



# Straits Primary School

## Child on Child abuse (including Anti-bullying) policy

This policy is in line with the statutory guidance contained within the most recent versions of [Keeping Children Safe in Education](#) and [Working Together to Safeguard Children](#). It is also supported by the guidance '[Preventing and Tackling Bullying, 2017](#)'.

Straits Primary School recognises that children are vulnerable to physical, sexual and emotional abuse by their peers or siblings. This is most likely to include, but not limited to: bullying (including cyberbullying, prejudice-based and discriminatory bullying), physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexual violence and sexual harassment; consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery); initiation/hazing type incidents and targeted verbal abuse.

Abuse perpetrated by children can be just as harmful as that perpetrated by an adult, so it is important to remember the impact on the victim of the abuse as well as to focus on the support for the child or young person exhibiting the harmful behaviour. Such abuse will always be taken as seriously as abuse perpetrated by an adult and the same [safeguarding children procedures](#) will apply in respect of any child who is suffering or likely to suffer significant harm.

**Child on Child abuse will not be tolerated or passed off as part of “banter”, “just having a laugh” or “growing up”.**

We are committed to a whole school approach to ensure the prevention, early identification and appropriate management of child on child abuse within our school and beyond. We will ensure, through training, that staff, volunteers and governors have an understanding of the range of child on child abuse, including sexual violence and sexual harassment, and will be made aware of how to recognise and manage such issues. Staff will be given the skills to identify and manage harmful sexual behaviour using resources such as the Brook Traffic Light Tool.

Staff should be aware that such incidents and/or behaviours can be associated with factors outside the school and can occur between children outside the school. Staff, and particularly the Headteacher and DSLs, should always consider the context in which such incidents and/or behaviours occur.

### What is Child on Child Abuse?

Child on child abuse is behaviour by an individual or group, intending to physically, sexually or emotionally hurt others. This can manifest itself in a whole spectrum of behaviours including –

- Bullying (including cyberbullying, prejudice-based and discriminatory bullying),
- Sexual violence and sexual harassment
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- Consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery);
- Upskirting (now a criminal offence and has reporting requirements)
- Initiation /hazing type violence and rituals
- Targeted verbal abuse

This abuse can:

- Be motivated by perceived differences e.g. on grounds of race, religion, gender, sexual orientation, disability, family circumstances, wealth or other differences.
- Result in significant, long lasting and traumatic isolation, intimidation or violence to the victim.

We cover many aspects of child on child abuse in other policies such as our safeguarding policy, behaviour policy and the online safety policy. However, we believe that there is a need to be clear about strategies around wider behaviours including bullying behaviour, sexual violence and sexual harassment.

Although our children seem young at primary age, we feel we have a responsibility to protect and safeguard our children from all forms of abuse. We also recognise that education around child on child on abuse is a necessary preparation for life outside school and the wider context that our children are part of.

We are adopting the NSPCC definition of Harmful Sexual Behaviour (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) and the Brook Traffic Light Tool.

## What do we need to do?

All schools need to include child on child 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 child on child abuse.
- How allegations are recorded, investigated and dealt with.
- Clear processes as to how victims, perpetrators and any other children affected will be supported.
- Recognition of the gendered nature of child on child abuse but recognising, that all forms of this behaviour are unacceptable and will be taken seriously.

Guidance on sexual violence and sexual harassment between children in schools and colleges is available within [keeping children safe in education](#).

## Some useful definitions:

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.

It is defined as 'unwanted conduct of a sexual nature' that can occur online and offline. In the context of this policy 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;
- Sending sexually explicit messages
- Consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery):
- Causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;

## Upskirting

Upskirting (which is a criminal offence), typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm.

## 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: -

- **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. Consent can be withdrawn at any time during sexual activity and each time activity occurs.

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. It is important that we 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 policy. 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: -

The Brook Sexual Behaviours Traffic Light Tool <https://www.brook.org.uk/training/wider-professional-training/sexual-behaviours-traffic-light-tool/>

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. We need to ensure that our 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.

## 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 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.

## **Prevention**

As well as having strategies for dealing with incidents, we promote and foster healthy and respectful relationships between pupils through our [Relationship and Sex Education](#) and PSHE curriculum. The most effective preventative education programme will be through a whole-school approach that prepares pupils for life in modern Britain. We have a clear set of values (Pathways to the Future) which are upheld and demonstrated throughout all aspects of school life. This will be underpinned by the school's behaviour policy, PSHE curriculum and a whole school approach.

## 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 (LAC or PLAC);
- children who go missing;
- children with additional needs (SEN, medical and/or disabilities);
- children who are lesbian, gay, bisexual or are gender questioning and/or have other protected characteristics under the Equalities Act 2010.

We recognise that both boys and girls experience child on child abuse, but they do so in gendered ways. 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. However, we recognise 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.

All staff should be aware of indicators that 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
- 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.

## Managing incidents of Bullying

In order to help us identify and manage incidents of bullying, we have defined and shared the following terms with our community.

- Rude is “saying or doing something that upsets someone else.” *In children this takes the form of social errors like “burping in someone’s face, jumping ahead in line, bragging about achieving the highest score or even throwing a crushed up pile of leaves in someone’s face.” The critical factor? “Incidents of rudeness are usually spontaneous, unplanned inconsideration, based on thoughtlessness or poor manners but not meant to actually hurt someone.”*
- Being mean involves “purposefully saying or doing something to hurt someone once (or maybe twice).” *Unlike unthinking rudeness, “mean behaviour very much aims to hurt or depreciate someone.... Very often, mean behaviour in kids is motivated by angry feelings and/or the misguided goal of propping themselves up in comparison to the person they are putting down.”*
- Bullying is “intentionally aggressive behaviour, repeated over time, that involves an imbalance of power” *Children who bully say or do something intentionally hurtful to others and they keep doing it, with no sense of regret or remorse -- even when targets of bullying show or express their hurt or tell the aggressors to stop. The key aspect is the ongoing nature of the behaviour, which leaves the victims feeling powerless and fearful.*

## Types of bullying

Many different kinds of behaviour can be considered bullying and can be related to almost anything. Targeting another pupil because of their appearance, religion, ethnicity, gender, sexual-orientation, home life, academic achievements, sporting ability, friendship groups, culture, disability, or special educational needs are some of the types of bullying that can occur.

Bullying is acted out through the following mediums:

- **Emotional:** being unfriendly, excluding, tormenting (e.g. hiding books, threatening gestures), ridicule, humiliation.
- **Verbal:** name-calling, sarcasm, spreading rumours, threats, teasing, making rude remarks, making fun of someone.
- **Physical:** pushing, kicking, hitting, pinching, throwing stones, biting, spitting, punching or any other forms of violence, taking or hiding someone's things.
- **Racist:** racial taunts, graffiti, gestures, making fun of culture and religion.
- **Sexual:** unwanted physical contact or sexually abusive or sexist comments.
- **Homophobic:** because of/or focussing on the issue of sexuality.
- **Online/cyber:** setting up 'hate websites', sending offensive messages, emails and abusing the victims via their mobile phones.
- Any unfavourable or negative comments, gestures or actions made to someone relating to their disability or special educational needs.

The school understands that, under the Equality Act 2010, it has a responsibility to:

- *eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the act;*
- *advance equality of opportunity between people who share a protected characteristic and people who do not share it;*
- *and foster good relations between people who share a protected characteristic and people who do not share it.*

Although bullying itself is not a criminal offence, some types of harassment, threatening behaviour and/or communications may be considered criminal offences:

- Under the Malicious Communications Act 1988, it is an offence for a person to electronically communicate with another person with the intent to cause distress or anxiety, or in a way which conveys a message which is indecent or grossly offensive, a threat, or contains information which is false and known or believed to be false by the sender.
- The Protection from Harassment Act 1997 makes it an offence to knowingly pursue any course of conduct amounting to harassment.
- Section 127 of the Communications Act 2003 makes it an offence to send, by means of a public electronic communications network, a message, or other matter, that is grossly offensive or of an indecent, obscene or menacing character. It is unlawful to disseminate defamatory information through any media, including internet sites.
- Other forms of bullying which are illegal and should be reported to the police include: violence or assault, theft, repeated harassment or intimidation and hate crimes.

### **Key roles and responsibilities**

At our school, we promote the ethos of 'collective responsibility' and that it is the role of **all** adults to ensure that the schools' expectations for behaviour are adhered to in the school environment.

- It is the responsibility of all staff to be alert to possible bullying of pupils and to deal with incidents as the highest priority as well as recording any incidents or reports on CPOMS.
- The headteacher reviews and amends this policy, taking into account new legislation and government guidance, and using staff experience of dealing with bullying incidents in the previous year to improve procedures.
- The headteacher reviews all reported incidents (CPOMS), including which type of bullying has occurred, to allow for proper analysis of the data collected and implement the appropriate measures to tackle it.
- The headteacher/DSL arranges appropriate training for staff members.
- Class teachers are alert to social dynamics in their class and are available for pupils who wish to report bullying. They also provide follow-up support after bullying incidents.
- All members of staff ensure that they are alert to possible bullying situations, particularly exclusion from friendship groups, and that they inform the pupil's teacher of such observations.

- All staff will avoid gender stereotyping when dealing with bullying.
- All staff have a duty to report any instances of bullying once they have been approached by a pupil for support (CPOMS).
- Parents/carers are advised to inform their child's class teacher (or the Head teacher) if they are concerned that their child may be being bullied or be involved in bullying.
- Pupils are advised to inform a member of staff if they witness bullying, or are a victim of bullying.
- Pupils are taught to walk away from any dangerous situations and avoid involving other pupils in incidents.
- Pupils are advised to retain all evidence of cyber bullying.
- The governing board evaluates and reviews this policy to ensure that it is non-discriminatory.

## Prevention

The school has developed a whole-school commitment of '**zero tolerance to bullying**' and all reported or witnessed instances of bullying in the school are investigated by a member of staff and referred to the headteacher or DSLs.

1. Staff encourage pupil collaboration and the development of interpersonal skills through the use of group and paired work. Types of bullying are discussed as part of the curriculum (PSHE and Relationship Education), and diversity, difference and respect for others is promoted and celebrated through lessons and assemblies.
2. Seating arrangements in class will be changed and organised in a way that prevents reoccurrence of reported instances of bullying.
3. Pupils are supervised, by appropriate adults, during all playtimes.
4. A clear structure for behaviour management and consistent promotion of our school and British values.
5. Regular review of our procedures for managing incidents of reported bullying – including annual pupil voice.
6. Participating in anti-bullying week, online safety week and NSPCC assemblies/workshops.
7. Opportunities to extend friendship groups and interactive skills are provided through participation in special events, for example, productions, sporting activities, child in need stalls, curriculum workshops.
8. Members of the school community are made aware, and have inputted ideas into, the school's anti-bullying policy.
9. All staff members receive training on identifying and dealing with the different types of bullying including child on child abuse.
10. A safe, supervised place is available for pupils to go to at lunch if they are involved in conflict with their peers, or wish to avoid a pupil (Nurture Groups).
11. We offer an 'open door' policy allowing pupils to discuss any bullying, whether they are victims or have witnessed an incident.
12. Staff treat reports of bullying very seriously and do not ignore signs of suspected bullying.
13. Unpleasantness from one pupil towards another is always challenged and never ignored.
14. Staff take action immediately when they become aware of a bullying incident; this applies to all staff, not solely teaching staff.

Staff always respect pupils' privacy, and information about specific instances of bullying is not discussed with others, unless it is in a setting that the victim has given consent to. If the member of staff believes the pupil is in serious danger, e.g. of being hurt, they will inform the Head teacher or DSLs immediately.

## Signs of bullying

Some of the signs that a pupil may be a victim of bullying include, but are not limited to, the following:

- Being frightened to travel to or from school
- Asking to be driven to school
- Unwillingness to attend school
- Truancy
- Becoming anxious or lacking confidence
- Saying that they feel ill in the morning
- Decreased involvement in school work
- Returning home with torn clothes or damaged possessions
- Missing possessions
- Asking for extra money or stealing

- Cuts or bruises
- Lack of appetite
- Unwillingness to go online or use mobile devices
- Becoming agitated when receiving calls or text messages
- Lack of eye contact
- Change in behaviour and attitude at home
- Attempts or threatens to hurt themselves
- Crying themselves to sleep at night or having nightmares
- Becoming aggressive, disruptive or unreasonable
- Starting swearing or using aggressive language for no apparent reason
- Bullying other children or siblings

Although the signs outlined above may not be due to bullying, they may be due to deeper social, emotional or mental health issues, so are still worth investigating. Pupils who display a significant number of these signs are approached by a member of staff, in order to determine the underlying issues, whether they are due to bullying or other issues. These pupils can then be discussed and actions to support the pupil, planned.

### **Procedures**

Incidents reported will, in discussion with the class teacher and either the headteacher or DSLs, be investigated and discussed with all appropriate persons (pupils, staff, parents). When investigating a bullying incident, the following procedures are adopted:

- Staff will make sure the victim(s) is and feels safe.
- The victim, alleged bully and witnesses are all interviewed separately.
- Members of staff ensure that there is no possibility of contact between the pupils being interviewed, including electronic communication.
- If appropriate, the alleged bully, the victim and witnesses, are asked to write down details of the incident(s); this may need prompting with questions from the member of staff to obtain the full picture. (appendix 2)
- Premature assumptions are not made, as it is important not to be judgemental at this stage.
- Members of staff listen carefully to all accounts, being non-confrontational and not attaching blame until the investigation is complete.
- All concerned pupils are informed that they must not discuss the incidents with other pupils.
- Appropriate action will be taken quickly to end the bullying behaviour or threats of bullying.
- Staff will reinforce to the bully that their behaviour is unacceptable.
- An attempt will be made, and support given, to help the bully (bullies) understand and change his/her/their behaviour.
- If necessary, group dynamics are broken up by members of staff by assigning places in classes and managing playground activities.
- In serious cases parents will be informed and will be invited to come into school for a meeting to discuss the problem.
- After the incident has been investigated and dealt with, each case will be monitored to ensure repeated bullying does not take place. (The class teacher/head teacher or DSLs monitor the pupils involved and check whether the bullying has stopped the week after the bullying, and regularly during the same half term.)
- Bullying incidents will be discussed regularly at SLT/staff meetings.
- If necessary and appropriate, the police will be consulted.
- The victim is encouraged to broaden their friendship groups by joining lunchtime or after-school clubs or activities.
- If appropriate, follow-up correspondence is arranged with parents/carers one month after the incident.

### **Sanctions**

The pupil will be helped to understand the consequences of their actions and warned that there must be no further incidents. They will receive consequences for their actions but will also be able to discuss what

happened and helped to reflect on why they became involved, what they did wrong and why they need to change their behaviour.

- The perpetrator is made to realise that some pupils do not appreciate the distress they are causing, and that they should change their behaviour.
- The headteacher informs the pupil of the type of sanction to be used in this instance (detentions, fixed term exclusion etc.) and future sanctions if the bullying continues.
- The bully may be placed on a reporting system and will check in with the head teacher at regular (daily) intervals.
- If possible, the headteacher will attempt reconciliation and will obtain a genuine apology from the bully. This will either be in writing to the victim (and/or witnesses if appropriate), or face-to-face, but only with the victim's full consent. Discretion is used here; victims will never feel pressured into a face-to-face meeting with the bully.
- Parents/carers are informed of bullying incidents and what action is being taken.

### **Pupils who have been bullied are supported in the following ways:**

- Being listened to and reassured - appropriate advice will be given to help the victim(s).
- Having an immediate opportunity to meet with their class teacher/head teacher/DSLs or a member of staff of their choice.
- Being offered continued support through a 'trusted' adult system.
- Being offered counselling, where appropriate.
- Encouraged to broaden their friendship groups by joining lunchtime or after-school clubs or activities.
- In cases where the effects of bullying are so severe that the pupil cannot successfully reintegrate back into the school, the headteacher and designated safeguarding lead will support the transfer to another mainstream school.

### **Cyber bullying**

The school has an Online Safety Policy, which outlines the school's zero tolerance approach to cyber bullying. At Straits, we view cyber bullying in the same light as any other form of bullying and will follow the sanctions set out in this policy if we become aware of any incidents.

In accordance with the Education Act 2011, the school has the right to examine and delete files from pupils' personal devices, e.g. mobile phones, where there is good reason to do so. This power applies to all schools and there is no need to have parental consent to search through a young person's mobile phone. If an electronic device is seized by a member of staff, and there is reasonable ground to suspect that it contains evidence in relation to an offence, the device must be given to the police as soon as it is reasonably practicable. If a staff member finds material that they do not suspect contains evidence in relation to an offence, the headteacher will decide whether it is appropriate to delete or retain the material as evidence.

### **Bullying outside of school**

Where bullying outside school is reported to school staff, it is investigated and acted on. In all cases of misbehaviour or bullying, members of staff can only discipline the pupil on school premises, or elsewhere when the pupil is under the lawful control of the member of staff.

The headteacher has a specific statutory power to discipline pupils for poor behaviour outside of the school premises. Section 89(5) of the Education and Inspections Act 2006 gives the headteacher the power to regulate pupils' conduct when they are not on school premises, and therefore, not under the lawful charge of a school staff member.

The headteacher is responsible for determining whether it is appropriate to notify the police or the anti-social behaviour coordinator of the action taken against a pupil. If the misbehaviour could be of a criminal nature, or poses a serious threat to a member of the public, the police are always informed.

## **Responding to reports of sexual violence or sexual harassment**

Any member of staff or visitor to the school who receives a disclosure of abuse or suspects that a child is at risk of harm must report it immediately to the Head teacher (DSL) or, if unavailable, to the deputy headteacher (DDSL). In the absence of either of the above, the matter should be brought to the attention of the most senior member of staff. These concerns should be reported without delay and recorded using CPOMS.

Our procedure's for managing a reported incident:

- The DSL (or DDSL) will talk to the victim and reassure them they will be listened to, kept safe and provide appropriate advice.
- We will not promise confidentiality as the concern will need to be shared further (for example with parents or social care).
- A written report will be made as soon after the interview as possible recording the facts as presented by the child. This will be on the school's "*sexualised behaviours recording form template*" and uploaded to CPOMS. This will be attached to any safeguarding incident report (CPOMS) completed by the initial member of staff the disclosure was made to.
- The DSL/DDSL will consider what action to take and have appropriate discussions with parents/carers prior to referral to children's social care, the police or another agency. All referrals will be made in line with local procedures.
- Where the report includes an online element the school will follow advice on searching, screening and confiscation. The staff will not view or forward images unless unavoidable and only if another member of staff (preferably the DSL) is present.
- The victim will be offered continued support through a 'trusted' adult system – this will develop into counselling, where appropriate.

As of this process, 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?

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.

### **Risk Assessment**

When there has been a report of sexual violence, the headteacher will make a risk and needs assessment. The risk and needs assessment should consider:

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

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

## **Reporting to the Police**

Where a report of sexual assault is made (including assault by penetration), 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, we will consult the police and agree what information can be disclosed to staff, 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 or college take do not jeopardise the police investigation.

If a child is convicted or receives a caution for a sexual offence, we will update our policy and procedures 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 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 DSLs 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 assault 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 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.

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, 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.

### **Complaints**

All complaints will be dealt with according to our school complaints policy and within these guidelines and procedures.

### **Monitoring and Evaluation**

We will ensure that this policy and its procedures are being applied and are impacting on pupil well-being through learning walks, pupil interviews, staff and parent feedback and SLT and Governor review meetings. The Governing body will monitor the implementation and impact of this policy.

### **GDPR**

This Policy adheres to the principles under data protection law. For further information please review the School's Data Protection Policy published on the School Website.

Signed by:

Chair of Full Governing Body: .....

Date: .....

Head teacher: .....

Date: .....

Agreed at the FGB Meeting on: .....

# 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:

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

## Appendix 2



# Straits Primary School

## Bullying Report Form

This form will be sent to the headteacher upon completion

### Personal details

Name of person reporting incident:	
Name of pupil(s) being bullied:	
Gender:	
Year group:	
Class:	

### Incident details

What happened?

**Where did the incident take place?**

**When did the incident occur?**

**Who has been suspected of bullying?**

**Did anyone else see the incident?**

**According to the victim, how often does the bullying take place?**

**According to the victim, how long has the bullying been going on?**

## Appendix 3

### Useful Publications and Websites Government Publications

- Keeping Children safe in Education -  
[www.gov.uk/government/publications/keepingchildren-safe-in-education](http://www.gov.uk/government/publications/keepingchildren-safe-in-education)
- Preventing youth violence and gang involvement  
[www.gov.uk/government/publications/advice-to-schools-and-colleges-on-gangs-and-youthviolence](http://www.gov.uk/government/publications/advice-to-schools-and-colleges-on-gangs-and-youthviolence)
- Preventing and tackling bullying in schools  
[www.gov.uk/government/publications/preventing-and-tackling-bullying](http://www.gov.uk/government/publications/preventing-and-tackling-bullying)

### Other useful documents

- Sharing nudes and semi-nudes: advice for education settings working with children and young people  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609874/6\\_2939\\_SP\\_NCA\\_Sexting\\_In\\_Schools\\_FINAL\\_Update\\_Jan17.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf)
- Farrer & Co – child on child abuse toolkit, guidance on child on child abuse policy and template child on child abuse policy:  
<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/addressing-child-on-child-abuse.pdf>
- Sexual bullying: developing effective anti-bullying practice- A guide for school staff and other professional  
[Sexual bullying - anti-bullying guidance for teachers and other professionals - FINAL 0\\_0.pdf](#)
- Preventing abuse among children and young people-guidance from Stop it Now  
[https://www.stopitnow.org.uk/wp-content/uploads/2020/01/stop\\_booklets\\_childs\\_play\\_preventing\\_abuse\\_among\\_children\\_and\\_young\\_people01\\_14.pdf](https://www.stopitnow.org.uk/wp-content/uploads/2020/01/stop_booklets_childs_play_preventing_abuse_among_children_and_young_people01_14.pdf)
- What is Age appropriate?  
[What is Age-Appropriate? | Stop It Now](#)
- Brook Traffic lights  
<https://www.brook.org.uk/training/wider-professional-training/sexual-behaviours-traffic-light-tool/>
- NSPCC-Harmful sexual behaviour  
<https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/harmful-sexualbehaviour/>
- NSPCC –Is this sexual abuse?  
<https://www.nspcc.org.uk/globalassets/documents/research-reports/nspcc-helplinesreport-peer-sexual-abuse.pdf>
- Project deSHAME - Digital Exploitation and Sexual Harassment Amongst Minors in Europe Understanding, Preventing, Responding  
<https://www.childnet.com/our-projects/project-deshame>