

St Thomas More

Catholic Academy

Harmful Sexual Behaviours and Child on Child Abuse Policy

Date of Policy:	September 2023
Member of Staff Responsible:	Jamie Stubbs
SLT: Headteacher:	Mark Rayner
Chair of the Academy Representatives:	Rob Fello
Nominated Academy Representative:	Clare Goodwin

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Key Information

Role	Name	Contact Details
DSL/ADSL	Mrs. J. Stubbs	01782 882900
Deputy DSL/ADSL	Mrs. A. Staton / Mrs K Williams	01782 882900
Early Help Champion	Mrs. A Staton	01782 882900
Nominated Academy Representative	Mrs. C. Goodwin	office@stmca.org.uk
Headteacher	Mr. M. Rayner	01782 882900
Online Safety Lead	Mr. P Shufflebotham	01782 882900
Local Authority Designated Officer (LADO)	John Hanlon	01782 235100
Safeguarding Referral Team (Children's Social Care Stoke-on-Trent)	Mon – Thurs: 8.30am - 5pm Fri: 8.30am – 4.30pm	01782 235100
Emergency Duty Team (Children's Social Care Stoke-on-Trent)	Out of hours (above)	01782 234234
Stoke-on-Trent Safeguarding Children Board	www.safeguardingchildren.stoke.gov.uk	
Stoke-on-Trent Safeguarding Children Board Agency Representative	Sangita Mishra sangita.mishra@stoke.gov.uk	01782 235897

In exceptional circumstances any member of staff can refer a child to Social Services on 01782 235100 or seek advice on 01782 232200
 Exceptional circumstances such as in an emergency or a genuine concern that appropriate action has not been taken to safeguard a child.

St Thomas More Catholic Academy

All Saints Catholic Collegiate

United in Faith, Love and Learning

Mission Statement

Christ is at the centre of our community, where everyone is known and loved.

In fulfilling our Mission we are a school of prayer. We live as community of love, peace and reconciliation, valuing everyone's dignity as a child of God to promote and celebrate the growth and achievement of the whole person.

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Introduction

At St Thomas More Catholic Academy, we recognise our moral and statutory responsibility to safeguard and promote the welfare of all students. We endeavour to provide a safe and welcoming environment where children are respected, valued and listened to. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support and protection. We will always promote and prioritise the safety and welfare needs of our children and we are committed to providing the right help, support and intervention at the right time.

This policy applies to all staff and volunteers working in or on behalf of our school.

This policy should be read in conjunction with St Thomas More Catholic Academy's Safeguarding and Child Protection policy, Behaviour policy, Online Safety policy, DfE guidance Sexual Violence and Sexual Harassment between Children in Schools and Colleges (September 2021) and Keeping Children Safe in Education.

Terminology

Safeguarding and promoting the welfare of children refers to the process of protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.

Child protection refers to the processes undertaken to protect children who have been identified as suffering, or being at risk of suffering significant harm.

Harm is ill treatment or impairment of health and development, including impairment suffered from seeing or hearing the ill treatment of another.

Significant harm is the threshold that justifies compulsory intervention in the family in the best interests of the child. Section 31 of the Children Act 1989 states 'where the question of whether harm suffered by a child is significant turns on the child's health or development, their health or development shall be compared with that which could reasonably be expected of a similar child.'

Early Help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years to teenage years.

Child refers to anyone who has not yet reached their 18th birthday.

Parent refers to birth parents or adoptive parents i.e. those with parental responsibility. It is recognised, however, that other adults may be in a parenting role, for example step parents and foster carers.

Staff refers to all those working for or on behalf of the school, including paid and unpaid staff, full time or part time staff, temporary, casual, agency staff, self-employed people and contractors.

DSL refers to the schools Designated Safeguarding Lead.

Assistant DSLs refers to the schools Assistant Designated Safeguarding Leads.

Multi agency working relates to the new Safeguarding Partner Arrangements

Policy Principals

- The welfare of the child is paramount.
- Safeguarding children is everyone's responsibility; everyone who comes into contact with children and families has a role to play.
- All children, regardless of protected characteristics including age, gender, ability, culture, race, language, religion or sexual identity, have equal rights to support and protection.
- We recognise the importance of providing an environment within our school that will help children feel safe and respected. We recognise the importance of enabling children to talk openly and to feel confident that they will be listened to.

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- We believe that our school should provide a caring, positive, and stimulating environment that promotes the social, physical and moral development of the individual child.
- The Directors and Academy Committee takes seriously its responsibility under the Education Act 2002 and the Children Acts 1989 and 2004, to safeguard and promote the welfare of children; and to work together with other agencies to ensure adequate arrangements within our school to identify, assess, and support those children who are suffering harm.
- All staff have an equal responsibility to act without delay, on any concern or disclosure that may suggest a child is at risk of harm.
- We will work with parents to build an understanding of the school's responsibilities to ensure the welfare of all children, including the need for referrals to other agencies in some situations.
- Representatives of the whole-school community of students, parents, staff, Directors and Academy Representatives will be involved in policy development and review
- This policy will be reviewed bi-annually, unless an incident or new legislation or guidance suggests the need for an interim review.
- This policy is one of a series in the school's integrated safeguarding portfolio, and should be read alongside other relevant policies.

Policy Aims

- To provide clarity on what is meant by child on child abuse in all its forms
- To understand the culture within our setting
- To evidence how ALL staff support the children in our setting
- To give children confidence that they will be supported and informed
- To give parents/carers the assurance that staff know how to deal with this abuse
- To evidence how our safeguarding staff handle reports/concerns/disclosures
- To inform of the post incident management process/ongoing support/safety planning
- To promote and prioritise the safety and welfare needs of our children.
- To support the child's development in ways that will foster security, confidence and independence.
- To provide an environment in which children feel safe, secure, valued, respected, listened to, and confident to approach trusted adults if they are in difficulties.
- To raise the awareness of all teaching and non-teaching staff of the need to safeguard children and to provide direction regarding their responsibilities in identifying and reporting possible cases of abuse, neglect, and/or harmful sexual behaviours.
- To work within a structured procedure within the school and collegiate which will be followed by all members of the school/ MAC community (Local Academy Representatives and Directors) in cases of suspected abuse, neglect and/or harmful sexual behaviours, ensuring that such concerns and referrals are handled sensitively, professionally and in ways which best support the needs of the child.
- To provide a systematic means of monitoring children known or thought to be at risk of harm, and ensure we, the school, contribute to assessments of need and support packages for those children.
- To emphasise the need for excellent levels of communication between all members of staff, students and their families.
- To develop and promote effective working relationships with other agencies, especially Health, Police and Social Care.
- To ensure that all staff working within our schools who have substantial access to children have been appropriately checked to ensure they are safe to do so.

Our staff

ALL staff at St Thomas More Catholic Academy:

- recognise the increasing national concern regarding this issue as highlighted in [KCSIE](#)
- are aware of the level and nature of risk that our pupils are or may be exposed to

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- understand the important role that they play in the culture of vigilance
- recognise child on child abuse of all types
- are confident and competent in responding promptly and appropriately with timely challenge of the attitudes and behaviours of child on child abuse (both inside and outside the classroom)
- listen to children, capture their voice, and help to create a culture in which our children feel able to share their concerns openly, in a non-judgemental environment
- will not downplay behaviours and dismiss them as 'just banter', 'having a laugh' or 'part of growing up'
- understand that by dismissing unacceptable behaviours it can lead to an unsafe environment for children and, in worst case scenarios, a **culture** that **normalises** abuse leading to children accepting it as normal and not having the confidence to come forward, speak out and report what has happened to them.
- report and record their concerns following our safeguarding referral processes
- understand that even if there are no reports of this type of abuse that it 'does happen here'
- are committed to a whole setting, whole staff approach, to ensure the prevention, early identification, and appropriate management of child on child abuse within our setting and beyond
- recognise and understand that children who harm others, may have additional or complex needs of their own, e.g. significant disruption in their own lives, exposure to domestic abuse, witnessing/ suffering abuse as well as educational under-achievement and possibly an involvement in criminal activity and therefore they too, will need support.
- encourage parents and carers to communicate with us so that we can work together to ensure and enable a prompt and appropriate response to any type of child on child abuse.
- know that putting a stop to child on child abuse of any type and ensuring the safety of our children is a priority in our education setting.
- regard the introduction of this policy as a positive, proactive, and preventative measure

At St Thomas More Catholic Academy we work hard to create a culture where child on child abuse and harmful sexual behaviours do not happen. We strive to create an ethos of mutually respectful behaviour. However, if this type of abuse is seen, heard or reported **ALL** staff are confident in their actions and subsequent support, ensuring that they challenge immediately, understand the importance of language to use, and recording what they see as soon as possible afterwards so that a full and current picture is known. As a result of regular and relevant CPD, staff are aware of the local area and issues and contextual safeguarding / risk of harm outside of the home.

Our Students

ALL children are at risk of harmful sexual behaviours and/or child on child abuse, but some groups are more vulnerable than others to abuse and include the following:

- A child with additional needs and disabilities
- A child living with domestic abuse
- A child who is at risk of/suffering significant harm
- A child who is at risk of/or has been exploited or at risk of being exploited, criminally/sexually
- A looked after child
- A child who goes missing from school/home or is missing education
- Children who identify as or are perceived as LGBTQI+

Research tells us that girls are more frequently identified as being abused by their peers and more likely to experience unwanted sexual touching, sexual violence and/or sexual harassment. They often are exploited into gangs and are victims of sexual violence when in those gangs. However, we are aware that these are behaviours not just confined to girls.

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Boys are less likely to report intimate relationship abuse and may display other behaviour such as anti-social/criminal behaviours. Boys are more likely to be exploited /entrapped into gangs and subject to violence because of gang culture.

At St Thomas More Catholic Academy we encourage our children to talk to us and tell us when they are worried and what they are worried about, be it about themselves or another child. We are confident that our children know:

- who to speak to and/or where to go for support
- that they will be listened to, taken seriously and not dismissed
- that they will receive the right help at the right time
- that they will receive ongoing support
- that they will be supported to feel safe in school
- that they will be supported to continue to access their education

We also inform our children that there are other ways to report abuse if they are worried about themselves or other children and for whatever reason don't feel that they can speak to staff in school. For example:

[NSPCC Helpline on 0808 800 5000](https://www.nspcc.org.uk/08008005000) or by emailing help@nspcc.org.uk.

[Get Support | Childline](#) or by accessing Combined Wellbeing

What is Harmful Sexual Behaviour?

Harmful sexual behaviour can include young people using sexually explicit words or phrases, inappropriate touching, using sexual violence or threats, penetrative sex with other children/young people. Children and young people can be exposed to harmful sexual behaviour both in person and online.

Harmful sexual behaviour is not defined by the age of children or young people. A younger child could sexually harm an older child if they have power over them, such as if the older child has a disability. Power is a key factor in the reasons why young people display harmful sexual behaviours towards peers. Both girls and boys can display harmful sexual behaviours.

Healthy sexual behaviours are;

- Mutual;
- Consensual;
- Exploratory and age appropriate;
- No intent to cause harm;
- Fun, humorous;
- No power differential between participants.

Problematic sexual behaviours are;

- Displaying behaviours not age appropriate, such as invasion of personal space, sexual swear words in very young children;
- Some 'one off' incidents of low-key behaviours such as touching over clothing;
- Incidents where there is peer pressure to engage in the behaviour. For example, touching someone's breast, exposure of bottom;
- Behaviours are spontaneous rather than planned;
- They may be self-directed such as masturbation;
- There are other balancing factors such as lack of intent to cause harm, or level of understanding in the young person about the behaviours, or some remorse;
- The child or young person targeted may be irritated or uncomfortable but not scared and feel free to tell someone;
- Parents display concern and are interested in supporting the child to change.

Harmful sexual behaviours are;

- Not age appropriate;

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- Elements of planning secrecy or force;
- Power differentials between young people involved such as size status and strength;
- Targeted children feel fear/anxiety/discomfort;
- Negative feelings are expressed by the young person when carrying out the behaviour, such as anger and/or aggression;
- The young person does not take responsibility for the behaviour and blames others or feels a strong sense of grievance;
- Incidents are increasing in frequency and the young person's interest in them is disproportionate to other aspects of their life;
- They are not easily distracted from the behaviour, it appears compulsive and is persistent despite intervention.

Sexual harassment between children/young people means 'unwanted conduct of a sexual nature' that can occur online and offline. 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.

Harmful sexual behaviour, violence or harassment can occur online.

In this policy we recognise the importance of distinguishing between healthy, problematic and harmful sexual behaviour.

Harmful sexual behaviour from young people is not always contrived or with the intent to harm others. There may be many reasons why a young person engages in harmful sexual behaviour, and it may be just as distressing to the young person who instigates it as to the young person it is intended towards, it may include:

- Inappropriate sexual language
- Inappropriate role play
- Sexual touching
- Sexual assault/abuse

Consent is when someone agrees by choice and has freedom and capacity to make that choice. It is important to note 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

Risk Factors

'Peer relationships are increasingly influential during adolescence, setting social norms which inform young people's experiences, behaviours and choices and determine peer status. These relationships are, in turn, shaped by, and shape, the school, community and online contexts in which they develop. Therefore, if young people socialise in safe and protective schools and community settings they will be supported to form safe and protective peer relationships. However, if they form friendships in contexts characterised by violence and/or harmful attitudes these relationships too may be anti-social, unsafe or promote problematic social norms as a means of navigating, or surviving in, those spaces' (Contextual Safeguarding Briefing, Carlene Firmann, 2017).

Young people's peer groups, communities and social media activity are either key risk factors or key protective factors. For example, if a young person socialises with peers who have a positive influence on their thinking and behaviours, this will more than likely protect them within their communities and neighbourhoods. Likewise, if young people socialise with peers who are themselves involved in risky activities such as substance misuse, gangs or exploitative relationships, this too may impact on the young person's safety and wellbeing in the community and their neighbourhoods.

Children and young people can develop harmful sexual behaviours because of trauma or abuse. They may have experienced;

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- Physical abuse
- Emotional abuse
- Sexual abuse
- Severe neglect
- Parental rejection
- Family breakdown
- Domestic abuse
- Parental substance misuse

It is important to remember that being abused does not mean that children or young people will go on to abuse others.

Key risk factors and vulnerabilities of young people who sexually abuse others are that they may;

- have poor self-regulation and coping skills
- experience social anxiety and a sense of social inadequacy
- have poorly internalised rules for social behaviour
- possess a poorly developed or primitive sense of morality
- lack secure and confident attachments to others
- exercise limited self-control, and act out their emotional experiences through negative or otherwise inappropriate behaviour
- have little insight into the feelings and needs of others and, indeed, their own emotions
- place their own needs and feelings ahead of the needs and feelings of others
- exhibit a poorly defined sense of personal boundaries
- have developed strong and not easily corrected cognitive distortions about others, themselves, and the world they share
- struggle to interact socially or have issues with social competence.

Staff must remember this is not an exhaustive list. Staff **must** remain alert to possible signs of sexual abuse, violence, harassment or harmful behaviours by pupils in school.

What is Child on child Abuse?

Child on child abuse is any form of physical, sexual, emotional and financial abuse using coercion/power and/or control by an individual child or group of children and is exercised between children and within their relationships (both intimate and non-intimate).

All staff in our setting recognise that children can abuse their peers and are aware of the different forms that these safeguarding issues take:

- Bullying-emotional/physical so **repeated** behaviour which is intended to hurt someone either emotionally or physically (hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm)
- Online/Cyber bullying
- Prejudiced relating bullying
- Sexual Violence, Sexual Harassment and Sexually Harmful behaviour.
- Sexting sharing of nude or indecent (youth produced sexual imagery).
- Abuse in intimate relationships, including teenage relationship abuse
- Initiation/hazing type violence and rituals.
- Hate crime
- Child Criminal Exploitation
- Child Sexual Exploitation
- Gang association and serious violence - County Lines
- Radicalisation

This abuse can be motivated by perceived differences. e.g. on grounds of protected characteristics

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including race, religion, gender, sexual orientation, disability or other differences and result in significant, long lasting, and traumatic isolation, intimidation, and/or violence to the victim. We will record all instances of Child on child Abuse and inform parents /carers of such incidents.

Bullying is unwanted, aggressive behaviour among school aged children that involves a real or perceived power imbalance. The behaviour is **repeated**, or has the potential to be repeated over time. Children and young people who are bullied and/or who bully others may have serious and lasting problems.

To be considered bullying, the behaviour must be aggressive and include the following:

- an imbalance of power such as physical strength, access to embarrassing information, or popularity to control or harm others. These imbalances can change over time and in different situations, even if they involve the same people.
- Repetition as these behaviours happen more than once or have the potential to happen more than once.
- actions such as making threats, spreading rumours, attacking someone physically or verbally or for a particular reason, e.g. size, hair colour, gender, sexual orientation, and excluding someone from a group on purpose.

Any behaviours that may need to be handled with sanctions will be in line with our policies relating to Behaviour/Anti-bullying/Safeguarding/Online Safety

Online bullying is the use of technology (social networking, messaging, text messages, e- mail, chat rooms, etc.) to harass threaten or intimidate someone for the same reasons as stated above. It can take many forms and this list is not exhaustive:

- Abusive or threatening texts, emails, or messages
- Posting abusive comments on social media sites
- Sharing humiliating videos or photos of someone else
- Stealing someone's online identity
- Spreading rumours online
- Trolling-sending menacing or upsetting messages through social networks, chat rooms or games
- Developing hate sites about another person
- Prank calls or messages
- Group bullying or exclusion online
- Anonymous messaging
- Encouraging a young person to self-harm
- Pressuring children to send sexual messages or engaging in sexual conversations.

Prejudiced related bullying refers to a range of hurtful behaviour, physical or emotional or both, which causes someone to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society, e.g. protected characteristics, disabilities and special educational needs, ethnic, cultural and religious backgrounds, gender, home life (for example in relation to issues of care, parental occupation, poverty and social class) and sexual identity.

Sexual Violence, Sexual Harassment and Sexually Harmful Behaviour (Harmful Sexual Behaviours)

Sexual Violence, Sexual Harassment and Sexually Harmful Behaviour (HSBs) can occur between two children of any age and sex or with groups of children by sexually assaulting or sexually harassing a single child or group of children.

We recognise that this behaviour can take place in a school or any setting where pupils are together and that the impact of this behaviour on children can be extremely distressing, impacting on their

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emotional health and wellbeing as well as affecting their academic achievement.

Sexual Violence and Sexual Harassment **must** be referred **immediately** to the Designated Safeguarding Lead (DSL) or Deputy Designated Safeguarding Leads.

Sexual Violence - For this policy we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

- **Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
- **Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.
- **Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

Sexual Harassment - For this policy we mean 'unwanted conduct of a sexual nature' that can occur online and offline. We refer to this 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 deliberating brushing against someone, interfering with someone's clothes and displaying pictures, photos, or drawings of a sexual nature; and
- Online sexual harassment, which might include non-consensual sharing of sexual images and videos and sharing sexual images and videos (both often referred to as sexting); sexualised online bullying and inappropriate sexual comments on social media; exploitation; coercion and threats. Online sexual harassment may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence

Sexting - the sharing of nude or indecent imagery (youth produced sexual imagery)

The term 'sexting' relates to the sending of indecent images, videos and/or written messages with sexually explicit content; these are created and sent electronically. They are often 'shared' via social networking sites and instant messaging services. These images may have been because of upskirting.

Initiation/Hazing

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as sports team, etc. There are several different forms, from relatively mild rituals to severe and sometimes violent ceremonies. The ceremony welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.

Teenage relationship abuse

Teenage relationship abuse is a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teen uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, to gain power and maintain control over the partner. This abuse may be child sexual exploitation.

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Hate Crime

Hate crimes happen because of race, gender identity, religion, sexual orientation, and disability. They can happen anywhere, home, school and in the community and can be frightening for both victim and witnesses and is an offence. Hate crimes can include:

- physical attacks - physical assault, damage to property, offensive graffiti, neighbour disputes and arson
- threat of attack - offensive letters or emails, abusive or obscene telephone calls, groups hanging around to intimidate you and unfounded, malicious complaints
- verbal abuse or insults - harassment over the phone, by text or face to face, abusive gestures, and remarks, bullying and threats

Indicators that a child may be suffering from child on child abuse

Indicators and signs that a child may be suffering from child on child abuse can also overlap with those indicating other types of abuse and can include:

- failing to attend school, disengaging from classes, or struggling to carry out school related tasks to the standard ordinarily expected
- physical injuries
- experiencing difficulties with mental health and/or emotional wellbeing
- becoming withdrawn and/or shy; experiencing headaches, stomach aches, anxiety and/or panic attacks; suffering from nightmares or lack of sleep or sleeping too much
- broader changes in behaviour including alcohol or substance misuse.
- changes in appearance and/or starting to act in a way that is not appropriate for the child's age
- abusive behaviour towards others

Abuse affects our children and their presenting behaviours in different ways and the list above is not exhaustive. Children who present with one or more of these signs are not necessarily victims of abuse and their behaviour will depend on their individual circumstances.

ALL staff are alert to behaviour that may cause concern and think about what the behaviour might signify. We actively encourage children to share with us any underlying reasons for their behaviour, and, where appropriate, to engage with their parents/carers so that the cause(s) of their behaviour can be investigated and understood with the appropriate support in place.

Responding to a concern/incident/disclosure of child on child abuse

Child on child abuse may occur in our education setting, on the way to or from our setting, or out in the community. Consideration will be given to many aspects of the abuse and here are a few examples:

- Does it involve a single incident or has occurred over time?
- Is the behaviour problematic and concerning?
- Does it involve any overt elements of victimisation or discrimination, e.g. related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability?
- Is there any element of coercion or pre-planning?
- Does it involve a power imbalance between the child/children allegedly responsible for the behaviour and the child/children allegedly the subject of that power?
- Has there been a misuse of power?

It is also important that we:

- ascertain if there were any witnesses to the abuse
- make notes and record ALL conversations with children spoken to as well as parents/carers/other

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professionals, including any actions taken

- treat all children involved as being at potential risk - while the child allegedly responsible for the abuse may pose a significant risk of harm to other children, s/he may also have considerable unmet needs and be at risk of harm themselves
- ensure that a safeguarding response is in place for both victim and alleged perpetrator

Consideration should also be given to supporting children who have witnessed child on child abuse of any kind. This is likely to be traumatic and support may be required. We will signpost to agencies and support services available where needed.

We will do all that we can to ensure both the victim and alleged perpetrator, and any witnesses, are not being bullied or harassed following this. Social media is likely to play a part in the fall out from any incident and friends from either side could well harass the victim or alleged perpetrator online as well as face to face. Any evidence we have of students using social media or inappropriately will be sanctioned according to our existing policies.

Responding to all reports and concern of sexual violence and/or sexual harassment between children.

Guidance is clear in that it does not attempt to provide (nor would it be possible to provide) detailed advice on what we should do in any or every particular case; it provides effective safeguarding practice and principles for us to consider in our decision making process and on a case by case basis. Our Designated Safeguarding Lead (DSL) and deputies (DDSLs) will take the lead role when dealing with this type of abuse using their professional judgement and working together practices. Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure and it is important to maintain a calm, considered and appropriate response to any reports.

We understand that it is not easy for children to tell us about this type of abuse and they may struggle to make a direct verbal report. Therefore, observations of changes in presenting behaviours is key. We understand the importance of our initial response to a report and how this can encourage or undermine the confidence of future victims of sexual violence and sexual harassment. The culture in our setting is key to this.

On occasions the victim may not wish for their identity to be known and there are no easy or definitive answers when this is requested. If the victim does not give consent to share information, we may still lawfully share it, if it can be justified to be in the public interest. For example, to protect children from harm and to promote the welfare of children.

The Designated Safeguarding Lead will consider the following:

- The wishes of the victim in terms of how they want to proceed
- The victim(s) should 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 - we will balance this aspect and the need to balance our duty and responsibility to protect other children
- The nature of the alleged incident(s) including might a crime have been committed and consideration of any display of harmful sexual behaviour. Local authority children's social care and the police will be important partners where a crime might have been committed. Referrals to the police will often be a natural progression of making a referral to local authority children's social care.
- The ages of the students involved
- The developmental stages of the students involved
- Any power imbalance between the students (e.g. Is the alleged perpetrator significantly older? Does the victim have a disability or learning difficulty?)
- If the alleged incident is a one off or a sustained pattern of abuse (the sustained pattern of abuse may not just be of a sexual nature)

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- That sexual violence and sexual harassment can take place within intimate personal relationships between peers
- Whether there are ongoing risks to the victim, other children, adult students, or staff
- Other related issues and wider context, including links to any forms of child exploitation

When we talk about Sexual Violence and Sexual Harassment between children, we will refer to 'victim' and 'alleged perpetrator'. This does not mean that we are taking sides nor making any judgement, but for the purpose of this policy we will refer to children involved in this way.

Victim - When we speak to the 'victim' we will:

- listen and take any disclosure seriously
- never make them feel that they are creating a problem or be ashamed
- reassure them that they will be kept safe
- handle the situation with sensitivity
- use proper names for body parts but record exactly any language or vocabulary used by the child
- ask open questions and not lead the victim
- ascertain where the abuse occurred as this may highlight 'hot spots' or vulnerable locations in our setting or within the community which may need to be revisited by either ourselves (in school) or by alerting police/partners if it is in the community
- ascertain if other children witnessed this abuse
- consider ongoing support within our setting
- consider any referrals for external support

Parents or carers of the victim will be informed (unless this would put the victim at greater risk). Rape, assault by penetration and sexual assaults are crimes and the DSL will have to balance the victim's wishes against their duty to protect the victim and other children within the school setting. If we do decide to make a referral to children's social care and/or a report to the police against the victim's wishes, this will be handled extremely carefully, the reasons will in most cases be explained to the victim and appropriate specialist support offered. We will also consider the following:

- The wishes of the victim in terms of how they want to proceed
- That the victim(s) should 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. (We will balance this aspect and the need to balance our duty and responsibility to protect other children)
- The nature of the alleged incident(s) including might a crime have been committed and consideration of any display of harmful sexual behaviour.
- The ages of the students involved
- The developmental stages of the students involved
- Any power imbalance between the students (e.g. is the alleged perpetrator significantly older? Does the victim have a disability or learning difficulty?)
- If the alleged incident is a one off or a sustained pattern of abuse (the sustained pattern of abuse may not just be of a sexual nature)
- That sexual violence and sexual harassment can take place within intimate personal relationships between peers
- Are there ongoing risks to the victim, other children, adult students, or staff
- Other related issues and wider context, including links to any forms of child exploitation

We will give all the necessary support for the victim to remain in school; however, if the trauma results in the victim being unable to do this, alternative provision or a move to another school or college 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).

Alleged perpetrator - When we speak to the 'alleged perpetrator' we will:

- listen to what they say and not dismiss their account
- handle the situation with sensitivity and a non-judgemental approach

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- offer ongoing support
- record all conversations and all action taken
- consider any referrals for external support, e.g. Youth Offending Service/Catch 22

When to inform the alleged perpetrator will be a decision that will be carefully considered. Where a report is going to be made to children's social care and/or the police, then, as a general rule, we will speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of the allegations.

There are three likely scenarios we will need to consider when managing any reports of sexual violence and/or sexual harassment:

- a) **Manage internally** - In some cases of sexual harassment (for example, one-off incidents), we may take the view that the students concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally using our own sanctions in line with policies and by providing pastoral intervention and support.
- b) **Early Help** - We may decide that the children involved do not require statutory interventions but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence. This will help to evidence the support that we have given, the work undertaken and if desired outcomes have been achieved
- c) **Referral to the police** - See below

1. Reporting to the Police

At St Thomas More Catholic Academy we understand our responsibilities to call the police and reporting forms of child on child abuse. This does not mean that we are looking to criminalise children, and this may not always be necessary.

In accordance with KCSIE, parents or carers should normally be informed (unless this would put the victim at greater risk)

- the basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to local authority children's social care, and
- rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should 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. Ultimately, the designated safeguarding lead (or a deputy) will balance the victim's wishes against their duty to protect the victim and other children. If the designated safeguarding lead (or a deputy) decide to go ahead and make a referral to local authority children's social care and/or a report to the police against the victim's wishes, this will be handled extremely carefully, the reasons will be explained to the victim and appropriate specialist support will be offered.

Where a report has been made to the police, we will consult with the police and agree what information is appropriate to disclose to staff and others, in particular the alleged perpetrator and their parents or carers. We will also discuss the best way to protect the victim and their anonymity. This may also include the development of a clear and robust safety and support plan as part of this early help process. However, risk assessing and safety planning is a key aspect of all child on child abuse.

Referring to Staffordshire Childrens Advice and Support

In all cases of child on child abuse, but in particular with sexual violence and sexual harassment, consideration will be given to the reporting of the matter to Children's Social Care via Stoke on Trent's Children's Advice and Duty Service 1 (ChAD) on 01782 235100. In making this decision, we must

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consider whether a child is at risk of harm or is in immediate danger.

In some cases, children's social care will review the evidence and decide that a statutory intervention is not appropriate and, in these circumstances, we will consider other support mechanisms, such as early help, specialist support/referrals and pastoral support within a formalised plan. We will consider starting an Early Help process where we are the lead professional.

However, if the DSL/DDSL feels that the child remains in immediate danger or at risk of harm, they may refer again. The threshold document will help and support our decision making.

- Stoke on Trent Threshold Document [Stoke on Trent threshold Document](#)

At this referral stage, we will inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child at additional risk). Any such decision will be made with the support of children's social care.

If a referral is made, children's social care will then make enquiries to determine whether any of the children involved need protection or other services.

Where statutory assessments are appropriate, we will work alongside, and cooperate with, the relevant lead social worker. This 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 requiring support.

We will not wait for the outcome, or even the start of a children's social care investigation before protecting the victim and other children in the school. It will be important for us to work closely with children's social care (and other agencies as required) to ensure any actions we take do not jeopardise a statutory investigation.

Working with our parents and carers

At St Thomas More Catholic Academy we will, in most instances, engage with both the victim's and the alleged perpetrator's parents or carers when there has been a report of child on child abuse including sexual or sexual harassment. The exception to this rule is if there is a reason to believe that informing a parent or carer will put a child at additional risk.

We will carefully consider what information provided to the respective parents or carers about other children involved and when to do so.

In some cases, children's social care and/or the police will have a very clear view on this aspect, and it will be important for us to work with relevant agencies to ensure a consistent approach is taken to information sharing.

It should be the case that we will meet the victim's parents or carers with the victim present to discuss what arrangements are being put in place to safeguard the victim and understand their wishes in terms of support they may need and how the report will be progressed.

It is also likely that we will meet with the alleged perpetrator's parents or carers to discuss any arrangements that are being put into place that impact the alleged perpetrator, such as, for example, moving them out of classes with the victim and what this means for their education.

We will be clear and transparent and explain the reason behind any decisions. Support for the alleged perpetrator will be discussed including any referrals, if appropriate.

We realise that parents and carers may well struggle to cope with a report that their child has been the victim of an assault or is alleged to have assaulted another child. Details of organisations that support parents are provided on the school website and at the end of the policy.

Sanctions

We will decide appropriate sanctions on a case by case basis in line with our Behaviour Policy and any graduated response required. As already mentioned in this policy, it may be that other children in our setting start to 'take sides' and become involved and may behave in ways that cause upset and distress to other children.

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We will take their behaviour seriously and again use a graduated response to this, whilst also educating them the importance of resolving any conflict in a respectful and restorative way.

If there is police involvement, we will work closely with them to ensure that any disciplinary action taken by us, as a result of the incident, does not jeopardise the police investigation.

Post Incident Management

It is vital that all children involved in child on child abuse are given appropriate and ongoing support for as long as it is required/needed. This may include referrals to other agencies/professionals outside our setting and this decision will be made in conjunction with the children, their parents/carers, and other professionals.

If there are other professionals involved, then we will liaise with those colleagues to ensure that we are working together and understand one another's role in this support.

There may be delays in any case that is being progressed through the criminal justice system. However, we will not wait for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator, and other children in the school and moving forward with our post incident management.

Support planning is vital, and it is imperative that following any incident the children involved continue to feel supported and receive help even if they tell us that they are coping and managing. Sometimes feelings of embarrassment, remorse, regret, or unhappiness may occur at a much later stage. We will do our best to ensure that the young people do not engage in any further harmful behaviour either towards someone else or to themselves as a way of coping (e.g. self-harm). For this reason, regular reviews with the young people following the incident(s) will happen as part of this plan.

Referrals may have already happened as mentioned previously in this policy, but it is important to establish which professionals continue to work with ALL children involved in this process and this is helped with robust planning

Wellbeing Planning / Safety Planning

Integral to post incident management is robust wellbeing and safety planning and this is an invaluable and necessary process. It is one of our key priorities as part of the post incident management. When looking at this process, consideration should be given to the following:

- if this is an ongoing police investigation, we will ask the police if we have any questions about the progress of the matter for example, are there any bail conditions in place or has there been a charging decision. It is key to have a central point of contact with the police for updates and progress. Where required, advice from the police will be sought to help us to manage our safeguarding responsibilities. Where bail is deemed proportionate and necessary, as above, we will work with children's social care and the police to manage any implications and safeguard our children
- the importance in ensuring that the victim can continue in their normal routine, including continuing to receive a suitable education
- the importance of the alleged perpetrator in continuing to access education and support
- do the victim and alleged perpetrator share classes
- what measures need to be put in place when children move between lessons/classes
- what measures need to be put in place for unstructured time (break and lunchtimes)
- what measures need to be put in place for the arrival at the start of the school day and leaving at the end of the school day
- do the victim and alleged perpetrator travel to and from school using the same form of transport
- appropriate information sharing with staff in our setting in order that the plan is manageable and as successful as possible
- if it is the case that the alleged perpetrator is moved to another educational institution (for any

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reason), then we will ensure that the new educational institution is made aware of any ongoing support needs.

In all cases, we will record our decision making together with the rationale behind those decisions. All the above will be considered with the needs and wishes of the victim at the heart of all that we do as part of this process (supported by parents and carers as required). Our safety plan/risk assessment will be kept under review.

Additional support and guidance

- [Keeping children safe in education 2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- [Guide for children and young people: Working Together to Safeguard Children - GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [Sexual violence and sexual harassment between children in schools and colleges](#)
- [Review of sexual abuse in schools and colleges](#)
- [Staffsccb-Responding to Sexting Guidance](#)
- [Relationships and sex education \(RSE\) and health education](#)
- [Mental health and behaviour in schools 2018](#)
- [Suspension and Permanent Exclusion guidance July 2022 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- [Children missing education](#)
- [CEOP-Safety centre](#)
- [Disrespect NoBody](#)
- [Behaviour in schools guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- [UKCIS Guidance: Sharing Nudes and Semi-Nudes](#)
- [Searching, screening and confiscation in schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [Sharing nudes and semi-nudes: advice for education settings working with children and young people](#)
- [Preventing sexual bullying](#)
- [Preventing bullying](#)
- [Cyberbullying advice](#)
- [Equality & Human Rights Commission](#)
- The NSPCC email help@nspcc.org.uk
- Specialist Sexual Violence [Rape Crisis](#)
- The UK safer internet centre email at helpline@saferinternet.org.uk
- [Internet Watch Foundation](#)
- [UK Council for Child Internet Safety \(UKCCIS\)](#)
- [Think u know](#)