



DISCOVERY
EDUCATIONAL TRUST

Harmful Sexual Behaviour/ Child-on-Child Abuse Policy

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1. Introduction

This Policy is based on the Harmful Sexual Behaviour/Peer on Peer Abuse Policy produced by Essex County Council, authored by Matt Lewis, Education Safeguarding Adviser, dated April 2021.

It is normal for some children and young people (CYP) to display sexualised behaviour towards their peers as they develop. However, sexualised behaviour between peers that has become harmful or abusive is unacceptable and must be addressed.

Discovery Educational Trust (DET) and its Schools recognise that CYP are vulnerable to and capable of abusing their peers sexually. DET and its Schools consider any allegation of child-on-child sexual abuse seriously and do not tolerate or pass off harmful sexual behaviour as ‘banter’, ‘just having a laugh’ or ‘part of growing up’. These allegations are managed in the same way as any other child protection concern and follow the same procedures, including seeking advice and support from other agencies, as appropriate.

This Policy is in line with the safeguarding requirements in [Keeping children safe in education](#) (KCSiE) (Department for Education (‘DfE’), 2023), which DET and its Schools must work to and comply with; Part 5 of the Keeping children safe in education statutory guidance sets out how schools should manage reports of child-on-child sexual violence and harassment.

2. Definition of Sexual Abuse

Forcing or enticing child or young person to take part in sexual activities, not necessarily involving violence, whether or not the CYP is aware of what is happening. The activities may involve physical contact, including assault by penetration, for example, rape or oral sex, or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving CYP in looking at, or in the production of, sexual images, watching sexual activities, encouraging CYP to behave in sexually inappropriate ways, or grooming a child or young person in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse.

The sexual abuse of CYP by other CYP is a specific safeguarding issue in education.

(Keeping children safe in education, DfE, 2023)

3. Harmful Sexual Behaviour

Harmful sexual behaviour can manifest itself in many ways. This may include:

- inappropriate or unwanted sexualised touching;
- sexual violence and sexual harassment;
- upskirting, which 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;
- pressurising, forcing, or coercing someone to share nude images (known as sexting or youth produced sexual imagery);
- sharing sexual images of a person without their consent;
- bullying of a sexual nature online or offline, for example, sexual or sexist name-calling.

DET and its Schools also understand the different gender issues that can be prevalent when dealing with harmful sexual behaviour.

CYP can experience harmful sexual behaviour in various settings. This includes at school, at home (or at another home), in public places, and online. At School, issues can occur in places, which are supervised and unsupervised. For example, abuse may occur in toilets, corridors, changing areas, common rooms, outside spaces such as the playground and sports facilities, and when CYP are travelling home.

4. How we Seek to Minimise the Risk of Harmful Sexual Behaviour

The principle aim of DET/its Schools approach is to foster the conditions in which all pupils can aspire to and realise safe and healthy relationships, at School and as they continue in life. DET and its Schools work to a culture in which the voice of all CYP is central, where pupils feel able to share their concerns openly, knowing that they are listened to, and that they are not judged.

Children and Young People

DET Schools use Relationships and Sex Education and Health Education (RSE and Health Education) curriculum to help all pupils understand, in an age-appropriate way, what harmful sexual behaviour is, including by peers. DET Schools teach pupils the knowledge that they need to recognise and report abuse, including emotional, physical, and sexual abuse. DET Schools also teach pupils about the importance of making sensible decisions to stay safe (including online), whilst being clear that, if a CYP is abused, it is never their fault.

DET and its Schools help all pupils to develop the skills to understand:

- what constitutes harmful sexual behaviour;
- that such behaviour is not acceptable;
- the possible reasons for such behaviour, and vulnerability of perpetrators;
- that they must tell a trusted adult if someone is behaving in a way that makes them feel uncomfortable – and must tell a trusted adult if they witness such behaviour towards others.

DET and its Schools understand that pupils may not always feel able to talk to adults about child-on-child sexual abuse. To help them, DET and its Schools encourage them to share their thoughts and opinions, respond to their concerns, and respect and listen to them. DET and its Schools want all pupils to feel confident that any concerns they raise are responded to appropriately.

Parents/Carers

It is important that parents/carers understand what is meant by harmful sexual behaviour and reinforce key messages from School at home. DET and its Schools work in partnership with parents/carers to support pupils and want to help them keep their child/ren safe. Parents/carers should understand:

- the nature of harmful sexual behaviour;
- the effects of harmful sexual behaviour on CYP;
- the likely indicators that such behaviour may be taking place;
- what to do if it is suspected that child-on-child sexual abuse has occurred.

Further information to support parents/carers in relation to harmful sexual behaviour is available online, including on the [NSPCC](#) and [Lucy Faithfull Foundation](#) websites.

Staff

All DET/School staff undertake annual safeguarding training where the different types of abuse and neglect are discussed; this includes information about harmful sexual behaviour and DET/School expectations for staff vigilance about this and other potential types of abuse. Staff also receive updates on safeguarding issues throughout the school year, including about the nature and prevalence of harmful sexual behaviour, where appropriate.

Importantly, the training also ensures that all DET staff know what to do if they receive a report that harmful sexual behaviour may have occurred, including how to support CYP.

5. DET/School Response to an Incident/Allegation

The wellbeing of all DET pupils is always central to DET/School response to an allegation or incident of harmful sexual behaviour. Any CYP reporting a concern is treated respectfully. DET and its Schools reassure the CYP that they are being taken seriously and that they will be supported and kept safe; no CYP is given the impression that they are creating a problem by reporting abuse, or made to feel ashamed.

DET/School staff never promise confidentiality to the CYP as the concern needs to be shared further. Each School's Designated Safeguarding Lead (DSL) (or Deputy DSL) needs to be informed as soon as possible of any incident, and the details may also need to be shared with Children's Social Care/the police and other specialist agencies. DET and its Schools have effective working relationships with all safeguarding partners, which are essential to ensuring that concerns are appropriately managed.

DET/School staff explain next steps to the CYP so that they understand what is to happen, including who is to be informed. Where the CYP already has Social Care involvement, such as a Looked After Child, a Child In Need or a child with a Child Protection Plan, DET School staff inform the child's Social Worker and work in partnership with them, as appropriate.

Whilst DET/its Schools establish the facts of the case and start the process of liaising with other agencies, as appropriate, they consider how best to keep the victim and alleged perpetrator a reasonable distance apart on School premises, and, where applicable, on transport to and from the School.

Where an incident includes an online element, DET/its Schools always work in accordance with appropriate guidance, taking advice from other partners, as necessary. DET/School staff do not view an indecent image of a CYP unless absolutely necessary, nor forward it for any reason.

Recording

It is essential that information relating to allegations about harmful sexual behaviour are recorded within DET/School, as with any other child protection concern, using CPOMS, and in line with the DET Safeguarding and Child Protection Policy. The record may form part of a statutory assessment by Children's Social Care or by another agency.

Any member of staff receiving a disclosure of harmful sexual behaviour or noticing signs or indicators of this, must record it in CPOMS as soon as possible, noting what was said or seen, if appropriate, using a body map to record, giving the date, time and location. The facts are recorded as the CYP presents them.

The record is automatically shared with the DSL (or Deputy DSL), who decides on appropriate action and records this in CPOMS accordingly.

If a CYP is at immediate risk of harm, staff consult the DSL (or Deputy DSL) first, and deal with recording as soon as possible thereafter.

All related concerns, discussions, decisions, and reasons for decisions are dated and signed and include the action taken.

Investigation

The DSL is responsible for leading investigations, and for liaising with other agencies, as appropriate, for example, Children's Social Care and the police. They are also the main point of contact for parents/carers. The DSL ensures that there are accurate records of each stage of the investigation and that any supporting information is included in the Child Protection files.

Risk Assessment

DET and its Schools complete a risk assessment following a report of harmful sexual behaviour, considering all CYP involved in an incident. They also consider all other pupils at the School and any actions that may be appropriate to protect them.

Risk assessments are regularly reviewed to ensure that they remain relevant and fit for purpose. Where appropriate, the affected CYP and their parents/carers are invited to contribute to the completion and review of the risk assessment.

6. Guiding Principles

The safety of DET's pupils is paramount. DET and its Schools use a proportionate approach, basing all actions on the principle that harmful sexual behaviour is not acceptable and is not tolerated.

All concerns are considered carefully and, on a case-by-case basis, underpinned by robust risk assessments. DET/School actions are not judgemental about the guilt of the alleged perpetrator and are always taken in the interests of all CYP concerned.

The DET/School approach helps to ensure that all pupils are protected and supported appropriately.

The following principles guide DET/its Schools:

- the wishes of the CYP in terms of how they want to proceed – the victim is given as much control, as is reasonably possible, over decisions regarding how any investigation is to progress and any support that they are offered. Notwithstanding the above, the decision, on how an investigation proceeds, sits, ultimately, with DET/its Schools.
- the nature of the alleged incident(s), including whether a crime may have been committed;
- the ages and developmental stages of all CYP involved;

- consideration of any power imbalance between the CYP, for example, is the alleged perpetrator significantly older, more mature, or more confident/does the victim have a disability or learning difficulty?
- consideration of whether the alleged incident is a one-off or a sustained pattern of abuse;
- that sexual violence and sexual harassment can take place within intimate personal relationships following incidents;
- the importance of understanding intra-familial harms and any necessary support for siblings following incidents;
- consideration of any ongoing risks to the victim, other CYP, or staff;
- consideration of any other related issues and wider context.

Supporting the CYP who has allegedly experienced harmful sexual behaviour

DET and its Schools assess what short-term and long-term support a CYP may need to help them manage the immediate aftermath of an incident, and to recover from what they have experienced. The CYP's existing support network is central to this work; DET and its Schools work with other partners, as appropriate and in accordance with the CYP's wishes, and, wherever appropriate, in discussion with parents/carers.

DET and its Schools consider what is necessary to support the CYP straightaway, for example, by making adaptations to their timetable and in-school support, and taking steps to protect them from attention or peer pressure that they may experience due to making a report. This work is guided by a robust risk assessment process and DET and its School ensure that the CYP and their parents/carers have an opportunity to contribute. DET/its Schools also ensure that there is regular review of arrangements in order to be confident that they meet the needs of all involved.

It may be necessary to make requests for support to mental health and wellbeing services or for therapeutic intervention. DET and its Schools may also need to link with other agencies, such as the [Internet Watch Foundation](#), to remove inappropriate material from the Internet.

Supporting the CYP who has allegedly displayed harmful sexual behaviour

DET and its Schools have a duty of care to all pupils and they protect and support CYP, who have displayed abusive or harmful sexual behaviour. They do this through considering the needs of the CYP, any risks to their safety and what multi-agency responses are needed to support them and their family. This work is guided by a robust risk assessment process, and DET/its Schools ensure that the CYP and their parents/carers have an opportunity to contribute. DET and its Schools also ensure that there is regular review of arrangements in order to be confident that they meet the needs of all involved.

Some CYP may not realise that they have behaved abusively. DET and its Schools avoid using language that may make them feel judged or criminalised, and ensure that any intervention is at the least intrusive level required to effectively address the behaviour.

DET and its Schools consider appropriate sanctions using the relevant School Behaviour Policy, and work with the CYP and their support network to consider measures that may help to address the CYP's behaviour.

7. Investigation Outcomes

Investigations of an allegation or incident as set out in this Policy enable DET and its Schools to determine the outcome, working with their safeguarding partners, as appropriate. DET and its Schools always seek to ensure that the outcome of an investigation is appropriate and proportionate to the circumstances in relation to the report. Various options are available, as set out below:

Manage internally

In some cases, for example, one-off incidents, DET and its Schools may take the view that the CYP concerned is not in need of Early Help or statutory intervention. In these cases, DET/its Schools follow other School policies in addressing matters, for example, the School's Behaviour and Anti-Bullying Policies, which are available on each School's website.

DET and its Schools also consider what support the CYP involved may need going forward, for example, pastoral support, counselling services, and ensure that there is a trusted adult for those affected to speak with if they wish to. DET and its Schools also consider whether any intervention or support is required as part of a whole setting approach or with the wider school community.

Early Help

Where statutory intervention is not required or agreed, DET and its Schools may use Early Help instead. This means providing support as soon as a problem emerges, at any point in a CYP's life. DET and its Schools work with parents/carers, and other relevant partners when following this approach, which can be particularly useful in addressing non-violent harmful sexual behaviour, and may prevent escalation.

Requests for support to Children's Social Care

Where a CYP has been harmed, is at risk of harm, or is in immediate danger, DET and its Schools make a request for support to Children's Social Care. They generally inform parents/carers of this unless to do so may put a CYP at additional risk. DET/its Schools seek advice from other partners on such matters.

If DET and its Schools make a request for support, Children's Social Care considers whether the CYP involved needs protection or other services. Where statutory assessments are appropriate, DET and its Schools work with Children's Social Care, and other agencies, as appropriate. Partnership working helps to ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other CYP, who requires support.

In some cases, Children's Social Care reviews the evidence and decides that a statutory intervention is not appropriate. If a statutory assessment is not considered appropriate by Children's Social Care, DET/its Schools consider what other support may be required. They make further requests for support to Children's Social Care if they consider that a CYP remains in immediate danger, or at risk of harm.

Reporting to the police

Where a report of rape, assault by penetration or sexual assault is made, DET and its Schools report the incident to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator(s) is under ten, the starting principle of reporting to the police remains. The police take a welfare, rather than a criminal justice, approach.

DET and its Schools generally inform parents/carers about reports of sexual abuse, unless to do so may put a CYP at additional risk. DET and its Schools seek advice from other partners in individual cases.

In circumstances where parents/carers have not been informed, DET and its Schools ensure that the CYP is supported in any decision taken. This is likely to be with the support of Children's Social Care and any appropriate specialist agencies.

Where DET/its Schools have made a report to the police, they consult with them and agree what information can be disclosed to staff and others, in particular the alleged perpetrator and their parents/carers. They also discuss the best way to protect the victim and their anonymity.

Where there is a criminal investigation, DET and its Schools work closely with the police and other agencies, as appropriate, to support all CYP involved (including potential witnesses). This helps to ensure that any actions taken do not jeopardise a police investigation. Sometimes the police decide that further action is not required. In these circumstances, DET/its Schools continue to engage with other agencies to support the CYP involved.

8. Review

All child protection concerns are reviewed regularly, to ensure that everything has been fully addressed, that actions are completed, and to consider whether the CYP involved needs any further support. DET and its Schools continue to work with parents/carers and other agencies, as appropriate, and risk assessments are reviewed and updated as required.

Appendix 1 - Harmful Sexual Behaviour/Child-on-Child Abuse Checklist for Educational Settings

This checklist is a self-audit tool to support settings in assessing the effectiveness of policies, procedures, training and overall safeguarding arrangements in respect of harmful sexual behaviour/child-on-child abuse.

Settings must work to [Keeping children safe in education](#) (Department for Education ('DfE'), 2023); Part 5 of the Keeping children safe in education statutory guidance sets out how schools should manage reports of child-on-child sexual violence and harassment.

Key Questions	
Safeguarding – Policies, Procedures and Wider Safeguarding Arrangements	Comments/Supporting Evidence
Does the Trust's current Safeguarding and Child Protection Policy include arrangements for child-on-child abuse?	
<p>Do current policies, protocols and practice address child-on-child abuse, to safeguard and promote the welfare of all pupils?</p> <p><i>Is there a clear set of values, which set out that any form of abuse is unacceptable and will not be tolerated?</i></p> <p><i>Are all staff, pupils and parents/carers clear on procedures for harmful sexual behaviour/child-on-child abuse?</i></p> <p><i>How do Trustees and Local Governors ensure that policies, protocols and practice do effectively safeguard all pupils?</i></p> <p><i>Do school leaders create a culture of vigilance in eradicating child-on-child abuse?</i></p>	
Are key safeguarding policies published on the Trust/School website (<i>and do they refer to current statutory guidance</i>)?	
<p>Is there a process in place for ensuring that safeguarding policies are regularly reviewed (annually)?</p> <p><i>What processes are applied here? Is there sufficient scrutiny of the content to ensure that it is current and meets needs?</i></p> <p><i>Are staff and pupils provided with the opportunity to contribute to and shape safeguarding policies?</i></p>	
<p>Do all staff receive regular and relevant training, which includes harmful sexual behaviour and child-on-child abuse?</p> <p><i>Are all staff aware of how to recognise harmful sexual behaviour and how to report it?</i></p>	

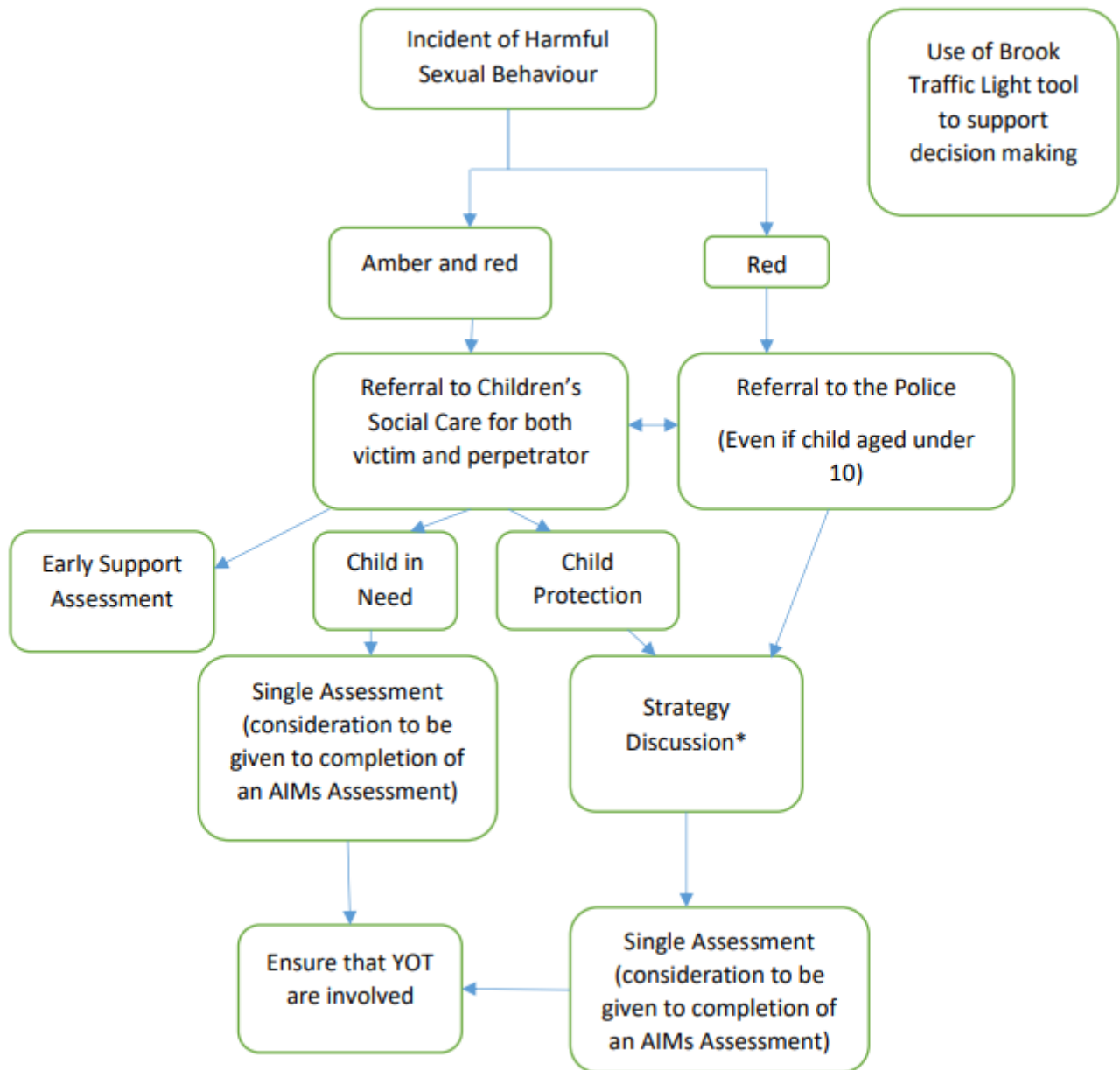
<p><i>Has the quality and content of the staff training programme been reviewed to ensure it adequately covers this topic? How do you evidence staff training and their understanding of your policies and procedures?</i></p>	
<p>How do Trustees and Local Governors ensure that there is strategic oversight of safeguarding, and that arrangements are effective?</p> <p><i>Is safeguarding a regular item on Trust Board/Local School Committee meeting agendas? Do Trustees/Local Governors receive regular safeguarding reports, and what actions have they taken as a result of the issues raised? How do Trustees/Local Governors appropriately support and challenge the HT and/or DSL on safeguarding matters?</i></p>	
<p>Are there effective communication systems in place to inform parents/carers, pupils and the wider School community about safeguarding arrangements? <i>How do you engage parents/carers in supporting safeguarding arrangements and reinforcing key messages with their children at home? How do you support parents/carers with keeping their child safe? How do you inform parents/carers how seriously you take safeguarding in your setting, including the management of harmful sexual behaviour? Are all pupils and parents/carers clear on the reporting process and support available if they have any safeguarding concerns, including child-on-child abuse? Are all stakeholders aware of how to escalate concerns, or of whistleblowing procedures if they feel issues are not being recognised or addressed?</i></p>	
<p>Safeguarding – Data</p>	<p>Comments/Supporting Evidence</p>
<p>What data do you hold on incidents of harmful sexual behaviour?</p> <p><i>Is data collated centrally, as well as on individual child protection files? Is your data regularly analysed and reviewed to determine patterns, trends or vulnerable groups? How is the data triangulated with other relevant information, for example, attendance, behaviour, child protection? How is the data used to inform and improve practice?</i></p>	

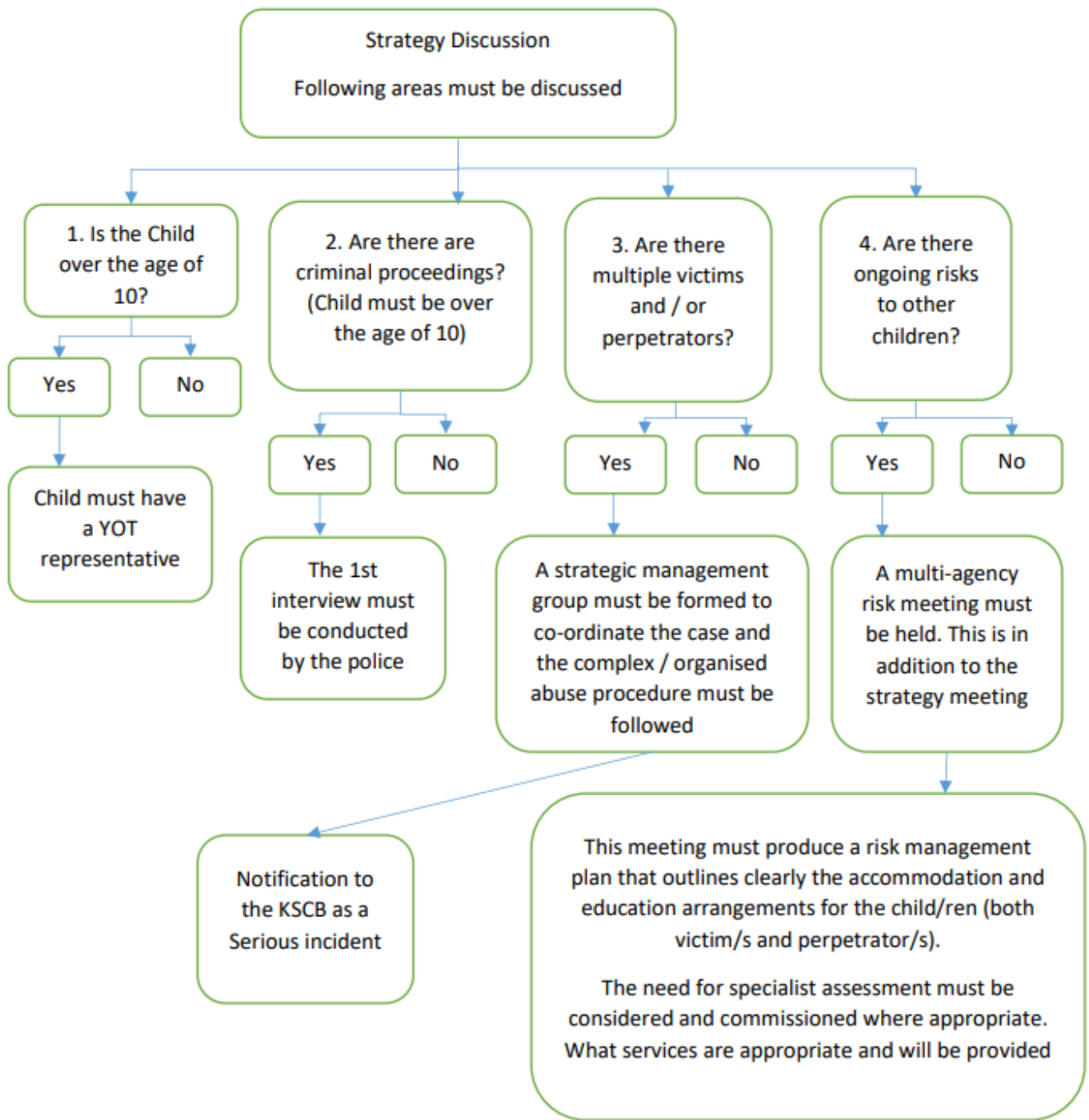
<p><i>Are there systems in place for regularly reviewing data and its use/outcomes?</i></p>	
<p>Safeguarding – Curriculum</p>	<p>Comments/Supporting Evidence</p>
<p>Has the school agreed and published its curriculum policy for the delivery of Relationships and Sex Education and Health Education?</p>	
<p>Is it clear how you teach safeguarding, healthy and respectful relationships, respectful behaviour and consent, and that sexual violence and sexual harassment is always wrong?</p>	
<p>How do you know the teaching of the Relationships and Sex and Health Education curriculum is effective? How do you test understanding?</p>	
<p>Is the implementation of the Relationships and Sex and Health Education curriculum appropriately sequenced, resourced and effective in all Year Groups?</p>	
<p>How do you teach pupils to keep themselves (and others) safe, including online?</p>	
<p>Safeguarding - Multi-Agency Safeguarding Arrangements</p>	<p>Comments/Supporting Evidence</p>
<p>How well are safeguarding guidance and processes understood, consistent and effective between your School and local multi-agency partners, including Local Authority Children’s Social Care, the police, health services, victim support and other support?</p>	
<p>Are there strong working relationships in place with other local agencies, to ensure that you work in partnership to effectively safeguard pupils?</p> <p><i>How do you engage with partner agencies?</i></p> <p><i>Are all staff aware how to request support from/refer to the Children and Families Hub, if they have concerns?</i></p> <p><i>Do you escalate cases appropriately if you feel concerns have not been recognised or addressed by other organisations (see the SET Procedures 9ESCB, 2019)?</i></p> <p><i>Do all staff understand the Early Help process and how to access support from other agencies to ensure that children and families receive the right help at the right time?</i></p>	

<p><i>Does the DSL liaise with other agencies to ensure that there is joined up working, particularly for those children on a Child in Need, Child Protection or Care Plan?</i></p>	
<p>Safeguarding - Pupil Voice and Reporting</p>	<p>Comments/Supporting Evidence</p>
<p>How do you engage with pupils to capture pupil voice?</p> <p><i>How do you ensure that you reach all groups of pupils, including more vulnerable groups?</i></p> <p><i>How do pupil views contribute to and shape policy, procedures and Relationships and Sex Education and Health Education curriculum delivery?</i></p> <p><i>What feedback is provided to pupils so that they feel listened to, and so that they are aware that their concerns are acted upon?</i></p> <p><i>Are there mechanisms in place to review progress on any outcomes based on pupil voice?</i></p>	
<p>Do pupils feel able to identify a trusted adult to listen to their concerns?</p>	
<p>How do you check that pupils feel safe to report concerns and know how to do so?</p>	
<p>Safeguarding – Response to an Allegation/Incident</p>	<p>Comments/Supporting Evidence</p>
<p>Is the DSL aware of when to report to other agencies (police and/or Social Care)?</p> <p><u>NSPCC - when to call the police</u></p> <p><u>National Police Chiefs’ Council</u></p> <p><u>Essex Effective Support</u></p>	
<p>Are the needs of the victim central to decision making and are their wishes respected (as far as possible within the limits of the statutory framework) in terms of a response?</p>	
<p>Following an incident of harmful sexual behaviour, is there a sound risk assessment process in place to ensure that pupils are safeguarded following an incident? Note: the use of ‘victim’ and ‘perpetrator’ are used here to identify those involved in an incident.</p> <p><i>Do you write risk assessments for the victim and the perpetrator (and any other pupils, as required)?</i></p>	

<p><i>Are the victim and the perpetrator and their parents/carers given the opportunity to contribute to the risk assessment and identify their concerns to ensure that they are addressed?</i></p> <p><i>Do your risk assessments identify appropriate support for all pupils, as required?</i></p> <p><i>Do you work with other partners to contribute to and agree the risk assessment, as required?</i></p> <p><i>Where there is not already a Social Worker involved, do you use the 'Team Around the Family'/Early Help process to facilitate these discussions?</i></p>	
<p>Do pupils receive timely and appropriate support to meet their needs, and is this reviewed to ensure that it is an effective intervention?</p>	
<p>Are the victim and perpetrator kept informed of School action at each stage of the process?</p>	
<p>Is there a process for reviewing an incident to identify whether work with other pupils or the wider community is required? Does learning feed into practice going forward?</p>	

Appendix 2 – Harmful Sexual Behaviour Pathway





Assessment guidance

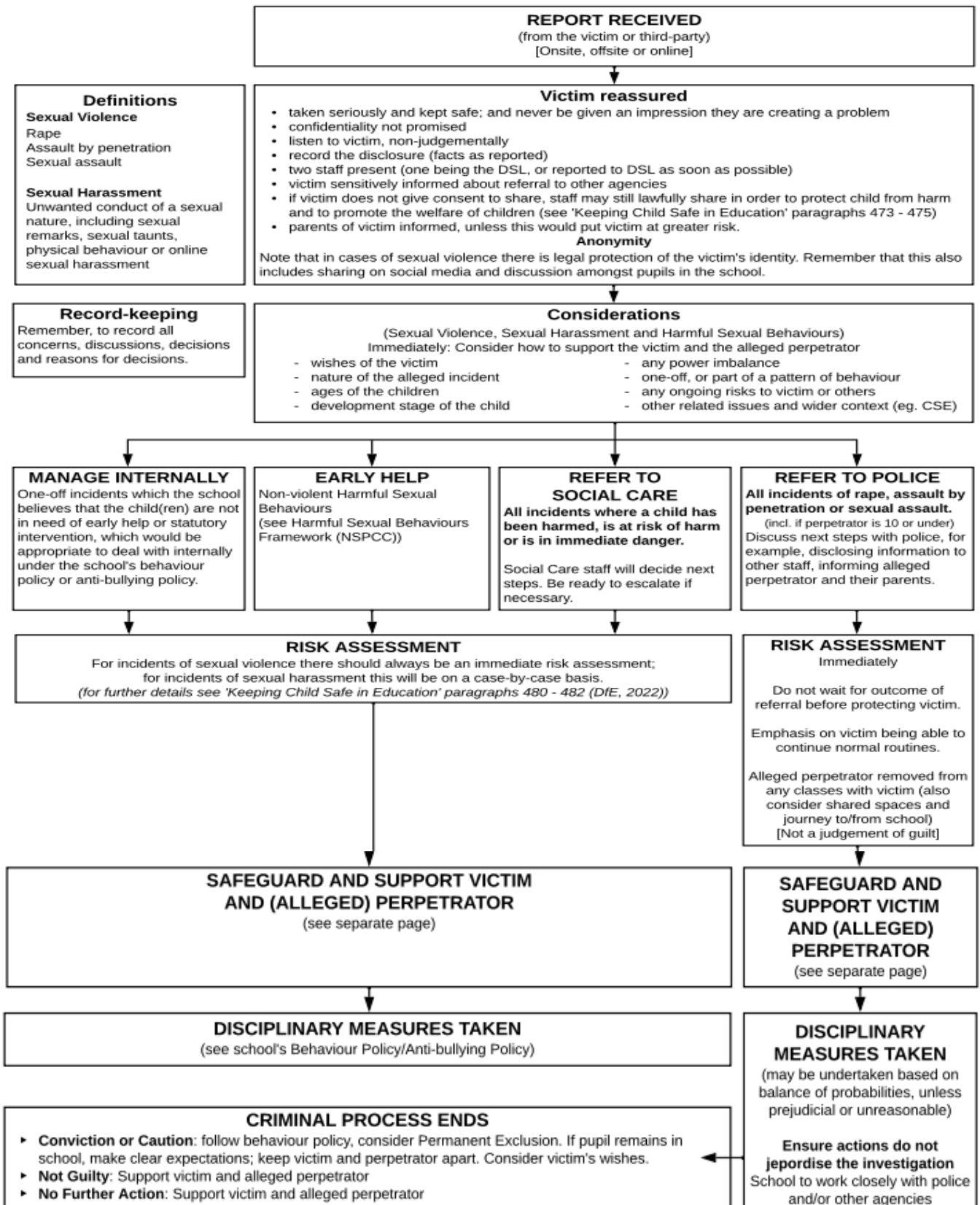
- Need for separate social workers for victim and perpetrator, even if in the same household

All Assessments should include:

- Details of the incident/s (including impact on victim/s, context of abusive behaviours, age of victim/s, nature of relationship between the children / young people involved)
- Child and young person's development, family and social circumstances
- Whether the "perpetrator" child / young person acknowledges the alleged behaviour
- Whether there are grounds to suspect that the "perpetrator" child / young person has been abused or there are adults involved in the development of the harmful sexual behaviour
- Details of previous incident/s
- Assessment of child's need and the need for any specialist assessments (including capacity / learning disability)
- Safety of other young people including a Risk management plan for school and one for home
- Accommodation and Education arrangements
- What services need to be provided

Appendix 3 – Child-on-Child Sexual Violence and Sexual Harassment – KCSiE Part 5 Flowchart

*PART FIVE: CHILD-ON-CHILD SEXUAL VIOLENCE AND SEXUAL HARASSMENT



Source:

*Keeping Children Safe in Education September 2022 (DfE, 2022)

2022 SVSH Flowchart

