



# Child-on-child Abuse Policy and Guidance

CONCORDIA MULTI ACADEMY TRUST



## Table of Contents

<b>1. Document Control</b>	<b>3</b>
Amendment History	3
Review Dates	3
Author(s)	3
Reviewer(s)	3
Approver(s)	3
<b>2. Child-on-Child Abuse/Sexual Harassment and Violence Policy</b>	<b>4</b>
Introduction	4
Policy Development	4
Aims	5
<b>3. Understanding Child-on-child abuse</b>	<b>6</b>
The Context	6
Vulnerable groups	6
<b>4. Responding to Alleged Incidents</b>	<b>8</b>
Responding to reports of sexual violence and sexual harassment	8
The immediate response to a report:	8
Risk Assessment	8
Follow up Actions	9
Options to manage the report	9
Reporting to the Police	10
The end of the criminal process	10
Support for Children Affected by Sexual-Assault	10
Physical Abuse	11
Online Behaviour	12
<b>5. Prevention through raised awareness</b>	<b>13</b>
<b>6. Multi-agency working</b>	<b>14</b>
<b>7. Additional Guidance</b>	<b>15</b>
What is Child-on-child abuse?	15
Additional considerations for schools	15
Prevention – whole school approach	15
<b>8. Appendix 1 – Continuum model Simon Hackett (2010)</b>	<b>17</b>

<b>9. Appendix 2 – Flow-chart</b>	<b>19</b>
<b>10. Appendix 3 - Support</b>	<b>20</b>
<b>11. Appendix 4 - Further information/guidance</b>	<b>22</b>
<b>12. Appendix 5 - Definitions</b>	<b>25</b>
<b>13. Appendix 6 - Traffic light of sexual behaviour from birth to 18</b>	<b>0</b>

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## 1. Document Control

### Amendment History

Version No.	Date	Comments
1	September 2022	CWAC policy adopted

### Review Dates

Next Review Date
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### Author(s)

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## 2. Child-on-Child Abuse/Sexual Harassment and Violence Policy

### Introduction

Concordia Multi Academy Trust recognises that children and young people are vulnerable to and capable of abusing their peers. We take such abuse as seriously as abuse perpetrated by an adult. This includes verbal as well as physical abuse. Child-on-child abuse will not be tolerated or passed off as part of “banter” or “growing up”.

We are committed to a whole Trust approach to ensure the prevention, early identification, and appropriate management of child-on-child abuse within our setting and beyond. Each of the schools within the Trust have a designated safeguarding lead and a deputy safeguarding lead. There is also a Safeguarding representative of the Local Academy Board (previously known as governors). In addition, the CEO is the Safeguarding Trustee and there is also a Deputy Safeguarding Trustee who are available to support and offer guidance whenever required. Safeguarding leads are encouraged to discuss concerns when necessary.

Where child-on-child abuse is identified we will follow our safeguarding and child protection procedures, taking a contextual approach to support all children and young people who have been affected by the situation.

We recognise that child-on-child abuse can manifest itself in many ways such as:

- Child Sexual Exploitation
- Sexting or youth produced digital imagery
- Up-skirting
- Bullying
- Radicalisation
- Abuse in intimate relationships
- Children who display sexually harmful behaviour
- Gang association and serious violence (County Lines)
- Technology can be used for bullying and other abusive behaviour

This list is not exhaustive.

Some of these behaviours will need to be handled with reference to other policies in our schools including the behaviour policy, anti-bullying policy, Safeguarding/child protection policy, Low Level Concerns policy and online safety policy.

This policy concentrates on child-on-child abuse in the context of sexual harassment and sexual violence. It is compliant with the statutory guidance on child-on-child abuse as set out in Keeping Children Safe in Education (September 2022) and should be read in conjunction with the Cheshire West and Chester Safeguarding Children Partnership’s (SCP) Safeguarding Policy and Procedures, and any relevant Practice Guidance issued by it.

### Policy Development

The policy was originally developed by Cheshire West and Chester’s Sexual Violence and Sexual Harassment task and finish group.

## **Aims**

The policy will:

- Set out our strategies for preventing, identifying, and managing child-on-child abuse
- Take a contextual approach to safeguarding all children and young people involved. Acknowledging that children or young people who have allegedly abused their peers or displayed harmful sexual behaviour are themselves vulnerable and may have been abused by peer, parents, or adults in the community.

### 3. Understanding Child-on-child abuse

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

The impact of this behaviour can be very distressing and have an impact on academic achievement and emotional health and wellbeing.

Sexual harassment and sexual violence may also occur online and offline.

#### **The Context**

All behaviour takes place on a spectrum. Understanding where a child or young person's behaviour falls on a spectrum is essential to being able to respond appropriately to it. In this policy we recognise the importance of distinguishing between problematic and abusive sexual behaviour (Harmful Sexual Behaviour (HSB)).

We are adopting the NSPCC definition of HSB as:

"Sexual behaviours expressed by children...that are developmentally inappropriate, may be harmful towards self or others, or be abusive towards another child...or adult."

We will also use Simon Hackett's continuum model to demonstrate the range of sexual behaviours. (Appendix 1)

#### **Vulnerable groups**

We recognise that all children can be at risk however we acknowledge that some groups are more vulnerable. This can include:

- experience of abuse within their family
- living with domestic violence
- young people in care
- children who go missing
- children with additional needs (SEN and/or disabilities)
- children who are EAL
- children who identify or are perceived as LGBT and/or have other protected characteristics under the Equalities Act 2010.

Whilst research tells us girls are more frequently identified as being abused by their peers, and girls are more likely to experience unwanted sexual touching in schools, this is not confined to girls. Boys are less likely to report intimate relationship abuse and may display other behaviour such as antisocial behaviour. Boys report high levels of victimisation in areas where they are affected by gangs. We recognise that both boys and girls experience child-on-child abuse, but they do so in gendered ways.

All staff should be aware of indicators, which may signal that children and young people are at risk from or are involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or

unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

## 4. Responding to Alleged Incidents

### Responding to reports of sexual violence and sexual harassment

All reports of child-on-child abuse will be made on an individual needs' basis, with the designated safeguarding lead or their deputy taking a leading role using their professional judgement and supported by other agencies such as social care or the police as required. (Appendix 2).

#### The immediate response to a report:

- The school will take all reports seriously and will reassure the victim that they will be supported and kept safe.
- All staff will be trained to manage a report.
- Staff will not promise confidentiality as the concern will need to be shared further (for example, with the designated safeguarding lead, police and/or social care). Staff will, however, only share the report with those people who are necessary to progress it.
- A written report will be made as soon after the disclosure as possible, recording the facts as presented by the child or young person. These may be used as part of a statutory assessment if the incident is escalated later.
- Where the report includes an online element, the school will follow advice on searching, screening and confiscation. The staff will not view or forward images.
- The Designated Safeguarding Lead will be informed as soon as possible.

#### Risk Assessment

When there has been a report of sexual violence, harassment or peer to peer abuse, the designated safeguarding lead (or a deputy) will make an immediate risk and needs' assessment for both the alleged victim and alleged perpetrator. Ideally settings will not complete these in isolation but agree them with parents and other multi-agency partners. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on an individual needs basis. The risk and needs' assessment should consider:

- The victim, especially their protection and support
- The alleged perpetrator
- All the other children (and, if appropriate, adult students and staff) at the school, especially any actions that are appropriate to protect them

Risk assessments will be recorded electronically and stored securely. They will be kept under review. The Designated Safeguarding Lead (or a deputy) will ensure they are engaging with multi-agency partners e.g., i-Art, police.

#### Action following a report of sexual violence and/or sexual harassment

Following an incident, we will consider:

- The wishes of the victim in terms of how they want to proceed. Younger children may need to be supported by a trusted adult, usually their parent/carer, to express their views. This is especially important in the context of sexual violence and sexual harassment
- 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 or alleged perpetrator have a disability or learning difficulty
- If the alleged incident is a one-off or a sustained pattern of abuse
- Are there ongoing risks to the victim, other children, adult students or school or college staff, or other related issues in the wider context?

## Follow up Actions

### Children sharing a classroom:

Whilst the school establishes the facts and starts the process of liaising with children's social care and the police:

- The alleged perpetrator will be removed from any classes they share with the victim.
- Schools will consider how best to keep the victim and alleged perpetrator a reasonable distance apart on school premises and on transport to and from the school.

These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of the alleged perpetrator.

## Options to manage the report

### Manage internally

1. In some instances of sexual harassment, for example, one-off incidents, the safeguarding lead/team in consultation with the Headteacher may decide that the children concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising the behaviour and anti-bullying policies and by providing pastoral support.

This decision will be made based on the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated. All decisions, and discussions around making these decisions will be recorded and stored securely within the school following their usual safeguarding processes.

2. In line with 1 above, the safeguarding lead/team and the Headteacher may decide that the children involved do not require statutory interventions but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

3. Where a child has been harmed, is at risk of harm, or is in immediate danger, the safeguarding lead will make a referral to **i-Art** following locally agreed protocols.

Where statutory assessments are appropriate, the designated safeguarding lead or a deputy will be working 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, where appropriate, the alleged perpetrator and any other children that require support.

### **Reporting to the Police**

Where a report of rape, assault by penetration or sexual assault is made, the starting point is this will be passed 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.

Where a report has been made to the police, the school will consult the police and agree what information can be disclosed to staff and others, the alleged perpetrator and their parents or carers. They will also discuss the best way to protect the victim and their anonymity.

Where there is a criminal investigation, schools will work closely with the relevant agencies to support all children involved (including potential witnesses). Where required, advice from the police will be sought.

Whilst protecting children and/or taking any disciplinary measures against the alleged perpetrator, schools will work closely with the police (and other agencies as required), to ensure any actions taken do not jeopardise the police investigation.

### **The end of the criminal process**

If a child is convicted or receives a caution for a sexual offence, school will update its risk assessment, agreed with parents and other multi-agency partners, and ensure relevant protections are in place for all children. Schools will consider any suitable action in line with their behaviour policy. If the perpetrator remains in school, schools will be very clear as to expectations regarding the perpetrator now they have been convicted or cautioned. This may include expectations regarding their behaviour and any restrictions schools think are reasonable and proportionate about the perpetrator's timetable.

Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils in the school. Our schools will ensure all children involved are protected, especially from any bullying or harassment (including online).

In instance where no further action is taken by the police or Crown Prosecution Service, or where there is a not guilty verdict, schools will continue to offer support to the victim and the alleged perpetrator for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for the victim. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. Schools will continue to support all parties in this instance.

### **Support for Children Affected by Sexual-Assault**

Support for victims of sexual assault is available from a variety of agencies (see Appendix 3). We will support the victim of sexual assault to remain in school but if they are unable to do so, we will enable them to continue their education elsewhere. This decision will be made only at the request of the child and their family. If they are moved, we will ensure the new school is aware of the ongoing support they may need. The Designated Safeguarding Lead will support this move.

Where there is a criminal investigation, the alleged perpetrator will be removed from any shared classes with the victim, and schools will also consider how best to keep them a reasonable distance apart on the school premises or on transport. This is in the best interest of the children concerned and should not be perceived to be a judgement of guilt before any legal proceedings. Schools will work closely with the police.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, schools 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 potentially other pupils).

Where a criminal investigation into sexual assault leads to a conviction or caution, schools may, if have not already done so, consider any suitable sanctions in line with our behaviour policy, including consideration of permanent exclusion.

Where the perpetrator is going to remain at the school, the principle would be to continue keeping the victim 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 will be especially important in determining how to proceed in such cases.

Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the police (for a variety of reasons). In some cases, rape, assault by penetration, sexual assault or sexual harassment are reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict. None of this means the offence did not happen or that the victim lied. The process will have affected both victim and alleged perpetrator. Appropriate support will be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis.

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

## **Physical Abuse**

While a clear focus of child-on-child abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals from pupils to pupils can also be abusive. These are equally not tolerated and if it is believed that a crime has been committed, will be reported to the police.

The principles from the anti-bullying policy will be applied in these instances, with recognition that any police investigation will need to take priority.

When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, staff can draw on aspects of Hackett's continuum (Appendix 1) to assess where the alleged behaviour falls on a spectrum and to decide how to respond. This could include, for example, whether it:

- is socially acceptable
- involves a single incident or has occurred over a period of time
- is socially acceptable within the peer group
- is problematic and concerning

- involves any overt elements of victimisation or discrimination e.g., related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability
- involves an element of coercion or pre-planning
- involves a power imbalance between the child/children allegedly responsible for the behaviour
- involves a misuse of power

## **Online Behaviour**

Many forms of child-on-child abuse have an element of online behaviour including behaviours such as cyberbullying and sexting (youth produced imagery).

Policies and procedures concerning this type of behaviour can be found within anti-bullying policy, online safety and safeguarding/child protection policies).

## 5. Prevention through raised awareness

Concordia Multi Academy Trust actively seeks to raise awareness of and prevent all forms of child-on-child abuse by:

- Educating all levels of Governance including Local Academy Board Representatives, Trustees and members, Senior Leadership Team, staff, and volunteers, pupils and parents about this issue. This will include training all Representatives of the Local Academy Board, Trustees and Senior Leadership Team, staff and volunteers on the nature, prevalence, and effect of child-on-child abuse, and how to prevent, identify and respond to it. This includes:
  - (a) Contextual Safeguarding
  - (b) The identification and classification of specific behaviours
  - (c) The importance of taking seriously all forms of child-on-child abuse (no matter how low level they may appear) and ensuring that no form of child-on-child abuse is ever dismissed as horseplay or teasing
- Educating children about the nature and prevalence of child-on-child abuse via PSHE and within the wider curriculum
- Pupils are frequently told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse
- They are regularly informed about the school's approach to such issues, including its zero-tolerance policy towards all forms of child-on-child abuse
- Keeping parents informed on school policies and procedures
- Ensuring that all child-on-child abuse issues are fed back to the school safeguarding team/lead so that any trends can be identified and identify pupils who maybe in need of additional support
- Creating conditions in which pupils can aspire to and realise safe and healthy relationships
- Creating a culture in which pupils feel able to share their concerns openly, in a non-judgmental environment, and have them listened to
- Responding to cases of child-on-child abuse promptly and appropriately.

## 6. Multi-agency working

All schools within Concordia Multi Academy Trust will actively engage with local partners in relation to child-on-child abuse and will work closely with Cheshire West and Chester's Safeguarding Children Partnership (SCP), i-Art, Children's Social Care, Safeguarding Children in Education team, Early help and Prevention, and/or other relevant agencies, and other schools.

The relationships our schools have built with these partners are essential to ensuring that we are able to prevent, identify early and appropriately handle reports of child-on-child abuse. They help the school:

- a) To develop a good awareness and understanding of the different referral pathways that operate in its local area, as well as the preventative and support services which exist
- b) To ensure that pupils can access the range of services and support they need quickly
- c) To support and help inform our local community's response to child-on-child abuse
- d) To increase our awareness and understanding of any concerning trends and emerging risks in the local area to enable preventative action to minimise the risk of these being experienced by pupils.

Schools within Concordia Multi Academy Trust will actively refer concerns/allegations of child-on-child abuse where necessary to i-Art and/or other relevant agencies.

Children resident out of county but attending a Cheshire West and Chester school will be reported to Children's Social Care in the area where they live.

In any instance involving children who are subject to risk, harm, and abuse and who have involvement with Children's Social Care (at either ChIN, CP or are LAC) the children's social worker will be informed and a coordinated approach to address any incidents or concerns will be required.

## 7. Additional Guidance

### What is Child-on-child abuse?

All children are capable of abusing their peers. This can manifest itself in a whole spectrum of behaviours including (see below for definitions):

- Bullying including cyberbullying
- Sexual violence and harassment
- Physical abuse
- Sexting
- Up-skirting (now a criminal offence and has reporting requirements)
- Initiation /hazing type violence and rituals

Child-on-child abuse is also included within our safeguarding policies and procedures and all staff are made aware of these and are expected to ensure they are part of their everyday practice. Children and young people also need to know how to report concerns and be confident that they will be listened to and supported.

Additional areas for consideration can be found in:

1. Sexual Violence and sexual harassment between children in schools and colleges 2021 - [Sexual violence and sexual harassment between children in schools and colleges \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/94222/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges-2021.pdf)
2. Keeping Children Safe in Education 2022 - [Keeping children safe in education 2022 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/94222/keeping-children-safe-in-education-2022.pdf)

### Additional considerations for schools

When considering harmful sexual behaviour, ages, and the stages of development of the children and young people are critical factors to consider. Sexual behaviour between children and young people can be considered harmful if one of them 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, for example, if the older child is disabled or smaller in stature. Schools and colleges should ensure that their response to sexual violence and sexual harassment between children and young people of the same sex is equally robust as it is for sexual violence and sexual harassment between children and young people of the opposite sex.

### Prevention – whole school approach

As well as having strategies for dealing with incidents schools will consider how to foster healthy and respectful relationships between boys and girls, including through Relationship and Sex Education and Personal Social Health and Economic education.

The most effective preventative education programme will be through a whole school approach that prepares pupils for life in modern Britain.

Our schools 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 school's behaviour policies and pastoral support system, and by a planned programme of evidence-based content delivered through the whole curriculum. Programmes will 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
- Consent
- Gender roles, stereotyping, and equality
- Body confidence and self-esteem
- Prejudiced behaviour
- That sexual violence and sexual harassment is always wrong
- Addressing cultures of sexual harassment.

Our schools will deliver this through planned, high-quality, Relationships Education as well as Health Education.

## 8. Appendix 1 – Continuum model Simon Hackett (2010)

Simon Hackett (2010) has proposed a continuum model to demonstrate the range of sexual behaviours presented by children and young people, from those that are normal, to those that are highly deviant:

Normal	Inappropriate	Problematic	Abusive	Violent
<ul style="list-style-type: none"> <li>• Developmentally expected</li> <li>• Socially acceptable</li> <li>• Consensual, mutual, reciprocal</li> <li>• Shared decision making</li> </ul>	<ul style="list-style-type: none"> <li>• Single instances of inappropriate sexual behaviour</li> <li>• Socially acceptable behaviour within peer group</li> <li>• Context for behaviour may be inappropriate</li> <li>• Generally consensual and reciprocal</li> </ul>	<ul style="list-style-type: none"> <li>• Problematic and concerning behaviours</li> <li>• Developmentally unusual and socially unexpected</li> <li>• No overt elements of victimisation</li> <li>• Consent issues may be unclear</li> <li>• May lack reciprocity or equal power</li> <li>• May include levels of compulsivity</li> </ul>	<ul style="list-style-type: none"> <li>• Victimising intent or outcome</li> <li>• Includes misuse of power</li> <li>• Coercion and force to ensure victim compliance</li> <li>• Intrusive</li> <li>• Informed consent lacking, or not able to be freely given by victim</li> <li>• May include elements of expressive violence</li> </ul>	<ul style="list-style-type: none"> <li>• Physically violent sexual abuse</li> <li>• Highly intrusive</li> <li>• Instrumental violence which is physiologically and/or sexually arousing to the perpetrator</li> <li>• Sadism</li> </ul>

[Harmful sexual behaviour framework | NSPCC Learning](#)

### A continuum of behaviours

It is vital for professionals to distinguish normal from abnormal sexual behaviours. Chaffin, Letourneau and Silovsky (2002, p208) suggest a child's sexual behaviour should be considered abnormal if it:

- occurs at a frequency greater than would be developmentally expected
- interferes with the child's development
- occurs with coercion, intimidation, or force
- is associated with emotional distress
- occurs between children of divergent ages or developmental abilities
- repeatedly recurs in secrecy after intervention by caregivers.

### A continuum of responses

As identified in Hackett's model, above, children and young people with harmful sexual behaviours are a varied and complex group with diverse needs that cannot be addressed by a 'one size fits all' model of service provision.

The diverse needs of these children and young people include the fact that many of them have hitherto unrecognised learning difficulties, specific educational needs, a range of psychosocial risk factors and co-occurring mental health problems (Bladon et al, 2005).

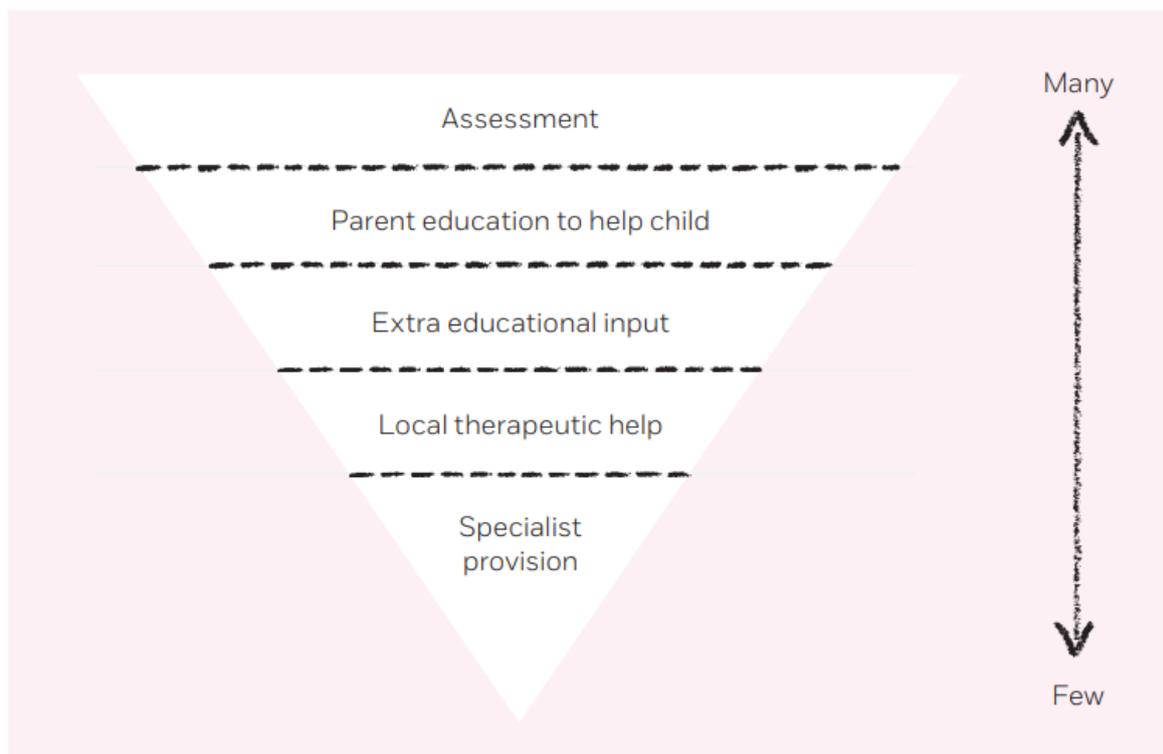
The wide range of harmful sexual behaviours shown by children and young people means their needs should be met in a variety of different placement contexts. These range from their own homes (most children and young people), general looked-after or care settings (the more disadvantaged and hard-to-manage young people with moderate risk profiles), and more specialist or secure provision (young people who pose a high risk of serious, significant harm to others).

Assessing children and young people and meeting their needs in the context of the notion of a continuum of responses is the subject of the third domain of this framework: effective assessment and referral pathways.

In addition to the initial response and support offered to low level cases in frontline settings, several levels of service response and intensity are required to address various levels of need and concern, as highlighted in the following model developed by Morrison and colleagues (2001).

Hence a small network of regional, highly specialised assessment and treatment services may be required to meet some of the more specialised needs shown by a smaller number of more complex cases.

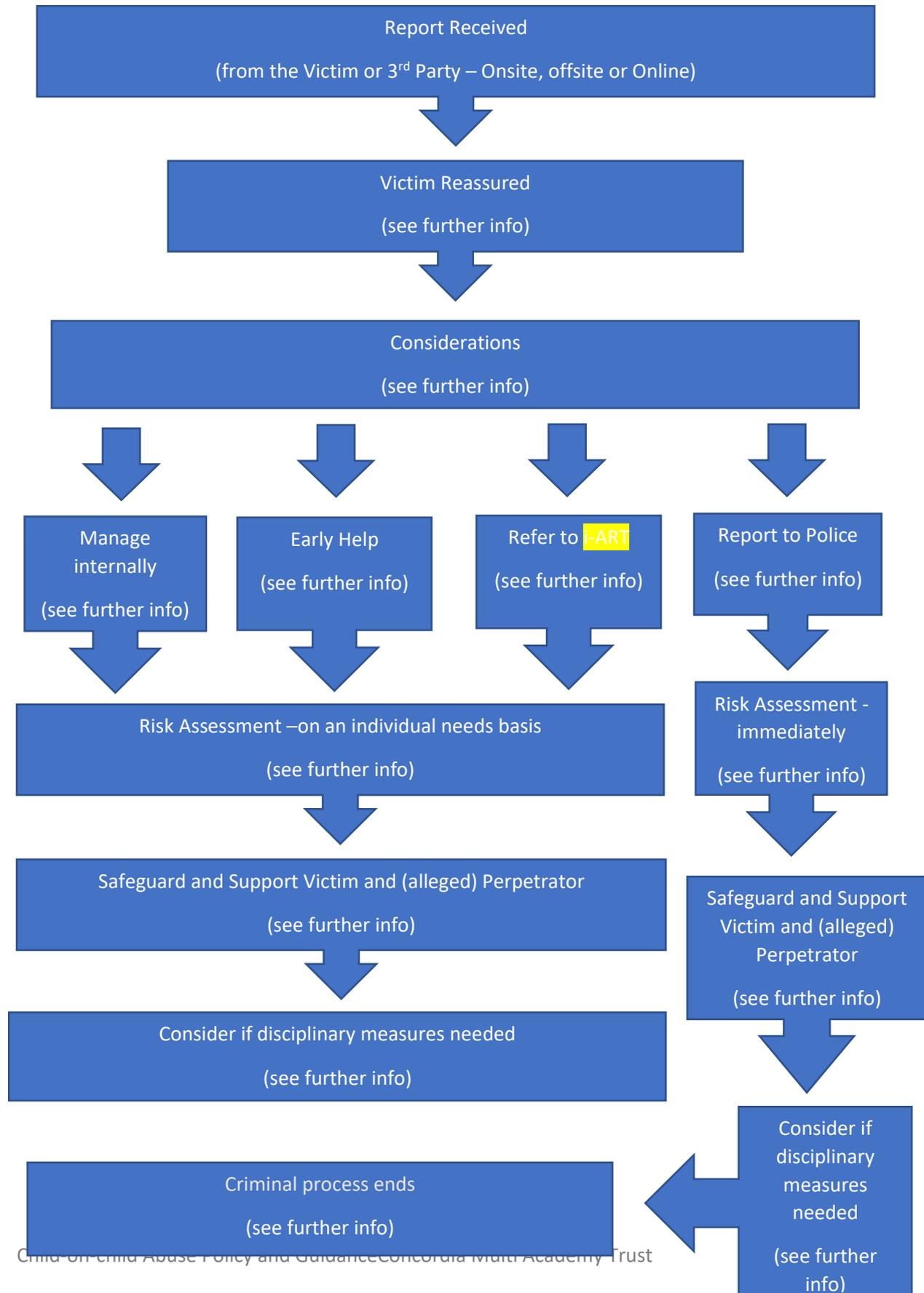
**Figure 2: Continuum of service intensity, Morrison and colleagues (2001) adapted from Ryan (1999)**



## 9. Appendix 2 – Flow-chart

Sexual violence and sexual harassment flow-chart

**\*Source – Sexual violence and sexual harassment between children in schools and colleges (DFE, 2021)**



## 10. Appendix 3 - Support

Support for Young People: Local and National

- ◁ Internet Watch Foundation (to potentially remove illegal images) [www.iwf.org.uk](http://www.iwf.org.uk)
- ◁ RASASC
- ◁ SARC
- ◁ Lucy Faithful Foundation
- ◁ Brook Tool
- ◁ [Harmful Sexual Behaviour Support Service](#), run by [SWGfL](#)
- ◁ [Marie Collins Foundation](#),
- ◁ Proud Trust

### Useful Publications and Websites

#### Government Publications

Sexual harassment and sexual violence in schools - [Sexual violence and sexual harassment between children in schools and colleges - GOV.UK \(www.gov.uk\)](#)

Keeping Children safe in Education - [Statutory guidance overview: Keeping children safe in education - GOV.UK \(www.gov.uk\)](#)

Preventing youth violence and gang involvement - [Guidance overview: Advice to schools and colleges on gangs and youth violence - GOV.UK \(www.gov.uk\)](#)

Preventing and tackling bullying in schools [Preventing bullying - GOV.UK \(www.gov.uk\)](#)

#### Other useful documents

#### Sexting

Sharing nudes and semi-nudes: advice for education settings working with children and young people - [Guidance overview: Sharing nudes and semi-nudes: advice for education settings working with children and young people - GOV.UK \(www.gov.uk\)](#)

#### Child-on-child abuse

Farrer & Co - Peer-on-peer abuse toolkit, guidance on peer-on peer abuse policy and template peer-on-peer abuse policy - [peer-on-peer-abuse-toolkit-14.pdf \(farrer.co.uk\)](#)

#### Anti-bullying alliance

There are some useful links on the section on sexual bullying

Sexual bullying: developing effective anti-bullying practice- A guide for school staff and other Professionals - [Sexual bullying - anti-bullying guidance for teachers and other professionals.pdf \(anti-bullyingalliance.org.uk\)](#)

Preventing abuse among children and young people-guidance from Stop it Now - [stop booklets childs play preventing abuse among children and young people01\\_14.pdf \(stopitnow.org.uk\)](#)

What is Age appropriate? - [What is Age-Appropriate? | Stop It Now](#)

NSPCC-Harmful sexual behaviour - [Understanding Sexual Behaviour in Children | NSPCC](#)

NCB Harmful sexual behaviour - [Workforce perspectives on harmful sexual behaviour \(ncb.org.uk\)](#)

NSPCC –Is this sexual abuse? - [“Is this sexual abuse?” | NSPCC Learning](#)

### **Online sexual harassment**

Project deSHAME- Digital Exploitation and Sexual Harassment Amongst Minors in Europe  
Understanding, Preventing, Responding - [Project deSHAME - Childnet](#)

### **Sexism**

It's Just Everywhere- a study on sexism in schools –and how we tackle it - [Report-Its-just-everywhere.pdf \(ukfeminista.org.uk\)](#)

### **RSE**

Relationship Education , Relationship and Sex Education and Health education - [Relationships and sex education \(RSE\) and health education - GOV.UK \(www.gov.uk\)](#)

## 11. Appendix 4 - Further information/guidance

### **Victim reassured**

- ↳ Taken seriously and kept safe, never be given an impression they are creating a problem
- ↳ Confidentiality not promised
- ↳ Listen to victim non-judgementally
- ↳ Record the disclosure (facts as reported)
- ↳ Two staff present (if appropriate) – one being the DSL or reported to the DSL as soon as possible.
- ↳ Victim sensitively informed about referral to other agencies
- ↳ If victim does not give consent to share, staff may still lawfully share in order to protect child from harm and to promote the welfare of children (see Sexual Violence and Sexual Harassment, paragraph 62)
- ↳ Parents of victim informed, unless this would put victim at greater risk.

If the victim is over 18, discuss how they want to be supported and by whom, whether they want you to support to share with their parents, whether they want to report a crime and provide them with support agency contacts (e.g. RASASC, SARC) which you can support them to contact. Again, can be still lawfully share in order to protect child from harm and to promote the welfare of children (see Sexual Violence and Sexual Harassment, paragraph 62)

**Anonymity** – Note that in cases of sexual violence there is a legal protection of the victim’s identity. Remember that this also includes sharing on social media and discussion amongst pupils in school.

### **Supporting the (alleged) Perpetrator**

- ↳ Inform parents of alleged perpetrator – advise of any referrals that need to be made and seek permission if referring to CSC
- ↳ If appropriate, ask alleged perpetrator about the incident
- ↳ Remove alleged perpetrator from any shared lessons with victim (this is a neutral act, not an assumption of guilt).
- ↳ Ensure they have a trusted adult in your setting to provide support.

### **Considerations**

(Sexual Violence, Sexual Harassment and Harmful Sexual Behaviours)

Immediately: consider how to support the victim and the alleged perpetrator.

- ↳ Wishes of the victim and parents/carers
- ↳ Nature of the alleged incident
- ↳ Are external support services required e.g. SARC, RASAC
- ↳ Ages of the children
- ↳ Development stage of the children
- ↳ Any power imbalance
- ↳ One off, or part of a pattern of behaviour
- ↳ Any on-going risks to victim, alleged perpetrator and others
- ↳ Other related issues and wider context (e.g. Exploitation, contextual safeguarding)

### **Manage internally**

One-off incidents which the school/college believes that the young people are not in need of early help or statutory intervention, which would be appropriate for the setting to manage internally under the behaviour and/or anti-bullying policy.

### **Early Help**

Non-violent harmful sexual behaviours (see Harmful Sexual Behaviours Framework, (NSPCC)) or refer to Brook Traffic Light Tool if trained. Also consider if a TAF is needed to identify unmet needs and support the young people involved.

### **Refer to i-ART**

All incidents where a child or young person has been harmed, is at risk of harm or is in immediate danger. Children's social care will support with next steps.

NB - Where a victim is 18 or over, consideration needs to be given as to whether they would be considered a vulnerable adult and therefore a referral to Adult Services would be appropriate.

### **Report to Police**

**All** incidents of rape, assault by penetration or sexual assault (including if alleged perpetrator is 10 or under). Discuss next steps with police, for example: disclosing information to other staff, informing alleged perpetrator and their parents.

### **Risk assessment**

1. **Immediately** (when reported to police) – Do not wait for the outcome of the report to police before protecting victim. Emphasis should be on victim being able to continue normal routine.  
Alleged perpetrator to be removed from any classes with the victim (also consider shared spaces and journey to/from school. NB - this is not a judgement of guilt and safeguards should be considered as above, for the alleged perpetrator.
2. **Individual needs basis** – (see paragraphs 69 and 70 – Sexual Violence and Sexual Harassment between children in schools or colleges, (DFE 2021)).

All risk assessments should be completed as a multi-agency, where possible, (consider which agencies are currently working with either victim or alleged perpetrator) and shared with parents and victim or alleged perpetrator to ensure they are adhered to. You should not delay putting together a risk assessment if other agencies are not initially available in order to safeguard all involved and the school community, but this should be reviewed as a multi-agency as soon as possible.

Risk assessments should be regularly reviewed and adjusted as appropriate.

### **Safeguard and support Victim and alleged perpetrator**

Identify and signpost to relevant support agencies e.g. RASASC

### **Disciplinary measures taken**

Refer to setting's own behaviour and/or anti-bullying policy.

If reported to police, disciplinary measures may be undertaken based on balance of probabilities, unless prejudicial or unreasonable. Ensure actions do not jeopardise the investigation. Setting to work closely with police and/or other agencies.

**Criminal process ends**

**Conviction or caution** - follow your setting's behaviour policy. If the pupil remains in school, make clear your expectations, keep victim and perpetrator apart. Consider victim's wishes.

**Not guilty** – support victim and alleged perpetrator.

**No further action** – support victim and alleged perpetrator.

[Sexual violence and sexual harassment between children in schools and colleges - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

[Statutory guidance overview: Keeping children safe in education - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

## 12. Appendix 5 - Definitions

### Sexual Harassment

This can be defined as 'unwanted conduct of a sexual nature' that can occur online and offline. In the context of this guidance this means in the context of child-on-child sexual harassment. 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.

It 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.

### Sexting

Sexting is when someone shares sexual, naked, or semi-naked images or videos of themselves or others or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops - any device that allows you to share media and messages. This is also known as youth produced sexual imagery.

The UK Council for Internet Safety (UKCIS) Education Group has published Advice for Schools and Colleges on Responding to Sexting Incidents - [Guidance overview: Sharing nudes and semi-nudes: advice for education settings working with children and young people - GOV.UK](https://www.gov.uk/guidance/guidance-overview-sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people) ([www.gov.uk](https://www.gov.uk))

### Up-skirting

This typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm. It is now a criminal offence and may constitute sexual harassment. Cases of 'up skirting' have a mandatory requirement for being reported.

### Sexual Violence

In this guidance this refers to sexual violence in the context of child-on-child sexual violence. Children can and do abuse other children. Sexual violence covers a spectrum of behaviour. It can refer to sexual offences under the Sexual Offences Act 2013. This includes:

**Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus, or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

**Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

**Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

## **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, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal, or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

It is important to know that:

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.

It is also important to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion, or exploitation. Due to their additional training, the designated safeguarding lead (or deputy) should be involved and leading the school response. If in any doubt, they should seek expert advice. It is important that schools consider sexual harassment in broad terms. Sexual harassment (as set out above) creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

## **Harmful Sexual Behaviour (HSB)**

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". The term has been widely adopted in child protection and is used in this advice. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context.

Useful guidance can be found in:

NSPCC and Research in Practice's Harmful Sexual Behaviour Framework: [Harmful sexual behaviour framework | NSPCC Learning](#)

[Stop It Now harmful sexual behaviour prevention toolkit Oct 2020.pdf \(stopitnow.org.uk\)](#)

#### Hazing/Initiation

The practice of rituals, challenges, and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group.

#### **Contextual Safeguarding**

All staff, but especially the designated safeguarding lead (or deputy) should be considering the context within which incidents and/or behaviours occur for example, the area on the playground or in school corridors. This is known as contextual safeguarding, which simply means assessments of children and young people should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. When identified the environment itself should be assessed and intervention should follow e.g., increased staff supervision on the playground, a camera in the school corridor.

Useful self-assessment toolkit and guidance: [Beyond Referrals - Schools \(csnetwork.org.uk\)](#)

[Cheshire West and Chester Contextual Safeguarding Pathways](#)

## 13. Appendix 6 - Traffic light of sexual behaviour from birth to 18



TrafficLightsHandout.pdf