

Halam Church of England Primary School



Peer on Peer Abuse (Child on Child Abuse) NCC Guidance and Model policy

Please Note: This policy template remains current and in line with the statutory guidance contained within Keeping Children Safe in Education 2021,

Model Policy

Peer on Peer abuse/Sexual Harassment and Sexual Violence

Introduction

Our school, Halam Church of England 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. Peer on peer abuse will not be tolerated or passed off as part of “banter” or “growing up”.

We are committed to a whole school approach to ensure the prevention, early identification, and appropriate management of peer on peer abuse within our school and beyond.

In cases where peer on peer abuse is identified we will follow our child protection procedures, taking a contextual approach to support all children and young people who have been affected by the situation.

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

- Child Sexual Exploitation
- Sexting or youth produced digital imagery
- Up skirting
- 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

We also recognise that these behaviours can occur online as well as face to face.

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 peer on peer 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 2021) and should be read in conjunction with the Local Safeguarding Children Partnership (LSCP) Safeguarding Policy and Procedures, and any relevant Practice Guidance issued by it.

Policy Development

The policy has been developed in consultation with the following groups;
Senior Leaders, Staff, governors

Aims

The policy will: -

- Set out our strategies for preventing, identifying, and managing peer on peer 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

- Recognise that this behaviour can occur online as well as face to face and both are part of our safeguarding duty of care

Understanding Peer on Peer 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.

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 also use Simon Hackett's continuum model to demonstrate the range of sexual behaviours. (Appendix 1)

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. 8

Whilst 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 peer on peer abuse, but they do so in gendered ways.

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 alleged incidents responding to reports of sexual violence and sexual harassment

All reports of peer on peer abuse will be made on a case by case basis with the designated safeguarding lead 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.

The immediate response to a report

- The school or college 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.
- 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 or college 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.

Risk Assessment

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 or college, especially any actions that are appropriate to protect them.

Risk assessments will be recorded on CPOMs and be kept under review.

The designated safeguarding lead (or a deputy) will ensure they are engaging with MASH.

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 or college staff, and other related issues and wider context?

Follow up Actions

Children sharing a classroom:

Whilst the school or college 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 or college premises and on transport to and from the school or college.

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

1. 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 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.

2. In line with 1 above, 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.

2. In line with 1 above, 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.

3. Where a child has been harmed, is at risk of harm, or is in immediate danger, we will make a referral to the MASH following locally agreed protocols. (Pathway to Provision V9)

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 through the MASH as above. The designated safeguarding lead (and their deputies) will follow 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. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach.

Where a report has been made to the police, the school or college 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 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 or college 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, 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/academy 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 or college.

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 (see Appendix 3).

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. 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 or college 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.

Where the perpetrator is going to remain at the school or college, 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 and college premises and transport. 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.

Physical Abuse

While a clear focus of peer on peer abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals from pupils to pupils can also be abusive.

These are equally not tolerated and if it is believed that a crime has been committed, will be reported to the police.

The principles from the anti-bullying policy will be applied in these cases, with recognition that any police investigation will need to take priority.

When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, staff can draw on aspects of Hackett's continuum (Appendix 1) to assess where the alleged behaviour falls on a spectrum and to decide how to respond. This could include, for example, whether it:

- is socially acceptable
- involves a single incident or has occurred over a period of time
- is socially acceptable within the peer group
- is problematic and concerning
- involves any overt elements of victimisation or discrimination e.g. related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability
- involves an element of coercion or pre-planning
- involves a power imbalance between the child/children allegedly responsible for the behaviour
- involves a misuse of power

Online Behaviour

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

Policies and procedures concerning this type of behaviour can be found in our anti-bullying policy, online safety policy, and child protection policy.

Prevention

Our school, Halam Church of England Primary School actively seeks to raise awareness of and prevent all forms of peer-on-peer abuse by:

- Educating all Governors, Senior Leadership Team, staff, and volunteers, pupils, 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 peer-on-peer abuse is ever dismissed as horseplay or teasing.

- Educating children about the nature and prevalence of peer-on-peer abuse via PSHE / RHE/RSHE and the wider curriculum.
- Pupils/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.
- Engaging parents on this issue by:
 - (a) Talking about it with parents, both in groups and one to one.
 - (b) Asking parents what they perceive to be the risks facing their child and how they would like to see the School address those risks.
 - (c) Involving parents in the review of School policies and lesson plans; and
 - (d) Encouraging parents to hold the School to account on this issue.
- Ensuring that all peer-on-peer abuse issues are fed back to the School's safeguarding lead so that they can spot and address any concerning trends and identify pupils who maybe in need of additional support. This is done by way of a weekly staff meeting at which all concerns about pupils (including peer-on-peer abuse issues) are discussed.
- Challenging the attitudes that underlie such abuse (both inside and outside the classroom).
- Working with Governors, Academy Trusts, Senior Leadership Team, all staff and volunteers, pupils and parents to address equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the School community;
- Creating conditions in which our pupils can aspire to and realise safe and healthy relationships.
- Creating a culture in which our pupils 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, Nottinghamshire Safeguarding Children Partnership (NSCP), Nottinghamshire Multi-Agency Safeguarding Hub (MASH), children's social care, and/or 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 pupils 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 pupils.

The School actively refers concerns/allegations of peer-on-peer abuse where necessary to Nottinghamshire MASH children's social care, and/or other relevant agencies. Children resident out of county but attending a Nottinghamshire school will be reported to their home MASH or equivalent Social Care

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

Appendix 1

Simon Hackett (2010) has proposed a continuum model to demonstrate the range of sexual behaviours presented by children and young people, from those that are normal, to those that are highly deviant:

Normal	Inappropriate	Problematic	Abusive	Violent
<p>Developmentally expected</p> <p>Socially acceptable</p> <p>Consensual, mutual, reciprocal</p> <p>Shared decision making</p>	<ul style="list-style-type: none"> • Single instances of inappropriate sexual behaviour • Socially acceptable behaviour within peer group • Context for behaviour may be inappropriate • Generally consensual and reciprocal 	<ul style="list-style-type: none"> • Problematic and concerning behaviours • Developmentally unusual and socially unexpected • No overt elements of victimisation • Consent issues may be unclear • May lack reciprocity or equal power • May include levels of compulsivity 	<ul style="list-style-type: none"> • Victimising intent or outcome • Includes misuse of power • Coercion and force to ensure victim compliance • Intrusive • Informed consent lacking, or not able to be freely given by victim • May include elements of expressive violence 	<ul style="list-style-type: none"> • Physically violent sexual abuse • Highly intrusive • Instrumental violence which is physiologically and/or sexually arousing to the perpetrator • Sadism

<https://www.nspcc.org.uk/globalassets/documents/publications/harmful-sexual-behaviour-framework.pdf> 16

Appendix 2

Support for Young People: Local and National

- Nottinghamshire Children and Young People's Independent Sexual Violence Advisors (ChiIVAs) provided by IMARA provide emotional and practical support for victims of sexual violence. They are based within the specialist sexual violence sector and will help the victim understand what their options are and how the criminal justice process works if they have reported or are considering reporting to the police. ChiSVAs will work in partnership with schools and colleges to ensure the best possible outcomes for the victim.

www.imara.org.uk/about-us/chisva-service

- Child and adolescent mental health services (CAMHS)

www.nottinghamshirehealthcare.nhs.uk/camhs

<https://www.nottinghamshirehealthcare.nhs.uk/camhs>

- Rape Crisis Centre's can provide therapeutic support for children over 13 who have experienced sexual violence.

www.nottssovss.org.uk

- Internet Watch Foundation (to potentially remove illegal images)

www.iwf.org.uk

Appendix 3

Useful Publications and Websites

Government Publications

Sexual harassment and sexual violence in schools

www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges

Keeping Children safe in Education - www.gov.uk/government/publications/keeping-children-safe-in-education

Preventing youth violence and gang involvement

www.gov.uk/government/publications/advice-to-schools-and-colleges-on-gangs-and-youth-violence

Preventing and tackling bullying in schools

www.gov.uk/government/publications/preventing-and-tackling-bullying

Ofsted – Review of sexual abuse in schools and colleges June 2021

www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges

Other useful documents

Sexting

Sharing nudes and semi-nudes: advice for education settings working with children and young people December 2020

www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people

Peer-on-peer abuse

Farrer & Co - Peer-on-peer abuse toolkit, guidance on peer-on peer abuse policy and template peer-on-peer abuse policy

www.farrer.co.uk/Global/Peer-on-peer%20abuse%20toolkit%202014.pdf

Anti-bullying Alliance

Sexual Bullying: Developing Effective Anti-bullying Practice

A guide for school staff and other professionals

[https://anti-](https://anti-bullyingalliance.org.uk/sites/default/files/uploads/attachments/Sexual%20bullying%20-%20anti-bullying%20guidance%20for%20teachers%20and%20other%20professionals%20-%20FINAL_0_0.pdf)

[bullyingalliance.org.uk/sites/default/files/uploads/attachments/Sexual%20bullying%20-%20anti-bullying%20guidance%20for%20teachers%20and%20other%20professionals%20-%20FINAL_0_0.pdf](https://anti-bullyingalliance.org.uk/sites/default/files/uploads/attachments/Sexual%20bullying%20-%20anti-bullying%20guidance%20for%20teachers%20and%20other%20professionals%20-%20FINAL_0_0.pdf)

Preventing abuse among children and young people-guidance from Stop it Now

What is Age appropriate?

<http://www.stopitnow.org/ohc-content/what-is-age-appropriate>

NSPCC-Harmful sexual behaviour

<https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/harmful-sexual-behaviour/>

NCB Harmful sexual behaviour

<https://www.ncb.org.uk/resources-publications/resources/workforce-perspectives-harmful-sexual-behaviour>

NSPCC –Is this sexual abuse?

<https://www.nspcc.org.uk/globalassets/documents/research-reports/nspcc-helplines-report-peer-sexual-abuse.pdf>

Online sexual harassment

Project deSHAME- Digital Exploitation and Sexual Harassment Amongst Minors in Europe

Understanding, Preventing, Responding

<https://www.childnet.com/our-projects/project-deshame>

Sexism

It's Just Everywhere- a study on sexism in schools –and how we tackle it

<https://ukfeminista.org.uk/wp-content/uploads/2017/12/Report-Its-just-everywhere.pdf>

Notes to accompany the NCC policy

www.gov.uk/government/publications/keeping-children-safe-in-education

Working Together to Safeguard Children 2018 (updated December 2020)

www.gov.uk/government/publications/working-together-to-safeguard-children-2

Other useful guidance also includes

- **Government guidance -Sexual violence and sexual harassment between children in schools and colleges- Advice for schools and colleges on how to prevent and respond to reports of sexual violence and harassment between children. Sexual Violence and Sexual Harassment, September 2021**

www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges

- **Ofsted – Review of sexual abuse in schools and colleges June 2021**

www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges

- **Nottinghamshire Safeguarding Children Partnership Policy, Practice and Guidance as of August 2021**

<https://nscp.nottinghamshire.gov.uk/policy-guidance/>

Please Note: This policy template remains current and in line with the statutory guidance contained within Keeping Children Safe in Education 2021,

KCSIE 2020 was republished as of September 2021 and is now statutory

What is Peer on Peer Abuse?

All children are capable of abusing their peers. This can manifest itself in a whole spectrum of behaviours including -

- Bullying including cyberbullying
- Sexual violence and harassment, including online harassment
- Physical abuse
- Sexting
- Up skirting (now a criminal offence and has reporting requirements)
- Initiation /hazing type violence and rituals

All schools need to include peer on peer abuse in their schools' policies and procedures and all staff need to be aware of these and ensure they are part of their everyday practice.

Children also need to know how to report concerns and know that they will be listened to and supported.

These should include

- Procedures to minimise the risk of peer on peer abuse
- How allegations are recorded, investigated, and dealt with
- Clear processes as to how victims, perpetrators and their families, as well as any other children affected will be supported
- Recognition of the gendered nature of peer on peer abuse but recognising, that all forms of this behaviour are unacceptable and that SEND young people and LGBT are also particularly vulnerable

- Evidence of how Relationship Education, Relationship and Sex Education (RSE) and Health Education is delivered in school

It is important that schools see this guidance and model template as a framework that will need to be adapted to fit the age and developmental stage and understanding of their pupil group.

A Whole School Policy

While schools cover many aspects of peer on peer abuse in other policies such as the whole school behaviour policy, the anti-bullying policy and the online safety policy (cyberbullying, online harassment and sexting) schools need to be clear about their strategies around wider behaviours including sexist and sexual bullying, sexual harassment, sexual violence.

Peer on peer abuse is also fully embedded within the NCC/NSCP whole school ChildProtection Policy 2021

Some useful definitions:

Sexual Harassment

This can be defined as ‘unwanted conduct of a sexual nature’ that can occur online and Face- to face. In the context of this guidance this means 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.

It 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.

Sexting

Sexting is when someone shares sexual, naked, or semi-naked images or videos of themselves or others or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops - any device that allows you to share media and messages. This is also known as youth produced sexual imagery.

Government guidance has been updates in December 2020.

www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people

Up skirting

This typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm. It is now a criminal offence and may constitute sexual harassment. Cases of ‘up skirting’ have a mandatory requirement for being reported.

Sexual Violence

In this guidance this refers to sexual violence in the context of child on child sexual violence.

Children can and do abuse other children. Sexual violence covers a spectrum of behaviour. It can refer to sexual offences under the Sexual Offences Act 2013. This includes: -

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.

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.

It is important to know 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.

It is also important to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion, or exploitation. Due to their additional training, the designated safeguarding lead (or deputy) should be involved and leading the school or college response. If in any doubt, they should seek expert advice.

It is important that schools and colleges consider sexual harassment in broad terms. Sexual harassment (as set out above) creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Harmful Sexual Behaviour (HSB)

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive, and violent. Problematic, abusive, and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is "harmful sexual behaviour". The term has been widely adopted in child protection and is used in this advice. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context.

Useful guidance can be found in: -

NSPCC and Research in Practice's Harmful Sexual Behaviour Framework:

www.nspcc.org.uk/globalassets/documents/publications/harmful-sexual-behaviour-framework.pdf

Hazing/Initiation

The practice of rituals, challenges, and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group.

Contextual Safeguarding

All staff, but especially the designated safeguarding lead (or deputy) should be considering the context within which incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare.

Additional considerations for schools

When considering harmful sexual behaviour, ages, and the stages of development of the children are critical factors to consider. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years' difference or if one of the children is pre-pubescent and the other is not.

However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature. Schools and colleges should ensure that their response to sexual violence and sexual harassment between children of the same sex is equally robust as it is for sexual violence and sexual harassment between children of the opposite sex.

Prevention

As well as having strategies for dealing with incidents schools and colleges should consider what they can do to foster healthy and respectful relationships between boys and girls including through Relationship and Sex Education and Personal Social Health and Economic Education.

The most effective preventative education programme will be through a whole-school approach that prepares pupils for life in modern Britain. The school will have a clear set of values and standards, and these will be upheld and demonstrated throughout all aspects of school life. This will be underpinned by the school's behaviour policy and pastoral support system, and by a planned programme of evidence-based content delivered through the whole curriculum. Such a programme should be developed to be age and stage of development appropriate (especially when considering SEND children and their cognitive understanding), and may tackle such issues as:

- Healthy and respectful relationships.
- What respectful behaviour looks like?
- Consent.
- Gender roles, stereotyping, and equality.
- Body confidence and self-esteem.
- Prejudiced behaviour.
- That sexual violence and sexual harassment is always wrong; and
- Addressing cultures of sexual harassment.

Schools often deliver this currently, through planned, high-quality, Sex and Relationship Education (SRE) and Personal, Social, Health and Economic (PSHE) education.

From September 2020 it is compulsory for all schools to teach Relationships and Health Education (RHE) in Primary schools and Relationships, Sex and Health Education (RSHE)

Schools in Nottinghamshire will find support and resources to support the development of these topics from the Tackling Emerging Threats to Children Team (TETC) and the TETC pages of the Nottinghamshire School's Portal.

www.nottinghamshire.gov.uk/schoolsportal/services/school-support/tackling-emerging-threats-to-children-team-and-combined-school-health-hub