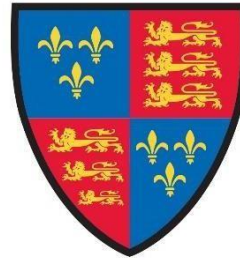


**THE SCHOOLS OF
KING EDWARD VI
IN BIRMINGHAM**



In pursuit of educational excellence for all



**KING EDWARD VI
ACADEMY TRUST
BIRMINGHAM**

SEXUAL VIOLENCE AND HARASSMENT BETWEEN YOUNG PEOPLE POLICY

Responsible Board	Welfare Committee
Policy Officer	Kieran Lynch
Date Adopted	April 2024
Review Date	October 2026
Version	4

Related Documents/Policies:

- Behaviour Policy and Discipline Policy
- Safeguarding and Child Protection Policy
- Digital Safety and Acceptable Use Policy
- RSE policy
- Anti-bullying Policy

This advice should not be read in isolation. It is important for us to consider other relevant advice and guidance, including the following (which is not intended to be an exhaustive list), as part of our approach to protecting children from sexual violence and sexual harassment:

[Exclusions From Maintained Schools, Academies and PRUs](#) (statutory guidance)

[Keeping Children Safe in Education](#) (statutory guidance)

[Sex and Relationship Education](#) (statutory guidance for maintained schools and academies)

[Working Together to Safeguard Children](#) (statutory guidance)

[Behaviour and Discipline in Schools](#) (advice for schools)

[Children Missing Education](#) (advice for schools)

[Cyberbullying](#) (advice for schools)

[Equality Act 2010](#) and [Public Sector Equality Duty](#) (advice for schools)

[Mental Health and Behaviour in Schools](#) (advice for schools)

[Preventing and Tackling Bullying](#) (advice for schools)

[The Equality and Human Rights Commission](#) (provides advice on avoiding discrimination in a variety of educational contexts). Schools must be aware of their obligations under the Human Rights Act 1998 (HRA). It is unlawful for schools to act in a way that is incompatible with the European Convention on Human Rights.

Schools and colleges are required to comply with relevant requirements as set out in the Equality Act 2010 (the Equality Act) see [advice for schools](#) Provisions within the Equality Act allow schools to take positive action, where it can be shown that it is proportionate, to deal with particular disadvantages affecting one group.

[UKCCIS Sexting advice](#) (advice for schools and colleges)

Compliance with the Public Sector Equality Duty ([PSED](#)) is a legal requirement for schools and colleges that are public bodies and therefore have a general duty to have regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between different groups and to foster good relations between different groups. The duty applies to all protected characteristics and means that whenever significant decisions are being made or policies developed, thought must be given to the equality implications such as, for example, the elimination of sexual violence and sexual harassment.

1. AIMS AND VALUES

Our purpose is developing pupils with empathy, understanding and appreciation for other views and opinions. We support our pupils to develop friendships which will last long beyond their time here and empower them to grow into independent, strong young people who are equipped with the flexibility and moral courage to deal with the challenges of the modern world.

We are a relatively small school and we enjoy the advantages that this brings:

- We know and understand our pupils well, including their social, emotional, mental health and academic needs;
- Pupils know their teachers well leading to strong and positive relationships founded on mutual respect;
- That, as an academy, we have the highest of expectations which underpin high aspirations for all.

Our work at King Edward VI Balaam Wood Academy is founded on four core values:

Bold

- Being confident and being courageous
- Taking risks with our learning and with our teaching to ensure that we challenge ourselves at every opportunity
- Being prepared to make mistakes and to learn from these mistakes accepting that getting things wrong is a key part of the learning process and of life

Ambitious

- Having a strong desire and determination to succeed and to be the very best that we can be
- Demanding much of ourselves as individuals and our school community as a collective
- To have the highest aspirations for our futures and a belief in ourselves.

Collaborative

- Pupils helping and encouraging each other to achieve their goals
- Staff sharing best practice and supporting colleagues to help pupils succeed
- Key relationships within and outside of the community from parents/carers, governors, external agencies to protect and guide our young people towards bright futures.

Kind

- Looking out for each other and looking after each other
- Understanding we are all on our individual and collective journeys and supporting each other through them
- To be a fully inclusive community.

2. CONTEXT

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physically and verbally) and are never acceptable. All victims will be taken seriously and offered appropriate support.

Children who are victims and survivors of sexual violence and sexual harassment will find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. We will ensure that victims and survivors are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. Other children and school staff will be supported and protected as appropriate.

[The UK report It's just everywhere](#) found that Only 14% of pupils who have experienced sexual harassment reported it to a teacher. Just 6% of pupils who have experienced or witnessed the use of sexist language in school reported it to a teacher.

Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers. Additional barriers can sometimes exist when recognising abuse in SEND children. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- the potential for children with SEND being disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs; and
- communication barriers and difficulties overcoming these barriers.

Any reports of abuse involving children with SEND will involve close liaison with the Designated Safeguarding Lead (or deputy) and the SENCO.

Children who identify as LGBTQ+ (lesbian, gay, bisexual, transgender, questioning, plus) can be targeted by their peers. In some cases, a child who is perceived by their peers to be LGBTQ+ (whether they are or not) can be just as vulnerable as children who identify as LGBTQ+.

3. STATEMENT OF PRINCIPLES

The best schools take a whole school approach to safeguarding and child protection. This means involving everyone in the school, including the governing body, all the staff, children, and parents and carers. Our approach to sexual violence and sexual harassment therefore reflects and is part of the broader approach to safeguarding.

All staff, pupils and parents should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”;
- challenging behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia and flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them; and
- understanding that all of the above can be driven by wider societal factors beyond the school, such as everyday sexist stereotypes and everyday sexist language.

4. TERMS AND PHRASES

Harmful sexual behaviour

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is “harmful sexual behaviour”. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour is considered in a child protection context.

When considering harmful sexual behaviour, ages and the stages of development of the children are critical factors to consider. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years' difference or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them.

Sexual violence

When referring to sexual violence in this policy, we do so in the context of child on child sexual violence and referring to sexual offences under the [Sexual Offences Act 2003](#) **What is consent?**

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another. Consent can be withdrawn at any time during sexual activity and each time activity occurs.

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16;
- sexual intercourse without consent is rape.

Sexual harassment

Sexual harassment is unwanted conduct of a sexual nature between children that can occur online and offline. Sexual harassment (as set out below) creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual "jokes" or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment.

Online sexual harassment

Refers to a range of behaviours where digital technologies are used to facilitate both virtual and face-to-face sexually based harms. Online sexual harassment may constitute a number of criminal offences, depending on the nature of the online harassment. Whether the conduct constitutes a criminal offence or not, many victim-survivors experience these behaviours as a form of sexual violence. Examples of online sexual harassment can be broadly split into the following areas:

- Unsolicited sexual content online refers to any sexual content shared online which is not wanted by the recipient. This could include content seen on apps, messaging services and websites which has not been sought out by the user.
- Image-based sexual abuse refers to the non-consensual creation and/or distribution of sexual images.
- Sexual coercion, threats and intimidation online could include a person receiving threats of a sexual nature or being coerced to engage in sexual behaviours on or offline via digital technologies.

While there are distinctions between these three categories above, there are evident overlaps and links.

It is important to be aware of some of the terms that are regularly used by the general public and the media when reporting on cases and the impact that the use of these terms may have on victims and survivors of sexual abuse/harassment/violence.

Victims and survivors rather than 'victims' or 'survivors'

Both these words have very different connotations and varying personal meanings for individuals. Some people identify as victims and some as survivors, therefore it is important to use the words 'victims and survivors' together when collectively referring to people that have been subjected to sexual violence and/or sexual harassment.

Alleged perpetrator For the purpose of this document we will use the term ‘alleged perpetrator’ and where appropriate ‘perpetrator’. These are widely used and recognised terms and the most appropriate to aid the effective writing of policies. Adults should, however, think very carefully about terminology, especially when speaking in front of children.

5. THE LAWS RELEVANT TO ONLINE SEXUAL HARASSMENT IN ENGLAND Unsolicited sexual content online

There are a number of laws in which a person could be prosecuted for sending unsolicited sexual content online, however, the act in and of itself is not yet illegal in England and Wales (though it is in Scotland). Laws which could be applied to this include the Protection from Harassment Act 1997 and some aspects of the Sexual Offences Act 2003 such as ‘causing a child to watch a sex act’ and ‘sexual communication with a child’.

Image-Based Sexual Abuse

As of 2015, it is ‘an offence for a person to disclose a private sexual photograph or film if the disclosure is made without the consent of an individual who appears in the photograph or film, and with the intention of causing that individual distress’. In April 2017, the Sentencing Council included the ‘threat to disclose intimate material or sexually explicit images’, within its guideline for offences under the Communications Act 2003 (7); however, prosecuting threats of image-based sexual abuse remains challenging.

Under the Protection of Children Act 1978, creating or sharing indecent images of a child is illegal. It is illegal if the person creating the image is under the age of 18, even if they consent to it being created, or share it with children of the same age. The Home Office Recording Rules ‘Outcome 21’ (January 2016) allows police to respond in a proportionate way to reports of youth produced sexual imagery. This states that even though a young person has broken the law and the police may have evidence that they have done so, the police can record that they chose not to take further action as it was not in the public interest

Since April 2019, it has been an offence to take an image or video up a person’s skirt without their consent, often referred to as ‘upskirting’.

Sexual coercion, threats and intimidation online

Several sections of the Sexual Offences Act 2003 could be relevant in instances of sexual coercion, threats and intimidation including ‘causing or inciting a child to engage in sexual activity’. In situations of demands for sexual images where threats are made, Section 21 of the Theft Act 1968 (Blackmail) is likely to apply.

All kinds of persistent harassment and stalking are offences under the Protection from Harassment Act 1997. What constitutes harassment or stalking is not explicitly defined, but can include a range of actions when considering the context, nature, and duration of the acts.

6. WHAT’S THE IMPACT OF SEXUAL HARASSMENT?

The experience of online sexual harassment will of course be different for all young people. It is important to recognise that it can have both short- and long-term consequences for victims and survivors which will appear differently for each individual, impacting mental health and wellbeing.

What’s the impact of unsolicited sexual content for young people?

- Severe mental distress - feeling threatened, intimidated and violated
- Violates dignity and autonomy of victims and survivors - it removes the right to control what we see and engage with online

- Leads to older siblings (who are still children) monitoring the content on younger siblings' social media platform to remove any unsolicited content. This puts additional pressure on older siblings to keep younger siblings safe
- Normalisation of non-consensual sexual activity and intimidation.

What's the impact of image-based sexual abuse (IBSA) for young people?

- Severe mental distress - feeling threatened, violated and anxious regarding repercussions including fearing direct physical attacks, to name but a few
- Violates dignity and privacy of victims - it removes right to control who we share intimate images with
- Impacts on feelings of self-worth and self-esteem levels: IBSA can relate strongly to issues of body image and self-esteem
- Takes away right to freedom of sexual expression - feelings of shame from culture of blaming victim for their own abuse
- Normalisation of non-consensual sexual activity and sexual violence
- Social stigma can negatively impact peer relationships leading to risk of isolation
- School refusal if issues of social stigma begin to prevent a young person from feeling comfortable in the school setting
- Victims fear chances of employment and other opportunities will be put at risk if images are put online or if there is police involvement.

What's the impact of sexual coercion, threats and intimidation for young people?

- Severe mental distress - feeling threatened, violated and anxious regarding repercussions including fearing direct physical attacks, to name but a few
- Violates dignity and privacy of victims - it removes right to control what we do online
- Impacts on feelings of self-worth and self-esteem levels: threatening IBSA can relate strongly to issues of body image and self-esteem
- Normalisation of non-consensual sexual activity and sexual violence
- Victim's fear chance of employment and other opportunities will be put at risk if employers or potential employers find images and police involvement

7. PREVENTION

Schools play an important role in preventative education. [Keeping Children Safe in Education](#) sets out that all schools should ensure children are taught about safeguarding, including how to stay safe online. Schools should consider this as part of providing a broad and balanced curriculum.

Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. Children displaying harmful sexual behaviour have often experienced their own abuse and trauma. It is important that they are offered appropriate support.

A planned curriculum as part of a whole school approach

The most effective preventative education programme will be through a whole-school approach that prepares pupils for life in modern Britain. The school will have a clear set of values and standards, and these will be upheld and demonstrated throughout all aspects of school life. This will be underpinned by the school's behaviour policy and pastoral support system, and by a planned programme of evidence-based content delivered through the whole curriculum. Such a programme should be developed to be age and stage of development appropriate (especially when considering SEND children and their cognitive understanding), and may tackle such issues as:

- healthy and respectful relationships;
- what respectful behaviour looks like;

- recognising and resisting pressure/seeking help;
- consent;
- gender roles, stereotyping, equality;
- body confidence and self-esteem;
- practising assertiveness techniques;
- prejudiced behaviour;
- recognising and managing risk;
- understanding acceptable/unacceptable physical contact;
- that sexual violence, abuse and sexual harassment is always wrong; and
- addressing cultures of sexual harassment;
- human rights – the idea that all individuals have a right to fairness and to having their privacy respected;
- digital defence - educating young people on how to navigate online platforms and digital devices safely and effectively. It can include aspects of digital literacy related to privacy settings, reporting and blocking other users, identifying and addressing issues of online sexual harassment and recognising misinformation. Pupils should understand about:
 - Using technology including learning how to use and manage social media apps and web platforms. This includes supporting the creation of youth-led change-making and awareness raising resources and providing resources and commitment to youth led gender activism including girls' rights and LGBTQ+ rights.
 - Online privacy (data protection) including how to use privacy settings on their most-used platforms (e.g. Instagram, Snapchat, Tiktok), and knowing how to identify fake profiles.
 - Digital defence strategies, such as reporting, blocking and being aware of the Internet Watch foundation, CEOP and Report Harmful Content (links below).
 - Being a bystander: providing young people with an understanding of what they could do if they witnessed someone being harassed or bullied.

At King Edward VI Balaam Wood Academy, we deliver this content through planned, high-quality, Sex and Relationship Education (SRE) and Personal Development (PSHE) lessons; form time activities and assemblies; and Activity Days (when necessary). As part of our curriculum offer, we may engage with appropriate, well established external agencies to deliver materials to pupils

8. ROLES, RESPONSIBILITIES, PROCEDURES AND ADVICE IF YOU HAVE CONCERNS:

8.1 Staff and Governors

Delivering education on gender inequality and gender-based violence is complex and requires addressing the many issues that young people face today, such as non-consensual sharing of intimate photos without consent, deepfake pornography and specific gendered slurs that might not be familiar to us from our own lived experience of being young.

Staying up-to-date on the issues facing young people is key and this includes being open to learning from them about these issues too – they are the experts on how gender-based violence manifests for them.

Create space to have these conversations

Regular conversations: As with most learning, this education is most effective when done little and often. The effect of this over time is to slowly build awareness of these issues, allowing pupils time to apply what they have learnt to real-world experiences. Remember, it is common for young people not to recognise their own experiences as harassment or violence – a study carried out by Brook, found that although 56 per cent of students reported experiencing at least one of the unwanted behaviours listed,

only 15 per cent claimed to have experienced sexual harassment or sexual violence (Brook, 2019). Young people must be supported to develop knowledge and understanding over time, giving them space to process it and become aware of how it manifests in practice.

Integrate into curriculum: Conversations about gender inequality and sexual violence are often reserved for Personal Development and Relationships and Sex Education lessons, however there are plenty of opportunities to discuss these issues across the curriculum. A gendered lens can be placed across most subjects and if there is a reference to gender norms, stereotypes or language then chances are there is an opportunity to discuss gender-based violence. These moments can be planned in advance by exploring the curriculum and identifying key teachable moments. This type of learning aids pupils in developing a gendered lens of their own as they practise noticing the gendered aspects of an issue and develop a critical gendered lens and empathy for the lives of women and marginalised genders.

Workshops and talks: Although this learning can be done everyday across the curriculum, there is value in dedicating longer blocks of time to exploring these topics in more detail. This is a great opportunity to use external facilitators who can provide interactive, expert sessions.

Challenge gendered slurs, insults and stereotypes

When a pupil uses a gendered slur, insult or stereotype our instinct can be to admonish. However, viewing these incidents as a teachable moment can be highly valuable for pupils. A teaching moment usually requires a questioning response, creating an environment where pupils feel they are part of a conversation. Let's take an example: 71 per cent of all 16 to 18-year-olds (boys and girls) say they hear sexual name-calling with terms such as "slut" or "slag" used towards girls at schools on a daily basis or a few times a week (YouGov, 2010).

Pause and call out/question: Ask the pupil to explain what they mean by using the slur or stereotype;

- "What makes you think that?"
- "What do you mean by that?"
- "Let's talk about why people think like that."
- "The school doesn't tolerate sexist language like that. Why do you think that is?"

Inform: Explain what the term means and why it is problematic.

Discuss impact: Ask them to think about what the impact of using that language might have – this might be the immediate impact on other pupils but it might also be the impact that language has when used regularly;

- "How do you think it feels for another pupil to be labelled in that way, given what we've just learned about what it means?"
- "What do you think the impact of that word being used often is?"

Questioning and calling out seemingly insignificant attitudes and slurs can seem over the top and unnecessary. However, it is these conversations that deepen young people's understanding of what the causes of gender-based violence are and how important it is to challenge them when we hear them being used.

By modelling this challenge in the classroom, we normalise it and encourage young people to replicate it within their own relationships and peer groups. These types of conversations are the first steps to integrating gendered violence education into the everyday lives of pupils.

Contextual Safeguarding

Safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside the school or college. All staff, but especially the DSL and Guidance Team will consider the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Children's social care assessments will consider such factors so it is important that we provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse. Additional information regarding contextual safeguarding is available here: [Contextual safeguarding](#).

During Personal Development lessons pupils are allowed an opportunity to talk about issues that affect them. You should be aware that such discussions can lead to increased safeguarding reports. You must therefore make pupils aware of the processes to raise their concerns or make a report and how any report will be handled. This will include processes when they have a concern about a friend or peer. All staff should be aware of how to support children and how to manage a safeguarding report from a child (as per paragraph 17 of Keeping Children safe in Education).

Reports of sexual violence and sexual harassment are likely to be complex, requiring difficult professional decisions to be made, often quickly and under pressure. Staff need to respond in a calm, considered and appropriate manner to any report made to them. Staff must therefore know what to do if they have a concern about a child, how to respond to a report of abuse, how to offer support and where to go if they need support.

Part one of [Keeping Children Safe in Education](#) (which all school staff should read) and [What to do if you're worried a child is being abused](#) provide information for all staff on indicators to look out for and advice on what you should do if you have concerns about a child.

ONLINE SEXUAL HARASSMENT: FRAMING AND LANGUAGE

Terminology is vital and there needs to be a shift in the language used to discuss online sexual harassment with young people. Although the term revenge porn has wide currency in popular culture, it is an inadequate and problematic term. The sharing of sexual images without consent is not necessarily always about 'revenge' and the use of the term 'revenge' suggests that victims of revenge porn are somehow responsible for their victimisation. Further, the use of the term 'porn' is problematic because it has salacious connotations that can blind people to the nature of the crime and its harm to victims-survivors. The focus always needs to be on consent and not intent. It is therefore important to reframe so-called revenge porn as image-based sexual abuse.

Young people tend to use the word nudes to describe the consensual sharing of intimate sexual images. Advising young people to stop using social media or to stop sharing nudes consensually should not be the standard advice. Research has shown that abstinence-based approaches such as advising young people to refrain from using social media feeds are not only ineffectual, they also feed into victim blaming discourse and can have damaging emotional consequences. Instead, young people's digital and sexual rights should be prioritised through an emphasis on teaching about consent, respect and human rights in the digital sphere.

A shift towards a consent-oriented education about the different forms of online sexual harassment is the appropriate and ethical alternative to abstinence-based approaches which do not work.

Expectations and dealing with incidents of online sexual harassment

- You are required to be familiar with the definitions and examples of online sexual harassment outlined in this guidance, and to support the school in our efforts to eliminate all kinds of sexual violence and abuse. You are also required to report any suspicions about any form of online sexual harassment or potential instances of it.
- You must make the Designated Safeguarding Leads aware of every case of potential online sexual harassment via CPOMS, so that all concerns can be appropriately logged and form part of a broader overview and activated as necessary.
- You must inform the Designated Safeguarding Leads immediately of any instances of online sexual harassment, or anything which could potentially amount to abuse as defined in our Safeguarding and Child Protection Policy. You must not try to investigate or make a judgement, but simply pass on your concerns quickly and clearly, as per our policy.
- The police may need to be informed of any incident which might constitute a hate crime, here meaning any message, image or film which appears to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability; and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.
- We will always follow the advice of the police or children's social care. If we are dealing with instances of online sexual harassment internally, we will provide support for the victim and survivor which, will include directing them to sources which can support the removal of the offending material, and (if necessary) contacting service providers. The DSL and Safeguarding Team may seek general (not pupil-specific) advice from the UK Safer Internet Centre professionals' online safety helpline.
- You should be aware that "just turn it off!" is rarely helpful advice to offer a young person. You should be able to offer pupils guidance on who to contact if you believe they are experiencing online sexual harassment of any form, especially during school holidays.
- If or when the subject of sexual violence or gender and sexual inequality arise, you should communicate to the pupils that these are serious problems and not undermine the impact and consequences of these issues and not put the child at further risk.
- The Safeguarding or Senior Leadership Team will liaise with all parents/carers to outline approaches to online sexual harassment and rationale for those approaches so that parents feel equipped and supported enough to work with school staff if issues arise with their own children.
- You should be familiar with appropriate language and gendered harm.
- You should reflect on your own value judgments and be mindful that your own life experiences may be different from our pupils. This allows time to consider how certain internal biases might play out when discussing these topics in class, which in turn helps facilitate teaching which is inclusive and respectful of all children.

RESPONDING TO A REPORT OF SEXUAL VIOLENCE OR IN PERSON HARASSMENT

Our initial response to a report from a child is important. It is essential that all victims and survivors are reassured that they are being taken seriously and that they will be supported and kept safe. A victim and survivor should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim and survivor ever be made to feel ashamed for making a report.

In some cases, the victim and survivor may not make a direct report. For example, a friend may make a report or a member of school staff may overhear a conversation that suggests a young person has been harmed. As with all safeguarding concerns, it is important that in such instances you take appropriate action by logging on CPOMS and telephoning the DSL or deputies or a member of the Safeguarding/Guidance Team if the leadership team is unavailable.

You should not assume that someone else is responding to any incident or concern. It is also important to understand why the victim and survivor has chosen not to make a report themselves. This discussion should be handled sensitively and with the support of children's social care if required. The Safeguarding or members of the Senior Leadership Team will liaise with the Birmingham Harmful Sexual Behaviour Team who work with young people who have committed acts of harmful sexual behaviour. Before the Safeguarding or Leadership Team completes a referral a discussion will take place with a worker from the HSB team to ensure the referral meets the threshold for assessment and intervention. The HSB Team will signpost to other services where the threshold and HSB criteria are not met.

There may be reports where the alleged sexual violence or sexual harassment involves pupils from the same school, but is alleged to have taken place away from the school premises, or online. There may also be reports where the young people concerned attend different schools or colleges. The safeguarding principles, and schools' and colleges' duties to safeguard and promote the welfare of pupils and pupils, remain the same. The same reporting processes apply. In such circumstances, the DSL (or deputies) will make direct contact with the DSL at the other school(s)/college(s) to report the incident to them, providing as much appropriate detail as possible.

The basic safeguarding principles apply to any disclosures made to staff:

- do not promise confidentiality at this initial stage as it is very likely a concern will have to be shared further to discuss next steps.
- You should only share the report with those people who are necessary in order to progress it.
- It is important that the victim and survivor understands what the next steps will be and who the report will be passed to.

Be aware that a young person is likely to disclose information to someone they trust: this could be any member of staff in school. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust.

- You should be supportive and respectful of the child;
- listen carefully to the child, being non-judgmental;
- be clear about boundaries and how the report will be progressed;
- do not ask leading questions and only prompt the child where necessary with open questions – where, when, what, etc.;
- wait until the end of the report and immediately write up a thorough summary. This allows you to devote your full attention to the young person and to listen to what they are saying.
- It may be appropriate to make notes, especially if a second member of staff is present.
- If you do make notes, you should be conscious of the need to remain engaged with the young person and not appear distracted by the note taking.
- It is essential a written record is made:
 - only record the facts as the child presents them.
 - The notes should not reflect the personal opinion of the note taker.
 - Notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation;
 - Where the report includes an online element, being aware of searching screening and confiscation advice (for schools) and UKCCIS sexting advice (for schools and colleges): the key consideration is you should not view or forward illegal images of a child.
 - The highlighted advice provides more details on what to do when viewing an image is unavoidable.

- If possible, reports should be managed with two members of staff present, (preferably one of them being the DSL or a deputy). However, this might not always be possible; so it is vital that the DSL (or a deputy), is informed as soon as is practically possible, if they are not involved in the initial report.

Considering confidentiality and anonymity Confidentiality

- Staff taking a report should never promise confidentiality as it is very likely that it will be in the best interests of the victim and survivor to seek advice and guidance from others in order to provide support and engage appropriate agencies. We will only involve staff and agencies who are required to support the young people involved and/or be involved in any investigation.
- The victim and survivor may ask us not to tell anyone about the sexual violence or sexual harassment. There are no easy or definitive answers when a victim and survivor makes this request. If the victim and survivor does not give consent to share information, staff may still lawfully share it, if it can be justified to be in the public interest, for example, to protect children from harm and to promote the welfare of children.
- The DSL (or a deputy) will consider the following:
 - ○ parents or carers should normally be informed (unless this would put the victim at greater risk);
 - the basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to children's social care; and
 - rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police.

Ultimately, the DSL (or a deputy) will have to balance the victim's and survivor's wishes against their duty to protect the victim and survivor and other children.

- If the DSL (or a deputy) decides to go ahead and make a referral to children's social care and/or a report to the police against the victim's wishes, this will be handled extremely carefully, the reasons should be explained to the victim and survivor and appropriate specialist support will be offered.

- Additional information on confidentiality and information sharing is available at [Safeguarding Practitioners Information Sharing Advice](#) and [NSPCC: Information sharing and confidentiality for practitioners](#).

Anonymity

Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, we must be aware of anonymity, witness support and the criminal process in general so we can offer support and act appropriately. Further information is at: [CPS: Safeguarding Children as Victims and Witnesses](#).

As a matter of effective safeguarding practice, we will do all we reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment. Amongst other things, this will mean carefully considering, based on the nature of the report, which staff should know about the report and any support that will be put in place for the children involved.

All staff aware of the allegations must also consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' and survivors' identities. For further information consider the principles described in Childnet's [cyberbullying guidance](#)

RISK ASSESSMENT

When there has been a report of sexual violence, the DSL (or a deputy) will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk

assessment will be considered on a case-by-case basis. The risk and needs assessment should consider:

- the victim and survivor, especially their protection and support; the alleged perpetrator; and
- all the other children (and, if appropriate, staff) at the school, especially any actions that are appropriate to protect them.

Risk assessments should be recorded (written or electronic), logged on CPOMS and should be kept under review. At all times, we should be actively considering the risks posed to all our pupils and putting adequate measures in place to protect them and keep them safe. Support referenced in the Harmful Sexual Behaviours section of this policy could support the risk assessment process.

The DSL (or a deputy) will ensure they are engaging with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. A school risk assessment is not intended to replace the detailed assessments of expert professionals. Any such professional assessments will be used to inform our approach to supporting and protecting our pupils and updating our own risk assessment.

Risk assessment process

When assessing the risk in school, the DSL will follow the process outlined below. The DSL will also involve relevant staff where appropriate, to ensure that all possible hazards have been identified and to discuss control measures, following a risk assessment.

Step 1: identify hazards – establish what associated-hazards could harm pupils.

Step 2: decide who may be harmed and how – for each hazard, the DSL will establish who might be harmed, listing groups rather than individuals. We will bear in mind that some people will have special requirements, for instance pupils with special educational needs (SEN). We will then establish how these groups might be harmed.

Step 3: the DSL will evaluate the risks and decide on control measures (reviewing existing ones as well) – we will establish the level of risk posed by each hazard and review existing control measures. We will balance the level of risk against the measures needed to control them and do everything that is reasonably practicable to protect people from harm.

Step 4: record significant findings – the findings from steps 1-3 will be written up and recorded in order to produce the risk assessment. This will be added to CPOMS.

Step 5: review the assessment and update, as needed – we will review our risk assessments, as needed, and the following questions will be asked when doing so:

- Have there been any significant changes?
- Are there improvements that still need to be made?
- Have staff or pupils spotted a problem?
- Have we learnt anything?

Step 6: retaining risk assessments – retain the risk assessment on CPOMS.

ACTION FOLLOWING A REPORT OF SEXUAL VIOLENCE AND/OR SEXUAL HARASSMENT What to consider

The DSL, deputies and members of the Safeguarding Team are likely to have a complete safeguarding picture and be the most appropriate people to advise colleagues on an initial response. Important considerations will include:

-
- the wishes of the victim and survivor in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment.
- Victims and survivors should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered;
- the nature of the alleged incident(s), including: whether a crime may have been committed and consideration of harmful sexual behaviour;
- the ages of the children involved;
the developmental stages of the children involved;
- any power imbalance between the children. For example, is the alleged perpetrator significantly older, more mature or more confident? Does the victim and survivor have a disability or learning difficulty?;
- is the alleged incident a one-off or a sustained pattern of abuse?;
- are there ongoing risks to the victim and survivor, other young people or school staff?; and
- other related issues and wider context.

As always when concerned about the welfare of a young person, all staff should act in the best interests of the child. Immediate consideration should be given as to how best to support and protect the victim and survivor and the alleged perpetrator (and any other children involved/impacted).

The starting point regarding any report should always be that sexual violence and sexual harassment is not acceptable and will not be tolerated. Especially important, is not to pass off any sexual violence or sexual harassment as 'banter', 'part of growing up' or 'having a laugh'.

Please follow the guidance provided by Birmingham City Council: [Children who pose a risk to children safety plan](#)

Children sharing a classroom:

Initial considerations when the report is made

1. Any report of sexual violence is likely to be traumatic for the victim. However, reports of rape and assault by penetration are likely to be especially difficult with regard to the victim and close proximity with the alleged perpetrator is likely to be especially distressing.
2. Whilst the DSL and members of the Safeguarding Team establish the facts of the case and start the process of liaising with children's social care and the police, the alleged perpetrator should be removed from any classes they share with the victim.
3. The DSL and other relevant members of the Senior Leadership Team will also consider how best to keep the victim and survivor and alleged perpetrator a reasonable distance apart on school premises and on transport to and from school, where appropriate.
4. These actions are in the best interests of both young people and should not be perceived to be a judgment on the guilt of the alleged perpetrator.
5. For other reports of sexual violence and sexual harassment, the proximity of the victim and survivor and alleged perpetrator and considerations regarding shared classes, sharing school premises and school transport, should be considered immediately.
6. In all cases, the initial report should be carefully evaluated, reflecting the considerations set out above. The wishes of the victim and survivor, the nature of the allegations and the protection of all children in the school will be especially important when considering any immediate actions.

The role of the DSL (and deputies)

Any decisions are for the school to decide on a case-by-case basis, with the DSL (or a deputy) taking a leading role, using their professional judgement and being supported by other agencies, such as children's social care and the police as required. The DSL will use the Brook Sexual Behaviours Traffic Light Tool,

Options to manage the report

When to inform the alleged perpetrator will be a decision that will be carefully considered. Where a report is going to be made to children's social care and/or the police, then, as a general rule, the DSL and relevant members of the Senior Leadership Team will speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of the allegations.

As per general safeguarding principles, this will not stop us taking immediate action to safeguard our pupils, where required.

The four likely scenarios for the DSL and or relevant members of the Senior Leadership Team to consider when managing any reports of sexual violence and/or sexual harassment are:

1. Manage internally

In some cases of sexual harassment, for example, one-off incidents, we may take the view that the young people concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally through our behaviour and bullying policies and by providing pastoral support. This decision and response will be underpinned by the principle that sexual violence and sexual harassment is not acceptable and will not be tolerated. All concerns, discussions, decisions and reasons for decisions will be recorded on CPOMS and the Peer on Peer Abuse log.

2. Early help

We may decide that the young people involved do not require statutory interventions but may benefit from early help. This means providing support as soon as a problem emerges, at any point in a child's life. Early help can be particularly useful to address nonviolent harmful sexual behaviour and may prevent escalation of sexual violence.

The DSL and members of the Pastoral Team will follow the Local Safeguarding Partnership 'Right Help Right Time' process and work alongside the relevant multi-agency early help team and parents and carers.

All concerns, discussions, decisions and reasons for decisions will be recorded on CPOMS and the incident recorded Peer on Peer abuse log.

3. Referrals to children's social care

Where a young person has been harmed, is at risk of harm, or is in immediate danger, we will make a referral to local children's social care. As part of our statutory duty, we would generally inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child at additional risk). Any such decision will be made with the support of children's social care.

If a referral is made, children's social care will then make enquiries to determine whether any of the children involved are in need of protection or other services.

Where statutory assessments are appropriate, the DSL (or deputies) will work alongside, and cooperate with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and survivor and, where appropriate, the alleged perpetrator and any other children that require support.

We will not wait for the outcome (or even the start) of a children's social care investigation before protecting the victim and survivor and other students. The DSL (or a deputy) will work closely with children's social care (and other agencies as required) to ensure any actions the school or college takes do not jeopardise a statutory investigation. The risk assessment referenced above will help inform any decision. Consideration of safeguarding the victim and survivor, alleged perpetrator, any children directly involved in the reported incident and all children at school will be immediate.

In some cases, children's social care will review the evidence and decide a statutory intervention is not appropriate. The DSL (or a deputy) will refer again if we believe the young person remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the DSL (or a deputy) will consider other support mechanisms such as early help, specialist support and pastoral support.

All concerns, discussions, decisions and reasons for decisions will be recorded on CPOMS and the incident is recorded on the Peer on Peer abuse log.

4. Reporting to the police

Any report to the police will generally be in parallel with a referral to children's social care (as above) and will be led by the DSL (or a deputy). The police will be important partners where a crime might have been committed. Where a report of rape, assault by penetration or sexual assault is made, the starting principle is that this should be referred on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice approach in these cases. Referrals to the police will often be a natural progression of making a referral to children's social care.

At this stage, the DSL will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a child at additional risk. In circumstances where parents or carers have not been informed, an appropriate member of the Safeguarding Team will support the young person in any decision they take. This should be with the support of children's social care and any appropriate specialist agencies

When a report has been made to the police, the DSL (or a deputy) will consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator and their parents or carers. We will also discuss the best way to protect the victim and survivor and their anonymity.

In some cases, it may become clear very quickly that the police (for whatever reason) will not take further action. In such circumstances, we will continue to engage with specialist support for the victim and survivor as required.

All concerns, discussions, decisions and reasons for decisions will be recorded on CPOMS and the incident recorded on the Peer on Peer abuse log.

The end of the criminal process

If a pupil is convicted or receives a caution for a sexual offence, we will update our risk assessment, ensure relevant protections are in place for all pupils at the school and, if we have not already done so, consider any suitable action in light of our behaviour or bullying policy. If the perpetrator remains in the same school as the victim and survivor, the Headteacher will be very clear as to expectations regarding the perpetrator now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions the Headteacher thinks are reasonable and proportionate with regard to the perpetrator's timetable.

Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils in school. The Senior Leadership and Safeguarding Team will ensure both the victim and alleged perpetrator remain protected, especially from any bullying or harassment (including online).

Where cases are classified as "no further action" (NFA'd) by the police or Crown Prosecution Service, or where there is a not guilty verdict, we will continue to offer support to the victim and survivor and the alleged perpetrator for as long as is necessary. A not guilty verdict or a decision not to progress with a case will likely be traumatic for the victim and survivor. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. The DSL will discuss any decisions with the victim and survivor in this light and continue to offer support. The alleged perpetrator is also likely to require ongoing support for what will have likely been a difficult experience.

ONGOING RESPONSE

Safeguarding and supporting the victim

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the victim and survivor.

- Consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. By the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and survivor and alleged perpetrator.
- The needs and wishes of the victim and survivor should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim and survivor, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's and survivor's daily experience as normal as possible, so that the school is a safe space for them.
- The victim and survivor should never be made to feel they are the problem for making a report or made to feel ashamed for making a report.
- Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.
- Victims and survivors may not disclose the whole situation immediately. They may be more comfortable providing information on a piecemeal basis. Dialogue will be kept open and encouraged. When it is clear that ongoing support will be required, the DSL will ask the victim and survivor if they would find it helpful to have a designated trusted adult (for example, a member of the Guidance Team) to talk to about their needs. The choice of any such adult should be the victim's and survivor's. The DSL/Senior Leadership Team will support this by providing the relevant person with specific training. However, the focus is on the needs of the young person, and not for the designated person to engage in discussions about the allegations.
- A victim and survivor of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. While we should avoid any action that would have the effect of isolating the victim and survivor, in particular from supportive peer groups, there may be times when the victim and survivor finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This should be because the victim and survivor wants to, not because it makes it easier to manage the situation. If required, there will be a physical space for victims and survivors to withdraw to. (Space allocated will depend on the parameters around the COVID pandemic and may need to be on an ad hoc basis.)
- It may be necessary for us to maintain arrangements to protect and support the victim and survivor for a long time. We will be prepared for this and will work with children's social care and other agencies as required.
- We will do everything we reasonably can to protect the victim and survivor from bullying and harassment as a result of any report they have made.
- Whilst they should be given all the necessary support to remain in their school, if the trauma results in the victim and survivor being unable to do this, alternative provision or a move to another school could be considered by the Headteacher.
- to enable the pupil to continue to receive suitable education. This should only be at the request of the victim and survivor (and following discussion with their parents or carers).
- If the victim and survivor does move to another educational institution (for any reason), the DSL will make the corresponding DSL aware of any ongoing support needs following discussions with the victim and survivor and, where appropriate, their parents or carers. The DSL will also transfer the child protection file.

Ongoing Considerations: Victim and alleged perpetrator sharing classes

Once the DSL (or a deputy) has decided what the next steps will be in terms of progressing the report, they should consider again the question of the victim and survivor and alleged perpetrator sharing classes and sharing space at school. This will involve considering the duty to safeguard children and the duty to educate them. Any report will be considered on a case-by-case basis and risk assessments will be updated as appropriate. The best interests of the child will come first. In all cases we will follow the general safeguarding principles as per Keeping Children Safe in Education and our school Safeguarding and Child Protection Policy.

Where there is a criminal investigation into a rape, assault by penetration or sexual assault, the alleged perpetrator should be removed from any classes they share with the victim and survivor. We will also consider how best to keep the victim and survivor and alleged perpetrator a reasonable distance apart on school premises and on transport to and from school where appropriate. This is in the best interests of both children and should not be perceived to be a judgement on the guilt of the alleged perpetrator. Close liaison with the police will continue to be essential.

Where the perpetrator is going to remain at the school, the principle would be to continue keeping the victim and survivor and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact on school premises and transport. The nature of the conviction or caution and wishes of the victim and survivor is vital in determining how to proceed in such cases.

In all cases, the Headteacher and the DSL will record the decision-making process and outcome of any discussions on CPOMS.

In some cases, reports of sexual violence may not lead to a report to the police or allegations are reported and the case is not progressed or result in a not guilty verdict. The process will have affected both victim and survivor and alleged perpetrator. Appropriate support will be provided to both individuals as required and consideration given to sharing classes and potential contact as required on a case-by-case basis. In all cases, the Headteacher and DSL will record and be able to justify our decision-making.

All of the above will be considered with the needs and wishes of the victim and survivor at the heart of the process (supported by parents and carers as required). Any arrangements will be kept under review.

SAFEGUARDING AND SUPPORTING THE ALLEGED PERPETRATOR

Staff have a difficult balancing act to consider. On one hand we need to safeguard the victim and survivor (and all other pupils and staff at school) and on the other hand provide the alleged perpetrator with an education, safeguarding support as appropriate and implement any disciplinary sanctions.

A child abusing another child may be a sign they have been abused themselves or a sign of wider issues that require addressing within the culture of the school. The Safeguarding Team will work with professionals as required to understand why a child may have abused a peer. It is important to remember that, as a child, any alleged perpetrator is entitled to, deserving of, and should be provided with, a high level of support to help them understand and overcome the reasons for their behaviour and help protect other children by limiting the likelihood of them abusing again.

The Pastoral Team will consider the age and the developmental stage of the alleged perpetrator and nature of the allegations. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them.

The Headteacher and DSL will consider the proportionality of the response. Support (and sanctions) should be considered on a case-by-case basis. An alleged perpetrator may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other

children. Harmful sexual behaviour in young children may be (and often are) a symptom of either their own abuse or exposure to abusive practices and or materials. Advice will be taken, as appropriate, from children's social care, specialist sexual violence services and the police.

If the alleged perpetrator does move to another educational institution (for any reason), the new educational institution will be made aware of any ongoing support needs and where appropriate, potential risks to other young people and staff. (See above.)

Discipline and the alleged perpetrator

With regard to the alleged perpetrator, [advice on behaviour and discipline in schools](#) is clear that teachers can discipline pupils whose conduct falls below the standard which could be reasonably expected of them.

Disciplinary action can be taken whilst other investigations by the police and/or children's social care are ongoing. The fact that another body is investigating or has investigated an incident does not in itself prevent a school from coming to its own conclusion, on the balance of probabilities, about what happened, and imposing a penalty accordingly. The DSL (or a deputy) will take a leading role. The DSL will consider if, by taking any action, they would prejudice an investigation and/or any subsequent prosecution. Careful liaison with the police and/or children's social care should help us make a determination.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the Headteacher will take suitable action, if they have not already done so. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in the same school would seriously harm the education or welfare of the victim and survivor (and potentially other pupils).

Where a criminal investigation into sexual assault leads to a conviction or caution, the Headteacher will consider any suitable sanctions in light of the school's behaviour and anti-bullying policies, including consideration of [permanent exclusion](#).

It will also be important to consider whether there are circumstances that make it unreasonable or irrational for the school to reach our own view about what happened while an independent investigation is considering the same facts.

Discipline and support

Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time if necessary. On the one hand there is preventative or forward-looking action to safeguard the victim and survivor and/or the perpetrator, especially where there are concerns that the perpetrator themselves may have been a victim of abuse; and, on the other, there is disciplinary action to punish a perpetrator for their past conduct. The Headteacher and DSL will be very clear as to which category any action being falls into or whether it is really both, and should ensure that the action complies with the law relating to each relevant category.

WORKING WITH PARENTS AND CARERS

In most instances, we will engage with both the victim's and survivor's and the alleged perpetrator's parents or carers when there has been a report of sexual violence (this might not be necessary or proportional in the case of sexual harassment and will be considered on a case-by-case basis). The exception to this rule is if there is a reason to believe informing a parent or carer will put a child at additional risk.

We will carefully consider what information we provide to the respective parents or carers about the other child involved and when to do so. In some cases, children's social care and/or the police will have a very clear view and we will therefore work closely with relevant agencies to ensure a consistent approach is taken to information sharing.

The DSL and the relevant member of the Safeguarding team will meet the victim's and survivor's parents or carers with the victim and survivor present to discuss what arrangements are being put in place to safeguard the victim and survivor and understand their wishes in terms of support they may need and how the report will be progressed.

The DSL and the relevant member of the Safeguarding team will also meet with the alleged perpetrator's parents or carers to discuss any arrangements that are being put into place that impact the alleged perpetrator, such as, for example, moving them out of classes with the victim and survivor and what this means for their education. The reason behind any decisions will be explained. Support for the alleged perpetrator will be discussed.

Consideration to the attendance of other agencies should be considered on a case-by-case basis.

Parents and carers may well struggle to cope with a report that their child has been the victim and survivor of an assault or is alleged to have assaulted another child. Parents will be signposted to support contained within the parent/carer section of this policy.

SAFEGUARDING OTHER PUPILS

Consideration will be given to supporting children who have witnessed sexual violence, especially rape and assault by penetration. Witnessing such an event is likely to be traumatic and support may be required.

Following any report of sexual violence or sexual harassment, it is likely that some children will take "sides". Staff will ensure both the victim and survivor and alleged perpetrator, and any witnesses, are not being bullied or harassed.

Social media is very likely to play a central role in the fall out from any incident or alleged incident. There is the potential for contact between victim and survivor and alleged perpetrator and a very high likelihood that friends from either side could harass the victim or alleged perpetrator online and/or become victims of harassment themselves.

School transport is a potentially vulnerable place for a victim or survivor or alleged perpetrator following any incident or alleged incident. As part of our risk assessment, the school will consider any additional potential support needs to keep all of our pupils safe.

Having a culture that makes it clear that sexual violence and sexual harassment is always unacceptable, and delivering a strong preventative education programme creates an environment in which all pupils are supportive and respectful of their peers when reports of sexual violence or sexual harassment are made.

SUPPORT CONTACT DETAILS

- **The NSPCC** provides a helpline for professionals at 0808 800 5000 and help@nspcc.org.uk. The helpline provides expert advice and support for school staff especially the DSL (and deputies)
- Children and Young People's Independent Sexual Violence Advisors (ChISVAs) provide emotional and practical support for victims of sexual violence. They are based within the specialist sexual violence sector and will help the victim understand what their options are and how the criminal justice process works if they have reported or are considering reporting to the

police. ChISVAs will work in partnership with school to ensure the best possible outcomes for the victim.

- Police and social care agencies can signpost to ChISVA services (where available) or referrals can be made directly to the ChISVA service by the young person or school or college. Support from **specialist sexual violence sector organisations** such as [Rape Crisis](#) or [The Survivors Trust](#).
- [Victim Support](#) Supporting young people who have been affected by crime. Also provides support to parents and professionals who work with children and young people – regardless of whether a crime has been reported or how long ago it was.
- [Gillick competency Fraser guidelines](#) Guidelines to help with balancing children’s rights along with safeguarding responsibilities.
- Child and adolescent mental health services ([CAMHS](#)).
- **The Anti-Bullying Alliance** has developed guidance for schools about [preventing and responding to sexual bullying](#).
- [Barnardo's](#) UK charity caring for and supporting some of the most vulnerable young people through their range of services.
- [Ending Violence Against Women and Girls: A Guide for Schools](#) This guide sets out the different forms of abuse and warning signs to look for, what good teaching in this area looks like, and how to get a school working towards ending abuse.
- **Online:** Staff must recognise that sexual violence and sexual harassment occurring online (either in isolation or in connection to offline incidents) can introduce a number of complex factors. These include the potential for the incident to take place across a number of social media platforms and services, and for things to move from platform to platform online. It also includes the potential for the impact of the incident to extend further than our local school community (e.g. for images or content to be shared around neighbouring schools/colleges) and for a victim/survivor (or alleged perpetrator) to become marginalised and excluded by both online and offline communities. There is also the strong potential for repeat victimisation in the future if abusive content continues to exist somewhere online. Online concerns can be especially complicated. Support is available at:
- **The UK Safer Internet Centre** which provides an online safety helpline for professionals at 0344 381 4772 and helpline@saferinternet.org.uk The helpline provides expert advice and support for staff with regard to online safety issues when a report of sexual violence or sexual harassment includes an online element.
- Internet Watch Foundation: If the incident/report involves sexual images or videos that have been made and circulated online, the victim can be supported to get the images removed through the [Internet Watch Foundation](#) (IWF). The IWF will make an assessment of whether the image is illegal in line with UK Law. If the image is assessed to be illegal, it will be removed and added to the IWF’s Image Hash list.
- **UKCCIS Sexting advice:** Sharing indecent images of a child (including by children) is a crime: [UKCCIS advice](#) provides support to schools in responding to reports of sexting (also known as youth produced sexual imagery).
- [Thinkuknow](#) from CEOP provides support for the children’s workforce, parents and carers on staying safe online.
- [NSPCC: Things to know and consider](#) Information sharing and confidentiality for practitioners - things to know and issues to consider.
- [Information Commissioner's Office: Education](#) Information to help schools and colleges comply with General Data Protection Regulation (GDPR).
- [Government information sharing advice](#) Guidance on information sharing for people who provide safeguarding services to children, young people, parents and carers.
- [London Grid for Learning- collection of advice](#) Various information and resources dealing with sexting.
- Bold Voices: What is a Culture of Gender Based Violence? A Short Guide, <https://bit.ly/3cYWrp8>
- Brook: Sexual violence and harassment in UK universities, 2019: <https://bit.ly/3f1R37o>

- Galop LGBT+ anti-violence charity: Sexual Violence Support Service - inclusive of all lesbian, gay, bisexual, queer, trans, intersex, asexual, non-binary and genderqueer identified people aged 13+: www.galop.org.uk/sexualviolence/
- NSPCC: Information and advice on sexual abuse, including [Protect and Respect](#), two different services for children and young people aged 11 to 19 who either need support to learn about healthy relationships or who may be experiencing exploitation, [Hear and Now](#), helping children who may have been sexually abused, and [Letting the Future In](#), which helps children who have been sexually abused to rebuild their lives. Visit www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/child-sexual-abuse/
- Our Streets Now: Lesson plans and a resource pack on public sexual harassment: www.ourstreetsnow.org/our-schools
- Project deSHAME: Resources for teachers, parents and law enforcement on addressing online sexual harassment amongst young people aged 13-17, www.childnet.com/our-projects/project-deshame
- Rape Crisis Centres: Rape Crisis Centres provide specialist support and services to women and girls who have experienced sexual violence: <https://rapecrisis.org.uk/get-help/find-a-rape-cri...>
- Rape Crisis Centres which provide services for boys and/or men: <https://bit.ly/3tJNxCM>
- YouGov: YouGov poll exposes high levels sexual harassment in schools, End Violence Against Women, 2010: <http://bit.ly/2NHZ0s4>

8.2 Information for pupils

If you experience any form of online sexual harassment:

- Firstly, know it is not your fault and you are not in trouble
- If possible, speak to an adult or friend that you trust and/or see other helplines and support services below (these explain how to stop someone from contacting you, or how to get images of yourself removed)

To help tackle online sexual harassment:

- If anyone tries to show you a nude of someone else, remember that you don't have to look at it or share it with others
- If someone is harassing another person online, don't join in with the harassment, or like offensive comments or posts
- Don't shame or victim-blame someone who experiences online sexual harassment - tell them it's not their fault
- If you can, and it is safe for you and the victim-survivor, call out people who are harassing others online. Tell them that what they are doing is harassment, and it's not okay.
- Remember, it's your body and your rules.

If you decide to tell someone at school that you've experienced online sexual harassment:

- You can request that staff do not see the image, film or message
- Staff will always follow safeguarding procedures designed to protect your safety and right to privacy
- You have the right to an input over how incidents of online sexual harassment are managed if you are the victim-survivor
- Even if an incident takes place outside of school a pupil who commits online sexual harassment could still face consequences in school.

HOW TO REPORT Reporting Unsolicited Sexual Content, Image-based Sexual Abuse or Sexual Coercion, Threats And Intimidation

Offline: Creating a culture of reporting is essential to tackling the normalisation of online sexual harassment. You are encouraged to report any abusive behaviour to someone you trust, rather than feel you have to suffer in silence. You could report to a parent, carer or a member of school staff.

Online: See Assistant 'reporting to online support organisations and social media platforms' below. There are a number of mechanisms in place to remove sexual images of people under 18, as well as support victims- survivors whose images have been shared non-consensually.

INTERNET WATCH FOUNDATION

[The Internet Watch Foundation \(IWF\)](#) can be used to 'anonymously and confidentially report child sexual abuse content and non-photographic child sexual abuse images'. The tool functions to remove sexual content of children which is shared via:

- Website
- Spam Email
- Usenet/Newsgroup

The tool can remove child sexual abuse content, and in the case of images, it also generates a hash for the images, meaning that if someone attempts to re-upload the image, it recognises it's the same image (even if slightly altered) and blocks it. Reports can be made by those under and over 18.

If the IWF is unable to manage the content, the site will re-direct you to other mechanisms (see below). The IWF only deals with publicly available information, therefore, to report an incident on Snapchat or Whatsapp, someone would need to contact CEOP or Report Harmful Content. To report an incident on Instagram to the IWF, someone may need to use the desktop version, to access the URL.

Police

Owing to the laws described above, young people who are victims of image based sexual abuse can go to the police to report the perpetrator and seek help in having any images removed from any relevant platforms and devices.

As stated above, while the law is not straightforward on these issues, all three subcategories of online sexual harassment have aspects of law which can be used to prosecute perpetrators. Each case is unique but the police are there to support anyone who falls victim to any of these issues.

REPORTING TO ONLINE SUPPORT ORGANISATIONS AND SOCIAL MEDIA PLATFORMS Social Media

Snapchat, Instagram and other apps have built-in reporting mechanisms. It is important you understand the functions involved to know how to report content and users, as well as other digital defence strategies such as blocking and changing their privacy settings. However, whilst using these functions should be encouraged, they are not always effective, and can sometimes be slow to remove content, only deactivate an account in instances of bulk reporting, and cannot prevent content from being re-uploaded.

CEOP (CHILD EXPLOITATION AND ONLINE PROTECTION COMMAND)

[CEOP](#) is a department of the National Crime Agency. CEOP exists to keep children safe from sexual abuse and grooming online. As with the Internet Watch Foundation, if CEOP is not the appropriate tool to manage an incident, it will redirect the user to an alternative source of support (e.g. IWF or Childline).

CEOP gives the following examples of reports they manage - all of which are examples of sexual coercion, threats and intimidation online:

- Someone online has asked me to send them nude images
- I shared a nude image with someone online and they are threatening me •
Someone online is putting pressure on me to do things I don't want to do.

As the Internet Watch Foundation advises, if someone's intimate images are stored without consent on someone else's device, they would not be able to manage this situation and CEOP would be the appropriate support service. As with the IWF, CEOP's reporting tool can be used by parents, teachers and those under 18 themselves. Once someone makes a report, a Child Protection CEOP will review the report, and where appropriate will pass incidents to local police.

REPORT HARMFUL CONTENT

[Report Harmful Content](#) is provided by the UK Safer Internet Centre and run by the South West Grid for Learning. The site allows you to report a number of online safety issues which could encompass various forms of online sexual harassment, including:

- Threats
- Bullying and harassment
- Online abuse
- Unwanted sexual advances (not image based)

The site allows you to select the specific social media platform on which the incident has occurred. Prior to making a report to Report Harmful Content, they lay out clear instructions on how to report to the social media platform.

INFORMATION AND SUPPORT [Online Sexual Harassment: GUIDANCE FOR STUDENTS](#) - step by step guide to guide you through the process

The NSPCC has launched a dedicated helpline for young people who have experienced abuse at school, and for worried adults and professionals that need support and guidance, including for non- recent abuse. Call the NSPCC helpline, Report Abuse in Education on 0800 136 663 or email help@nspcc.org.uk.

	Organisation/Website/Guidance and what they do	
Specialist Organisations	Barnardo's	UK charity caring for and supporting some of the most vulnerable children and young people through their range of services.
	Lucy Faithfull Foundation	UK-wide child protection charity dedicated to preventing child sexual abuse. They work with families affected by sexual abuse and also run the confidential Stop it Now! Helpline.
	NSPCC	Children's charity specialising in child protection with statutory powers enabling them to take action and safeguard children at risk of abuse.
	Rape Crisis	National charity and the umbrella body for their network of independent member Rape Crisis Centres.

	UK Safer Internet Centre	Provides <u>advice and support</u> to children, young people, parents, carers and schools about staying safe online.
	Anti-Bullying Alliance	Detailed information for anyone being bullied, along with advice for parents and schools. Signposts to various helplines and websites for further support.
	Rape Crisis	Provide and sign post to a range of services to support people who have experience rape, child abuse or any kind of sexual violence.
	The Survivors Trust	UK-wide national umbrella agency with resources and support dedicated to survivors of rape, sexual violence and child sex abuse.
Support for Victims and survivors	Victim Support	Supporting children and young people who have been affected by crime. Also provides support to parents and professionals who work with children and young people – regardless of whether a crime has been reported or how long ago it was.

8.3 INFORMATION AND SUPPORT FOR PARENTS AND CARERS

If parents wish to find out the specific procedures that the school will follow in the event of an allegation of sexual violence and harassment, please see in the staff and Governors section of this policy.

For specific support please follow the links below:

	Organisation/Website/Guidance and what they do	
Specialist Organisations	Barnardo's	UK charity caring for and supporting some of the most vulnerable children and young people through their range of services.
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	The Survivors Trust	UK-wide national umbrella agency with resources and support dedicated to survivors of rape, sexual violence and child sex abuse.
	Victim Support	Supporting children and young people who have been affected by crime. Also provides support to parents and professionals who work with children and young people – regardless of whether a crime has been reported or how long ago it was.

Support for parents	Parentzone	Provides expert information and resources to help make the internet work for families.
	Childnet: Advice for parents and carers to keep children safe online	Advice and resources to help parents and carers keep children safe online.
	Parentsafe- London Grid for Learning	Detailed advice/resources covering various issues such as online safety, apps, and how to report concerns.
	CEOP Thinkuknow advice for parents: Challenging harmful sexual attitudes and their impact Supporting positive sexual behaviour	Advice/resources on how to approach and deal with concerns about what children may be doing online. On the Thinkuknow site, this resource helps challenge harmful sexual attitudes. On the Thinkuknow site, advice on how to start a conversation to support positive sexual behaviour.

Sexual assault referral centres

[Sexual assault referral centres](#) (SARCs) offer support services for children who have experienced sexual abuse or sexual violence, either recently or in the past. Specially trained medical and support staff care for the child in a safe and comfortable environment and can arrange for ongoing support to help them recover physically and emotionally.

Steps are taken to ensure the child is protected from immediate harm and from any future harm.

Partners, such as the police and social services, support the process and may be involved in arranging the initial referral to the SARC. For additional advice and support, find your [local sexual assault referral centre](#). More [support for victims of sexual violence and abuse](#).

Teenage relationship abuse

Teenagers can experience abuse in their own relationships, even if they aren't living with the abuser:

- [NSPCC's 'Coronavirus and keeping safe from abuse'](#) - common signs of teenage relationship abuse if you are concerned about a young person's relationship
- [Parent Info](#) - advice, tips, and key signs to spot for parents on [talking to teenagers about consent](#) and [spotting abuse in teenage relationships](#)
- [NSPCC](#) - helpful information for parents and carers on how to talk to your child about sex and consent
- [Childline](#) - interactive activities for children and signposts to support available

9. MONITORING, EVALUATION AND REVIEW

This policy will be promoted and implemented throughout the school.

The DSL will ensure that accurate records of all incidents of sexual violence and harassment are logged on SIMS and CPOMS and reported to the Governors termly. This data will be analysed by the DSL who will review this policy to assess its implementation and effectiveness and re-design further strategies to improve procedures if necessary.

It is the responsibility of the Assistant Headteacher Kieran Lynch to implement the school's Sexual Violence and Harassment strategy, to ensure that all stakeholders are aware of the school policy, and that they know how to identify and deal with incidents of sexual violence and harassment. The Assistant Headteacher can also report to the Governing Body about the effectiveness of the Policy on request.

The Governing Body will monitor incidents of sexual violence and harassment that do occur and review the effectiveness of this policy and the school's strategies annually. The Governing Body supports the school in all attempts to eliminate sexual violence and harassment. The Governing Body will not condone any sexual violence and harassment at all, and any incidents that do occur will be taken very seriously and dealt with appropriately.

A parent/carer who is dissatisfied with the way the school has dealt with an incident can make a complaint to the Chair of Governors. The complaint will be dealt with in accordance with the complaints policy which can be accessed from the school's website.