



UNICEF:

Article 12 – the right to express their views, feelings and wishes in all matters affecting them.

Article 19 – the right to protected from being hurt and mistreated, in body and mind.

Article 29 – the right to an education that develops your talents and abilities.

Article 33 - the right to be protected from all forms of sexual abuse and exploitation

Sexualised Behaviour Policy

Policy:	Sexualised Behaviour Policy
This Policy was approved:	December 2021
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Governor committee responsibility:	Full Governing Body

Peer abuse including Sexual Violence and Harassment

The Federation recognises that children are vulnerable to and capable of abusing their peers, that this can manifest itself in many ways and may reflect gender issues. They are also capable of displaying sexualised behaviour towards their peers. Where there are concerns or allegations of peer abuse or sexual violence or sexual harassment, the procedures and guidance in this policy will be followed, in the same way as if the matter was in respect of abuse by an adult. We consider any allegation of peer-on-peer sexual abuse seriously and do not tolerate or pass off harmful sexualised behaviour as 'banter' or 'having a laugh.' These allegations will be managed in the same way as any other child protection concern and follow the same procedures, including seeking advice and support from other agencies as appropriate. All victims will be reassured that they are being taken seriously and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. No victims will ever be made to feel ashamed for making a report.

We recognise that sexual violence and sexual harassment can occur between two children at any age. 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 face to face (both verbally and physically) and are never acceptable. As set out in Part One of Keeping Children Safe in Education all staff working in our schools must maintain an attitude of '**it could happen here.**' Concerns or allegations of all forms of peer abuse must be reported to the DSL, who will have regard to the NYSCP child protection guidance and procedures and make referrals in respect of both the alleged victim and the alleged perpetrator, where appropriate. Where the concerns are of a sexual nature the DSL will have regard to the NYSCP guidance '[Children and Young People Who Display Sexualised Behaviour](#)'

This policy is in line with the safeguarding requirements in and takes account of;

- **Keeping Children Safe in Education (Sep 2021)**
- **Sexual Violence and sexual harassment between children in schools and colleges (September 2021)**
- **Relationship Education, Relationships and Sex Education (September 2021)**
- **The Equality Act 2010**
- **Working Together to Safeguard Children (updated December 2020)**
- **Children Missing in Education (September 2016)**
- **Mental Health and Behaviour in Schools (November 2018)**
- **Preventing Tackling Bullying (July 2017)**
- **Teaching about Relationships, Health and Sex (March 2021)**

- **UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people (December 2020)**

Definition of Sexual Abuse

‘Forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities such as involving children in looking at, or the production of sexual images, watching sexual activities, encouraging children to behave in a sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse.’

(Keeping children Safe in Education)

Harmful Sexualised Behaviour

Harmful sexual behaviour can manifest itself in many ways. This may include;

- Inappropriate or unwanted sexualised touching.
- Sexual violence and sexual harassment.
- Upskirting (which 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). As of April 2019, upskirting is now a criminal offence, with offenders facing up to 2 years in jail and being placed on the sex offenders register. For further statutory guidance see [here](#).
- Pressuring, forcing or coercing someone to share nude images (known as sexting or youth produced sexual imagery). Where there are concerns or allegations of youth generated sexual imagery, (often referred to as ‘sexting’) these must always be reported to the DSL, who will have regard to the 2017 guidance: ‘UK Council for Child Internet Safety Guidance [‘Sexting In Schools and Colleges Responding to Incidents and Safeguarding Young People’](#)’.
- Sharing sexual images without their consent and/or
- Bullying of a sexual nature online, or example sexual or sexist name-calling.

Our school also understands the different gender issues that can be prevalent when dealing with harmful sexualised behaviour.

We are also aware that children can experience harmful sexual behaviour in various settings. This includes at school, at home (or in another home), in public places, and online.

At school, issues can occur in places that are supervised and unsupervised. For example, abuse may occur in the toilets, corridors, changing rooms, outdoor spaces such as the playground and when the child is travelling home.

Sexual Harassment

Whilst not intended to be an exhaustive list, 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 in an inappropriate way;
- Displaying pictures, photos or drawings of a sexual nature and;
- Online sexual harassment. This may be stand alone or part of a wider pattern of behaviour that may include;
 - Consensual and non-consensual sharing of nude and semi-nude images (the taking and sharing nude photographs of under 18s is a criminal offence).
 - Sharing unwanted explicit content.
 - Upskirting;
 - Sexualised online bullying;
 - Unwanted sexual comments and messages, including on social media;
 - Sexual exploitation, coercion and threats.

We consider sexual harassment in broad terms. Sexual harassment creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

How we seek to minimise the risk of harmful sexual behaviour

Our approach is to foster the conditions in which our pupils can aspire to and realise safe and healthy relationships, at school and as they continue in life. We work to develop a culture in which the voice of our children is central, where pupils feel safe to share their concerns openly, knowing that they will be listened to, and they will not be judged.

This approach is also central to our RRSAs ethos

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We use our RSE and PSHE curriculum to help our pupils to understand, in an age-appropriate way, what harmful sexual behaviour is, including by peers. We teach them the knowledge

they need to recognise and report abuse, including emotional, physical and sexual abuse. We also about the importance of making sensible decisions to stay safe (including online) whilst making it clear that if a child is being abused, it is never their fault.

We help our pupils to develop the skills to understand;

- What constitutes harmful sexual behaviour.
- That such behaviour is never acceptable;
- That they must tell a trusted adult if someone is behaving in a way that makes them feel uncomfortable – and they must tell a trusted adult if they witness such behaviour towards others.

We understand that our pupils may not always feel able to talk to adults about peer-on-peer sexual abuse. To help them, we will encourage them to share their thoughts and opinions, respond to their concerns and respect and listen to them. We want our pupils to feel confident that any concerns they raise will be responded to appropriately.

We believe that effective RSE and PSHE education can be preventative when delivered through a whole school approach that prepares pupils for life in modern Britain. Our programme has been developed to be age and stage appropriate (especially when considering SEND). We tackle issues such as;

- Healthy and Respectful Relationships;
- What respectful behaviour looks like;
- Consent;
- Stereotyping, equality;
- Body confidence and self-esteem;
- Prejudiced behaviour;
- Online safety;
- That sexual violence and sexual harassment is always wrong and
- Addressing cultures of sexual harassment.

Our PSHE and RSE curriculum is carefully planned so all children meet all statutory aspects of the RSE curriculum at least three times during their time in our schools. Each time they meet one of these objectives, it is taught in an age appropriate manner and this knowledge is built up cumulatively and sequentially. We also ensure that we respond to any inappropriate behaviour or incidents with timely session that address misconceptions and give the clear and concise message to all that sexist bullying, sexualised and derogatory language, as well as sexual violence and harassment is NEVER acceptable.

Parents and carers

It is important that parents and carers understand what is meant by harmful sexual behaviour, and reinforce key messages from school at home. We work in partnership with

parents to support our pupils and to help to keep them safe. Parents and carers should understand;

- The nature of harmful sexualised behaviour
- The effects of harmful sexualised behaviour on children.
- The likely indicators that such behaviour may be taking place.
- What to do if the suspect peer-on-peer sexual abuse has occurred

Further information for parents is available from the [NSPCC](#) and [Lucy Faithful Foundation](#) websites.

Staff

Our staff undertake annual safeguarding training where the different types of abuse and neglect are discussed. This includes information about harmful sexualised behaviour and our expectations for staff vigilance about this and other potential types of abuse. Staff also receive updates on safeguarding weekly and safeguarding is a standard agenda item at all staff and SLT meetings.

Our Response to an incident or allegation

The wellbeing of our pupils is central to our response to an allegation or incident of harmful sexualised behaviour. Any concern will be treated respectfully. We will reassure them that they are being taken seriously and that they will be supported and kept safe; no child will be given the impression that that they are creating a problem by reporting the abuse or made to feel ashamed.

Our staff will never promise confidentiality to a child as the concern would need to be shared further. The Designated Safeguarding Lead will be informed as soon as possible of any incident and the details may need to be share with Children's Social Care/the police and other specialist agencies.

We will explain the next steps to the child so that they understand what will happen, including who will be informed. Where the child already has Social Care involvement, such as Looked After Child, Child in Need or a child with a Child Protection Plan, we will inform the child's social worker as appropriate.

Whilst we establish the facts of the case and start liaising with other agencies as appropriate guidance, we will consider how best to keep the victim safe and alleged perpetrator a reasonable distance apart on school premises.

Record Keeping

It is essential that information relating to allegations about harmful sexual behaviour are recorded within school in line with our Child Protection policy. In accordance with the guidance in KCSIE (2021);

All concerns, discussions and decisions made, and the reasons for those decisions should be recorded in writing. Information should be kept confidential and stored securely.

Any member of staff receiving a disclosure of harmful sexual behaviour or noticing signs or indicators of this, will record it as soon as possible, noting what was said or seen (if appropriate, using a body map to record on CPOMS) giving time, date and location. The facts will be recorded as the child presents them.

The record will be presented to the DSL (or Deputy DSL) who will decide on appropriate action and record this accordingly.

If the child is in immediate risk of harm, staff will speak to then DSL (or Deputy) first, and deal with recording as soon as possible afterwards.

All related concerns, discussion, decisions and reasons for decisions will be dated, signed and will include action taken.

Investigations

The Designated Safeguarding Lead will be responsible for leading investigations, and for liaising with other agencies, such as the police and social services. They will also be the main point of contact for parents and carers. The Designated Lead will ensure there are accurate records of each stage of the investigation and that any supporting information is included in the Child Protection files.

Records should include:

- A clear and comprehensive summary of the concerns;
- Details of how the concern was followed up and resolved;
- A note of any action taken, decisions reached and the outcome.

We use CPOMS (Child Protection Management System) as our record keeping tool. We have headings for sexualised behaviour, sexual violence and harassment. Base Leaders in each school ensure that actions have been followed up, and nothing slips through the net, before they close the incidents down. The DSL analyses the incidents under different headings each month

Risk Assessment

We will complete a risk assessment following a report of harmful sexual behaviour, considering all Children involved in an incident. We will also consider all other pupils at

our school and any actions that may be appropriate to protect them. Risk assessments will be regularly reviewed to ensure they remain relevant and fit for purpose. Where appropriate, the affected children and their parents and carers will be invited to contribute to the completion and review of the risk assessment.

Guiding principles

The safety of our pupils is paramount. We will use a proportionate approach, basing our actions on the principle that harmful sexual behaviour is not acceptable and will not be tolerated. All concerns will be considered carefully and on a case-by-case basis, underpinned by robust risk assessments. Other agencies will be involved to plan next steps such as the police and social services.

Our actions will not be judgemental about the guilt of the alleged perpetrator and will always be taken in the interests of all children concerned. Our approach will help us to ensure that all pupils are protected and supported appropriately.

The following principles will guide us:

- the wishes of the child in terms of how they want to proceed – the victim will 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;
- the ages and developmental stages of all children involved;
- consideration of any power imbalance between the children involved– for example, is the alleged perpetrator significantly older, more mature, or more confident / does the victim have a disability or learning difficulty;
- consideration of whether the alleged incident a one-off or a sustained pattern of abuse;
- consideration of any ongoing risks to the victim, other children, or staff;
- consideration of any other related issues and wider context. Supporting the child who has allegedly experienced harmful sexual behaviour:

We will assess what short-term and long-term support a child may need to help them manage the immediate aftermath of an incident, and to recover from what they have experienced. The child's existing support network will be central to this work; we will work with other partners as appropriate and in accordance with the child's wishes and, wherever appropriate, in discussion with parents / carers. We will consider what is necessary to support the child straightaway, for example by making adaptations to their timetable and in-school support and taking steps to protect them from attention or peer pressure they may experience due to making a report.

This work will be guided by a robust risk assessment process and we will ensure that the child and their parents / carers have an opportunity to contribute. We will also ensure there is regular review of arrangements to be confident they meet the needs of all

involved. It may be necessary to make requests for support to mental health and wellbeing services or for therapeutic intervention.

We may need to link with other agencies to remove inappropriate material from the Internet, such as the [Internet Watch Foundation](#).

Supporting the child who has allegedly displayed harmful sexual behaviour

We have a duty of care to all pupils and we will protect and support children who have displayed abusive or harmful sexual behaviour. We will do this through considering the needs of the child, any risks to their safety and what multi-agency responses are needed to support them and their family.

This work will be guided by a robust risk assessment process and we will ensure that the child and their parents / carers have an opportunity to contribute. We will also ensure there is regular review of arrangements to be confident they meet the needs of all involved. Some children may not realise they have behaved abusively. We will avoid using language that may make them feel judged or criminalised and ensure that any intervention will be at the least intrusive level required to effectively address the behaviour. We will consider appropriate sanctions using our behaviour policy, and work with the CYP and their support network to consider measures that may help to address the CYP's behaviour.

Investigation outcomes

Our investigation of an allegation or incident as set out in this policy will enable us to determine the outcome, working with our safeguarding partners (such as the police and social services) as appropriate. We will always seek to ensure that the outcome of an investigation is appropriate and proportionate to the circumstances in relation to the report. Various options are open to us, as set out below:

Manage internally

- In some cases, for example, one-off incidents, we may take the view that the child/ren concerned are not in need of early help or statutory intervention. In these cases, we will follow our other school policies in addressing matters, for example our behaviour and anti-bullying policy.
- We will also consider what support the child involved may need going forward - for example, pastoral support, counselling services, and ensuring that there is a trusted adult for those affected to speak with if they wish to.
- We will also consider whether any intervention or support is required as part of a whole setting approach or with the wider school community.

Early Help

- Where statutory intervention is not required or agreed, we may use early help instead. This means providing support as soon as a problem emerges, at any point in a child's life. We will work with parents and carers and other relevant partners

when following this approach, which can be particularly useful in addressing non-violent harmful sexual behaviour and may prevent escalation.

Requests for support to Children's Social Care

- Where a child has been harmed, is at risk of harm, or is in immediate danger, we will make a request for support to Children's Social Care.
- We will generally inform parents and carers of this unless to do so may put a child at additional risk.
- We will seek advice from other partners on such matters. If we make a request for support, Children's Social Care will consider whether the child/ren involved are in need of protection or other services.
- Where statutory assessments are appropriate, the school will work with Children's Social Care and other agencies as appropriate.
- Partnership working helps to 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.
- In some cases, Children's Social Care will review the evidence and decide a statutory intervention is not appropriate. If a statutory assessment is not considered appropriate by Children's Social Care, we will consider what other support may be required.
- We will make further requests for support to Children's Social Care if we consider that a child remains in immediate danger or at risk of harm.

Reporting to the police

- Where a report of rape, assault by penetration or sexual assault is made, we will report it to the police.
- We will generally inform parents or carers about reports of sexual abuse, unless to do so may put a child at additional risk. We will seek advice from other partners in individual cases.
- In circumstances where parents or carers have not been informed, we will ensure that we support the child in any decision we take. This is likely to be with the support of Children's Social Care and any appropriate specialist agencies.
- Where we have made a report to the police, we will consult with them 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 their anonymity.
- Where there is a criminal investigation, we will work closely with the police and other agencies as appropriate to support all children involved (including potential witnesses). This will help to ensure that any actions we take do not jeopardise a police investigation.
- Sometimes the police will decide that further action is not required. In these circumstances we will continue to engage with other agencies to support the CYP involved.

Review

All child protection concerns are reviewed regularly, to ensure that everything has been fully addressed, that actions are completed, and to consider whether the children involved need any further support. We will continue to work with parents and carers and other agencies as appropriate, and risk assessments will be reviewed and updated as required.

Useful links and supporting organisations

- Anti-Bullying Alliance: www.anti-bullyingalliance.org.uk
 - Childline: www.childline.org.uk
 - Family Lives: www.familylives.org.uk
 - Kidscape: www.kidscape.org.uk
 - MindEd: www.minded.org.uk
 - NSPCC: www.nspcc.org.uk
 - The BIG Award: www.bullyinginterventiongroup.co.uk/index.php
 - PSHE Association: www.pshe-association.org.uk
 - Restorative Justice Council: www.restorativejustice.org.uk
 - The Diana Award: www.diana-award.org.uk
 - Victim Support: www.victimsupport.org.uk
 - Young Minds: www.youngminds.org.uk
 - Young Carers: www.youngcarers.net
 - The Restorative Justice Council: www.restorativejustice.org.uk/restorative-practiceschools
- SEND

Appendix One – Keeping Children Safe in Education – Part Five Highlights and how they inform our actions

All staff must be aware that;

- Sexual violence and sexual harassment can occur between 2 children of any age or sex.
- It can 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.
- Sexual violence and sexual harassment can occur online or face to face (both physically and verbally) and are never acceptable. Sexual violence can happen anywhere and all staff must maintain an attitude that, '**it could happen here.**'
- The starting point regarding any report should always be that there is a zero tolerance approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated.
- It is important not to pass off any sexual violence or sexual harassment as 'banter', 'just having a laugh' or 'part of growing up' or 'boys will be boys', as this can lead to a culture of unacceptable behaviours and an unsafe environment for children.
- Addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps to prevent problematic and abusive behaviour in the future.
- Children, who are victims of sexual violence and sexual harassment, wherever it happens, will likely find the experience stressful and distressing.
- Whilst any report of sexual harassment or violence should be taken seriously, we should be aware that it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely perpetrated by boys.
- It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment, nor should a victim ever be made to feel ashamed for making a report.
- Staff need to be aware of important context such as power imbalances and developmental stages.
- All staff must act in the best interest of the child. Immediate consideration must be given as to how to best support the victim and the alleged perpetrator(s) and any other children involved.
- A child displaying harmful sexual behaviour (HSB) may be an indication that they are a victim of abuse themselves.

The immediate response to a report

- It is important to note that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. The victim may not make a direct report.

- The initial response to a report from a child is incredibly important. How we respond to a report can encourage, undermine the confidence of future victims of sexual violence and harassment to report, or come forward.
- It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward. Abuse that has taken place online or out of school should be treated equally seriously.
- A victim should never be made to feel that they are creating a problem by reporting sexual violence and harassment. No victim should ever be made to feel ashamed for making a report, or their experience minimised.
- If possible, when managing a report two members of staff should be present, one should be the DSL or Deputy DSL.
- No member of staff will promise confidentiality and the report will only be shared with those people who need to know. It is important that the victim understands what the next steps will be and who the report will be passed to.

If a child discloses to you – What to do

- Recognising that a child is likely to disclose to someone they trust; this could be anyone at the school. It is important that the person to whom the child discloses recognise that the child had placed them in a position of trust.
- The adult must be supportive and respectful of the child. They must also recognise that disclosing can be traumatic for the child.
- Staff must keep in mind that certain children may face additional barriers to telling someone because of their vulnerability, disability, sex, ethnicity and or sexual orientation.
- Listen carefully to the child, reflecting back, using the child's language, being non-judgemental and clear about boundaries.
- Do not ask leading questions and only prompt where necessary with open questions – where, when, what etc. Staff can ask a child if they have been harmed and what the nature of that harm was.
- The best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the member of staff to devote their full attention to the child and listen to what they are saying. It is appropriate to make notes during the meeting, especially if the second member of staff is present. If a member of staff is making notes, they be conscious of the need to remain engaged with the child and not appear to be distracted by note taking. Either way, it is essential that a written record is made.
- Only record the facts as the child presents them – notes should not reflect the personal opinions of the note taker. These reports could become part of a statutory assessment by social care or part of a criminal investigation.
- It is vital that the DSL (or deputy if the DSL is not available) is informed as soon as is practically possible.

Risk Assessment

- Where there has been a report of sexual violence, the Designated Safeguarding Lead should make an immediate risk and needs assessment. This should be recorded (written or electronic) and kept under review.
- This risk assessment is not intended to replace the detailed assessments of any expert professionals that may be involved; it should inform the school's approach to supporting and protecting their pupils.
- The risk and needs assessment should consider;
 - 1) the victim, especially their protection and safety.
 - 2) whether there may have been other victims.
 - 3) The alleged perpetrator(s), and
 - 4) All the other children at the school and any actions that are appropriate to protect them from the alleged perpetrators or future harm.