Child-on-Child Abuse Policy

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This policy is based on KCSIE, and will be reviewed in line with the annual update of this policy, full review cycle is every 3 years

Child-on-Child Abuse Policy

Contents:

Acronyms

KCSIE	Keeping Children Safe in Education
LAB	Local Academy Board
RIB	Rapid Improvement Board
OSCB	Oxfordshire Safeguarding Children Board
PHSE	Personal, Health, Social and Economic education
RSE	Relationships and sex education
SMSC	Spiritual, Moral, Social and Cultural
LCSS	Locality Community Support Service
NNC	No Names consultation
OCC	Oxfordshire County Council
DSL	Designated Safeguarding Lead
DDSL	Deputy Designated Safeguarding Lead
SLT	Senior Leadership Team
CPOMS	Child Protection Online Monitoring System
CAHBS	Child and adolescent harmful behaviour service
CAMHS	Child and adolescent mental health service

For clarity the term "governors" refers to Trustees within the scheme of delegation for The Gallery Trust

Introduction

*'Governing Bodies and Proprietors should ensure they facilitate a whole school approach to safeguarding. This means involving everyone in the school or college, and ensuring safeguarding and child protection are at the forefront and underpin all relevant aspects of process and policy development. Ultimately, all systems, processes and policies should operate with the **best interests** of the child at their heart.*

Where there is a safeguarding concern, governing Bodies, proprietors and school leaders should ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide.

The school safeguarding policies and procedures should be transparent, clear and easy to understand for staff, pupils, students, parents and carers. Systems should be in place, and they should be well promoted, easily understood and easily accessible for children to confidently report any form of abuse, or neglect, knowing their concerns will be treated seriously, and knowing they can safely express their views and give feedback.' Keeping Children Safe In Education

All our staff are reminded that even if there are no reports of child-on-child abuse, it does not mean it is not happening, we work to the belief that "it could happen here" as it may be the case that it is just not being reported. As such, our staff know that if they have any concerns regarding child-on-child abuse they will speak to the Designated Safeguarding Lead or a member of the DSL team.

This means that ALL our staff take a 'zero-tolerance' approach to any unacceptable behaviour including 'banter' and will seek to prevent, challenge and take action so that all students understand that any concerns regarding their welfare and safety will be taken seriously. This will encourage and promote a culture of acceptable behaviour and a safe educational environment for all.

All staff must ensure that they reassure any victims that they are being taken seriously and that they will be supported and kept safe. No victim should ever be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment. Nor should they ever be made to feel ashamed for making a report.

We are all committed to the prevention, early identification and appropriate management of child-on-child abuse.

In particular ensuring that staff in all our schools protect children by, wherever possible:

- being aware of the nature and level of risk that children are exposed to.
- having a clear and comprehensive strategy specific to that child's safeguarding context.
- having a whole school safeguarding approach to preventing and responding to child-on-child abuse.

This policy is a preventative approach to child-on-child abuse and seeks to.

- raise awareness of issues.
- support staff in identifying potential child on child abuse.
- provide a consistent and appropriate response
- advise on interventions that are followed consistently across the whole trust workforce.

This policy also encourages parents to share information and concerns that they may have about any risk of harm to their child and be clear on the school's expectations of how this will be managed.

All staff, trustees, LAB/RIB members have signed to say that they:

- are aware of this policy.
- know to access it around any concerns they may have about child-on-child abuse.
- understood that the must report any concerns they have around child-on-child abuse.
- Know-how and who to report these concerns to in the individual schools and trust.
- agree to work within this policy framework

Parents have access to this policy via our website.

Purpose and Aim

Research has shown that many children who present with harmful behaviour towards others, in the context of child-on-child abuse, are themselves vulnerable and may have been victimised by other children, parents or adults in the community.

Children may be harmful to one another in a number of ways which would be classified as child on-child abuse. The purpose of this policy is to explore the many forms of child-on-child abuse and include a planned and supportive response to the issues. At The Gallery Trust our schools have the following policies in place that should be read in conjunction with this policy:

- Child Protection Policy
- Anti-Bullying Policy
- Online Safety Policy - including Acceptable Use
- Data Protection Policy
- Records keeping guidance
- Attendance policy
- Children Missing from Education guidance
- Behaviour and Discipline Policy – inclusive of positive handling and searching and confiscation.

Framework and Legislation

This policy is supported by the key principles of the Children's Act 1989 that the child's welfare is paramount.

This policy takes into account and is in line with:

- Working Together to Safeguard Children - GOV.UK
- Keeping children safe in education 2024 - GOV.UK
- Working together to improve school attendance - GOV.UK
- Children Missing Education Statutory Guidance for Local Authorities September 2016
- Searching, screening and confiscation at school - GOV.UK
- Sharing nudes and semi-nudes: how to respond to an incident (overview) - GOV.UK
- Introduction: Relationships Education, Relationships and Sex Education (RSE) and Health Education - GOV.UK
- Harmful sexual behaviour framework
- Report Remove | Childline
- Personal, social, health and economic (PSHE) education - GOV.UK

- [Relationships Education, Relationships and Sex Education (RSE) and Health Education - GOV.UK](#)
- [Preventing and tackling bullying - GOV.UK](#)
- [The Human Rights Act](#), [Equality Act 2010: guidance - GOV.UK](#)
- [Equality Act 2010: guidance - GOV.UK](#)
- [Gillick competence and Fraser guidelines | NSPCC Learning](#)

Working Together to Safeguarding Children 2023, highlights that every assessment of a child should *'reflect the unique characteristics of the child within their family and community context' This* is clearly echoed by Keeping Children Safe in Education through ensuring procedures are in place in school to hear the voice of the child and to be mindful of the context's children live in.

We also follow the guidance of the [Oxfordshire Safeguarding Children Board](#)

Language

KCSIE page 4 gives clear advice on language and terminology:

"For the purposes of this guidance, we, in places, use the term 'victim'. It is a widely recognised and understood term. It is important that schools and colleges recognise that not everyone who has been subjected to abuse considers themselves a victim or would want to be described in this way. Ultimately, schools and colleges should be conscious of this when managing any incident and be prepared to use any term with which the individual child is most comfortable.

For the purpose of this advice, we, in places, use the term 'alleged perpetrator(s)' and where appropriate 'perpetrator(s)'. These are widely used and recognised terms and the most appropriate to aid effective drafting of guidance. However, schools and colleges should think very carefully about terminology, especially when speaking in front of children, not least because in some cases the abusive behaviour will have been harmful to the perpetrator as well. As above, the use of appropriate terminology will be for schools and colleges to determine, as appropriate, on a case-by-case basis."

The language used is to support victims so that they understand that they will always be.
- Believed.
- Supported.
- listened to and
- taken seriously.

We always take into consideration that the language used in the recording and reporting of any incidents that may occur could impact on any future rehabilitation of children following any investigations that may occur. The use of certain words can be both inflammatory and distressing for our students and their parents, so care will be taken in the discussion of incidents with parents to ensure they are factual and accurate. In line with KCSIE page 4

We also use this language in a non-judgemental way

Preventative Strategies for Schools

At The Gallery Trust we are committed to the following described preventative strategies to protect and support children from child-on-child abuse.

Recognition
At The Gallery Trust we have appropriate strategies in place in order to try to prevent the issues of child-on-child abuse, rather than responding reactively. However, we have a clear ethos that "it could happen here"
We recognise that child-on-child abuse can and will occur on any site even with the most stringent of policies and support mechanisms in place, and that even if incidents are not being reported it does not mean that they are not happening. In which case it is important to continue to recognise and manage such risks and learn how to improve and move forward with strategies in supporting our students to talk about any issues and feel confident to share information and raise concerns with our staff. This involves analysis of incidents to identify: • Trends • Patterns • Behaviours • "Hot spots" areas around the site that may appear to be 'less safe'.

- Learning
- Further training

Staff will also have access to regular CPD and training to ensure a consistent approach to managing child-on-child issues. All staff are also made aware that mental health problems can,
in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation

School Culture and Ethos and 'Zero-Tolerance' Approach

In The Gallery Trust Schools we take a "zero-tolerance" approach to abuse, harm or bullying between our students, which is clearly expressed in our school ethos and values and is shared with all school partners including our students, parents and carers, and other agencies. We make it clear that sexual violence and sexual harassment is not acceptable, and it will not be tolerated and will never be passed off as:
- "Banter"
- "Just having a laugh"
- "All part of growing up"
- "They are being over sensitive"
- "They are just testing boundaries"
- "Boys being boys"

The above way of thinking and addressing child on child abuse can lead to a culture of:
- Unacceptable behaviour
- An unsafe environment
- Normalising child on child abuse
- Children accepting it as normal
- Children not reporting their concerns

Therefore, in school, we recognise, acknowledge and understand the scale of harassment and abuse and have a whole school approach that is needed as part of preventative education in line with KCSIE

This means that all staff will
- Challenge any form of behaviour both on and off line,
- Challenge inappropriate language and comments.
- Challenge physical behaviour, including behaviour potentially criminal in nature such as.
    - grabbing bottoms, breasts and genitalia
    - pulling down trousers,
    - flicking bras
    - lifting up skirts.
    - Dismissing or tolerating such behaviours risks normalising them.
- Ensure that any information is reported directly to the DSL (or Deputies) o that any action required to prevent further incidents occurs immediately
- Record factually and accurately as soon as possible after the incident/concern.

A Safe Environment to Share Concerns Alongside a Positive Curriculum

As stated above it is therefore important that in school there is an open environment where children feel safe to share information about anything that is upsetting or worrying them. This will be strengthened through a strong and positive PHSE/RSC curriculum that tackles issues such as:

- Healthy relationships
- Keeping themselves safe
- Prejudiced based behaviour
- Discriminatory behaviour
- Misogynist behaviour

And gives our students an open form to talk things through and reinforces the message that they can talk to any staff member to raise concerns they may have.

Our curriculum is tailored in the individual schools to meet the specific needs of our children, taking into account their EHCP and learning needs. We also consider the needs and vulnerabilities of our individual students, including students who are victims of abuse or exploitation.

All our staff are made aware that a student may not feel ready, or know how, to tell someone that they are being abused, exploited, or neglected and they may not recognise their experiences as harmful, for example: They may feel embarrassed, humiliated, or threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This will not prevent staff from having professional curiosity and speaking to the DSL (or Deputy) if they have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication.

To enable such an open and honest environment it is necessary for our schools to ensure that assurances are provided to our LAB/RIB, DSM and Trustees that the whole workforce are supported and enabled to talk about issues and challenge perceptions of students including use of inappropriate language and behaviour towards one another.

In order to create such an environment, it is necessary for whole staff training and CPD around abusive behaviours and talking to children in a way that continues to create an open and honest environment without prejudice. This is in line with school's legal obligations under the Human Rights Act, Equality Act 2010: guidance - GOV.UK and Oxfordshire Safeguarding Children Board

It is necessary that staff follow their normal reporting procedures when it comes to safeguarding and child protection. If staff minimise the concerns raised it may result in a child seeking no further help or advice.

The school systems are in place, and they are well promoted, easily understood and easily accessible for children to confidently report any form of abuse, exploitation or neglect, knowing their concerns will be treated seriously, and feeling confident that they can express their views and give feedback.

Staff undergo training to enable them to discuss issues about online access and support and reinforce appropriate behaviours online including understanding why age limits are in place on social media platforms, encouraging children to share online concerns, talking about issues that have happened in an open forum and working closely with parents. (Farrer and Co, 2019)

All our staff are made aware through training that technology is a significant component in many safeguarding and well-being issues. Our students are at risk of abuse online as well as face to face, this could be from:
- other students in school
- other young people
- known adults
- unknown adults.

In many cases the abuse will take place concurrently both online and offline.

Online abuse may take the form of:
- abusive messages
- harassment
- misogynistic/misandrist messages
- non-consensual sharing of indecent images, especially around chat groups
- sharing of abusive images and pornography

At The Gallery Trust our schools have a clear Online Safety/Acceptable Use Policy that gives clarity and expectations to our staff, students, parents and whole school community about their role in keeping themselves and other children safe in regard to the use of technology both inside and outside of school.

Involving Parents

At our schools we work closely with parents and provide information around child-on-child abuse, including how we work preventatively to protect all our students,

We provide information to parents through:

- Our policies

- Open and honest conversations
- School website
- Signposting to other sources of information e.g. [Harmful sexual behaviour (HSB) or peer-on-peer sexual abuse | NSPCC Learning](#) or [Abuse and safety | Childline](#)

Providing information to parents can help to alleviate any concerns and worries and create a joined-up approach supporting parents in how to approach conversations with their own children ensuring consistency with what is being embedded in school.

In our schools we work to ensure open two-way communication is available through a variety of platforms so that both parents and staff are working together to deal with any issues.

Signposting

Although every effort is made for children to have a variety of opportunities to seek support and advice, signposting is available to children in the event that they don't feel confident raising an issue directly to staff or a peer. Below are some examples of sites we make our students aware of:

- [NSPCC](#)
- [Abuse and safety | Childline](#)
- [CEOP Education](#)
- [How to Report Child Abuse and Neglect - Child Welfare Information Gateway](#)
- [Thames Valley Police](#)

Forums for Children to Make Changes/Have Their Voice Heard

It is useful to ensure children are part of changing their circumstances and that of the procedures within school. We have a school council where we encourage pupil voice and encourage our students to support changes and develop 'rules of acceptable behaviour' this helps to create a positive ethos in school and one where all children understand the boundaries of behaviour before it becomes abusive. In school, we encourage our students to communicate how to improve the school's culture and ethos around acceptable behaviour so that they feel confident and empowered to identify unacceptable behaviours that can be dealt with accordingly and in the longer term eradicated.

Partnership Working

Multi agency working can consolidate in house procedures in school

By accessing advice, support and guidance, effective decisions can be made in collaboration to improve outcomes for our students who may be at risk of harm. Seeking advice and guidance can act as a preventative measure so that the right course of action is taken at the earliest opportunity. It is also necessary that we actively refer concerns/allegations of child-on-child abuse where necessary to Local Authority Children's Social Care and the police where appropriate. This is particularly important because child-on-child abuse can be a complex issue, and even more so where wider safeguarding concerns exist. It is often not appropriate for one single agency (where the incident cannot be managed internally) to try to address the issue alone – it requires effective partnership working (Farrer and Co. 2019).

Oxfordshire County Council provides a no-names consultation service which is part of the Locality Community Support Service. This service is accessed by our schools for advice and guidance.

Our schools have a statutory duty to make referrals providing names and full details if advised to by social care or police. Our schools will aim to always work with parents and discuss their concerns with the parents/carers and inform them of any referrals that are to be made. However, if it is believed that by informing parents our student could be put at risk of harm, then the parents will not be told by school and the referral will be made acting in the best interests of our student.

To tackle bullying in our schools we work to embed an ethos of good behaviour where pupils treat one another and the school staff with respect. This culture extends from the classrooms to the whole school site and beyond the school gates including travel to and from school. Values of respect for staff and other pupils, an understanding of the value of education, and a clear understanding of how our actions affect others runs through our restorative approach and our values.

Child-on-Child Abuse Explained Further

'Victim' is a widely recognised and understood term, but not everyone who has been subjected to abuse considers themselves a victim or would want to be described that way. Our staff are made aware of this through training and are advised to use any term the child feels most comfortable with when managing an incident

'Alleged perpetrator(s)' and 'perpetrator(s)' are widely used and recognised terms, but our staff are reminded to think very carefully about what terminology they use (especially in front of children), as in some cases, abusive behaviour can be harmful to the "perpetrator" too. You should decide what's appropriate and which terms to use on a case-by-case basis. Our staff are also reminded that "perpetrators" can also be "victims" of abuse too.

Child-on-child abuse is any form of:

- Physical abuse,
- Sexual abuse,
- Emotional abuse
- Online abuse
- financial abuse
- Coercive control, exercised between children and within children's relationships (both intimate and non-intimate), friendships and wider peer associations.

Child-on-child abuse can take various forms but is most likely to include, but may not be limited to:

- Sexual Violence
- Sexual Harassment
    - upskirting
    - Consensual and Non-Consensual Sharing of Nudes and Semi-Nudes...
- Physical Abuse
- displaying pictures, photos or drawings of a sexual nature
- Cyber Bullying/online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.
- Bullying (including Cyberbullying, Prejudice-Based and Discriminatory Bullying) ... (including
- intimate personal relationships between children (also known as teenage relationship abuse),
- causing someone to engage in sexual activity without consent
- Initiation/Hazing
- Abuse in Intimate Personal Relationships Between Children (Teenage Relationship Abuse) ...
- Harmful Sexual Behaviour

(based on KCSIE)

It may also involve gang related behaviours, including serious violence, child exploitation and county lines. Children's experiences of abuse and violence are rarely isolated events, and they can often be linked to other things that are happening in their lives and outside communities where they spend their time. Our response to child-on-child abuse will always consider the range of possible types of child-on-child abuse set out above that our students could be subject to, and we will always work to capture the full context of children's lived experiences. We adopt a Contextual Safeguarding approach to ensure that our response to incidents of child-on-child abuse takes into account all information and complexities that are known.

We know that abuse can happen to our students in our schools and settings, and it is necessary to consider what abuse is and looks like, how it can be managed and what appropriate support and intervention can be put in place to meet the needs of the individual and what preventative strategies may be put in place to reduce further risk of harm. This means adopting a **whole school community approach** by ensuring all staff:
- are aware that safeguarding incidents and/or behaviours can be associated with factors outside of school and/or can occur between children outside of these environments
- undergo training to understand how a child's wider context may impact on them.
- contribute to creating a strong safeguarding culture in school by following policies that address child-on-child abuse and harmful attitudes.
- promote healthy relationships and attitudes to gender/sexuality.
- support the school by identifying 'less safe' areas in school.
- access training on bias and stereotyped assumptions.
- are alert to changes in children's behaviour and seek appropriate responses to concerns shared in line with school safeguarding processes and policies.

Abuse is abuse, no matter who the perpetrator is, and should never be tolerated or passed off as 'banter' or 'part of growing up'. KCSIE states that "Whilst any report of sexual violence or sexual harassment should be taken seriously, staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys. Children with special educational needs and disabilities (SEND) are also three times more likely to be abused than their peers".

In our schools all staff recognise the vulnerabilities of **all** of our students due to their special educational needs and disabilities

(SEND) or certain health conditions can face additional safeguarding challenges both online and face to face. As a result, we ensure that our staff understand the needs and behaviours of the children they work with and undergo training which includes:

- Challenging assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration.
- Understanding that our students can be more prone to peer group isolation or bullying (including prejudice-based bullying) than other children.
- Recognising the potential for our students being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs.
- Awareness around the communication barriers our students may have and the difficulties in overcoming these barriers.
- cognitive understanding – realising that our students may have difficulties or be unable to understand the difference between fact and fiction in online content and then repeating the content/behaviours in school, or the consequences of doing so.

To address these additional challenges, we ensure that our students have additional support when investigating any form of child-on-child abuse**.**

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
- 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 penetrative sex only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice. d

- 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. Further information about consent can be found here: [What is sexual consent? | Rape Crisis England & Wales**"**](#) KCSIE 2023

Children who are lesbian, gay, bi, or trans (LGBT)

"The fact that a child or a young person may be LGBT is not in itself an inherent risk factor for harm. However, children who are LGBT can be targeted by other children. In some cases, a child who is perceived by other children to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.

Risks can be compounded where children who are LGBT lack a trusted adult with whom they can be open. It is therefore vital that staff endeavour to reduce the additional barriers faced and provide a safe space for them to speak out or share their concerns with members of staff."

LGBT inclusion is part of our Healthy relationships and Relationship and Sex Education and Health Education curriculum, in line with the statutory guidance [Relationships Education, Relationships and Sex Education (RSE) and Health Education - GOV.UK](#) We are aware of the there is a range of support available to help schools counter homophobic, biphobic and transphobic bullying and abuse.

Measuring the Behaviour

We refer to:

- Simon Hackett's continuum of behaviour "Responding to children who display sexualised behaviour" [Sexualised Behaviour](#)
- and [Handout - Brook RAG Traffic Light Tool - behaviours and ages](#)

Which can be useful guides to support us with measuring the behaviour that has occurred and consider the circumstances around the incident (s). However, we always take into account the SEND of our pupils.

The Hackett continuum looks at 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 and the child/children

allegedly the subject of that power
- involves a misuse of power

Behaviour which is not abusive at first may potentially become abusive quickly or over time. Intervening early and addressing any inappropriate behaviour which may be displayed by a child is vital and could potentially prevent their behaviour from progressing on a continuum to become problematic, abusive and/or violent - and ultimately requiring (greater/more formal) engagement with specialist external and/or statutory agencies.

Responding to the report

All staff will be alert to the well-being of children and to signs of abuse, and should engage with these signs, as appropriate, to determine whether they are caused by child-on-child abuse.
However, staff should be mindful of the fact that the way(s) in which children will disclose or present with behaviour(s) as a result of their experiences will differ. Our staff are made aware that there may not be any signs at all and a child making a direct disclosure is the way the abuse will come to light.

Although the type of abuse may have a varying effect on the victim and alleged perpetrator of the harm, these simple steps can help clarify the situation and establish the facts before deciding the next steps to take for all involved including for those involved in perpetrating harm.

Initial disclosure

Like with all types of children abuse our staff have procedures in place to follow when there is a concern, or a direct disclosure is made which include:

- Reassuring all victims that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe.
- Ensuring that a victim is never given the impression that they are creating a problem by reporting sexual violence or sexual harassment.
- Making sure a victim is never made to feel ashamed for making a report
- Dealing with any situations of child-on-child abuse immediately and sensitively.
- Gather available information as soon as possible to get a true, accurate account of the facts around what has happened, so that nothing is forgotten.
- Not to actually investigate the concerns that have been raised
- Upholding confidentiality
- Thinking about the language used and the impact of that language on all of the students that are involved, and the parents when they become involved. For example, do not use the word perpetrator, this can quickly create a 'blame' culture and leave a child labelled.
- Reporting to the DSL
- Taking appropriate action, for example making referrals to MASH and police if no DSL is available
- Abuse that occurs online or outside of the school or college should not be downplayed and should be treated equally seriously.
- It is important to explain that the law is in place to protect children and young people rather than criminalise them, and this should be explained in such a way that avoids alarming or distressing them when appropriate (this would normally be a member of the DSL team or the SLT)
- Make a record on CPOMS after reporting to the DSL.

Our staff have safeguarding training that includes dealing with cases of child-on-child abuse, this training includes advice on talking to children and instigating immediate support in a calm and consistent manner.

Staff are reminded that they must not be prejudiced, judgemental, dismissive or irresponsible in dealing with such sensitive matters.

Staff are also reminded to be mindful that wider safeguarding concerns may influence the child's account of the event(s). Alongside this peer pressure and the impact of sharing information about the incident(s) and their understanding around what has actually happened may also influence a child's account.

Effective safeguarding practice

The immediate response to a report Responding to the report KCSIE Part 5 page 112 provides clear and full guidance for schools around the steps to take and effective safeguarding practice

As per the above section all staff should be trained to manage a report. In line with Local policies and expectations all of the members of the schools DSL teams undergo DSL multi-agency training every 2 years through the OSCB, and in house training around Harmful Sexual Behaviours

Effective safeguarding practice includes:

- that two members of staff (preferably one being the DSL or DDSL) should be present to manage the report, *where possible*.
- confiscating any devices to preserve any evidence and hand them to police for inspection.
- Staff are aware of the requirement for our students to have an Appropriate Adult Safeguarding and the role of the appropriate adult particularly when multi agency partners such as Local Authority Children's Social Care or the Police have to interview the child.
- careful management and handling of reports that include an online element. Including being aware of Searching, Screening and Confiscation - GOV.UK) and Sharing nudes and semi-nudes: advice for education settings working with children and young people - GOV.UK .
- Staff not to view or forward illegal images of a child. *
- Considering if it is appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection
- Not promising confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the designated safeguarding lead (or a deputy) or local authority children's social care) to discuss next steps.
- Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to
- keeping in mind that certain children may face additional barriers to telling someone because of their vulnerability, disability, sex, ethnicity, and/or sexual orientation
- Only recording the facts as the child presents them on CPOMS
- Records should not reflect the personal opinion of the note taker. Staff are made aware that notes of such reports could become part of a statutory assessment by local authority children's social care and/or part of a criminal investigation

The most appropriate member of staff with the best relationship with the child should be the person alongside the child who wishes to disclose wherever possible. However, staff should always be aware that children may choose to disclose to any member of staff that they feel most comfortable with and therefore all our staff receive training in managing disclosures.

In any circumstance our members of staff will make it clear to our student that they cannot maintain confidentiality if what is being shared has put or will put the child or another person at risk of harm and/or is criminal. Staff are also made aware that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory and so the student may not be able to recall all details or timeline of abuse.

In all circumstances, (where possible based on the SEND of the student) staff need to speak to all the students involved separately, (this would normally be the DSL or DDSL) to gain a statement of facts from them, ensuring that they use **consistent language** and **open questions** for each account. The easiest way to do this is not to have a line of questioning but to ask the children to tell you what happened. This involves:

- listening carefully to the child.
- reflecting back.
- using the child's language
- being non-judgemental
- being clear about boundaries and how the report will be progressed
- not asking leading questions (using T.E.D and the 'where, when, why, who' questions)
- Making a full and factual record of exactly what the child has said in their own language should be made (and no individual interpretation of the facts made which could impact on the disclosure) after the child has finished the disclosure, so the child feels listened to
- Ensuring the record is made on CPOMS (our electronic recording system) electronic

Consider the Intent (Begin to Risk Assess)

Using the Brook Traffic Light Tool, The Hackett: Responding to children who display sexualised behaviour tool, the students EHCP (considering their own needs) and any advice from professionals we will begin to risk assess the situation

Child-on-child sexual abuse: risk and needs assessment

Referrals to outside agencies

If from the information that we gather we believe any student to be at risk of significant harm, we will make an immediate referral to Local Authority MASH. Where we suspect a crime has been committed, we will also make a referral to the police. This action, in most circumstances, will be undertaken by the Designated Safeguarding Lead but in the event of their absence the referral can be made by another member of staff.

After MASH has been contacted and has carried out their initial assessment they will inform the school of the next steps.

If Local Authority Children's Social Care and the police intend to pursue this further, they may ask to interview the student in school or they may ask for parents to come to school to be spoken to. Our schools will make the time for this to take place and ensure all students are supported by making staff members available to support and act as the appropriate adult to safeguard the student.

It may also be that Local Authority Children's Social Care feel that it does not meet their criteria in which case school/DSL may challenge that decision, with that professional, or escalate for support to the Trust DSM. We would always work with social care and police and hope that they would inform parents of their decisions and outcomes.

If the investigation is being led by police or children's social care, then this is likely to impact any school investigation, as school need to ensure they do not impede any external investigation.

Confidentiality and Anonymity

As stated above any staff member taking a report should never promise confidentiality as it is very likely that it will be in the best interest of the victim to seek advice and guidance from others, in school and external agencies, in order to provide support and engage appropriate agencies. Ultimately, the DSL or DDSL will have to balance the victims wishes against their duty to protect the victim and other children. Advice can be sought from the Trust DSM.

As with all safeguarding situations we will work to act in the best interests of all of our students.

Informing Parents

Once appropriate advice has been sought from police and or MASH, we have agreement to inform parents or have been allocated that role from the other services involved then we will inform parents as soon as possible. If services are not going to be involved, then we will still consider sharing information with parents. Parents would not be informed if by doing so the child was put at further risk of significant harm.

If a child is deemed to be 'Gillick Competent' following the 'Fraser' guidelines Gillick competence and Fraser guidelines | NSPCC Learning and does not wish school to share the information with parents, then this must be considered this especially for example if the child is pregnant and this is why they are being bullied (unless this has occurred through significant harm in which case a criminal/Local Authority Children's Social Care case is likely or the child is under the age of 13).

In all circumstances where the risk of harm to the child is evident then school will encourage the child to share the information with their parents/carers or share it with parents on their behalf (they may be scared to tell parents that they are being harmed in any way). We must evidence at all times are decision making and be able to show evidence we are acting in the best interests of the child, if we actively breached the rights and choices of the child without evidencing why we have taken those steps we may be criticised. Advice can be sought from the Trust DSM

We know that given the sensitivity of what we would be discussing, and that the sharing of the details of the incident and the type of harm/abuse a child may be suffering, can cause fear and anxiety to parents whether their child is the child who was harmed or who harmed another. Due to this we would ideally inform parents face to face, however this can prove difficult given that the intake of our students is countywide, we will work with parents to try and arrange a meeting ensuring they have support in place if the meeting is not faced to face.

Points to Consider (Full Risk Assessment):

- **The wishes and feelings of the Victim**
  It is important to understand how the victim wants to proceed to allow as much control as is reasonably possible over the decisions regarding how any investigation will be progressed.

- **The nature of the alleged incident**
  This includes consideration as to whether a crime may have been committed and/or whether Harmful Sexual Behaviour has been displayed and the understanding and intent from the "perpetrator"

- **The age and development of the students involved**
  We need to consider:
  - How old are the students involved in the incident
  - The age difference between those involved.
  - Any imbalance of power and control.
  - The SEND of the students involved
  - The understanding of the behaviour
  - The intent
  - Coercion
  - Communication barriers
  - Any other additional vulnerabilities

- **Where did the incident or Incidents take place?**
  - Was the incident in an open, visible place to others?
  - Was it observed?
  - Is more supervision required within this particular area?

- **What information was gathered from all students involved (including witnesses)?**
  - Can each of the students give the same explanation of the incident?
  - What is the effect on the students involved?
  - Is the incident seen to be bullying for example, in which case regular and repetitive?
  - Is the version of one student different from another and why?

- **What is each of the student's own understanding of what happened?**
  - Do the students know/understand what they are doing?
  - Do they have knowledge and understanding of:
    - body parts,
    - privacy
    - and that it is inappropriate to touch?
  - Is the student's explanation around the behaviour in relation to something they may have heard or been learning about?
  - Is the behaviour deliberate and contrived?
  - Does the student have an understanding of the impact of their behaviour on the other student?

- **Repetition**
  - Is it a repeated behaviour?
    - If it is repeated towards a specific individual?
  - Has the behaviour been repeated after the issue has already been addressed/discussed or dealt with and appropriately resolved?

- **Ongoing Risks**
  - Are there any ongoing risks to.
    - The victim?
    - Other students?
    - Adult students?
    - School staff?
    - Others?

- **Contextual Safeguarding/Extra Familial Harm**

  Is there any other related or wider context involving the student, including any links to child sexual exploitation or child criminal exploitation?

- All our risk assessments will consider: [Child-on-child sexual abuse: risk and needs assessment](#)
  - The victim, especially their protection and support
  - Whether there may have been other victims
  - The alleged perpetrator

○   Other witnesses
○   All the other children at the school
○   The time and location of the incident, and any action required to make the location safer.

In dealing with an incident of this nature the answers are not always clear cut. If we are concerned or unsure as to whether or not there is any risk involved, advice will be sought immediately from the `trust DSM or Local Authority Children's Social Care (MASH or LCSS)

Outcomes

There may be several outcomes, and we as school may not have any control over some of these, they may be from.

- Social care
- Police
- CAMHS Child and Adolescent Mental Health Service (CAMHS)
- CAHBS Child & Adolescent Harmful Behaviour Service (CAHBS) | Oxford Health CAMHSOxford Health CAMHS

After a referral has been made to either the MASH and/or police, they will carry out their initial enquiries and decide whether a full assessment or investigation is needed.

As a school we may identify additional services/intervention that are needed and may make referrals to these agencies. It may be that on investigation, a decision has been made to handle the incident (s) internally, in which case the school may implement a risk assessment plan and ensure a robust plan is in place to protect all parties involved.

In any of the above outcomes, school has a duty of care to manage the education needs of both children to be able to manage this while and after all investigations take place a risk assessment will need to be completed irrespective of the outcome.

Next Steps

Once the outcome of the incident(s) has been established it is necessary to ensure that steps are taken to try to prevent future incidents of abuse occurring again and consider the support and intervention required for those involved.

For the Child Who Has or May Have Been Harmed

Victims may not display the whole picture immediately. It is essential that dialogue is kept open and encouraged. Children who have experienced sexual violence display a wide range of responses to their experience, this may include:
- clear signs of trauma,
- physical responses
- emotional responses,
- being withdrawn
- changes in behaviour

However, we must be aware there may be no overt signs at all. Therefore, we will remain alert to the possible challenges of detecting those signs and show sensitivity to the needs of the child irrespective of how overt the student's distress is.

What support they require depends on the individual student. However, we will always work in a restorative manner wherever possible. It may be that they wish to seek counselling or one to one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends. In which case it is necessary that this child continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the student may need support in improving peer group relationships with all those involved.

Other interventions that could be considered may be specific to a whole class or tutor group or for whole school for example.
- a speaker/focus on cyber bullying,
- Work on relationship abuse
- local schools police officer carrying out some targeted work with specific students/small groups
- It may be that through the continued curriculum of Relationship / Relationship and Sex Education and Health Education, PSHE and SMSC that certain issues can be discussed more frequently.

If the child feels particularly vulnerable the risk assessment/safety plan will identify.
- named people at school (agreed with the student) that they can talk to for support
- strategies for managing future issues
- identified services to offer additional support.

15 This policy is based on KCSIE. The Gallery Trust July 2024

For the Child Who Has or May Have Displayed Harmful Behaviour (Alleged Perpetrator)

In this circumstance it is important to try to find out why the student has behaved in such a way. It may be that the student is experiencing their own difficulties which may include the fact that they have harmed or been subject to abuse in a similar way. In such cases support such as one to one mentoring or counselling may also be necessary. Particular support from identified services may be necessary through a strength and needs assessment Strengths & Needs Form and Early Help Tools - Oxfordshire Safeguarding Children Board or referrals to other agencies.

Once the support required to meet the individual needs of the student has been met, we will consider appropriate consequence for their behaviour, however we will always take the SEND of our students into account and consider:

- understanding
- intent
- contextual safeguarding
- their EHCP.
- known behaviours
- outside influences
- coercion

As stated above we will always consider a restorative approach with our students. This may not be possible if there is an ongoing police investigation.

In the cases of harmful sexual behaviour, it may be a requirement for the child to engage in one-to-one work with a particular service or agency (if a crime has been committed this may be through the police or youth offending service). If there is any form of criminal investigation ongoing it may be that this student cannot be educated on site until the investigation has concluded (for example if there are bail conditions in place) In which case, the student will be provided with appropriate support and education whilst off site.

The risk assessment will take into account all of the above and outside professionals will be asked to provide information to help assess risk ensuring a multi-agency response to ensure it meets the needs of the individual student and considers risks towards others. The risks must be measured by all of those agencies involved including the student and their parents. This may mean additional supervision of the student or protective strategies if the student feels at risk of engaging in further inappropriate or harmful behaviour.

Disciplinary Action

Exclusion, suspension or internal exclusion may be considered for a period of time enabling the student to reflect on their behaviour. However, each case will be considered on its own merits, always taking into account the SEND and behaviours of the student. Protective measures will always be considered for all students involved.

Disciplinary action may sometimes be appropriate, including
- to ensure that the student(s) take(s) responsibility for and realise(s) the seriousness of their behaviour.
- to demonstrate to the student and others that child-on-child abuse can never be tolerated.
- to ensure the safety and wellbeing of other children.

However, these considerations must be balanced against the child's/children's own potential unmet needs and any safeguarding concerns. Before deciding on appropriate action, we will always consider
- our duty to safeguard all children from harm.
- the underlying reasons for a child's behaviour.
- any unmet needs, or harm or abuse suffered by the child.
- the risk that the child may pose to other children.
- the severity of the child-on-child abuse and the causes of it.

Exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the other children in the school.

After Care

All our staff are aware that It is important that following the incident the students involved continue to feel supported and receive help even if they have stated that they are managing the incident. In some cases, the emotions and feelings may occur at a much

later stage than the incident.

We will ensure that our students are reminded that they can talk to staff, and we will have safety plans in place for all students involved to help support them. The safety planning is recorded as part of our risk assessment.

It is important to ensure that the students do not engage in any further harmful behaviour either towards someone else or to themselves as a way of coping (e.g. self-harm). We will ensure that we have regular reviews of the risk assessment and with the students following the incident(s).

Ongoing support

Support can include:

- Strengths and needs assessment Strengths & Needs Form and Early Help Tools - Oxfordshire Safeguarding Children Board
- Children and Young People's Independent Sexual Violence Advisors (ChISVAs) Advocacy - Oxfordshire Sexual Abuse and Rape Crisis Centre 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. Contact details for ChISVAs can be found at Rape Crisis and The Survivors Trust
- Child and young people's mental health services Oxfordshire | Oxford Health CAMHSOxford Health CAMHS
- The specialist sexual violence sector can provide therapeutic support for children who have experienced sexual violence. Contact Rape Crisis or The Survivors Trust for details of local specialist organisations. The Male Survivors Partnership can provide details of services which specialise in supporting men and boys.
- Help after rape and sexual assault - NHS **provides a range of advice, help and support including advice about the risk of pregnancy, sexually transmitted infections (STI), reporting to the police and forensics.**
- Rape and sexual assault referral centres services
  - https://www.nhs.uk/services/service-directory/thames-valley-sarc-bicester/N10509790?gsdServiceId=364
  Sexual assault referral centres (SARCs) offer medical, practical and emotional support. They have specially trained doctors, nurses and support workers. If children, young people, or their families are unsure which service to access, they should contact their GP or call the NHS on 111.
- Childline provides free and confidential advice for children and young people.
- Internet Watch Foundation works internationally to remove child sexual abuse online images and videos and offers a place for the public to report them anonymously.
- Report Remove | Childline Report Remove is a free tool that allows children to report nude or sexual images and videos of themselves that they think might have been shared online, to see if they can be removed from the internet.

Review of Circumstances

Following any incident of harm, it is necessary for us to consider if anything could have been done differently. We will review what has happened and identify any learning that we can share in school and across the Trust. The Trust Designated Safeguarding Lead will be involved in the review and identification of learning.

This demonstrates our practice in continually reviewing our policies and systems in effectively keeping children safe.

Annex 1: Types of abuse

Types of Abuse

There are many forms of abuse that may occur between children and this list is not exhaustive. Each form of abuse or prejudiced behaviour is described in detail followed by advice and support on actions to be taken.

Abuse in Intimate Personal Relationships Between Children (Teenage Relationship Abuse)

Abuse in intimate personal relationships between children is defined as a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abuser uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner.

Bullying (including Cyberbullying, Prejudice-Based and Discriminatory Bullying)

● **Bullying**

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.
Bullying involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online.

Low-level disruption and the use of offensive language can in itself have a significant impact on its target. If left unchallenged or dismissed as banter or horseplay it can also lead to reluctance to report other behaviour.

[Preventing and tackling bullying - GOV.UK](#)

● **Cyber Bullying**

"Cyber or online bullying is the use of phones; instant messaging, e-mail, chat rooms or social networking sites such as Facebook and Twitter to harass, threaten or intimidate someone for the same reasons as stated above. Many children have unlimited and unrestricted access to the internet via mobile phone networks (i.e. 3G, 4G and 5G). This means that some children, whilst at school or college, sexually harass, bully and control others via their mobile and smart technology, share indecent images; consensually and non-consensually (often via large chat groups) and view and share pornography and other harmful content" KCSIE

It is important to state that cyberbullying can very easily fall into criminal behaviour under the Malicious Communications Act 1988 under section 1 which states that electronic communications which are indecent or grossly offensive, convey a threat or false information or demonstrate that there is an intention to cause distress or anxiety to the victim would be deemed to be criminal. This is also supported by the Communications Act 2003, Section 127 which states that electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience or needless anxiety to another could also be deemed to be criminal behaviour.

If the behaviour involves the use of taking or distributing sexual images of children under the age of 18 then this is also a criminal offence under the Sexual Offences Act 2003. Outside of the immediate support children may require in these instances, the school will have no choice but to involve the police to investigate these situations.

● This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  ○ [Consensual and Non-Consensual Sharing of Nudes and Semi-Nudes....](#)
  ○ sharing of unwanted explicit content
  ○ sexualised online bullying
  ○ unwanted sexual comments and messages, including, on social media
  ○ sexual exploitation; coercion and threats, and
  ○ coercing others into sharing images of themselves or performing acts they're not comfortable with online.

Prejudiced-Based and Discriminatory Bullying

The term prejudice-based and discriminatory bullying refers to a range of hurtful behaviour, physical or emotional or both and online, which causes someone to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society – in particular, prejudices to do with disabilities and special educational needs, ethnic, cultural and religious backgrounds, gender, home life, (for example in relation to issues of care, parental occupation, poverty and social class) and sexual identity (homosexual, bisexual, transsexual).

Consensual and Non-Consensual Sharing of Nudes and Semi-Nudes Images and/or Videos

[Sharing nudes and semi-nudes: advice for education settings working with children and young people - GOV.UK](#) provides detailed advice for schools and colleges.

This is also known as sexting or youth produced sexual imagery. 'Youth Involved/Produced' includes children sharing images that they, or another child, have created themselves.

'Imagery' covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the policy).

Sexting (more commonly known as) is when someone sends or receives a sexually explicit text, image or video. This includes sending 'nude pics', 'rude pics' or 'nude selfies. Pressuring someone into sending a nude picture can occur in any relationship, to anyone, whatever their age, gender or sexual preference.

However, once the image is taken and sent, the sender has lost control of the image, and these images could end up anywhere. By having in their possession, or distributing, indecent images of a person under 18 on to someone else, children are not even aware that they could be breaking the law as stated as these are offences under the Sexual Offences Act 2003.

Harmful Sexual Behaviour

Children's sexual behaviour exists on a wide continuum, ranging 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" (HSB). The term has been widely adopted in child protection and is used in this advice. HSB can occur online and/or face-to-face and can also occur simultaneously.

When considering HSB, both ages and the stages of development of the children are critical factors. 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, for example, if the older child is disabled or smaller in stature.

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

KCSIE page 108 paragraph 455

Harmful sexual behaviour from children is not always contrived or with the intent to harm others. There may be many reasons why a child engages in harmful sexual behaviour, and it may be just as distressing to the child who instigates it as well as the child it is intended towards. Harmful sexual behaviour may range from inappropriate sexual language, inappropriate role play, to sexually touching another, sexual assault, rape or abuse.

Initiation/Hazing

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies.

The idea behind this practice is that it welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite of passage. It can include activities involving harassment, abuse, or humiliation used as a way of initiating a person into a group and may also include and online element.

Physical Abuse

Physical abuse may include, hitting, kicking, nipping, shaking, biting, hair pulling, or otherwise causing physical harm to another person. There may be many reasons why a child harms another, and it is important to understand why a child has engaged in such behaviour, including accidently before considering the action or punishment to be undertaken.

Sexual Harassment

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school/college. When we reference sexual harassment, we do so 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.

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. 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.

- displaying pictures, photos or drawings of a sexual nature
- upskirting
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - Consensual and non-consensual sharing of nude and semi-nude images and/or videos.
  - Taking and sharing nude photographs of U18s is a criminal offence. New UKCIS Guidance: Sharing Nudes and Semi-Nudes - Safer Schools provides detailed advice for schools and colleges.
  - sharing of unwanted explicit content
  - sexualised online bullying
  - unwanted sexual comments and messages, including, on social media
  - sexual exploitation; coercion and threats, and
  - coercing others into sharing images of themselves or performing acts they're not comfortable with online.

It is important that schools and colleges consider sexual harassment in broad terms. Sexual harassment (as set out above) creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence. KCSIE page 108 paragraph 453

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

Safeguarding incidents and/or behaviours can be associated by factors outside the school, including intimate personal relationships. 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.

Sexual Violence

Sexual violence refers to sexual offences under the Sexual Offences Act 2003 as described below:

- 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. (Sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)
- Causing someone to engage in sexual activity without consent: A person commits an offence if: s/he intentionally:
  - causes another person to engage in an activity, the activity is sexual.
  - does not consent to engaging in the activity,
  - does not reasonably believe that the other person consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)
  -

Upskirting

'Upskirting' 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.

This policy has been heavily supported by the following documents and sources of information:

1. Farrer and Co Addressing child-on-child abuse: Addressing child-on-child abuse: a resource for schools and colleges
2. Simon Hackett: Responding to children who display sexualised behaviour Sexualised Behaviour
3. NSPCC: Understanding sexualised behaviour in children: Understanding sexualised behaviour in children | NSPCC Learning
4. Brook Sexual Behaviours Traffic Light Tool; Sexual Health help and advice – Brook

This policy should be read in conjunction with:

- The individual school's child protection and safeguarding policy

- The OSCB local guidance and arrangements Oxfordshire Safeguarding Children Board