii) provides an overview of the protocol; and (iii) explains what steps school leaders can take to address challenges in allegations management, and how the protocol can help them to do this.

Although this article and the accompanying protocol are aimed at international schools, many of the principles contained within them apply to any organisation that works with children internationally.

⁷ Darling, A, Hackett, S and Jamie K, *Female sex offenders who abuse children whilst working in organisational contexts: offending, conviction and sentencing*, 12 June 2018:

<https://www.tandfonline.com/doi/abs/10.1080/13552600.2018.1476601?journalCode=tjsa20>

⁸ The International Centre for Missing and Exploited Children, *Education Portal: EdPortal.ICMEC.org*

⁹ For a list of contributing experts, please see the enclosed protocol which is also available on the ICMEC Education Portal: <https://www.icmec.org/wp-content/uploads/2018/09/Protocol-Managing-Allegations-of-Child-Abuse-by-Educators-and-other-Adults.pdf>. These experts were drawn from a range of professions including legal, medical, law enforcement, forensic, government and education.

Challenges facing international schools

International recruitment

It is clear that recruitment is critical to keeping children safe, particularly where a school is operating in an environment which may be perceived as an 'easy target' by those seeking to gain access to children. Implementing these practices can, however, pose particular challenges. For example, the local law or culture may make it difficult to disclose or ask about safeguarding concerns in a reference, or to receive frank references from others. In some countries, it is illegal to disclose the reasons for someone's dismissal in a reference. In other countries, individuals can be held personally and criminally liable for disclosing safeguarding concerns. Other obstacles include that it can be difficult – and in some cases illegal – to carry out a criminal records check.¹⁰

Defining and discussing abuse

A key challenge within any school community is to ensure that there is a shared understanding of what abuse is and how you will deal with it if it takes place in your school. Definitions of child abuse vary significantly across cultures and can be particularly contested in areas where structural inequalities and poverty are considered a much greater risk to children's welfare.¹¹ It can also be difficult to talk about abuse, even where there is a shared understanding of what it is, and cultural norms can act as a barrier to discussion and disclosure. The ITFCP 2015 training survey of 716 international school leaders and staff, for example, asked participants to identify barriers to detecting and responding to child sexual abuse and exploitation in their schools. The two factors that were most frequently cited (by 79% and 74% of respondents respectively) were (i) cultural norms that prevent parents from discussing abuse/exploitation, and (ii) cultural norms that prevent students from sharing personal information.

Responding under pressure

There is no book on how to handle a situation like this. – Chairman, School Board of Trustees, North America¹²

Initial conversations with school leaders who have just learned of an allegation of abuse reveal how challenging these cases are, and how much guidance is needed. No matter how well-trained an individual is or how many policies they have put in place, when someone hears the name of a colleague in this context, emotion can take over, making the training and policies seem very far away. Individuals have been known to ask themselves questions such as:

- He is a nice man and has a family. Do I really have to do anything?
- Can it possibly be true?
- Should I call him and what should I say when I do? What if he denies it?
- What if she admits it? What do I do then?
- Do I have to inform my community?

In moments of crises, individuals can sometimes be tempted to try to hide mistakes and to deal with problems quickly and with minimal disclosure. Concerns about reputation and/or liability can also dominate immediate decision-making. Although these are natural human emotions, these immediate responses can cause serious damage to the alleged victim, the

¹⁰ Also known as 'police background check'

¹¹ Kisanga F, Nystrom L, Hogan N, Emmelin M. 2011. *Child Sexual Abuse: Community Concerns in Urban Tanzania*, cited in Walker-Simpson, K. 2017. *The Practical Sense of Protection: A Discussion Paper on the Reporting of Child Abuse in Africa and whether International Standards Actually Help Keep Children Safe*. Child Abuse Review Vol. 26: 252–262, p.254

¹² Observer, Rosen, D. *Riot in Riverdale: Will a New Foundation Insulate Horace Mann from Costly Molestation Suits?* 21 August 2012: <http://observer.com/2012/08/riot-in-riverdale-will-a-new-foundation-insulate-horace-mann-from-costly-molestation-suits/>

wider school community, and the school itself. They can prevent child abuse from being detected, victims from being supported, and perpetrators from being identified. Putting concerns about liability or reputation above the safety and welfare of victims can also expose a school to wider legal claims. And it can, in some cases, invalidate a school's insurance policy and expose the school to significant financial claims.

As a thirteen-year-old girl I was groped by both a popular teacher and coach. I tried to tell another teacher, one also admired by many of us, about the first episode; it was laughed off. After that, I never told anyone anything.
- Former Student, North America¹³

Fear of reporting

I am struggling to know how best to respond to the situation in order to protect the safety and well-being of both girls. - Teacher, Pacific Rim

The importance of reporting allegations of abuse to relevant local agencies, and the dangers of not doing so, are well-documented. First and foremost, a failure to disclose an allegation of abuse to appropriate external agencies can prevent these allegations from being properly investigated. It can prevent information between agencies from being triangulated, and it can allow abusers to move on without challenge. It can also have legal consequences for the school and its senior leaders, and it can send a message to the school community that allegations of abuse will not be taken seriously or dealt with appropriately. Finally, it can be fatal in reputational terms because when the story comes out, which it so often does, it is no longer a story about an individual's abusive behaviour, but about institutional cover-up.

Our School Board took the decision this evening not to go ahead with the risk assessment. I am deeply concerned by this ruling and the fact that words like reputation and liability were used before considering the needs of our students. This goes against everything I believe. - Head of School, Asia

However, depending on the location of the school and the nature of the allegation, an international school leader may be reluctant or afraid to report an allegation of abuse to the relevant local agencies. This can occur as a result of high levels of corruption, a sense of isolation from local agencies, systems, and support, or where the school leader is afraid that reporting to an external agency will cause harm to the alleged victim. For example, if an international school is based in a country where homosexuality is illegal and punishable by death, and where, in practice, no distinction is made between an abusive and a consensual act, then when faced with an allegation that a member of staff has sexually abused a student of the same gender, reporting the allegation to the local police could put both the student's life and that of the member of staff at risk. In other cases, school leaders may be concerned that reporting the allegation to the police could lead to the victim being forced to marry her abuser or being imprisoned or punished, either for having engaged in a sexual act, or for other behaviour such as attempting suicide, for example, which is still illegal in a number of countries. In other cases, local law may be fully compliant with the United Nations Convention on the Rights of the Child (UNCRC) and international standards, but the practice on the ground may be very different, which can inhibit reporting. For example, behaviour such as corporal punishment or sexual activity between a teacher and an adolescent may be illegal in theory, but in practice it may not be prosecuted by local law enforcement agencies, or their reaction to it may be to place responsibility with the child. These cases involve

¹³ Anonymous post in reaction to article by Kamil, New York Times, *Prep-School Predators: The Horace Mann School's secret history of sexual abuse*, 6 June 2012: https://www.nytimes.com/2012/06/10/magazine/the-horace-mann-schools-secret-history-of-sexual-abuse.html?pagewanted=all&_r=0

difficult dilemmas, particularly where the organisation is under a legal obligation to report the allegation to the local police.

International protocol for managing allegations of child abuse

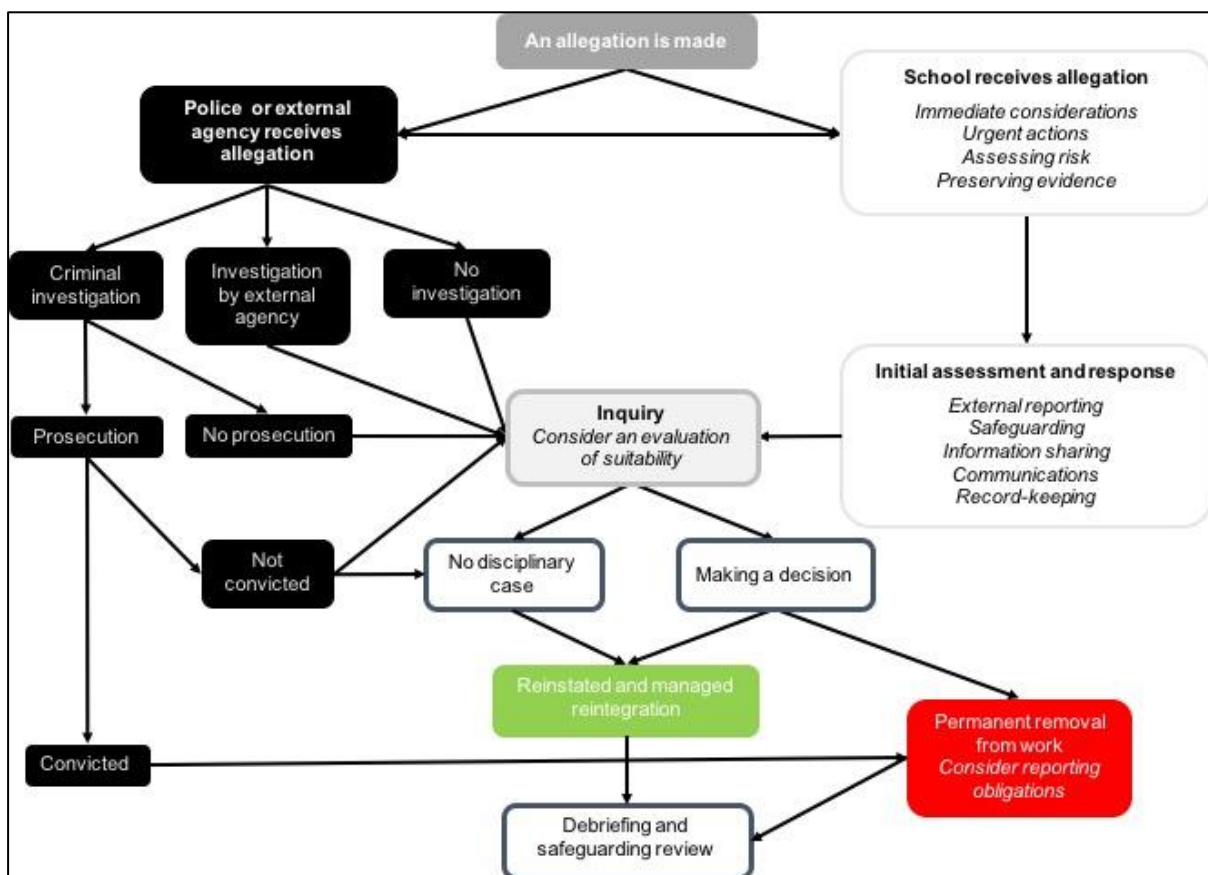
The protocol for managing allegations of child abuse by adults in international schools is designed to help school leaders around the world navigate many of these complexities and provide a robust and consistent response. The protocol contains practical advice about the steps that schools can take (i) before an allegation comes to light; (ii) when an allegation arises; and (iii) after an allegation has been addressed.

Preparation

We have included in the protocol a list of preparatory measures that schools can put in place right away. This includes guidance on a range of areas, from safeguarding governance to safer recruitment; from establishing an allegations management team to designing, implementing, and reviewing relevant policies and procedures; from building internal capacity through education and training, to building relationships with local agencies and experts. Schools will also learn how carrying out a mapping exercise will enable them to understand their legal and cultural frameworks, their insurance needs, and their financial resources in advance of an allegation coming to light.

Response

The protocol sets out the steps that school staff and leaders should take once an allegation of abuse comes out. It includes guiding principles that all schools should follow when managing an allegation, as well as advice on how to prioritise the different, and often conflicting, duties that schools can be faced with.



Visual aids and checklists will help schools navigate their way through managing an allegation of abuse. Guidance is given for every step of a response, from receiving and recording the initial allegation, to making a final decision about a member of staff's employment. This includes guidance on issues such as:

- how to safeguard any victims and prevent further harm to other children;
- risk assessments that need to be carried out before informing the subject of the allegation;
- safety plans that can be put in place for victims;
- information sharing, communication, and record-keeping responsibilities; and
- how to appropriately support the alleged perpetrator.

Schools can learn when, how, and to whom they should report allegations of abuse. Involving external agencies is critical to effectively managing allegations. This protocol explains how schools can work with these agencies throughout the management of the allegation and what they can do if these agencies do not engage. It also includes guidance on how schools can determine the overall suitability of an alleged perpetrator to work with children, and how they can fairly and safely reach a decision on that individual's employment.

Follow-up and debriefing

The final section of the protocol includes a list of steps that schools should take once an allegation has been addressed. These steps will empower schools to learn from the incident and reduce as much risk of abuse as possible in the future. It provides guidance on issues such as safeguarding reviews, redress for victims, and communicating with your school community. It also includes a list of debriefing questions that school leaders can ask themselves when considering what could be done differently or better in the future, such as:

- Has the incident highlighted any training needs for staff, parents, or children?
- Did the allegation reveal inadequate boundaries between children and adults in the school?
- Did children, staff, or parents have concerns about the adult and did they raise these with anyone? If so, how were these concerns dealt with? If not, why not? How can a safer culture be created for disclosing concerns?
- How did the school support and care for the victims and was this appropriate? Could more have been done?

Steps that schools can take to strengthen safeguarding

Effective safeguarding is founded on an organisation's commitment to a set of values that have children's welfare and well-being at its heart. - Erooga, 2009¹⁴

When seeking to address the challenges of managing allegations of abuse in an international setting, the starting point is to understand the legal and cultural frameworks in which the school is operating. Then schools should see how to keep children safe while either working within these frameworks, or, where necessary, trying to change them.

¹⁴ Erooga, M, *Towards safer organisations Adults who pose a risk to children in the workplace and implications for recruitment and selection*, July 2009: <https://www.nspcc.org.uk/globalassets/documents/research-reports/towards-safer-organisations-2009-report.pdf>

Taking as an example the challenges set out above, this section describes how schools can use the protocol to address these challenges.

Safer recruitment

There are a number of steps that schools can take to implement and strengthen safer recruitment practices. For example, schools in a given region could work together to come to an agreement about how they will deal with an issue, such as references and employment checks. This will set regional standards for staff moving between the schools. Schools can also change the way in which they request references and strengthen other areas of the recruitment process, for example by incorporating key principles from value-based interviewing, drawing on local values as context.¹⁵ The protocol reminds schools to review their recruitment policies and contains links to the ITFCP Recommended Screening and Assessment Practices for International School Recruitment¹⁶ and ICMEC's resources relating to recruitment practices.¹⁷

Defining and discussing abuse

The protocol draws on definitions of abuse set out by a number of agencies including the United Nations, the Department for Education in England and the Australian Royal Commission into Institutional Responses to Child Sexual Abuse. It urges schools to take steps to understand the cultural contexts of their communities by, for example, organising group discussions with key stakeholders addressing attitudes on relationships and abuse. It also includes guidance on how to encourage more open and transparent school environments where staff and students feel comfortable sharing concerns. While talking about abuse is uncomfortable, it is critical that schools start to have those discussions with their communities in a culturally sensitive manner.

Responding with confidence and seeking resources

The protocol helps school leaders to respond under pressure by providing a roadmap for them to draw on when faced with an allegation. It also provides a list of options for schools to consider when they are not able to engage their local agencies. For example, Regional Security Officers (or equivalent) for embassies can be helpful sources of information and guidance.¹⁸ Schools can also consider the use of extraterritorial legislation, which allow police in one country to prosecute child sexual abuse crimes committed by their nationals *outside* of the country. This applies even if the law in the country where the crime is committed does not classify the behaviour as a criminal offence.

The protocol also urges schools to identify and build relationships with local agencies before an allegation comes to light, which makes it much easier to respond to the allegation once it has arisen. Although it may seem initially that there are no appropriate agencies in a local area, our experience is that where schools look hard enough there is, in most cases, an agency that has the appropriate expertise and the right outlook to offer support. International NGOs also have investigative powers and can be very useful resources.

¹⁵ Value-based interviewing (VBI) is a way of helping organizations to recruit the most suitable people to work with children. It helps employers assess the values, motives and attitudes of those who are applying for jobs. It focuses on 'how' and 'why' an applicant makes choices in work and seeks to explore reasons for their behavior. For more information please see: National Society for the Prevention of Cruelty to Children, *Value based interviewing: keep children safer through recruitment*, May 2013: <https://www.nspcc.org.uk/globalassets/documents/information-service/factsheet-value-based-interviewing-keep-children-safer-through-recruitment.pdf>

¹⁶ The International Taskforce on Child Protection, *the ITFCP Recommended Screening and Assessment Practices for International School Recruitment*, updated April 2017: <https://www.icmec.org/wp-content/uploads/2017/04/ITFCP-Recommended-Recruitment-and-Screening-Practices-April-2017.pdf>

¹⁷ The International Centre for Missing & Exploited Children, Recruitment Practice: <https://www.icmec.org/education-portal/recruitment/>

¹⁸ United States Department of State Bureau of Diplomatic Security, *Regional Security Office*, September 2017: <https://www.state.gov/documents/organization/114173.pdf>

I would like to stress [...] the overwhelming importance of two things for organisations in protecting children - a culture of openness, including a willingness to recognise and accept that abuse could happen in any organisation and a robust structure to support the effective reporting and handling of concerns about behaviour. - Moira Gibb, 2016¹⁹

Schools can also strengthen their internal standards and culture such that they go beyond those set by local agencies. In building these standards, schools can draw on the expectations for school evaluation and inspection set by the ITFCP²⁰, international safeguarding standards published in the UK²¹, the UNCRC, guidance issued by organisations like UNICEF and the WHO, and reports and observations from the UN Committee on the Rights of the Child.²² Schools can also involve and consult with their own staff, students, and parents, so that the standards reflect the core values of the school and are tailored to the needs of the school community. For example, where a school is located in a community which is particularly hierarchal and/or where there is low gender equality, that school can create an internal culture based on equality of treatment, weaving this throughout the school, from the distributed leadership model down to the way in which the pupils are taught about gender issues.

Once these standards have been established and have become embedded throughout the school, school leaders may find that they have more confidence in responding to allegations of abusive behaviour. Where we have worked with schools to set high internal standards in the past, many have become known among their local community for being particularly strong on child protection.

In the longer-term schools may need to work with the ITFCP, local lawyers, and other organisations to try to influence changes in the law. For example, when operating in a country where it is illegal to carry out a criminal records check, it may be possible to work with others to influence a change in this law, either by a political or legal route. The ITFCP and the Safeguarding Unit have also been working with INTERPOL on its project to develop an Interpol Child Protection Audit Service (I-CPAS), which would collect all background check information from each country an individual has worked in, thereby essentially creating a one-stop shop for organisations. Although this project will take time to come to fruition – and we must always be aware that in practice most individuals who have abused children do not have a criminal record – the project has helped to raise awareness of the issues among disparate groups and organisations across the world.²³ Once completed this could be an additional tool for all organisations to use and will hopefully act as a further deterrent to those who seek work with an intent to access and harm children.

¹⁹ Gibb, M, Foreword by Chair in Local Safeguarding Children Board, Hammersmith & Fulham, Kensington, Westminster and Chelsea Serious Case Review, January 2016:

<https://www.rbkc.gov.uk/pdf/Southbank%20SCR%20REPORT%2012%201%2016.pdf>

²⁰ International Task Force for Child Protection, School Evaluation Committee, *Final Report and Recommendations*, 1 November 2015: <http://www.icmec.org/wp-content/uploads/2016/08/New-Standards-for-Child-Protection-Adopted-by-School-Evaluation-Agencies-2.pdf>

²¹ Keeping Children Safe, *Resource Library, Child Safeguarding Tools and Guidance*:

<https://www.keepingchildrensafe.org.uk/how-we-keep-children-safe/capacity-building/resource-library>

²² *The United Nations Convention on the Rights of the Child* (1989): https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC_united_nations_convention_on_the_rights_of_the_child.pdf?_ga=2.30016703.148707942.1536842699-1643573489.1536842699; and The United Nations Committee on the Rights of the Child: <https://www.ohchr.org/en/hrbodies/crc/pages/crcindex.aspx>

²³ The National Center for Victims of Crime, *Statistics on Perpetrators of Child Sexual Abuse*:

<http://victimsofcrime.org/media/reporting-on-child-sexual-abuse/statistics-on-perpetrators-of-csa>; Darkness to Light, 2017, *Child Sex Abuse Statistics*: https://www.d2l.org/wp-content/uploads/2017/01/all_statistics_20150619.pdf

Conclusion

Navigating the complexities involved in managing allegations of child abuse is challenging, particularly when doing so in a jurisdiction with which you may not be familiar. As illustrated by this article, international schools can face specific vulnerabilities when recruiting and managing their workforce and responding to allegations of abuse. We urge all school leaders to know the laws in the country where they are based, to understand how those laws are implemented, and what actually happens in practice.²⁴ We hope that this article and the accompanying protocol will provide school staff and leaders with useful guidance as we all learn more about and work to develop schools' capacity to prevent and manage all aspects of abuse.

Authors' note

This protocol is a live document that will be updated regularly (with the first update taking place in time for publication in September 2019), and the authors would welcome any feedback you may have. The authors are also developing key resources to underpin the protocol, which will be published shortly. These include a series of written case studies and a safer recruitment checklist, which will build on the ITFCP Recommended Screening and Assessment Practices for International School Recruitment. To provide feedback please contact JaneLarsson@cois.org or KatieRigg@cois.org.

²⁴ The International Centre for Missing & Exploited Children, *National & International Law*: <https://www.icmec.org/education-portal/international-national-law/>

The ITFCP Statement of Commitment to Child Protection

All children have equal rights to be protected from harm and abuse.

Everyone has a responsibility to support the protection of children.

All schools have a duty of care to children enrolled in the school and those who are affected by the operations of the school.

All actions on child protection are taken with consideration for the best interests of the child, which are paramount.



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