



ALLESTREE WOODLANDS SCHOOL

SEXUAL VIOLENCE AND SEXUAL HARASSMENT POLICY/ CHILD ON CHILD ABUSE

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Enabling aspiration and achievement through delivery of a knowledge-rich curriculum underpinned by our CORE values:

COURAGE

OPTIMISM

REGARD

ENDEAVOUR

Introduction

This policy details how Allestree Woodlands School responds to all reports and concerns of child on child sexual violence and sexual harassment, including those that have happened outside of the school and or/online.

Sexual violence and sexual harassment can occur between two children of any age and sex. They can involve a group of children sexually assaulting or sexually harassing a single child or group of children. Both sexual violence and sexual harassment can occur online and face to face (both physically and verbally) and are never acceptable.

Keeping children safe in education (statutory guidance for schools and colleges) states that all staff should be aware that children are capable of abusing their peers and that sexual harassment creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence. All members of staff working at Allestree Woodlands School maintain an attitude of 'it could happen here'. We take such abuse as seriously as abuse perpetrated by an adult. This includes verbal as well as physical abuse. Child on Child abuse will not be tolerated or passed off as "banter" or part of "growing up". We are committed to a whole school approach to ensure the prevention, early identification, and appropriate management of child on child abuse within our school and beyond.

In cases where Child on Child abuse is identified we will follow our child protection procedures and follow the guidance published by 'Keeping Children Safe in Education 2023', taking a contextual approach to support all children and young people who have been affected by the situation.

We recognise that Child on Child abuse can manifest itself in many ways such as:

- Child Sexual Exploitation
- Sexting or youth produced digital imagery
- Upskirting
- Bullying
- Radicalisation
- Abuse in intimate relationships
- Children who display sexually harmful behaviour
- Gang association and serious violence (County Lines)
- Technology can be used for bullying and other abusive behaviour

Some of these behaviours will need to be handled with reference to other policies in school such as the behaviour policy, anti-bullying policy, child protection policy and online safety policy.

This policy concentrates on Child on Child abuse in the context of sexual harassment and sexual violence. It is compliant with the statutory guidance on peer-on-peer abuse as set out in Keeping Children Safe in Education (September 2023) and should be read in conjunction with Derbyshire Children Board's Safeguarding Policy and Procedures, *DFE guidance* and any relevant Practice Guidance issued by it.

Aims

The policy will: -

- Set out our strategies for preventing, identifying and managing Child on Child abuse
- Take a contextual approach to safeguarding all children and young people involved. Acknowledging that children who have allegedly abused their peers or displayed harmful sexual behaviour are themselves vulnerable and may have been abused by peer, parents or adults in the community.

Understanding Child on Child abuse

Sexual violence and sexual harassment can occur between two children of any age and sex or a group of children sexually assaulting or sexually harassing a single child or group of children.

The impact of this behaviour on children can be very distressing and have an impact on academic achievement and emotional health and wellbeing.

Sexual harassment and sexual violence may also occur online and offline.

What is sexual violence and sexual harassment?

Sexual violence

It is important that all our staff are aware of sexual violence and the fact students can, and sometimes do, abuse their peers in this way and that it can happen both inside and outside of the school. When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003/135 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.)

All reports of sexual violence will be reported to the Headteacher however beyond this, only the safeguarding team will be made aware of the allegation. Head of Year and form tutor can support but will not be made aware unless the student requests.

The Context

All behaviour takes place on a spectrum. Understanding where a child's behaviour falls on a spectrum is essential to being able to respond appropriately to it.

In this policy we recognise the importance of distinguishing between problematic and abusive sexual behaviour (Harmful Sexual Behaviour HSB).

We are adopting the NSPCC definition of HSB as: -

"Sexual behaviours expressed by children...that are developmentally inappropriate, may be harmful towards self or others, or be abusive towards another child...or adult."

We will use the Brook Sexual Behaviours Traffic Light Tool as a reference point.

Vulnerable groups

We recognise that all children can be at risk however we acknowledge that some groups are more vulnerable. This can include: experience of abuse within their family; living with domestic violence; young people in care; children who go missing; children with additional needs (SEN and/or disabilities); children who identify or are perceived as LGBT and/or have other protected characteristics under the Equalities Act 2010.

Whist research tells us girls are more frequently identified as being abused by their peers and, girls are more likely to experience unwanted sexual touching in schools this is not confined to girls. Boys are less likely to report intimate relationship abuse and may display other behaviour such as antisocial behaviour. Boys report high levels of victimisation in areas where they are affected by gangs. We recognise that both boys and girls experience Child on Child abuse, but they do so in gendered ways.

Pupils with Special Educational Needs and/or Disabilities (SEND) are three times more likely to be abused than those without SEND, and additional barriers can sometimes exist when recognising abuse in pupils with SEND.

These can include:

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

All allegations of sexual harassment and sexual abuse with a student with SEND must be in liaison with the SENDCO- Tim Barker.

All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from school, a change in

friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

Responding to reports of sexual violence and sexual harassment

All reports of Child on Child abuse will be made on a case by case basis with the DSL or their deputy taking a leading role using their professional judgement and supported by other agencies such as social care or the police as required. All staff will have knowledge of the Child on Child abuse flowchart as a reference tool to follow the procedure outlined by the DCSB.

The immediate response to a report

- The school will take all reports seriously and will reassure the victim that they will be supported and kept safe.
- All staff will be trained to manage a report and deal with this as with all safeguarding disclosures
- Staff will not promise confidentiality as the concern will need to be shared further (for example, with the designated safeguarding lead or social care) staff will however only share the report with those people who are necessary to progress it.
- A written report will be made as soon after the interview as possible recording the facts as presented by the child. These may be used as part of a statutory assessment if the case is escalated later.
- Where the report includes an online element the school will follow advice on searching, screening and confiscation. The staff will not view or forward images unless unavoidable and only if another member of staff (preferably the DSL) is present.
- The DSL will be informed as soon as possible.
- The DSL will inform the Headteacher of all referrals to the police and social care in relation to Child on Child abuse.
- School will ring Derby Safeguarding board- First Contact (01332 641172) and possibly the police (101) within 24 hours of the disclosure being made.
- A meeting will be held immediately after the disclosure with the Safeguarding team to complete a quality assurance form. (appendix 1)

Risk Assessment/Quality Assurance

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 should be considered on a case-by-case basis. The risk and needs' assessment should consider:

- The victim, especially their protection and support;
- The alleged perpetrator; and
- All the other children (and, if appropriate, adult students and staff) at the school, especially any actions that are appropriate to protect them;

Risk assessments will be recorded, saved on CPOMS and be kept under review.

The designated safeguarding lead (or a deputy) will ensure appropriate engagement with the police. This decision will be made in conjunction with Social Care.

Action following a report of sexual violence and/or sexual harassment

Following an incident, we will consider

- The wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment;
- The nature of the alleged incident(s), including whether a crime may have been committed and consideration of harmful sexual behaviour;
- The ages of the children involved;
- The developmental stages of the children involved;
- Any power imbalance between the children. For example, is the alleged perpetrator significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- If the alleged incident is a one-off or a sustained pattern of abuse;
- Are there ongoing risks to the victim, other children, adult students or school staff; and other related issues and wider context?

Follow up Actions

Students sharing a classroom:

Whilst Allestree Woodlands' Staff establish the facts of the case and start the process of liaising with children's social care and the police:

- The perpetrator will be removed from any classes they share with the victim.
- We will consider how best to keep the victim and alleged perpetrator a reasonable distance apart on school premises and on transport to and from the school.

These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of the alleged perpetrator.

Options to manage the report

Where a child has been harmed, is at risk of harm, or is in immediate danger, we will make a referral to social care and the police following locally agreed protocols.

Where statutory assessments are appropriate, the designated safeguarding lead or a deputy will be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other children that require support.

Reporting to the Police

Any report to the police will generally be made by the DSL following local processes for referrals.

Where a report of rape, assault by penetration or sexual assault is made, the starting point is this will be passed on to the police.

Where a report has been made to the police, the school will consult the police and agree what information can be disclosed to staff and others, the alleged perpetrator and their parents or carers. They 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 relevant agencies to support all children involved (especially potential witnesses). Where required, advice from the police will be sought in order to help us.

Whilst protecting children and/or taking any disciplinary measures against the alleged perpetrator, we will work closely with the police (and other agencies as required), to ensure any actions the school take do not jeopardise the police investigation.

The end of the criminal process

If a child is convicted or receives a caution for a sexual offence, Allestree Woodlands will update its risk assessment, ensure relevant protections are in place for all children. We will consider any suitable action following our behaviour policy. If the perpetrator remains in school we will be very clear as to our expectations regarding the perpetrator now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions we think are reasonable and proportionate about the perpetrator's timetable.

Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils or students in the school.

We will ensure all children involved are 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 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 does not necessarily mean that it was unfounded. We will continue to support all parties in this instance.

Support for Children Affected by Sexual-Assault

Support for victims of sexual assault is available from a variety of agencies. SV2, The Keep and Social Care are local examples.

We will support the victim of sexual assault to remain in school but if they are unable to do so we will enable them to continue their education elsewhere. This decision will be made only at the request of the child and their family.

If they are moved, we will ensure the new school is aware of the ongoing support they may need. The DSL will support this move.

Where there is a criminal investigation the alleged perpetrator will be removed from any shared classes with the victim and we will also consider how best to keep them a reasonable distance apart on the school premises or on school transport.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, we may take suitable action, if we have not already done so. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in the same school would seriously harm the education or welfare of the victim (and potentially other pupils or students).

Where a criminal investigation into sexual assault leads to a conviction or caution, we may, if we have not already done so, consider any suitable sanctions using our behaviour policy, including consideration of permanent exclusion.

The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the police (for a variety of reasons). In some cases, rape, assault by penetration, sexual assault or sexual harassment are reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict. None of this means the offence did not happen or that the victim lied. The process will have affected both victim and alleged perpetrator. Appropriate support will be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis.

All the above will be considered with the needs and wishes of the victim at the heart of the process (supported by parents and carers as required). Any arrangements should be kept under review.

Online Behaviour

Many forms of Child on Child abuse have an element of online behaviour including behaviours such as cyberbullying and sexting.

Disciplinary action

At Allestree Woodlands School, we may consider whether disciplinary action is appropriate for any students involved.

However, if there are police proceedings underway, or there could be, it is crucial that we work in partnership with the police and/or Children's Social Care before making any decisions.

Where a matter is not of interest to the police and/or Children's Social Care, we may still consider the most appropriate action to take to ensure positive behaviour management.

Disciplinary action may sometimes be appropriate, including:

- (a) Ensure that the student/students take(s) responsibility for and realise(s) the seriousness of their behaviour.
- (b) Demonstrate to the student/students and others that peer-on-peer abuse can never be tolerated.
- (c) Ensure the safety and wellbeing of other students. Before deciding on appropriate action, we will always consider our duty to safeguard all students in our care from harm; the underlying reasons for a student's behaviour; any unmet needs, or harm or abuse suffered by the student; the risk that the students may pose to other students; and the severity of the peer-on-peer abuse and the causes of it.

Where appropriate, we will consider the potential benefit, as well as challenge, of using managed moves or exclusion as a response, and not as an intervention, recognizing that even if this is ultimately necessary, some of the measures referred to may still be required.

Exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the other students in the school. Disciplinary interventions alone are rarely able to solve issues of peer-on-peer abuse, and the school will always consider the wider actions that may need to be taken, and any lessons that may need to be learnt going forwards

Prevention

Allestree Woodlands actively seeks to raise awareness of and prevent all forms of child on child abuse by:

- Educating all Governors, Senior Leadership Team, staff and volunteers, students and parents about this issue. This will include training all Governors, Senior Leadership Team, staff and volunteers on the nature, prevalence and effect of peer-on-peer abuse, and how to prevent, identify and respond to it.

This includes

- (a) Contextual Safeguarding;
- (b) The identification and classification of specific behaviours; and
- (c) The importance of taking seriously all forms of peer-on-peer abuse (no matter how low level they may appear) and ensuring that no form of child on child abuse is ever dismissed as horseplay or teasing.

- Educating children about the nature and prevalence of child on child abuse and consent via PSHE, assemblies, standalone events, Healthy Living Day and the wider curriculum.
- Students are frequently told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse.
- They are regularly informed about the School's approach to such issues, including its zero-tolerance policy towards all forms of peer-on-peer abuse.
- Creating conditions in which our students can aspire to and realise safe and healthy relationships;

- Creating a culture in which our students feel able to share their concerns openly, in a non-judgmental environment, and have them listened to; and
- Responding to cases of peer-on-peer abuse promptly and appropriately.

Multi-agency working

The School actively engages with its local partners in relation to peer-on-peer abuse, and works closely with, Derby Safeguarding Children Partnership (DSCP), Derbyshire Police, Children's Services, other relevant agencies and other schools.

The relationships the School has built with these partners are essential to ensuring that the School is able to prevent, identify early and appropriately handle cases of peer-on-peer abuse. They help the School

- (a) To develop a good awareness and understanding of the different referral pathways that operate in its local area, as well as the preventative and support services which exist;
- (b) To ensure that our students can access the range of services and support they need quickly;
- (c) To support and help inform our local community's response to peer-on-peer abuse;
- (d) To increase our awareness and understanding of any concerning trends and emerging risks in our local area to enable us to take preventative action to minimise the risk of these being experienced by our students.

In cases involving children who are subject to risk, harm and abuse and who have LAC status, the virtual school and the children's social worker will be informed and a coordinated approach to address any incidents or concerns will be required.

Record Keeping

All concerns and allegations will be logged onto CPOMS along with all discussions, decisions made, and the reasons for those decisions. Records and CPOMS 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.

Appendix 1

AWS SAFEGUARDING CHECKLIST QUALITY ASSURANCE

This checklist is to be used within the first 24 hours of when a disclosure has been made to ensure that any gaps are rectified quickly and efficiently.

This checklist must be done with 2 people and one must be part of the Safeguarding Team.

If any professional completing the checklist or has been involved in the disclosure needs some more support please see DSL or alternatively the NSPCC has a support helpline- (0808 800 5000 or help@nspcc.org.uk)

Date of Incident/disclosure_____

Name of Student/Victim_____ Name of Student/perpetrator_____

	PROCEDURES	CHECK/DATE/TIME	DETAILS
1	Disclosure- Statement on CPOMS by DDSL/DSL		
2	Statement of initial disclosure by 1 st staff member on CPOMS.		
3	Telephone call to First Contact		
4	Online referral		
5	Telephone call to police 101		
6	Telephone call to victim's parents- Both parents if separated.		
7	Any written statements kept and copies placed on CPOMS. Originals to go in DSL filing cabinet.		
8	Headteacher informed.		
9	HOY/Form tutor informed- minimal details and pastoral support in place.		
10	Review student's timetables- does the perpetrator need to be removed/changed groups.		
11	Review social times in school- allocated areas given.		
12	Review journey to and from school- is victim safe getting to school.		
13	Allocated member of staff for both students- please state		
14	Further counselling and support given for students- please state		
15	School to attend strategy meeting.		

Name of person completing checklist_____

Checked by DSL_____ Date_____

Appendix 2

PROCEDURE AT ALLESTREE WOODLANDS SCHOOL.