

Widford Lodge
PREPARATORY SCHOOL



7a

Harmful Sexual Behaviour/Child on child Abuse Policy

This policy applies to all pupils in the school including those in the EYFS and has full regard to the Department for Education documents 'Keeping Children Safe in Education' (2021) and 'Working Together to Safeguard Children' (2018).

Reviewed and approved by Proprietor: February 2022

Review Date: September 2022

Introduction and definition

It is normal for some children and young people to display sexualised behaviour towards their peers as they develop. However, sexualised behaviour between peers that has become harmful or abusive is unacceptable and must be addressed.

Our school recognises that children and young people are vulnerable to and capable of abusing their peers sexually regardless of age and sex and within intimate personal relationships between peers. We consider any allegation of child on child sexual abuse seriously and do not tolerate or pass off harmful sexual behaviour as banter, just having a laugh or part of growing up: we have a zero tolerance approach to abuse and recognise the implications for a culture of unacceptable behaviours and unsafe environments for children. These allegations are managed in the same way as any other child protection concern and follow the same procedures, including seeking advice and support from other agencies as appropriate. We recognise that even if there are no reported cases of child on child abuse, such abuse may still be taking place and is simply not being reported, and staff are advised to maintain an attitude of “it could happen here”.

This policy is in line with the safeguarding requirements in Keeping Children Safe in Education (Department for Education, 2021) which we must work to and also links to the guidance issued by the Department for Education in 2021, Sexual violence and sexual harassment between children in schools and colleges. This latter guidance will be followed with regard to definitions, context, legal responsibilities and responding to reports.

Sexual abuse is defined (Keeping Children Safe in Education 2021) as forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. The sexual abuse of children by other children is a specific safeguarding issue in education.

We recognise that it is more likely that girls will be victims and boys perpetrators but all child on child abuse is unacceptable and will be taken seriously. We understand that a group of children may sexually assault or sexually harass a single child or group of children and that sexual violence and sexual harassment exist on a continuum and may overlap.

Harmful Sexual Behaviour

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

- Inappropriate or unwanted sexualised touching
- Causing someone to engage in sexual activity without consent
- Sexual violence and sexual harassment (to be responded to in accordance with the detailed guidance in Part 5 of KCSIE)
- Upskirting, which typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm
- Consensual and non consensual sharing of nude and semi nude images and/or videos (also known as sexting or youth produced sexual imagery)

- Bullying of a sexual nature online or offline, for example sexual or sexist name calling
- Abuse in intimate personal relationships between peers.

Our school also understands the different gender issues that can be prevalent when dealing with harmful sexual behaviour. Children and young people can experience harmful sexual behaviour in various settings, including at school, home, another home, in public places and online. At school, issues can occur in places which are supervised and unsupervised, such as toilets, corridors, changing areas and outside spaces or when travelling home. This policy applies to all reports and concerns of child on child sexual violence and sexual harassment, including those that have happened outside school and online; we recognise that safeguarding incidents and/or behaviours can be associated with factors outside school, including intimate personal relationships.

Other Forms of Child on child Abuse

This may include:

- Bullying (including cyber-bullying, prejudice-based and discriminatory bullying)
- Physical abuse which can include hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm
- Initiation/hazing type violence and rituals.

How we seek to minimise the risk of harmful sexual behaviour

The principle aim of our approach is to foster the conditions in which our pupils can aspire to and realise safe and healthy relationships, at school and as they continue in life. We work to a culture in which the voice of the children and young people is central, where pupils feel able to share their concerns openly, knowing that they will be listened to and that they will not be judged. We aim to create a culture where sexual harassment and online sexual abuse are not tolerated and where we identify issues and intervene early to better protect young people. We understand that early intervention can help prevent problematic, abusive and/or violent behaviour in the future.

Children and young people

We use relationships, sex and health education to help our pupils understand, in an age-appropriate way, what harmful sexual behaviour is, including by peers. We teach them the knowledge they need to recognise and report abuse, including emotional, physical and sexual abuse. We also teach them about the importance of making sensible decisions to staff safe, including online, whilst being clear that if a child or young person is abused, it is never their fault. We help our pupils to develop the skills to understand:

- what constitutes harmful sexual behaviour
- that such behaviour is not acceptable
- the possible reasons for such behaviour, and vulnerability of perpetrators
- that they must tell a trusted adult if someone is behaving in a way that makes them feel uncomfortable, or if they witness such behaviour towards others.

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

Parents and carers

It is important that parents and carers understand what is meant by harmful sexual behaviour and reinforce key messages from school at home. We work in partnership with parents to support our pupils and want to help them keep their children safe. Parents and carers should understand:

- the nature of harmful sexual behaviour
- the effects of harmful sexual behaviour on children and young people
- the likely indicators that such behaviour may be taking place
- what to do if it is suspected that child on child sexual abuse has occurred.

Further information to support parents and carers in relation to harmful sexual behaviour is available online, including on the NSPCC and Lucy Faithfull Foundation websites.

Staff

Our staff undertake annual safeguarding training where the different types of abuse and neglect are discussed; this includes information about harmful sexual behaviour and our expectations for staff vigilance about this and other potential types of abuse. Staff also receive updates on safeguarding issues throughout the school year, including about the nature and prevalence of harmful sexual behaviour, where appropriate. Importantly, the training also ensures that our staff know what to do if they receive a report that harmful sexual behaviour may have occurred, including how to support the children.

Our response to an incident/allegation

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

Our staff will never promise confidentiality as the concern will need to be shared further. The Designated Safeguarding Lead will need to be informed as soon as possible of any incident and the details may also need to be shared with Children's Social Care/the police and other specialist agencies. We have in place effective working relationships with our safeguarding partners, which are essential to ensuring that concerns are appropriately managed. The threshold for dealing with an issue of pupils' behaviour or bullying under the safeguarding policy is where there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm.

We will explain next steps so that the child understands what will happen, including who will be informed. Where the child already has social care involvement, such as a looked after child, a child in need or a child with a child protection plan, we will inform the child's social worker and work in partnership with them as appropriate.

Whilst we establish the facts of the case and start the process of liaising with other agencies as appropriate, we will consider how best to keep the victim and alleged perpetrator a reasonable distance apart on school premises. We understand the distress experienced by children who are victims can be exacerbated if the alleged perpetrator is at the same school.

Where an incident includes an online element, we will always work in accordance with appropriate guidance, taking advice from other partners as necessary. Our staff will not view an indecent image of a child or young person unless absolutely necessary, nor forward it for any reason. If advised of an incident relating to nudes and semi-nudes being shared we will follow the DfE's Searching Screening and Confiscation Advice and the UKCIS Education Group's Sharing nudes and semi-nudes: advice for education settings working with children and young people.

We understand the need to follow the DfE's guidance with regard to the immediate response to a report and the ongoing response. We also understand how important it is for us to respond appropriately to a report because of the impact it will have on the confidence of future victims to come forward.

Records and investigation

It is essential that information relating to allegations about harmful sexual behaviour is recorded in writing within our school, as with any other child protection concern and in line with our child protection policy. The record may form part of a statutory assessment by Children's Social Care or by another agency.

Any member of staff receiving a disclosure of harmful sexual behaviour or noticing signs or indicators of this will record it as soon as possible, noting what was said or seen (using a body map if appropriate), giving the date, time and location and recording the facts as presented by the child or young person. Leading questions should be avoided, but staff can ask children if they have been harmed and what the nature of that harm was.

The record will be passed immediately to the Designated Safeguarding Lead or Deputy, who will decide on appropriate action and record this. Where there is an immediate risk of harm, staff will speak to the Designated Safeguarding Lead or Deputy first and record as soon as possible afterwards.

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

The Designated Safeguarding Lead or Deputy will be responsible for leading investigations and for liaising with other agencies as appropriate, such as Children's Social Care and the police. They will also be the main point of contact for parents and carers. They will ensure there are accurate records at each stage of the investigation and that any supporting information is included in the child protection files.

Risk Assessment

We will complete a risk assessment following a report of harmful sexual behaviour, considering all the children and young people involved in an incident. We will also consider all other pupils at our school and any actions that may be appropriate to protect them, including whether there may have been other victims. Risk assessments will be regularly reviewed to ensure they remain relevant and fit for purpose. Where appropriate, the affected child/young person and their parents/carers will be invited to contribute to the completion and review of the risk assessment.

Guiding Principles

The safety of our pupils is paramount. We will use a proportionate approach, basing our actions on the principle that harmful sexual behaviour is not acceptable and will not be tolerated. All concerns will be considered carefully and on a case by case basis, underpinned by robust risk assessments. Our actions will not be judgemental about the guilt of the alleged perpetrator and will always be taken in the interests of all children and young people concerned.

Our approach will help us to ensure that all pupils are protected and supported appropriately. The following principles will guide us:

- the wishes of the child/young person in terms of how they want to proceed – the victim will be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered
- the nature of the alleged incident, including whether a crime may have been committed

- the ages and developmental stages of all children and young people involved
- consideration of any power imbalance between the children and young people – for example is the alleged perpetrator significantly older, more mature, more confident/does the victim have a disability or learning difficulty
- consideration of whether the alleged incident is one off or a sustained pattern of abuse
- consideration of any ongoing risks to the victim, other children/young people or staff
- consideration of any other related issues and wider context

Supporting the child/young person who has allegedly experienced harmful sexual behaviour

We will assess what short and long term support may be needed to help the child manage the immediate aftermath of an incident and to recover from what they have experienced. The child's existing support network will be central to this and we will work with other partners as appropriate and in accordance with the child's wishes, and wherever appropriate, in discussion with parents/carers.

We will consider what is necessary to support the child straight away, for example by making adaptations to their timetable and in-school support and taking steps to protect them from attention or peer pressure they may experience due to making a report. This work will be guided by a robust risk assessment process and will ensure that the child and their parents/carers have an opportunity to contribute. We will also ensure there is regular review of arrangements to be confident they meet the needs of all involved.

It may be necessary to make requests for support to mental health and wellbeing services or for therapeutic intervention. We may also need to link with other agencies to remove inappropriate material from the internet, such as the Internet Watch Foundation.

Supporting the child/young person who has allegedly displayed harmful sexual behaviour

We have a duty of care to all pupils and we will protect and support children and young people who have displayed abusive or harmful sexual behaviour. We will do this through considering the needs of the child, any risks to their safety and what multi-agency responses are needed to support them and their family. This work will be guided by a robust risk assessment process and we will ensure that the child and their parents/carers have an opportunity to contribute. We will also ensure there is regular review of arrangements to be confident they meet the needs of all involved.

Some children/young people may not realise they have behaved abusively. We will avoid using language that may make them feel judged or criminalised and ensure that any intervention will be at the least intrusive level required to effectively address the behaviour. We will consider appropriate sanctions using our behaviour policy and work with the child/young person and their support network to consider measures that may help to address their behaviour.

Investigation outcomes

Our investigation of an allegation or incident will enable us to determine the outcome, working with our safeguarding partners as appropriate. We will always seek to ensure that the outcome of an investigation is appropriate and proportionate to the circumstances in relation to the report. Various options are open to us:

- manage internally – in some cases, for example one off incidents, we may take the view that the children/young people concerned are not in need of early help or statutory intervention. In these cases we will follow our other school policies in addressing matters, for example our behaviour and anti bullying policies.

- We will also consider what support is needed going forward, for example pastoral support, counselling services, and ensuring there is a trusted adult for those affected to speak with if they wish to.
- We will also consider whether any intervention or support is required as part of a whole setting approach or with the wider school community.
- Early help – where statutory intervention is not required or agreed, we may use early help instead. This means providing support as soon as a problem emerges at any point in a child or young person’s life. We will work with parents and carers and other relevant partners when following this approach, which can be particularly useful in addressing non-violent harmful sexual behaviour and may prevent escalation.
- Requests for support to Children’s Social Care – where a child or young person has been harmed, is at risk of harm, or is in immediate danger, we will make a request for support from Children’s Social Care.
 - We will generally inform parents/carers of this unless to do so may put the child/young person at additional risk.
 - We will seek advice from other partners on such matters. If we make a request for support, Children’s Social Care will consider whether the child/young person involved is in need of protection or other services. Where statutory assessments are appropriate, the school will work with Children’s Social Care and other agencies as appropriate. Partnership working helps to ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other child/young person requiring support.
 - In some cases, Children’s Social Care will review the evidence and decide a statutory intervention is not appropriate. If so, we will consider what other support may be required and we will make further requests for support to Children’s Social Care if we consider that a child or young person remains in immediate danger or at risk of harm.
- Reporting to the police – where a report of rape, assault by penetration or sexual assault is made, we will report it to the police.
 - We will generally inform parents or carers about reports of sexual abuse, unless to do so may put a child or young person at additional risk.
 - We will seek advice from other partners in individual cases.
 - Where parents or carers have not been informed we will ensure we support the child/young person in any decision we take, which is likely to be with the support of Children’s Social Care and any appropriate specialist agencies.
 - Where we have made a report to the police, we will consult with them and agree what information can be disclosed to staff and others, in particular the alleged perpetrator and their parents/carers. We will also discuss the best way to protect the victim and their anonymity.
 - Where there is a criminal investigation, we will work closely with the police and other agencies as appropriate to support all children and young people involved, including potential witnesses. This will help to ensure that any actions we take do not jeopardise a police investigation.
 - Sometimes the police will decide that further action is not required, in which case we will continue to engage with other agencies to support the children/young people involved.

Review

All child protection concerns are reviewed regularly, to ensure that everything has been fully addressed, actions completed and to consider whether the children/young people involved need any further support.

We will continue to work with parents/carers and other agencies as appropriate and risk assessments will be reviewed and updated as required.

We will review decisions and actions and will update policies to reflect lessons learned, in particular addressing any patterns of concerning, problematic or inappropriate behaviour.