

Policy document for: **Sexual violence and sexual harassment**

Updated: Autumn 2025

This policy forms part of the Trust Safeguarding and Child Protection policy and gives specific school actions in relation to their context.

Linked guidance

- Part 5 KCSIE – child on child sexual violence and sexual harassment (this is issued to all staff and Trustees/Governors)
- Sexual violence and sexual harassment between child in schools and colleges
- Non maintained special schools (England) regulations 2015
- Additional source of guidance [addressing-child-on-child-abuse.pdf \(farrer.co.uk\)](#)
- <https://rapecrisis.org.uk/get-informed/about-sexual-violence/sexual-consent/>

Staff must remember contextual safeguarding. When considering safeguarding incident or behaviour concerns, all assessments must consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. This is an approach to understanding and responding to children's experiences of significant harm beyond their families. This includes online abuse.

Child on Child Sexual Violence or Harassment

When responding to concerns relating to child-on-child sexual violence or harassment, all BA MAT schools will follow the guidance outlined in **Part five of KCSIE 2023**

Sexual violence and sexual harassment can occur between two children of any age and sex from primary to secondary stage and into colleges. It can also occur online. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

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

Each of our schools recognises sexual violence and sexual harassment can happen anywhere, and all staff will maintain an attitude of 'it could happen here'. We recognise sexual violence and sexual harassment can occur between two children of any age and sex. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children and can occur online and face to face (both physically and verbally). Sexual violence and sexual harassment is **never** acceptable.

All staff must be aware of the importance of:

- making clear that there is a zero-tolerance approach to sexual violence and sexual harassment, that it is never acceptable, and it will not be tolerated. It should never be passed off as "banter", "just having a laugh", "a part of growing up" or "boys being boys". Failure to do so can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse, leading to children accepting it as normal and not coming forward to report it

- recognising, acknowledging, and understanding the scale of harassment and abuse and that even if there are no reports it does not mean it is not happening, it may be the case that it is just not being reported
- challenging physical behaviour (potentially criminal in nature) such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them

All victims of sexual violence or sexual harassment will be reassured that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment, or ever be made to feel ashamed for making a report.

Our schools recognise that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory, so children may not be able to recall all details or timeline of abuse. All staff will be aware certain children may face additional barriers to telling someone, for example because of their vulnerability, disability, sex, ethnicity, and/or sexual orientation.

All staff have a role to play in challenging inappropriate behaviours between children. Staff recognise that some child-on-child abuse issues may be disproportionately affected

- By gender (girls are more likely to become victims)
- Children with SEND (are 3 times more likely to become victims)

Abuse that occurs online or outside of the schools will not be dismissed or downplayed and will be treated equally seriously and in line with relevant policies/procedures, including **online safety, cyber bullying, bullying, behaviour/wellbeing around the child and child protection.**

All schools recognise that the law is in place to protect children and young people rather than criminalise them, and this will be explained in such a way to pupils that avoids alarming or distressing them.

Sexual violence

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

When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003/134 as described below:

- Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
- Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.
- Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (NOTE – School staff should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone’s bottom/breasts/genitalia without consent, can still constitute sexual assault).
- Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe

that B consents. (NOTE – this could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party).

BA MAT schools are primary schools and staff are aware that any child under the age of 13 can NEVER consent to any sexual activity. See <https://rapecrisis.org.uk/get-informed/about-sexual-violence/sexual-consent/>

Sexual harassment

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

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

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

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names
- sexual “jokes” or taunting
- physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes. Schools and colleges should be considering when any of this crosses a line into sexual violence
- displaying pictures, photos or drawings of a sexual nature
- upskirting (this is a criminal offence)
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
 - consensual and non-consensual sharing of nude and semi-nude images and/or videos. Taking and sharing nude photographs of those aged under 18 is a criminal offence. <https://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> provides detailed advice for schools and colleges
 - sharing of unwanted explicit content
 - sexualised online bullying
 - unwanted sexual comments and messages, including, on social media
 - sexual exploitation; coercion and threats, and
 - coercing others into sharing images of themselves or performing acts they’re not comfortable with online

All staff must challenge sexual harassment behaviours. If not challenged, this can normalise inappropriate behaviours and create a culture which may lead to sexual violence.

Harmful sexual behaviour

Children’s sexual behaviour exists on a wide continuum, ranging 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” (HSB). The term has been widely adopted in child protection and is used in this advice. **HSB can occur online and/or face-to-face and can also occur simultaneously between the two.**

See also the **Harmful behaviour policy**.

When considering HSB, both ages and the stages of development of the children are critical factors. 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. See Keeping Children Safe in Education Annex B for specialist sexual violence support links

HSB can, in some cases, progress on a continuum. Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. Children displaying HSB have often experienced their own abuse and trauma. It is important that they are offered appropriate support.

What happens when a child discloses

Each school recognises that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory, so children may not be able to recall all details or timeline of abuse. All staff will be aware certain children may face additional barriers to telling someone, for example because of their vulnerability, disability, sex, ethnicity, and/or sexual orientation.

It is important to understand that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. In some cases, the victim may not make a direct report. For example, a friend may make a report, or a member of school staff may overhear a conversation that suggests a child has been harmed or a child's own behaviour might indicate that something is wrong. **If staff have any concerns about a child's welfare, they should act on them immediately rather than wait to be told.**

The initial response by a school or college to a report from a child is incredibly important. How the school responds to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward.

The DSL (or deputy) is likely to have a complete safeguarding picture and will be the most appropriate person to advise on the initial response.

- The DSL will make an immediate risk and needs assessment which will be considered on a case-by-case basis which explores how best to support and protect the victim and the alleged perpetrator, and any other children involved/impacted, in line with part five of [KCSIE](#) and relevant local/national guidance and support, for example [KSCMP](#) procedures.
- The risk and needs assessment will be recorded and kept under review and will consider the victim (especially their protection and support), the alleged perpetrator, and all other children and staff and any actions that are required to protect them.
- Any concerns involving an online element will take place in accordance with relevant local/national guidance and advice.

If at any stage the DSL is unsure if a request for support is appropriate, advice may be sought from the Front Door Service.

It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe. Abuse that occurs online or outside of the school or college should not be downplayed and should be treated equally seriously. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report. It is important to explain that the law is in place to protect children and young people rather than criminalise them, and this should be explained in such a way that avoids alarming or distressing them.

- If possible, have 2 members of staff present, preferably with one being a DSL whilst the child is being spoken to
- Do not view or forward illegal images of children. If necessary confiscate the device to preserve any evidence and hand to the police for inspection. See **Searching, screening and**

confiscation policy and <https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people>

- Do not promise confidentiality as it is very likely a concern will have to be shared further. Only share this report with DSLs/people needed to progress it
- Share the steps with the victim so they understand what the next steps will be and who the report will be passed to
- Remember that the child has disclosed with a trusted adult as they have placed that person in a position of trust. Staff must be supportive and respectful of the child
- listen carefully to the child, reflecting back, using the child's language, being non-judgemental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc. It is important to note that whilst leading questions should be avoided, staff can ask children if they have been harmed and what the nature of that harm was
- Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, it is essential a written record is made
- only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. These that notes such reports could become part of a statutory assessment by local authority children's social care and/or part of a criminal investigation
- Inform a DSL as soon as practically possible. The DSL (or deputy) is likely to have a complete safeguarding picture and will be the most appropriate person to advise on the initial response.
- Parents/carers should normally be informed, unless this would put the victim at a greater risk
- If the child is at risk of harm, is in immediate danger or has been harmed, there will be a referred to Kent Safeguarding through the front door
- Rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of referring to the police remains. The police will take a welfare, rather than a criminal justice approach, in these cases

Any concerns involving an online element will take place in accordance with relevant local/national guidance and advice.

Reports will initially be managed internally by the school/college and where necessary will be referred to [Integrated Children's Services](#) (Early Help and/or Children's Social Work Service) via the Children's Portal and/or the police. Important considerations which may influence this decision include:

- the wishes of the victim in terms of how they want to proceed.
- the nature of the alleged incident(s), including whether a crime may have been committed and/or whether Harmful Sexual Behavior has been displayed.
- the ages of the children involved.
- the developmental stages of the children involved.
- any power imbalance between the children.
- if the alleged incident is a one-off or a sustained pattern of abuse - sexual abuse can be accompanied by other forms of abuse and a sustained pattern may not just be of a sexual nature.

- that sexual violence and sexual harassment can take place within intimate personal relationships between children.
- understanding intra familial harms and any necessary support for siblings following incidents.
- whether there are any ongoing risks to the victim, other children, adult students, or school/ college staff.
- any other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation.

The school/college will in most instances engage with both the victim's and alleged perpetrator's parents/carers when there has been a report of sexual violence; this might not be necessary or proportionate in the case of sexual harassment and will depend on a case-by-case basis. The exception to this is if there is a reason to believe informing a parent/carer will put a child at additional risk. Any information shared with parents/carers will be in line with information sharing expectations, our confidentiality policy, and any data protection requirements, and where they are involved, will be subject to discussion with other agencies (for example Children's Social Work Service and/or the police) to ensure a consistent approach is taken.

Confidentiality

- Staff taking a report should never promise confidentiality as it is very likely that it will be in the best interests of the victim to seek advice and guidance from others in order to provide support and engage appropriate agencies.
- The school should only engage staff and agencies who are required to support the children involved and/or be involved in any investigation.
- The victim may ask the school not to tell anyone about the sexual violence or sexual harassment. There are no easy or definitive answers when a victim makes this request. If the victim does not give consent to share information, staff may still lawfully share it, if there is another legal basis under the UK GDPR that applies

See also <https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice> and <https://www.nspcc.org.uk/globalassets/documents/information-service/information-sharing-confidentiality-practitioners.pdf>

Risk assessment

- When there has been a report sexual violence, the DSL will make an immediate risk and needs assessment
- Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case by case basis

The risk and needs assessment should consider:

- The victim, especially their protection and support
- Whether there have been other victims
- The alleged perpetrator(s)
- All other children and any actions that are appropriate to protect them from the alleged perpetrator(s) or from future harms
- The time and location of the incident and any action required to make the location safer

Risk and needs assessments will be recorded on CPOMS and will be kept under review.

Children sharing a classroom

- The alleged perpetrator should be removed from the classes they share with the victim
- Consideration will be given as to how best to keep the victim and alleged perpetrator a reasonable distance apart on the premises, including before or after school based activities

- If required a safe space will be identified for a child to withdraw to, along with a Trusted adult to talk to

These actions are in the best interests of all children involved and should not be perceived as a judgement of guilt on the alleged perpetrator.

All concerns, discussions and reasons for decisions must be recorded on CPOMS.

Unsubstantiated, unfounded, false or malicious reports

All concerns, discussions and decisions and their reasons must be recorded on CPOMS. If a report is determined to be unsubstantiated, unfounded, false or malicious, the DSLs will consider whether the child making the report is in need of help or may have been abused by someone else. In such circumstances a referral to Kent Safeguarding may be appropriate. If the report is deliberately invented or malicious, the school will consider whether action will be taken by the school behaviour policy.

Safeguarding and supporting the victim

- The needs and wishes of the victim should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's daily experience as normal as possible, so that the school is a safe space for them
- Consider the age and the developmental stage of the victim, the nature of the allegation(s) and the potential risk of further abuse. Schools should be aware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and alleged perpetrator(s)
- The victim should never be made to feel they are the problem for making a report or made to feel ashamed for making a report.
- Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.
- Sexual assault can result in a range of health needs including physical, mental and sexual health problems and unwanted pregnancy. Children with a health need arising from a sexual assault or abuse can access specialist NHS support from a Sexual Assault Referral Centre
- It will be important in all scenarios that decisions and actions are regularly reviewed and that relevant policies are updated to reflect lessons learnt. It is particularly important to look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, the school or college should decide on a course of action. Consideration should be given as to whether there are wider cultural issues within the school that enabled the inappropriate behaviour to occur and where appropriate extra teaching time and/or staff training could be delivered to minimise the risk of it happening again

Support can include:

- Early Help and Social Services
- Children and Young People's Independent Sexual Violence Advisors (ChISVAs) 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 to ensure the best possible outcomes for the victim. Police and social services can signpost to this service, as can the school. See <https://rapecrisis.org.uk/> for contact details
- CAHMS
- Contact <https://rapecrisis.org.uk/> or <https://www.thesurvivorstrust.org/> or <https://malesurvivor.co.uk/support-for-male-survivors/directory-of-services/> for therapeutic support for children who have experienced sexual violence

- <https://www.nhs.uk/live-well/sexual-health/help-after-rape-and-sexual-assault/> provides information and support for pregnancy and STIs, reporting to the police and forensics
- <https://www.nhs.uk/service-search/other-services/Rape-and-sexual-assault-referral-centres/LocationSearch/364> provide contacts for rape and sexual assault services and provide medical, practical and emotional support

Safeguarding and supporting alleged perpetrator and children who have displayed HSB

- Consider how to safeguard both the victim and perpetrator
- Consider whether the perpetrator would be disciplined in line with the behaviour policy
- Consider the age and stage of the perpetrator, the nature of the allegations and frequency. Any child will likely experience stress of being the subject of allegations and/or negative reaction by their peers to the allegations against them
- Consider the proportionality of the response. The perpetrators may have potentially unmet needs as well as potentially posing a risk of harm to other children. HSB in young children is often a symptom of their own abuse or exposure to abusive practices and materials

Additional guidance

The Lucy Faithfull Foundation has developed a HSB toolkit which amongst other things, provides support, advice and information on how to prevent it, links to organisations and helplines, resources about HSB by children, internet safety, sexual development and preventing child sexual abuse

https://www.stopitnow.org.uk/concerned-about-a-child-or-young-persons-sexual-behaviour/preventing-harmful-sexual-behaviour/?utm_campaign=1540968_HSB%20Toolkit%20email_SOCIAL%20MEDIA&utm_medium=email&utm_source=Lucy%20Faithfull%20Foundation&dm_i=48W7,X100,38NO7C,43A9L,1

NSPCC has advice <https://learning.nspcc.org.uk/child-abuse-and-neglect/harmful-sexual-behaviour> and <https://learning.nspcc.org.uk/research-resources/2019/harmful-sexual-behaviour-framework>

<https://www.contextualsafeguarding.org.uk/toolkits/beyond-referrals/> has a self assessment toolkit and guidance for addressing HSB in schools

<https://www.stopitnow.org.uk/concerned-about-a-child-or-young-persons-sexual-behaviour/preventing-harmful-sexual-behaviour/> has a guide for parents and professionals and run a free confidential helpline

Teaching children about healthy relationships

The Trust recognises that some groups may be vulnerable to sexual violence or harassment which includes girls, those with SEND, those who are LGBTQ+ or perceived to be by their peers.

- The RSE curriculum (main stream schools) gives focus to positive relationships, as well as discussing sexuality and gender.
- The RSE curriculum at Aspire also gives focus to positive relationships, gender and sexuality at a developmentally appropriate level for each child

Any incident of sexual violence and/or harassment must be reporting on CPOMS so it can be investigated appropriately. As with all safeguarding concerns the incident, actions and reviews will be held on CPOMS. If at any stage the DSL is unsure how to proceed, advice will be sought from the Education Safeguarding Service.

Additional sources of support

- CEOP safety centre – online sexual abuse can be reported on their website
- NSPCC provides a helpline for professionals on 0808 800 5000

- Specialist organisations such as <https://rapecrisis.org.uk/> and <https://www.thesurvivorstrust.org/find-support>
- Antbullying alliance has guidance for schools on <https://anti-bullyingalliance.org.uk/tools-information/all-about-bullying/sexual-and-sexist-bullying>

Online support

- UK Safer internet centre has an online safety helpline for professionals on 0344 381 4772
- Internet watch foundation – if the incident involved sexual images or videos which have been made and circulated online, the victim can be supported to get images removed by the <https://www.iwf.org.uk/>
- Childline has a tool <https://www.iwf.org.uk/our-technology/report-remove/> which can be used by children to report nude or sexual images and/or videos of themselves which they think may have been shared online
- UKCIS sharing nudes or semi nudes have advice <https://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> on responding to reports of children sharing non consensual nude and semi nude images and/or videos (also known as sexting and youth produced sexual imagery)
- CEOP Education Programme has information for professionals and parents/carers on protecting children from online child sexual abuse <https://www.thinkuknow.co.uk/>
- LGfl provides schools advice on how to teach young children about being tricked into getting undressed online in a fun way without scaring them or explaining the motives of sex offenders <https://undressed.lgfl.net/>