



**Overview of The Procedure to be followed by
Educational Institutions in Case of Violence
Against Girls and Family Violence**

Education system plays a very important and special role in every society. This position is determined by a number of points of reference, some of them being as follows:

- It includes all, i.e. majority of children of the same generation (this is particularly valid for preschool preparatory year and elementary school);
- Considering its compulsory character, at least nine generations are included in the system at the same time;
- Children, i.e. pupils spend great part of their time (4 to 8 hours) in one place, and in organized manner, thus building specific inter-relations based on defined value systems;
- The system's educational function is of special importance considering that quality of the school system greatly determines future of a society;
- Teaching staff deals with particularly vulnerable population of children and youth.
- In line with the above stated, the role of education system is primarily to prevent violence, abuse and neglect. It includes measures and activities that provide an institution with safe and encouraging environment, fostering the spirit of cooperation, respect and constructive communication, with the aim to, among other things, support the principles of gender equality, raise awareness of and sensitivity to violence, including gender-based and family violence, and to develop knowledge and skills and attitudes required for constructive response to violence among girls, boys, their parents and all the employees.

In situations of violence against children, boys and girls are treated equally in the education system, taking into account specific gender characteristics, in accordance with the circumstances. Specifically, violence situations that this information refers to, include peer violence against girls, especially sexual and gender-based violence, and also violence in peer partnership relations, violence of the staff and other adults against girls, i.e. violence experienced by children as witnesses of family violence.

Both preventive and intervention procedures defined by the education system for protection of girls and women from violence are regulated by a series of documents specifying actions of education system in protection of children and pupils from violence, abuse and neglect, adopted during the period 2007 to 2011. Significant parts of these documents are outlined in the text below in this Information.

By ratifying the UN Convention on the Rights of the Child, Republic of Serbia has committed to secure pursuit of all child rights, and in particular, the



right to be protected from all forms of violence, neglect and abuse, to be fully informed, right to have fair trial and protection of privacy, and also to be supported in physical and mental recovery and social reintegration for a child exposed to violence.

Following fundamental principles of the Convention in comprehensive and consistent manner, by adopting the Law on the Basic Principles of Education" („Official Gazette of RS", No. 72/09 and 52/11) the System demonstrates commitment to the following principles:

- Education and upbringing in a socially responsible institution established on democratic principles and fostering tolerance, openness, awareness of cultural and civilizational interrelations on the world scale, commitment to fundamental moral values, values of justice, truth, solidarity, freedom, honesty and responsibility, with full respect for the rights of the child, pupil and adult;
- Efficient cooperation with the family by including parents, i.e. guardians, aimed at successful achievement of the set goals in education and upbringing.

The Law on the Basic Principles of Education stipulates, among other things, development goals and objectives of education for every child and pupil:

- Complete intellectual, emotional, social, moral and physical development in accordance with the child's age, development needs and interests;
- Acquiring life skills for solving problems, establishing connections and implementation of these skills in the future education process, professional work and daily life;
- Raising self-awareness, self-initiative, self-esteem and capacity to express his/her own opinion;
- Development of and respect for racial, cultural, language, religious, gender, sexual and age equality, tolerance and respect of diversity.

On the basis of the Law on the Basic Principles of Education the pupils are entitled to the following rights:

- To be protected from discrimination, violence, abuse and neglect;
- To receive timely and complete information about the issues of importance for his/her education;
- To get information on the rights and obligations;
- To exercise all rights of the child and pupil;
- Right to protection and fair treatment of the pupil by the school, even in cases with he/she violates an obligation stipulated by the law.

The Law on the Basic Principles of Education stipulates the procedure to be followed in cases of violence, abuse or neglect committed by a staff member – disciplinary procedure is initiated and carried out. When responsibility of the staff is verified during the procedure, the measure of employment suspension is pronounced, and license of the teacher, educator or professional assistant is revoked.

The Law also defines that offence, i.e. criminal proceedings are initiated against a parent or an adult (third person) who commits violence and neglect against a staff member or when violence is committed by his/her minor child.

The Law specifies that procedure for protection of children and pupils from violence, neglect or abuse is defined by a separate bylaw.

On the basis of the Law on the Basic Principles of Education, and General and Special Protocol, the Rules on the Protocol for Acting in Response to Violence, Abuse and Neglect were adopted („Official Gazette of RS“, No. 30/10).

These Rules are binding for of all staff members of education system institutions.

While implementing the Rules on the Protocol, the institution is under obligation to secure conditions for safe and encouraging growth and development of the child and pupil (girls and boys), protection from all forms of violence, abuse and neglect, and social reintegration of a child and pupil who committed, or was exposed to violence, abuse or neglect. Each institution has to establish a Team for protection from violence, abuse and neglect, to adopt protection programme and to document, analyze and report on the cases of violence against children and staff members in their institution.

Prohibition of violence, abuse and neglect in an institution refers to everybody – children, pupils, staff members, parents and third persons, so that the educational institution represents a safe place for all children and pupils and for work of its employees.

The Rules on the Protocol for Acting in Response to Violence, Abuse and Neglect of all children, i.e. pupils in an institution defines preventive and intervention activities: contents and implementation method, risk assessment, methods of protection from violence, abuse and neglect, monitoring the effects of measures and activities undertaken.

Educational institution is obliged to:

- Carry out the procedure in efficient and economic manner;
- Secure protection and confidential character of data collected be-



fore and during the procedure;

- Prevent a pupil from repeated and unnecessary testifying.

The Rules on the Protocol stipulate the obligation of educational institution to react in all cases when there is suspicion or information that a child or pupil is exposed to violence, abuse and neglect, regardless of the perpetrator, the place where it happened, is happening or prepared:

- In situations of violence and abuse when the actors are children, i.e. pupils, the institution's reaction depends on the form (physical, mental, sexual, social, digital technology abuse), intensity and frequency of violence, i.e. violence level defined by the Rules (the first, second and third level of violence), and could be resolved within the class (the first level), institution (the second level) and with inclusion of other systems, first of all social care system and the Police (the third level of violence).
- In case of suspected violence, abuse or neglect or information about family violence against a child or pupil, manager of the educational institution is under obligation to inform the Center for social work and the Police, who then proceed the information to the parent, in accordance with the Law;
- If it is suspected that the perpetrator of violence, abuse and neglect against a child and pupil is a third adult person (including an adult pupil), the manager is obliged to inform the parents of the child exposed to violence, abuse and neglect, competent Center for social work and the Police at the same time.

This approach indicates that the system clearly provides equal chance and possibility for girls to be protected from any form of violence, abuse and neglect, whether the perpetrators are their peers or adult persons, or they witness a family violence, and are therefore victims as well.

Measures and activities are initiated for all levels of violence and abuse. Operative protection plan (hereinafter: protection plan) is made for all children and pupils – participating in violence and abuse (those who suffer violence and neglect, perpetrators or witnesses). Measures and activities should be taken with participation of the child and pupil in accordance with his/her developing abilities. Protection plan also includes information on the measures the institution has undertaken on its own, in cooperation with other competent organizations and services or when other competent organizations and services conduct their own activities.

In case of a child who suffers violence of the third level, violence by adults or is a witness of family violence, in addition to providing information and inclusion of the Centre for social work/Police, a staff member (educator,

teacher or professional assistant) should undertake all necessary steps within the protection plan in order to secure conditions for emotional and social recovery of the child within his/her peer group/class, demonstrating understanding and offering the child/pupil a chance to express his/her capacities and abilities in accordance with the prevailing living circumstances of the child.

In order to ensure the best possible implementation of the adopted Law and the Rules, and to provide safe and encouraging environment for development of children and pupils, staff trainings are organized and carried out, programs are implemented („School without Violence“, „Be a Man“, prevention of sexual violence, mediation and others); SOS line for reporting school violence is established (080-200-201); teams for crisis intervention are formed and trained; surveys are conducted (about prevalence of violence and school safety, gender-based violence and digital violence); activities have been underway on establishing links among all systems and reinforcing the education system to recognize family violence, new partnership relations with civil society, institutions and media are built.

For purpose of efficient and effective coordination, initiation, organization, monitoring and implementation of these and other activities in the field of protection of children from violence in the education system, Ministry of Education, Science and Technology Development, with the support of UNICEF, has established a Unit for violence prevention, starting on February 2012.

Other Ministries, Government, Non-Government and international organizations provide support and cooperation in the activities of this Unit, which is crucial for more efficient protection of children/pupils, both girls and boys.

