

## **Sexual violence and sexual harassment between pupils in schools**

### **Context**

Sexual violence and sexual harassment can occur between two pupils of any age and sex from primary through to secondary stage. It can occur through pupils sexually assaulting or sexually harassing a single pupil or group of pupils. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and neither are acceptable. As set out in part one of Keeping Children Safe in Education (KCSIE), all staff working in our academy maintain an attitude of 'it could happen here'.

Addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

Pupils, who are victims of sexual violence and sexual harassment, wherever it happens, will likely find the experience stressful and distressing. This can adversely affect their educational attainment, which can be exacerbated if the alleged perpetrator(s) attends the same academy. As set out in part one of KCSIE, we are aware that safeguarding incidents and/or behaviours can be associated with factors outside the academy, including intimate personal relationships (see also sections of pupil sexual exploitation and coercive and controlling behaviour at paragraph 32 of KCSIE).

However, it is essential that all victims are reassured that they are being taken seriously, that they will be supported and that we will work to keep them safe alongside other support agencies. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor will a victim ever be made to feel ashamed for making a report.

Along with providing support to pupils who are victims of sexual violence or sexual harassment, we need to provide the alleged perpetrator(s) with education, safeguarding support as appropriate and implement any disciplinary sanctions. A pupil abusing another pupil may be a sign they have been abused themselves or a sign of wider issues that require addressing within the culture of our academy. Taking disciplinary action and providing appropriate support, can, and should, occur at the same time if necessary.

Reports of sexual violence and sexual harassment are extremely complex to manage. It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other pupils and staff are supported and protected as appropriate.

For the purposes of this document, we use the term 'victim'. It is a widely recognised and understood term. It is important that we recognise that not everyone who has been subjected to sexual violence and/or sexual harassment considers themselves a victim or would want to be described in this way. Therefore, we are conscious of this when managing any incident and are prepared to use any term with which the individual pupil is most comfortable.

We also use term 'alleged perpetrator(s)'. Again, this is a widely used and recognised term and the most appropriate to aid effective drafting of advice. However, we will always think very carefully about terminology, especially when speaking in front of pupils, not least because in some cases the sexual behaviour will have been harmful to the perpetrator as well.

At Rainbow Forge Academy, we make it clear to all in our community that there is a zero-tolerance approach to sexual violence and sexual harassment, it is never acceptable, and it will not be tolerated. It will never be passed off as "banter", "just having a laugh", "part of growing up" or "boys being boys". We will challenge physical behaviour (potentially criminal in nature), such as grabbing bottoms, breasts, and genitalia, pulling down trousers, flicking bras, lifting skirts and up-skirting.

We know that dismissing or tolerating such behaviours risks normalising them; and that not recognising, acknowledging or understanding the scale of harassment and abuse and/or downplaying some behaviours related to abuse can lead to a culture of unacceptable behaviour. An unsafe environment and in the worst case, a culture that normalises abuse, leads pupils to accept it as normal and not come forward to report it.

### **Vulnerable Pupils**

At Rainbow Forge Academy, we understand that any form of abuse can be driven by wider societal factors beyond the academy, such as everyday sexist stereotypes and sexist language. Therefore, a whole academy approach (especially in preventative education) is important.

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

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

Any reports of abuse involving pupils with SEND will therefore require close liaison with the designated safeguarding lead (or deputy) and the special educational needs co-ordinators (SENCOs).

Peers can also target pupils who are lesbian, gay, bi, or trans (LGBT). In some cases, a pupil who is perceived by their peers to be LGBT (whether they are or not) can be just as vulnerable as pupils who identify as LGBT.

## **What is sexual violence and sexual harassment?**

### **Sexual violence**

It is important that all our staff are aware of sexual violence and the fact pupils can, and sometimes do, abuse their peers in this way and that it can happen both inside and outside of the academy.

When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003<sup>135</sup> 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. (We are aware that 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 or coercing someone to engage in sexual activity without consent -** A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

### **What is consent?**

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

Further information about consent can be found here: [Rape Crisis England & Wales - Sexual consent.](#)

However:

- A pupil under the age of 13 can never consent to any sexual activity.
- The age of consent is 16.
- Sexual intercourse without consent is rape.

### **Sexual harassment**

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 the academy. When we reference sexual harassment, we do so in the context of pupil-on-pupil sexual harassment. Sexual harassment is likely to: violate a pupil'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) and displaying pictures, photos, or drawings of a sexual nature.
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence:
  - up skirting (is a criminal offence<sup>141</sup>);
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media;
  - sexual exploitation; coercion and threats.

It may also include consensual and non-consensual sharing of nudes and semi-nude images and/or videos.

It is important to differentiate between consensual sexual activity between pupils of a similar age and that which involves any power imbalance, coercion, or exploitation.

Due to their additional training, the designated safeguarding lead (or deputy) will be involved and, lead our response. If in any doubt, they will always seek expert advice.

Consensual image sharing, especially between older pupils of the same age, may require a different response. It might not be abusive – but pupils still need to know it is illegal- whilst non-consensual is illegal and abusive.

## **Harmful sexual behaviour**

Pupils' sexual behaviour exists on a wide continuum, from normal and developmentally expected to, inappropriate, problematic, abusive, and violent. Problematic, abusive, and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. An umbrella term is "harmful sexual behaviour" (HSB).

HSB can occur online, face to face and occur simultaneously between the two. HSB will always be considered in a pupil protection context.

When considering HSB, ages and the stages of development of the pupils are critical factors. Sexual behaviour between pupils can be considered harmful if one of the pupils is much older, particularly if there is more than two years' difference or if one of the pupils is pre-pubescent and the other is not. However, a younger pupil can abuse an older pupil, particularly if they have power over them, for example, if the older pupil is disabled or smaller in stature.

With regard to consensual image sharing, it might not be abusive – but pupils still need to know it is illegal- whilst non-consensual is illegal and abusive.

It is important that the designated safeguarding lead (and their deputies) have a good understanding of HSB, so it will always form part of our safeguarding training. This will aid in planning preventative education, implementing preventative measures, drafting, and embedding an effective safeguarding policy.

### **A whole academy approach:**

We believe that all pupils have a right to attend our academy and learn in a safe environment. Pupils should be free from harm. All staff understand, that even if there are no reports or concerns raised, **it does not mean it is not happening**; it may be the case that it is just not being reported.

### **Academy environment**

At Rainbow forge Academy, we work to ensure we have conditions in which our pupils can aspire to, and realise, safe and healthy relationships whilst fostering a whole academy culture:

- which is founded on the idea that every member of our academy community is responsible for building and maintaining safe and positive relationships, and helping to create a safe environment in which violence and abuse are never acceptable, and in which certain behaviour is not tolerated;
- in which pupils can develop trusting relationships with staff, and in which staff understand, through regular discussion and training, the importance of these relationships in providing pupils with a sense of belonging, which could otherwise be sought in problematic contexts,

- in which pupils feel able to share their concerns openly, in a non-judgmental environment, and have them listened to;
- respond to cases of sexual violence and/or harassment promptly and appropriately;
- ensure that all sexual violence and/or harassment issues are fed back to the academy safeguarding team and DSL so that they can spot and address any concerning trends and identify pupils who may need additional support;
- challenge the attitudes that underlie such abuse (both inside and outside the classroom).

### **Our academy's response to a report of sexual violence or sexual harassment**

At Rainbow Forge Academy, we have safeguarding procedures about sexual violence and sexual harassment that are transparent, clear, and easy to understand for staff, pupils, parents and carers. Reports of sexual violence and sexual harassment are likely to be complex, requiring difficult professional decisions to be made, often quickly and under pressure. Pre-planning, effective training and effective policies support us to make calm, considered and appropriate responses to any report.

Our systems enable pupils to confidently report abuse, sexual violence and sexual harassment, knowing their concerns will be treated seriously, and that they can safely express their views and give feedback.

The initial response to a report from a pupil is incredibly important. How we respond to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to come forward. If we do not recognise, acknowledge or understand the scale of harassment and abuse or downplay some behaviours, then it could lead to a culture of unacceptable behaviour.

### **General principles**

Any response will:

- include a thorough investigation of the concerns or allegations, and the wider context in which they may have occurred (as appropriate). Depending on the nature and seriousness of the alleged incident, it may be appropriate for the police and/or children's social care to carry out this investigation;

- treat all pupils involved as being at potential risk – while the pupil allegedly responsible may pose a significant risk of harm to other pupils, they may also have considerable unmet needs and be at risk of harm themselves. We make sure that a safeguarding response is in place for both the victim and alleged perpetrator;

- consider:

- a. that the report may indicate wider safeguarding concerns for other pupils involved, and consider and address the effect of wider sociocultural contexts – such as the pupil's peer group (both within and outside the academy); family; the academy environment; their experience of crime and victimisation in the local community; and the pupil's online presence;

b. what changes may need to be made to these contexts to address the pupil's needs and to mitigate risk;

c. the potential complexity and of pupil's experiences, and the interplay between power, choice, and consent. While pupils may appear to be making choices, if those choices are limited, they are not consenting;

d. the views of the pupils affected. Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSL will always (if appropriate) discuss the proposed action with the pupil/ pupils and their parents, and obtain agreement to any referral before it is made. We will manage the pupil's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so. It is particularly important to consider the wishes of the victim, and to give that pupil as much control as is reasonably possible over decisions regarding how any investigation will be progressed and how they will be supported.

### **What we do if we suspect either that a pupil may be at risk of or experiencing sexual violence or harassment?**

If a member of staff thinks for whatever reason that a pupil may be at risk of or experiencing sexual violence and harassment, they will record their concern onto MyConcern, and if required discuss with the DSL immediately so that a course of action can be agreed. Where a pupil is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and, if appropriate, the police) is made immediately.

If a pupil speaks to a member of staff about sexual violence and harassment that they have witnessed or are a part of, the member of staff will listen to the pupil using language that demonstrates understanding rather than judgement.

Where any concerns or allegations indicate that the report includes an online element, the key consideration is for staff not to view or forward illegal images of a pupil. In most cases, it will be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection.

It is also important to not promise 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 children's social care) to discuss next steps. Staff will only share the report with those people who are necessary to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to.

Indecent images of a pupil or pupils may have already been shared online; the DSL will consider what urgent action needs to be taken in addition to seeking specialist help to prevent the images spreading further and removing the images from the internet.

DSLs will always use their professional judgement to:

- Assess the nature and seriousness of the alleged behaviour.

- Determine whether it is appropriate for the alleged behaviour to be to be dealt with internally and whether any external specialist support is required.

In borderline cases, the DSL may wish to consult with L.E.A.D DSLs, childrens’s social care and/or other relevant agencies in accordance with the Local Safeguarding Partnership’s procedures to determine the most appropriate response.

Where the DSL considers or suspects that the alleged behaviour in question might be abusive or violent; or where the needs and circumstances of the individual pupils in question might otherwise require it; the DSL will contact children’s social care and/or the police immediately and, in any event, within 24 hours. The DSL will discuss the concerns or allegations with the agency and agree on a course of action, which may include:

- Manage internally with help from external specialists where appropriate and possible, where the alleged behaviour is abusive or violent.
- Undertake/contribute to an inter-agency early help assessment, with targeted early help services provided to address the assessed needs of the pupil/pupils and their family. These services may, include family and parenting programmes, responses to emerging thematic concerns in extra familial contexts, specialist harmful sexual behaviour team, CAMHS and/or youth offending services.
- Refer the pupil/pupils to children’s social care for a section 17/47 statutory assessment. Where a pupil is suffering, or is likely to suffer from harm, it is important that a referral to children’s social care (and, if appropriate, a report to the police) is made immediately.
- Report alleged criminal behaviour to the police. Alleged criminal behaviour will ordinarily be reported to the police. Rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this will be referred to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of referring to the police remains. The police will take a welfare, rather than a criminal justice approach, in these cases.

### **Concerns and allegations where there is police involvement**

Where a report has been made to the police, we will consult with them and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator(s) and their parents or carers. Together we will also agree the best way to protect the victim and their anonymity. The police will also consider what action to take to manage the assessed risk of harm. This could involve the use of police bail with conditions, prior to a suspect appearing in court, or court bail with or without conditions after the first appearance.

Alternatively, the person suspected of an offence could be ‘released under investigation’ (RUI). People RUI can have no conditions attached to their release from custody and it is possible for a person on bail to have no conditions.

Whatever arrangements are in place, we will consider what additional measures may be necessary to manage any assessed risk of harm that may arise, particularly to the additional stress and trauma to a victim. As well as the potential for the suspected person to intimidate the victim or a witness. We will ensure that any risk management measures strike a balance between management of risk and the rights of an unconvicted person. Throughout the process, we will always liaise with the police to develop a balanced set of arrangements.

### **Managing any delays in the criminal process**

There may be delays in any case that is being progressed through the criminal justice system. We do not wait for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator(s), and other pupils. The risk assessment will help inform any decision.

Whilst protecting pupils and/or taking any disciplinary measures against the alleged perpetrator(s), the DSL will work closely with the police (and other agencies as required), to ensure any actions taken do not jeopardise the police investigation. If we have any questions, we will always consult with the police.

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

If a pupil is convicted or receives a caution for a sexual offence, we will update the risk assessment, ensure relevant protections are in place for all pupils and consider any suitable action in line with the behaviour policy. This process will include a review of the necessary actions to keep all parties safe and meet their needs. If the perpetrator(s) remain(s) in the same academy as the victim, we will be very clear as to their expectations regarding the perpetrator(s) now they have been convicted or cautioned.

Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils in the academy. It is important that we ensure both the victim and alleged perpetrator(s) remain protected, especially from any bullying or harassment (including online).

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

All concerns or allegations will be assessed on a case-by-case basis, and consider the wider context.

### **Anonymity**

Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, we will always be mindful of anonymity, witness support and the

criminal process in general so we can offer support and act appropriately. We will do all we reasonably can to protect the anonymity of any pupils involved in any report of sexual violence or sexual harassment. This means carefully considering, based on the nature of the report, which staff should know about the report and any support that will be put in place for the pupils involved.

We will also consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities.

### **Risk Assessment**

When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment will be considered on a case-by-case basis. The risk and needs assessment will consider:

- The victim, especially their protection and support.
- Whether there may have been other victims.
- The alleged perpetrator(s).
- All the other pupils (and, if appropriate, adult and staff) at the academy, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms.

Risk assessments will be recorded, filed on MyConcern, and kept under review. We will consider the risks posed to all their pupils and put adequate measures in place to protect them and keep them safe.

The designated safeguarding lead (or a deputy) should ensure they are engaging with children's social care and specialist services as required. Any professional assessments will be used to inform our support, how we protect the pupils and in updating our own risk assessment.

### **Unsubstantiated, unfounded, false, or malicious reports**

If a report is determined to be unsubstantiated, unfounded, false, or malicious, the designated safeguarding lead will consider whether the pupil and/or the person who has made the allegation needs help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to children's social care may be appropriate.

If a report is shown to be deliberately invented or malicious, we will consider whether any disciplinary action is appropriate against the individual who made it as per our behaviour policy.

## **Ongoing response**

### **Victim**

Wherever possible, the victim if they wish, will be able to continue in their normal routine. The priority will always be to make the victim's daily experience as normal as possible, so that our academy is a safe space for them.

We will consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. We are aware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and alleged perpetrator(s).

Our response will always be proportionate and tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.

When it is clear that ongoing support will be required, the DSL will check with the victim if they would find it helpful to have a designated trusted adult (for example, their form tutor or designated safeguarding lead) to talk to. The choice of any such adult should be the victim's (as far as reasonably possible).

We understand that a victim of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. We will try to avoid any action that might isolate the victim, from supportive peer groups, there may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. If this is required, then we will provide a physical space for victims to go to. It may be necessary for us to have these arrangements in place to protect and support the victim for a long time.

It is important that we do everything we reasonably can to protect the victim from bullying and harassment because of any report they have made. If the trauma results in the victim being unable to remain at our academy, alternative provision or a move to another education setting will be considered to enable them to continue to receive suitable education. This will only be at the request of the victim (and following discussion with their parents or carers). If the victim does move to another setting (for any reason), the new setting will be made aware of any ongoing support needs by the DSL.

### **Alleged Perpetrator**

Whilst we support the victim in these cases, we understand that we also have a duty to provide the alleged perpetrator(s) with education, safeguarding support as appropriate and implement any disciplinary sanctions. Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and will, occur at the same time if necessary.

We know that a pupil abusing another pupil may be a sign they have been abused themselves or a sign of wider issues that require addressing. We will always work with professionals as required to understand why a pupil may have abused a peer. It is important to remember that, as a pupil, any alleged perpetrator(s) is entitled to, deserving of, and will be provided with, a high level of support to help them understand and overcome the reasons for their behaviour and help protect other pupils by limiting the likelihood of them abusing again.

At Rainbow Forge Academy, we consider the age and the developmental stage of the alleged perpetrator(s) and nature and frequency of the allegations. Any pupil will likely experience stress because of being the subject of allegations and/or negative reactions by their peers to the allegations against them.

We will consider the proportionality of the response. Support (and sanctions) will carefully be considered on a case-by-case basis. The pupil may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other pupils. We know that research suggests that HSB in young pupils may be (and often are) a symptom of either their own abuse or exposure to abusive practices and or materials. We will always seek and take advice, as appropriate, from children's social care, specialist sexual violence services and the police.

Our academy can be a significant protective factor for pupils who have displayed HSB, and we will work to make sure that the pupil has continued access to the academy, with a comprehensive safeguarding management plan in place. However, if the placement breaks down or remaining in our academy is no longer deemed appropriate or safe, then a move of settings will be considered along with other relevant agencies. If an alleged perpetrator(s) does move to another setting (for any reason), the DSL will ensure that they are made aware of any ongoing support needs and where appropriate, potential risks to other pupils, adult students, and staff. The DSL will ensure this happens as well as transferring the pupil protection file.

### **Disciplinary actions**

Disciplinary action can be taken whilst other investigations by the police and/or Children's Social Care are ongoing. The fact that another body is investigating or has investigated an incident does not in itself prevent us from coming to our own conclusion, on the balance of probabilities, about what happened, and imposing a penalty accordingly. This will be carefully considered on a case-by-case basis.

We will consider if, by taking any action, it would prejudice an investigation and/or any subsequent prosecution. The DSL will liaise with the police and/or children's social care to decide.

Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, occur at the same time if necessary. We will be very clear as to what our approach is.

- One response is preventative or forward-looking action to safeguard the victim and/or the perpetrator(s), especially if we have concerns that a perpetrator themselves may have been a victim of abuse;
- and another response is disciplinary action to punish a perpetrator for their past conduct.

Again, we will be very clear as to which category any action we take falls or whether it is really both and will ensure that the action complies with the law relating to each relevant category.

### **Supporting other Pupils**

At Rainbow Forge Academy, we will support pupils who may have witnessed sexual violence, especially rape and assault by penetration. Witnessing such an event is likely to be traumatic and support may be required.

Following any report of sexual violence or sexual harassment, it is likely that some pupils will take “sides”. We will do all we can to ensure both the victim and alleged perpetrator(s), and any witnesses, are not being bullied or harassed.

We recognise that social media is very likely to play a central role in the fallout from any incident or alleged incident. There is the potential for contact between victim and alleged perpetrator(s) and a very high likelihood that friends from either side could harass the victim or alleged perpetrator(s) online and/or become victims of harassment themselves.

As we have a culture that makes clear that there is a zero-tolerance approach to sexual violence and sexual harassment and that it is never acceptable or tolerated. Which sits alongside a strong preventative education programme. These will support and help create an environment in which all pupils at the school are supportive and respectful of their peers when reports of sexual violence or sexual harassment are made.

### **Record Keeping**

All concerns and allegations will be logged onto MyConcern along with all discussions, decisions made, and the reasons for those decisions. Records and MyConcern data will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour and places can be identified, and addressed.

We keep our policies, processes, and curriculum under constant review to protect all pupils. Reports of sexual violence and/or harassment (especially where there is evidence of patterns of behaviour) may point to environmental and or systemic problems that will be addressed by updating relevant policies, processes, or relevant parts of the curriculum.

## **Support**

### **Specialist Organisations**

- Barnardo's - UK charity caring for and supporting some of the most vulnerable pupils and young people through their range of services.
- Lucy Faithful Foundation - UK-wide pupil protection charity dedicated to preventing pupil sexual abuse. They work with families affected by sexual abuse and run the confidential Stop it Now! Helpline.
- Marie Collins Foundation – Charity that, amongst other things, works directly with pupils, young people, and families to enable their recovery following sexual abuse.
- NSPCC - Children's charity specialising in child protection with statutory powers enabling them to act and safeguard pupils at risk of abuse.
- Rape Crisis - National charity and the umbrella body for their network of independent member Rape Crisis Centres.
- UK Safer Internet Centre - Provides advice and support to pupils, young people, parents, carers, and schools about staying safe online.

### **Support for Victims**

- Anti-Bullying Alliance - Detailed information for anyone being bullied, along with advice for parents and schools. Signposts to various helplines and websites for further support.
- Rape Crisis - Provide and signpost to a range of services to support people who have experienced rape, child abuse or any kind of sexual violence.
- The Survivors Trust- UK-wide national umbrella agency with resources and support dedicated to survivors of rape, sexual violence, and child sex abuse.
- Victim Support - Supporting pupils and young people who have been affected by crime. Also provides support to parents and professionals who work with pupils and young people – regardless of whether a crime has been reported or how long ago it was.
- Childline provides free and confidential advice for pupils and young people

### **Toolkits**

- Childnet - STAR SEND Toolkit equips, enables, and empowers educators with the knowledge they need to support young people with special educational needs and disabilities.
- Childnet - Just a joke? provides lesson plans, activities, a quiz and teaching guided signed to explore problematic online sexual behaviour with 9–12-year-olds.

- Childnet - Step Up, Speak Up a practical campaign toolkit that addresses the issue of online sexual harassment amongst young people aged 13-17 years old.
- Preventing Harmful Sexual Behaviour toolkit by the Lucy Faithfull Foundation, the toolkit contains links to useful information, resources, and support, including practical tips to prevent HSB.
- NSPCC - Harmful sexual behaviour framework an evidence-informed framework for pupils and young people displaying HSB.
- Contextual Safeguarding Network – Beyond Referrals - Schools levers for addressing HSB in schools.

### **Support for parents/carers**

- NCA CEOP Thinkuknow advice for parents: - Advice/resources on how to approach and deal with concerns about what pupils may be doing online including advice about how to help challenge harmful sexual attitudes and how to start a conversation to support positive sexual behaviour
- Childnet: Advice for parents and carers to keep pupils safe online - Advice and resources to help parents and carers keep pupils safe online.
- How Can I Help My Child? - Marie Collins Foundation – Sexual Abuse Online
- Parentsafe - London Grid for Learning - Detailed advice/resources covering various issues such as online safety, apps, and how to report concerns.
- Parentzone - Provides expert information and resources to help make the internet work for families.





## Peer-on-peer / sexual violence or harassment: risk and needs assessment and version record

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Notes on using this template:

(1) Use “Pupil A” and “Pupil B” to signify the pupils involved. This is because we wish to avoid assigning guilt until a formal investigation has been conducted by the appropriate authorities.

(2) Consider each question/consideration from the perspective of both pupils and be sure to do this in collaboration with them. Also consider the impact on, and needs of, the wider school community, and record any concerns or actions in the most appropriate column.

(3) Work with the local multi-agency safeguarding hub when conducting this risk assessment and update it in response to any advice they provide. Some of the prompts may require input from other agencies. Add specific questions and considerations based on the nature of each incident and on the advice provided.

(4) Keep track of the changes you make:

- Create a new copy of the document.
- Update the version number at the top of the risk assessment.
- Record what has changed in the update log (at the end of the document).
- Save the most recent version of the risk assessment in the appropriate places (for example, the pupil’s safeguarding file).

(5) This should be a living document – you may need to update it as often as daily based on conversations with, and feedback from, the pupils and parents involved, feedback from staff, guidance from MASH, or information from the police and children’s social care.

AREA OF RISK	CONSIDERATIONS	PUPIL 'A'	PUPIL 'B'	ADDITIONAL INFORMATION	ACTIONS
Details of the incident	<p>How serious is the incident? Was it a crime?</p> <p>Do we need to make arrangements to limit contact between the pupils involved? (If the allegation relates to rape, assault by penetration, or sexual assault, the answer is automatically yes)</p> <p>How did the school find out about it? Was it reported directly or by someone else with knowledge of the incident?</p>				

<p>Social risks</p>	<p>Do the pupils share a peer group? Are people in their friendship group likely to take sides?</p> <p>Do they all attend our academy?</p> <p>Do other people know about the incident? Do those people understand:</p> <ul style="list-style-type: none"> <li>○ Who they can talk to if they have concerns about the people involved, or about their own safety and wellbeing</li> <li>○ The importance of confidentiality</li> <li>○ If, and how, they may need to be involved in any further investigations</li> </ul> <p>Are they likely to be the subject of gossip, bullying or further harassment?</p> <p>Have there been previous incidents of sexually inappropriate behaviour within their peer group(s)?</p> <p>Do they risk being alienated from their friend group(s) as a result of this incident?</p>				
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AREA OF RISK	CONSIDERATIONS	PUPIL 'A'	PUPIL 'B'	ADDITIONAL INFORMATION	ACTIONS
Physical risks	<p>Do they feel, or continue to feel, physically threatened by the other pupil?</p> <p>Do you have reason to believe they pose a continued risk to the safety and wellbeing of the victim, or other pupils and staff?</p> <p>Are they at risk of physical harm as a result of this incident (for example, bullying or 'retribution' by peers)</p> <p>Do they share classes/break times/etc.?</p> <p>Are they likely to come into contact with each other (or anyone else involved in/with knowledge of the incident) outside of the academy? How can such contact be limited?</p>				

AREA OF RISK	CONSIDERATIONS	PUPIL 'A'	PUPIL 'B'	ADDITIONAL INFORMATION	ACTIONS
Environmental risks	<p>Do they live in a home where violence or abuse has occurred?</p> <p>Do they live in/near an area or location known to police to be high risk for sexual harassment or assault?</p> <p>Are they active on social media? If so, how? Do they know how to protect themselves from online grooming?</p> <p>What activities do they take part in outside of the academy?</p> <p>Are parents clear about:</p> <ul style="list-style-type: none"> <li>○ How the academy (and partner agencies) are handling the incident</li> <li>○ Confidentiality</li> <li>○ The conduct expected of them while an investigation is ongoing</li> </ul>	.	.		

	UPDATES MADE	REASONS FOR UPDATES	UPDATES MADE BY