

ALDERMAN RICHARD HALLAM PRIMARY SCHOOL

Sexual Violence and Sexual Harassment between Young People Policy



SVSH Policy

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Statement of Intent

Alderman Richard Hallam Primary School recognises that children are vulnerable to and capable of abusing their peers. We take such abuse as seriously as abuse perpetrated by an adult. This includes verbal as well as physical abuse. Abuse to children by their peers will not be tolerated or passed off as part of “banter” or “growing up”. Our school adopts a zero-

tolerance approach to sexual violence, harassment and harm between children and young people.

We are committed to a whole school approach to ensure the prevention, early identification and appropriate management of abuse within our school and beyond. We understand the importance of identifying, recording and responding to **all** safeguarding concerns, regardless of their perceived severity. We understand that sexual violence and sexual harassment can occur between two children of any age and sex, from primary through to secondary stage and into colleges. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable. While a concern may be low-level, that concern can escalate over time to become much more serious.

Our school takes a whole school approach on all safeguarding matters, whilst ensuring we meet individual needs. ARH prides itself on creating a safe environment for all pupils. We are committed to following statutory guidance Keeping Children Safe in Education 2025 on how schools should respond to all reports and concerns of child-on-child sexual violence and sexual harassment, including those that have happened outside of the school premises, and or online.

Introduction

All our staff working with children are aware and maintain an attitude of 'it could happen here'. Addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. This will also develop a culture of respect.

Children who are victims of sexual violence and sexual harassment, wherever it happens, will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school.

In our school, we are aware that safeguarding incidents and/or behaviours can be associated with factors outside the school, including intimate personal relationships.

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 (SEND); or children who have other protected characteristics under the Equalities Act 2010.

Sexual violence and sexual harassment exist on a continuum and may overlap. They can occur online and offline (both physical and verbal) and are never acceptable. It is important

that all victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBTQIA+ children are at greater risk. Some risks can be especially compounded where children who are LGBTQIA+ lack a trusted adult with whom they can be open with. Our staff therefore understand and endeavour to reduce any additional barriers faced and provide a safe space for our children to speak out or share their concerns.

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 sexual violence and harassment and/or child-on-child abuse.

Staff should use their professional curiosity and 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.

It is **essential** that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment nor should a victim ever be made to feel ashamed for making a report.

Our policy will refer to children as victims and perpetrators however we will be conscious of how we describe children when managing any incident and be prepared to use any term with which most appropriately matches their individual situation.

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

It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other children, adult students and school staff are supported and protected as appropriate.

Our staff will respect confidentiality and anonymity of a child reporting incidents of sexual violence and sexual harassment, including situations where the child asks staff not to tell anyone about the incident. There are no easy or definitive answers when a victim makes this request. If the victim does not give consent to share information, staff may still lawfully share it if there is another legal basis under the UK GDPR that applies.

Our Designated Safeguarding Lead (DSL) and their deputies will endeavour to balance the victim's wishes against their duty to protect the victim and other children. If the DSL/DDSL decides to make a referral to local authority children's social care and/or a report to the police against the victim's wishes, our DSL and staff will handle all incidents extremely carefully, and the reasons will be explained to the victim. Appropriate specialist support will be offered always taking into consideration the best interest of the child.

Where incidents of sexual violence and harassment have been raised, our staff, where applicable, will take into consideration the impact on siblings and understand the importance of intra-familial harms.

Useful Definitions

Sexual Violence

It is important that schools and colleges are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way and that it can happen both inside and outside of school. When referring to sexual violence in this policy, we do so in the context of child-on-child sexual violence.

When referring to sexual violence, we are referring to sexual offences under the Sexual Offences Act 2003 including:

- Rape
- Assault by penetration
- Sexual assault (which covers a very wide range of behaviour for example a single act of kissing someone without consent, or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault)
- Causing someone to engage in sexual activity without consent (which could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party).

Consent

Consent is about having the freedom and capacity to choose.

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

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

Sexual Harassment

For this policy, when referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school. When we reference sexual harassment, we do so in the context of child-on-child sexual harassment.

Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names.
- Sexual "jokes" or taunting.
- Physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (which may cross a line into sexual violence – the school will talk to and consider the experience of the victim), and displaying pictures, photos or drawings of a sexual nature.

Online Sexual Harassment

This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:

- Consensual and non-consensual sharing of nude and semi-nude images and/or videos. Taking and sharing nude photographs of under 18s is a criminal offence.
- Sharing of unwanted explicit content.
- Upskirting, which is a criminal offence.
- Sexualised online bullying.
- Unwanted sexual comments and messages, including on social media.
- Sexual exploitation, coercion and threats.

Our school will challenge and deal with sexual harassment so as to create a culture that addresses inappropriate behaviours and promotes a healthy and safe environment to minimise potential sexual violence.

Harmful sexual behaviour

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected behaviour to inappropriate, problematic, abusive and violent behaviour.

Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is 'harmful sexual behaviour' (HSB).

The term has been widely adopted in child protection and is used in this advice. HSB can occur online and/or face-to-face and can also occur simultaneously between the two. HSB should be considered in a child protection context. When considering HSB, ages and the stages of development of the children are critical factors.

Legal Framework

Alderman Richard Hallam Primary School recognises our statutory duty to safeguard and promote the welfare of our children with regard to Keeping Children Safe in Education 2025 and Working Together to Safeguard Children and are aware of our obligations under the Human Rights Act 1998. Being subjected to sexual violence or sexual harassment may breach any or all these rights, depending on the nature of the conduct and the circumstances.

Whole-School Approach to Prevention

Alderman Richard Hallam Primary School notes that the best responses to child sexual violence and harassment are those which take a whole-school approach to safeguarding and child protection. This means involving everyone in our school, including the governing body, all the staff, children, and parents and carers.

Alderman Richard Hallam Primary School actively seeks to raise awareness of, and prevent, all forms of sexual violence and harassment for our pupils.

Alderman Richard Hallam Primary School has systems in place that are well promoted, easily understood and easily accessible for children to confidently report abuse, sexual violence and sexual harassment. Children know their concerns will be treated seriously, and that they can safely express their views and give feedback.

Alderman Richard Hallam Primary School implements the following as prevention against child sexual violence and harassment in our school.

- Educating all Governors, the Senior Leadership Team, staff, volunteers, pupils and parents and carers about this issue. This includes training for Governors, staff and volunteers on the nature, prevalence and effect of child sexual violence and harassment, and how to prevent, identify and respond to it. Information for all school staff, including supply teachers, visitors and volunteers can be found in the Child-on-Child Abuse booklet located on the staff server. This can be printed for those unable to access the staff server.
- Educating children about the nature and prevalence of child sexual violence and harassment within lessons (RSE, PSHE, Behaviour and Safety Curriculum and Computing), assemblies and the wider curriculum. There is a focus on healthy relationships that will help children who are experiencing or witnessing unhealthy relationships know where to seek help and report abuse. This will enable those pupils who are experiencing or witnessing unhealthy relationships to identify this and seek help, as well as report abuse.
- Pupils 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. This includes online abuse.

- Children are regularly informed about the school's approach to such issues through lessons and assemblies, including its zero-tolerance policy towards all forms of sexual violence and harassment. More information for pupils can be found in the Child-Friendly Safeguarding Policy.
- Information for parents and carers regarding sexual violence and harassment in school can be found on the school website under the Safeguarding section.
- Engaging parents and carers by conducting bi-annual safeguarding surveys, asking them what they perceive to be the risks facing their child and how they would like to see the school addressing those risks and encouraging parents and carers to hold the school to account on this.
- The school ensures that all child sexual violence and harassment issues are fed back to the school's safeguarding team so that they can spot and address any concerning trends and identify pupils who maybe in need of additional support. These concerns will be recorded on CPOMs and will be discussed by the safeguarding team on a weekly basis.
- Challenging the attitudes that underlie such abuse both inside and outside the classroom.
- Working with Governors, the Senior Leadership Team, all staff and volunteers, pupils, and parents and carers to address equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the school community.
- Responding to cases of child sexual violence and harassment promptly and appropriately.
- Alderman Richard Hallam Primary School provides an open forum for children to talk things through. Such discussions may lead to increased safeguarding reports.
- Children are made aware of the processes to raise their concerns or make a report and how any report will be handled. This includes processes when they have a concern about a friend or peer.
- All our staff are aware of how to support children and how to manage a safeguarding report from a child.

Responding to Alleged Incidents of Sexual Violence and Sexual Harassment

All reports of sexual violence and sexual harassment will be considered and managed on a case-by-case basis with the DSLs taking a leading role using their professional judgement and supported by other agencies such as social care or the police as required.

In cases where there are child protection concerns, a concern about possible criminal behaviour or particularly complex scenarios, referrals should be made to police and social care as per local processes.

The Immediate Response to a Report:

- We take all reports seriously and will reassure the victim that they will be supported and kept safe. This will be in all cases, including if the abuse took place away from school, is not recent and/or is online.
- All our staff will be trained on the reporting process and how to manage a disclosure.
- Staff will not promise confidentiality as the concern will need to be shared further, for example with the DSL or social care. Staff will only share the report with those people who are necessary in order to progress the concern.
- A written report will be made as soon after the disclosure 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, we will follow advice on searching, screening and confiscation (found in our Behaviour Policy). The staff will not view or forward images unless unavoidable and only if another member of staff (either a DSL or member of SLT) is present.
- A DSL will be informed as soon as possible.
- If the victim does not give consent to share information, staff 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 (or a deputy) will consider the following:
 - 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 children's social care;
 - Rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this would be referred to the police.
- 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 DSL decides to go ahead and 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 be explained to the victim and appropriate specialist support should be offered.
- We will do all we reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment.

Risk Assessment

When there has been a report of sexual violence, the DSL 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. At all times, the school will

actively consider the risks posed to all pupils and put adequate measures in place to protect them and keep them safe.

The risk and needs' assessment would consider:

- The victim, focusing on their protection and support.
- Whether there may have been other victims.
- The alleged perpetrator.
- All the other children (and, if appropriate, volunteers and staff) at school, especially any actions that are appropriate to protect them.
- Risk assessments will be recorded on our safeguarding system (CPOMs) and be kept under review.
- The DSLs will ensure they are engaging with children's social care and any specialist services as required. The school risk assessment is not intended to replace the detailed assessments of expert professionals. Any professional assessments would be used to inform the school's approach to supporting and protecting pupils and updating our own risk assessment.

Actions 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. Victims 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. This will, however, need to be balanced with the school's duty and responsibilities to protect other children.
- The nature of the alleged incident(s), including whether a crime may have been committed and consideration of harmful sexual behaviour.
- That sexual violence and sexual harassment can take place within intimate personal relationships between peers.
- The ages and vulnerabilities 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 on-going risks to the victim, other children, or school staff?
- Other related issues and the wider context, including any links to child sexual exploitation and child criminal exploitation.
- Whilst the school establishes the facts of the case and starts 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. 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

Manage Internally

In some cases of sexual harassment, for example, one-off incidents, we may decide that the children concerned are not in need of Early Help or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising the Behaviour and Anti-Bullying Policies and by providing pastoral support. This decision will be made based on the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated. All decisions and discussions around making these decisions will be recorded and stored by the DSL on CPOMs.

A decision may be made that the children involved do not require statutory interventions but may benefit from Early Help. Early Help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

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

Where statutory assessments are appropriate, the DSL 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 through social care as above. The DSLs will follow local processes for referrals.

Where a report of rape, assault by penetration or sexual assault is made, the starting point is that this will be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of reporting to the police remains although the police will take a welfare, rather than a criminal justice, approach.

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, the school will update its risk assessment and 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' by the police or Crown Prosecution Service, or where there is a 'not guilty' verdict, we will continue to offer support and offer protection 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.

Responding to Harmful Sexual Behaviours (HSB)

Our responsibilities lie in balancing the need to safeguard the victim and to provide the alleged perpetrator(s) with an education, safeguarding support as appropriate and implementing any disciplinary sanctions. Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time if necessary.

A child abusing another child may be a sign they have been abused themselves or a sign of wider issues that require addressing within the culture of the school. We will work with professionals as required to understand why a child may have abused a peer. It is important to remember that, as a child, any alleged perpetrator(s) is entitled to, deserving of, and should be provided with, a high level of support to help them understand and overcome the reasons for their behaviour and help protect other children by limiting the likelihood of them abusing again. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them. Support and sanctions will be considered on a case-by-case basis. An alleged perpetrator(s) may potentially have unmet needs, which in some cases may be considerable, as well as potentially posing a risk of harm to other children. HSB in young children may be, and often are, a symptom of either their own abuse or exposure to abusive practices and or materials.

Advice should be taken, as appropriate, from children's social care, specialist sexual violence services and the police.

It is important that the perpetrator(s) is also given the correct support to try to stop them re-offending and to address any underlying trauma that may be causing this behaviour.

Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

School can be a significant protective factor for children who have displayed HSB, and continued access to school, with a comprehensive safeguarding management plan in place, is an important factor to consider before final decisions are made. It is important that if an alleged perpetrator(s) does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs and where appropriate, potential risks to other children, adult students and staff. The DSLs will take responsibility to ensure this happens, including transferring the child protection file.

We have several DSLs trained in the use of the Brook's traffic light tool to consider the range of sexual behaviours displayed by children. Two trained DSLs will always use the traffic light tool together to consider any incident to ensure it is used robustly and accurately.

Support for Children Affected by Sexual Assault

Support for victims of sexual assault is available from a variety of local agencies and national organisations. 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 on-going support they may need. The DSL will support this move.

Where there is a criminal investigation, the school will consider ways in which the alleged perpetrator and victim can be kept a reasonable distance apart on the school premises. This is in the best interest of the children concerned and should not be perceived to be a judgement of guilt before any legal proceedings. We will work closely with the police.

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.

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.

Where the perpetrator is going to remain at the school, the principle would be to continue keeping the victim and perpetrator in separate classes and continue to consider the most

appropriate way to manage potential contact on school premises. 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. 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.

Working with Parents and Carers

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 sexual violence although this might not be necessary or proportional in the case of sexual harassment and should be considered on a case-by-case basis. The exception to this rule is if there is a reason to believe informing a parent or carer will put a child at additional risk.

We will carefully consider what information we provide to the respective parents or carers about the other child involved. In some cases, children's social care and/or the police will have a very clear view and it will be important for the school to work with relevant agencies to ensure a consistent approach is taken to information sharing.

It is good practice for the school to 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 good practice for the school to meet with the alleged perpetrator's parents or carers to discuss any arrangements that are being put into place that impact an alleged perpetrator, such as, for example, moving them out of the same class as the victim and what this means for their education. The reason behind any decisions should be explained. Support for the alleged perpetrator should be discussed. A DSL will attend any such meetings. Consideration to the attendance of other agencies should be considered on a case-by-case basis.

Monitoring and Review

This policy will be reviewed annually and in response to any new safeguarding requirements or concerns surrounding the wider cultural issues in the school.

