



Sexual harassment and online sexual abuse

based on KCSIE 2021

See section 6.9 safeguarding and child protection policy 2021

See section 5 KCSIE child on child sexual violence and sexual harassment

See peer on peer abuse policy

Our school has a zero tolerance to sexual harassment and sexual violence. It is never acceptable and will never be tolerated. Sexual violence and sexual harassment can occur between two children of any age and sex.

It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

We recognise that sexual violence and sexual abuse can happen anywhere, and all staff of our staff working with children are advised to maintain an attitude of 'it could happen here'.

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

All reports of sexual violence or sexual harassment will be taken seriously. Staff are aware that 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

We will ensure that all victims are reassured that they are being taken seriously and that they will be supported and kept safe.

We will never pass off sexual violence and sexual harassment 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 and lifting up skirts.

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

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

We are aware that staff can be victims of sexual violence and sexual harassment. We have arrangements in place to protect their staff from such abuse, including clear reporting and support mechanism.

Sexual violence is described as

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 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.)

We understand that a child under the age of 13 can never consent to any sexual activity.

- the age of consent is 16;
- sexual intercourse without consent is rape.

Sexual harassment is described as

'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

Online sexual harassment is described as

consensual and non-consensual sharing of nude and semi-nude images and/or videos upskirting (is a criminal offence); sexualised online bullying; unwanted sexual comments and messages, including, on social media; sexual exploitation; coercion and threats.

Responding to reports of sexual violence and sexual harassment

- The school will make decisions on a case-by-case basis, with the designated safeguarding lead (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.
- Where the report includes an online element, we are aware of the searching screening and confiscation advice (for schools) and UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people. The key consideration is for staff not to view or forward illegal images of a child. In some cases, it may be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection.
- We do not promise confidentiality at the 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.
- We recognise 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 children may not be able to recall all details or timeline of abuse.
- We listen carefully to the child, reflecting back, using the child's language, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc.
- Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, it is essential a written record is made.
- We are aware that reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation