

STRATHMORE SCHOOL



GUIDELINES FOR THE PROTECTION OF MINORS

I. Introduction

Strathmore School was among the first multiracial schools in Kenya. The School was established on the basis of equality, anchored in the firm belief that we are all made in the image and likeness of God. Consequently, every person involved in the school as a parent, member of teaching or non-teaching staff, or student is urged to uphold the dignity of the human person in their own personal lives and in the way they interact with other members of the Strathmore School community.

The indications contained in this document are addressed to all persons involved in the School, be they parents, members of teaching and non-teaching staff, or students. The document aims at clarifying some important practical aspects that promote every student's inherent right to personal dignity and bodily integrity.

The document is largely based on School norms developed over time. The document also borrows from other documents such as The Children's Act (2010); The Basic Education Act (2013); The Basic Education Regulations (2015) and *Safeguarding Children, Policy and Procedures (2011)*, developed by the Kenya Conference of Catholic Bishops (KCCB).

II. Terms used:

In these guidelines, unless the context otherwise requires,

“Academic Council” refers to the committee, headed by the principal that is charged (by the Board of Management) with the day-to-day running of Strathmore School.

“Abuse” includes physical, sexual, psychological and mental injury.

“Chaplain”, refers to the priest appointed by the Regional Vicar of the Opus Dei Prelature, at the request of the School Board, who provides pastoral care to the teachers and students interested in it.

“Emotional Abuse” is the persistent emotional ill-treatment or rejection of a child by conveying that he/she is unloved, inadequate or even worthless.

“Member of non-teaching staff” refers to a person employed by the school and whose duties do not involve classroom teaching.

“Member of teaching staff” refers to a person employed by the school and whose main duty is classroom teaching.

“Neglect” can be defined as an omission or the failure to protect a child. This is often evidenced in the child by being deprived of food, clothing, warmth, hygiene, safety, and failure to access appropriate medical care.

“Physical abuse” may involve hitting, shaking, kicking, suffocating, misuse of medication, applying inappropriate sanctions or otherwise causing physical harm to a child. It can also apply to one's failure to act to protect a child.

“Principal”, refers to the person in charge of the day-to-day running of Strathmore School.

“Strathmore School” or “the School” refers to Strathmore School, an institution managed by the Study Centres of Kenya and whose spiritual formation of the students, teachers and parents is entrusted to Opus Dei, a personal prelature of the Catholic Church.

“Student” refers to the student of Strathmore School who is such by having received an admission letter to the school and having paid the requisite fees.

III. Guidelines on dealing with students and with their families

1. Parents are the main educators. Strathmore School always counts on them for the accomplishment of its formative objectives. Therefore, all members of teaching and non-teaching staff will take care of their dealings with the families of the students. Communication will always be with both parents. Issues regarding the students of Strathmore School will, preferably, be discussed with both parents and not with the father or with the mother alone. Moreover, it is advisable to use the official telephone of Strathmore School for communication with parents and not the private cell phone of the member of staff.
2. Strathmore School shall endeavour to protect all personal data of the students – in physical or electronic format – and will respect the rights of parents or guardians regarding access to, modification and suppression of this information.
3. Students shall be protected from the display of symbols, emblems or actions that promote violence or degrade the dignity of persons.
4. Whenever joint activities involving students such as Father-son activities, family sports, rangers’ camps, sports outings etc. are held, the adults accompanying the students have a duty and responsibility to show good example to the students. In this regard, whenever such activities are held whether in or out of school, consumption of alcohol, tobacco and other substances deemed harmful to health will be avoided.
5. Hygienic standards will be observed in relation to the handling of food in the preparation of snacks and other meals.
6. Outdoor activities and camps will comply with the provisions of the relevant competent authority of the camping site. These activities provide a good opportunity for Strathmore School students to bond and interact. They also teach the students to respect and value nature and the environment.
7. All outdoor activities will be taken care of by at least two members of staff, one of whom must be a member of the teaching staff. All members of staff in charge of outdoor activities will have the required qualifications to adequately take care of the students. Members of staff accompanying students for these activities will never sleep in the same rooms or tents as the students. If a priest attends a camp, he will always sleep in a bedroom apart. The students will either sleep in individual tents or tents for three or more persons.
8. No sporting activity will entail a level of difficulty that is injurious to the students engaged in the activity. When undertaking certain sports that may pose some risk, express authorization of the parents must be obtained. Members of staff taking care of such sports must have the appropriate qualifications.
9. Strathmore School will take care of road safety and will carefully designate those who drive the vehicles that are used for the transportation of students.
10. An adult will not go by car alone with a minor, unless he has the explicit consent of the parents and, even so, this will only be allowed in extreme cases.
- 11.1. Quick and firm action will be taken in situations of possible harassment or abuse between equals, whether physical or mental, oral or written. Students will be taught to respect each other and to avoid

fighting, insults, or any other action that may lead some to feel offended, even when the offender's intentions were not to hurt the victim. Students will therefore be discouraged from individual or group actions such as games, utterances, social media posts and graffiti designs, that offend or undermine the dignity of others.

11.2. Strathmore School discourages all forms of bullying be they:

11.2.1. **Physical:** hitting, punishing, kicking, tripping, spitting, etc.

11.2.2. **Verbal:** Teasing, using offensive names, ridiculing, spreading rumours, etc.

11.2.3. **Non-Verbal:** Writing offensive notes or graffiti about others, rude gestures etc.

11.2.4. **Internet & Intranet:** Carried out through services such as email, chatroom, SMS, MMS, Facebook, WhatsApp, Instagram, Snap chat, webcam or voice recordings.

12. In dealing with students and their families, members of staff will keep in mind the following practices which are aimed at ensuring respect for persons and the appropriate norms of interaction between children and adults:

12.1. Teachers should never condone corporal punishment.

12.2. The School should strive to develop a culture that enables children to talk more openly about their contacts with staff in the School.

12.3. An adult will never stay alone with a minor in an isolated place.

12.4. Students will be educated in the sense of modesty as a sign of respect for others and for themselves. Students and adults should avoid being together in changing rooms. The same prohibition applies to young students and older students.

12.5. The relationship between a member of staff and student should be friendly but respectful. This should be captured in the way both parties respect each other's personal space while interacting. Members of staff must therefore refrain from any actions that may be interpreted as inappropriate manifestation of affection.

12.6. Members of staff should refrain from doing things of a personal nature that a child can do for himself such as grooming or dressing.

12.7. Members of staff should use language that mentally and emotionally empowers a child.

12.8. Members of staff should never degrade or humiliate a child.

12.9. Members of staff should show neutrality and impartiality to children regardless of race, culture, age, gender, disability, family background, social status or religious belief.

12.10. Members of staff should keep in mind that actions, no matter how well intended, can be subject to misinterpretation or even malicious intent by a third party.

12.11. When the priest looks after the pastoral care of the students, he will do so in an open place or in a confessional with a grill or in a room with a glass door, so that from the outside one can see the inside of the room. When a member of staff talks to a student alone, he should try to do it in a place where they would be in full view of others. If they use a room, it must have a glass door or, if not, the door must be left open.

13. Parents are encouraged to respect the structures laid down by the school to deal with discipline cases. Aggrieved parents should therefore refrain from confronting students or their parents directly to address conflicts arising in school.

14. In the event of possible harassment, abuse or mistreatment of a student, prudent, clear, quick and decisive action will be taken in accordance with the laid down School procedures.

15. Members of staff will avoid any manifestation that could be interpreted as favouritism or partiality towards a particular family or a particular student. They should refrain from accepting individual personal gifts from the families of the students.
16. These guidelines must be known and observed by all those involved in the activities of Strathmore School (parents, Principal and other members of the Academic Council, tutors, teachers, sport coaches, club patrons and trainers, chaplains, etc.) It is the responsibility of the Academic Council through the principal to ensure that all of the parties read these Guidelines and sign a note stating that they have done so and commit themselves to fulfill them (see Appendix 3).

IV. Procedure in case of incidents involving minors

17. Complaints or information regarding abuse.

- 17.1. Recognising child abuse is not easy. Neither is it the responsibility of an individual to decide whether or not child abuse has taken place. However, everyone in the school has the responsibility of alerting the Academic Council whenever they have sufficient grounds to believe that child abuse has taken place so that the necessary actions to protect the child can be taken.
- 17.2. If a student reports an incident of abuse to a member of staff suffered by him and committed by a student or by a member of staff of Strathmore School, he will as soon as possible, be heard and will be asked for the facts, without the interviewer entering into unnecessary details. He will be informed that his case will only be made known to a few people i.e. those essential for taking the appropriate measures (See Appendix 2: Confidentiality Commitment). The Academic Council, through the Principal or, in his absence, the Deputy Principal shall immediately be informed of this occurrence.
- 17.3. If the reporting of abuse is made orally, it must be accompanied by a written summary of the facts put down as accurately as possible, distinguishing what was said by the student and the interpretation of the facts as made by the teacher (See Appendix 1: Report of Alleged Abuse of a Minor).
- 17.4. The Academic Council shall also be informed immediately when the allegation of abuse is made not by the student who has suffered the alleged abuse but by his parents or other students or parents.
- 17.5. The same obligation rests with the member of staff who witnesses the events.

18. Investigation into the truth of abuse reported.

- 18.1. The Principal shall inform the Academic Council and they will appoint a member of staff who will handle the matter. From this moment, the person to whom such matter has been delegated is responsible for the investigation of the case.
- 18.2. Both the facts and the results of the investigation will be kept in writing in an internal dossier. To ensure confidentiality, only the Academic Council members and the person in charge of the investigation will have access to this dossier.
- 18.3. The investigation shall be carried out with diligence and due care shall be taken to ensure that the necessary information is obtained as soon as possible.

From the moment the complaint is received, suitable measures are to be put into place to avoid that the alleged assailant may coincide with the victim.

- 18.4. If the facts turn out to be as alleged then prompt measures shall be taken to avoid a repetition of the same occurrence. It is the prerogative of the Academic Council to decide whether to temporarily suspend the aggressor from his functions, or to prohibit his access to Strathmore School facilities until investigations are complete.

- 18.5. The Academic Council through the Principal will contact the student's parents to inform them about the facts as reported by their son, so that the Principal can act, from the outset, in close collaboration with the parents.
 - 18.6. The victim of abuse shall be interviewed by the person entrusted with the investigation in the presence of his parents. When it is the case, it will also be necessary to contact the families of the students who have witnessed the alleged abuse or assault. More interviews with some students, staff of Strathmore School and parents of the students may be held if this is considered necessary to complete the investigation.
 - 18.7. In the event that the alleged aggressor is a student of Strathmore School, the person in charge of the investigation shall meet urgently with their parents to inform them of the situation, and will ask the student to offer an explanation of the events that occurred, in front of their parents.
 - 18.8. When the alleged perpetrator is someone who actively collaborates in the activities of Strathmore School (teacher, tutor, member of non-teaching staff, parent, coach, etc), the person in charge of the investigation will ask that person for an explanation of the facts in writing. This document, with date and signature, shall be kept in the dossier.
 - 18.9. In the case of allegations of abuse against a School Chaplain, the Principal, after informing the Academic Council, will forward a written report of the allegation received to the Regional Vicar of Opus Dei, who is the appointing authority for chaplains of Strathmore School.
 - 18.9.1. The Vicar will carry out the preliminary investigations by himself or designate a person to carry out the investigations according to the norms of the Opus Dei Prelature on these matters. It is to be noted that, if the facts reported could be considered as sexual abuse of minors according to Church law, and the conclusion of the investigation is that the allegations seem credible, the Vicar of Opus Dei would forward the facts of the preliminary investigation to the Holy See, through the Prelate of Opus Dei, in keeping with the provisions of Church law for these matters.
 - 18.9.2. The Principal will assist the Vicar of Opus Dei, or the person designated by him to do the investigation, in order to contact the persons to be interviewed (parents, members of staff, tutors...). When the preliminary investigation is closed, the Vicar will inform the Academic Council about its conclusions.
 - 18.10. As long as the truth of the accusation has not been proven, every possible measure will be taken to protect the privacy, honour and good image of the alleged aggressor.
19. *Final resolution of the case.*
- 19.1. Upon completion of the investigation, the Chairman of the School Board shall convene an extraordinary meeting of the Board to report on the facts and conclusions of the investigation.

An act shall be signed, and the internal dossier shall be closed and archived. The dossier should state the steps that have been taken after the investigation.
 - 19.2. Should the facts reported be confirmed to be true, then if the culprit was rendering his services in Strathmore School (as Chaplain, teacher, tutor, coach, etc.), he shall have his services terminated immediately.
 - 19.3. If the aggressor is another student, he will be excluded from the School.
 - 19.4. The parents of the abused student will be informed of the result of the investigation and of the measures taken, and all necessary information shall be made available to them in the event that they decide to report the matter to the relevant authorities.

- 19.4.1 At every moment, Strathmore School should make clear its disposition to collaborate with the parents. The School shall not however play the role of the parents where the onus is on the parents to take action. If the laws of the land lay down the duty to report sexual abuse of minors to the authorities, the parents of the victim should be informed about this duty. If parents are still unwilling to report the abuse, the School shall do it.
- 19.4.2 To establish if the facts investigated are to be considered as sexual abuse the relevant sections of the Sexual Offences Act 2006 should be taken into account (cf. sections 2, 7, 8, 9, 11-16, 24). At the time of these Guidelines being drafted neither the Children's Act 2001 nor the Sexual Offences Act 2006 lay down a duty to report.
- 19.5. In the event that the allegation is proven to be false, the student who made it shall be excluded from Strathmore School. Strathmore School will have a talk with the parents to explain the gravity involved in a calumny of such a kind. At the same time, the school will determine the best way of restoring the good name of the one who has been falsely accused. If the false accusation was made by the parents or by any other adult, the victim and the school will explore the possibility of seeking legal redress.
- 19.6. On the occasion of an investigation, the Strathmore School Board and Academic Council will take advantage to review these Guidelines in case it is convenient to update them so as to put more effective means to avoid similar cases in the future.

Nairobi, June 2019

APPENDIX 1

REPORT OF ALLEGED ABUSE OF A MINOR

(It is not necessary to have all the information requested before submitting this report)

1) This report is submitted by:

Name and surname: _____
Street Address: _____
City/Town _____ County _____
Postal Code _____ Tel. _____
Relationship of the informer with the minor (alleged victim) _____
Way in which the information was provided
(Telephone call, conversation, etc.) _____

2) Suspected author of the alleged facts:

Name and surname: _____
Age (approximate): _____ Gender: _____
Position in the School: _____
Street Address: _____
City/Town _____ County _____
Postal Code _____ Tel. _____
Age _____ Male ___ Female ___

3) Alleged victim:

Name and surname: _____
Street Address: _____
City/Town _____ County _____
Postal Code _____ Tel. _____
Age _____

4) Parents or guardian of the alleged victim:

Name and surname: _____
Street Address: _____
City/Town _____ County _____
Postal Code _____ Tel. _____

5) Eyewitnesses to the alleged facts if any (use another sheet if needed):

Name and surname: _____
Street Address: _____
City/Town _____ County _____
Postal Code _____ Tel. _____

6) **FACTS OF THE CASE**

On a separate sheet of paper, please type or handwrite neatly, in a legible manner, a description of the alleged sexual abuse, including the following information if known by those who report the incident:

- a) Nature of the alleged act(s)
- b) Date(s) and time(s) of the alleged act(s)
- c) Location(s)/address(es) where the alleged act(s) took place
- d) Any other information you deem important (for instance, using threats or force, gifts, scandal, involving abuse of position, etc.)

Signature of the person who wrote this report: _____

Date _____

Please sign also the sheet where you write the description (no. 6 above) and staple it to this sheet.

APPENDIX 2

CONFIDENTIALITY COMMITMENT

I, _____, with ID/Passport number _____,
P.O. Box _____, as part of the staff of Strathmore School, commit myself to:

1. Keeping the due professional secret of all the information accessed during the time I exercise the competences given in the present job; except in the case the laws of the country require otherwise.
2. Using the above referred information according to the professional role performed in the School and not with any other purpose.
3. Dealing with any personal data in the most diligent manner and confidentiality
4. Fulfil the above commitments even after the work contract is terminated.

And in order to effect it, I sign this undertaking

Date _____

APPENDIX 3

ACCEPTANCE OF THE SCHOOL NORMS

I, _____, with ID/Passport number _____,
P.O. Box _____, as part of the staff of Strathmore School, expressly declare:

As a member of the staff in Strathmore School, I have been informed of and I know the principles and purposes that guide the educational work of the School, the guidelines that regulate the relationships between the staff, the families and the students, as well as the other norms of the institution, which I firmly accept and respect, committing myself to observe them in the fulfilment of my professional tasks and any other activities related to it, even outside the School.

For the record, I sign this declaration and commitment

Date _____