



WANSTEAD HIGH SCHOOL

Managing Child on Child Abuse, Sexual Harassment and Sexually Harmful Behaviour Policy

Person Responsible	Mrs H Martin
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This policy is communicated by the following means	School Website

Glossary

AP	Alternative Provision - 'Education arranged by local authorities for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education; education arranged by school for pupils on a fixed-period exclusion; and pupils being directed by schools to off-site provision to improve their behaviour.' (DFE Alternative Provision – Page 3).
HSB	Harmful Sexual Behaviour
DSL	Designated Safeguarding Lead
MARF	Multi Agency Referral Form – Referral Form used to share information with other services in request for support, where concern exists around a pupil's welfare.
CAF	Common Assessment Framework - a shared assessment and planning process for use across all children's services. It aims to help the early identification of children and young people's additional needs and provide a coordinated service through a Team Around the Family (TAF).
EHCP	Educational Health Care Plan

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1. Vision, Purpose and Aims

At Wanstead High School we aim to provide a safe place, where each and every pupil is provided with the opportunities to become capable, independent learners and tolerant, kind, thoughtful and responsible young people.

The school is committed to providing a safe and respectful environment where the whole community is able to learn and thrive free from sexual violence and sexual harassment. The school takes any incidents of sexual violence or sexual harassment very seriously and is committed to handling all reports sensitively, effectively and in a timely manner. We are clear that sexual violence and sexual harassment are not acceptable, will never be tolerated and are not an inevitable part of growing up. We will always challenge behaviour or language that seeks to normalise sexual harassment or violence in school. Sanctions will be applied in accordance with our Behaviour Policy.

We are committed to providing our pupils with the knowledge and skills to be able to identify and understand what constitutes healthy and respectful relationships.

From this, we derive the necessity to set in place practices and procedures which will promote positive peer relationships and guide the identification, response and prevention of any behaviours that could constitute child on child abuse harmfully sexually behaviour.

The aims of the school's Managing Child on Child Abuse, Sexual Harassment and Sexually Harmful Behaviour Policy are:

1. To provide a shared understanding of what is meant by the term child on child abuse in the broader sense.
2. To provide a shared understanding of what is meant by sexual harassment and sexually harmful behaviour, under the broader umbrella of child-on-child abuse, with clear definitions of key terminology which is typically used in discussion and education of this issue.
3. To identify roles and responsibilities of key school staff leading and working in relation to safeguarding this policy area.
4. To provide a clear overview of the steps the school will take in terms of preventative work to educate pupils about healthy relationships, unhealthy relationships and sexually harmful behaviour.
5. To outline the key steps and actions that the school will take if an allegation of sexual harassment or sexually harmful behaviour is made about one or more pupils attending Wanstead High School.

2. Legal Framework

This policy has due regard to legislation and statutory guidance including, but not limited to, the following:

- Department for Education's sexual violence and sexual harassment between children in schools and colleges (May 2018) guidance document.
- Equality Act 2010.
- DfE (2019) 'Relationships Education, Relationships and Sex Education (RSE) and Health Education'.
- The Relationships Education, Relationships and Sex Education and Health Education (England) Regulations 2019.
- Children and Social Work Act 2017.
- DfE (2022) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'.
- DfE (2024) 'Keeping Children Safe in Education'.

This policy operates in conjunction with the following policies:

- Behaviour Policy
- Equal Opportunities Policy
- Attendance Policy
- Safeguarding and Child Protection Policy
- SEND Policy

3. Definitions

What is child on child abuse?

Child on child abuse is any form of physical, sexual, emotional, and financial abuse, and coercive control exercised between children, and within children's relationships. This includes both intimate 'romantic' relationships and non-intimate platonic relationships, irrespective of gender or sexual orientation.

Examples of child-on-child abuse include bullying including cyberbullying, sexual violence, harassment, and unwanted sexualised touching. Up skirting, radicalisation, physical abuse and initiation/hazing type violence and rituals. Examples of online peer-on-peer abuse would include: Sexting, Online abuse, child on child grooming, the distribution of youth involved sexualised content, and harassment.

Wanstead High School recognises that children are vulnerable to and capable of abusing their peers. Child on child abuse will not be tolerated in any form and should never be passed off or excused as "banter", "just having a laugh", or 'part of growing up'.

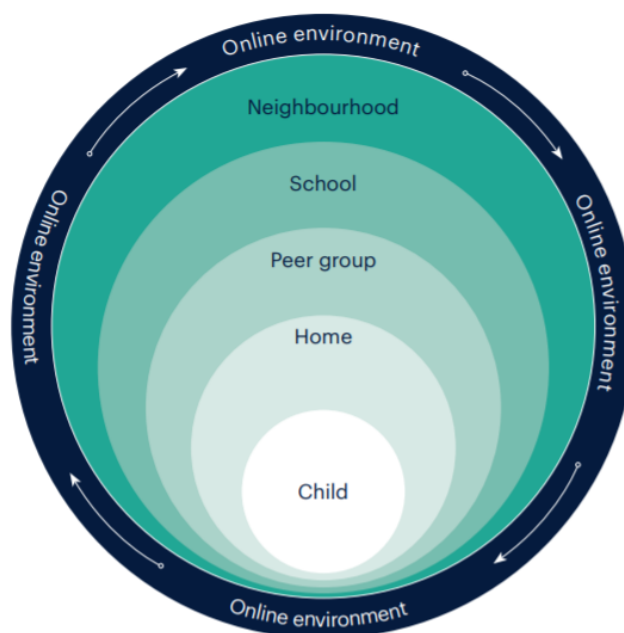
This policy concentrates on child-on-child abuse in the context of sexual harassment, violence and/or harmful behaviour. It is compliant with the statutory guidance on child-on-child abuse as set out in Keeping Children Safe in Education (2024) and Sexual violence and sexual harassment between children in schools and colleges, 2018.

It should be read in conjunction with the Local Safeguarding Partnership's Safeguarding Policy and procedures, as well as the school's Safeguarding and Child Protection Policy and Behaviour Policy.

Contextual Safeguarding

This policy takes a contextual approach to safeguarding all children and young people involved in sexual harassment or sexually harmful behaviour. As a school we understand that child on child abuse may take place in a range of wider social contexts which may in turn be impacting on the individuals involved in any incidents of abuse.

We acknowledge and recognise that children and young people who have allegedly abused their peers or displayed harmful sexual behaviour are themselves vulnerable and may have been abused by a peer, family member or adults in the community.



What is meant by sexual violence and sexual harassment between children?

Sexual violence and sexual harassment can occur between two children of any sex. Additionally, sexual violence and sexual harassment can 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 distressing. This will, in all likelihood, adversely affect their educational attainment.

Wanstead High School will aim to support these pupils to access their education and get the correct specialist support, working in partnership with the Police and Children's Services.

What is the definition of sexual violence?

For the purpose of this policy, when referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 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 the 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.

What is sexual harassment?

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur in person, digitally and online. 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.

Actions include (but are not limited to) the following:

- 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 deliberating brushing against someone or interfering with someone’s clothes;
- displaying pictures, photos or drawings of a sexual nature;
- online sexual harassment, which might include non-consensual sharing of sexual images and videos and sharing sexual images and videos (both often referred to as youth produced sexual imagery /nudes /sexting), inappropriate sexual comments on social media, exploitation, coercion and threats;
- online sexual harassment may be standalone or part of a wider pattern of sexual harassment and/or sexual violence Sexual harassment creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

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What is Harmful Sexual Behaviour?

Children’s sexual behaviour exists on a wide continuum, from the perceived 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.

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

NSPCC’s, Research in Practice and Professor Simon Hackett’s harmful sexual behaviour framework, 2019, page 15: <https://learning.nspcc.org.uk/research-resources/2019/harmful-sexualbehaviour-framework/>

Staff at Wanstead High School will use this continuum as a reference when responding to incidents and when seeking to understand a pupil’s sexual behaviour and in deciding how best to respond to it.

What is 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.

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

Special Educational Needs and Disabilities (SEND)

Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers. Additional barriers can sometimes exist when recognising abuse in SEND children.

These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration;
- the potential for children with SEND being disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs;
- communication barriers and difficulties overcoming these barriers .

Protected Characteristics

Children who are lesbian, gay, bi, or trans (LGBTQ+) can be targeted by their peers. In some cases, a child who is perceived by their peers to be LGBTQ+ (whether they are or not) can be just as vulnerable as children who identify as LGBTQ+.

4. Roles and Responsibilities

The safeguarding of pupils and all members of the school community is every staff member's responsibility as made clear in the school’s Safeguarding and Child Protection Policy.

<p>Governing Body</p>	<ul style="list-style-type: none"> • Establish, in consultation with the Headteacher, staff, pupils and parents, the policy for Managing child on child Abuse – Sexual Harassment and Sexually Harmful Behaviour and keep it under review. • Ensure that it is communicated to pupils and parents, that it is non-discriminatory and that the expectations which it sets out are clear. • Support the school in maintaining high standards of behaviour and the promotion of positive peer relationships and monitor the effectiveness of all policies that seek to prevent peer on peer abuse in any form. • Form a Governors’ Disciplinary Committee, with a clear role and guidelines, which will meet as required in response to incidences of child-on-child abuse.
<p>Headteacher</p>	<ul style="list-style-type: none"> • The Headteacher will be responsible for the implementation and day-to-day management of the policy and procedures. • The Headteacher may delegate aspects of its day-to-day implementation and management to a designated member of the school’s Leadership Team.

Designated Safeguarding Leader(s)	<ul style="list-style-type: none"> ● Ensure the school's <i>Managing Child on Child Abuse – Sexual Harassment and Sexually Harmful Behaviour</i> and other related policies are implemented consistently across the school. ● Provide effective support and training for teachers on the issues of child-on-child abuse. ● Provide a visible and dependable support to staff throughout the day. ● In collaboration with other key staff, ensures a personal development curriculum is in place which is up to date with changing social and cultural influences and which motivates all pupils and develops their understanding of healthy relationships, consent and issues of peer-on-peer abuse. ● Consider intra familial harms and consider any necessary support for siblings following incidents.
All Staff	<ul style="list-style-type: none"> ● Teach respect by treating pupils with fairness and consistency. ● Teach and model positive behaviour and healthy relationships by avoiding shouting, confrontation, aggression, sarcasm, humiliation, personal comments about pupils and whole class punishments unless every individual was involved in the misbehaviour. ● Engage with all training and development organised by the school in relation to the safeguarding of all pupils and adults. ● Are advised to maintain an attitude of 'it could happen here'. ● Must take a zero-tolerance approach to sexual violence and sexual harassment, it is never acceptable or tolerated.' ● Must never pass off harmful behaviours as "banter" or "just having a laugh".
Parents/Carers	<ul style="list-style-type: none"> ● Take responsibility for the behaviour of their child both inside and outside the school. ● Work in partnership with the school to assist the school in maintaining high standards of behaviour and inform the school of any circumstances that may affect the pupils learning and behaviour, (the Home-School agreement).

5. Preventative Education

Prevention

School plays an important role in preventative education. Keeping Children Safe in Education sets out that all schools should ensure children are taught about safeguarding, including how to stay safe online. Addressing inappropriate behaviour helps prevent problematic, abusive and/or violent behaviour in the future.

A Whole School Approach to Prevention

The most effective preventative education programme will be through a whole-school approach that prepares pupils for life in modern Britain. The school's values and standards are modelled and upheld in all aspects of school life, underpinned by the school's behaviour policy and pastoral support system.

A planned programme of evidence-based RSE content is delivered through our Personal Development curriculum. This supports key messages around sexual violence and harassment and has been developed to be age and stage of development appropriate in line with our Relationships and Sex Education and Health Education Policy.

For the purpose of this policy, "relationships and sex education" is defined as teaching pupils about developing healthy, nurturing relationships of all kinds, and helping them to understand human sexuality and to respect themselves and others

Pupils in Year 7-9 take part in weekly Personal Development Lessons whilst Years 10 and 11 access these lessons through externally delivered workshops. Lessons in KS3 are further supplemented by externally delivered workshops, our assembly and tutor time programme and, where relevant, the subject curriculum.

Other Preventative Work

The school actively seeks to raise awareness of and prevent all forms of peer-on-peer abuse by:

Educating all governors, its senior leadership team, staff, pupils, and parents about this issue.

This includes: training all governors, the senior leadership team, and staff on the nature, prevalence and effect of child-on-child abuse, and how to prevent, identify, and respond to it.

This includes (i) Contextual Safeguarding, (ii) the identification and classification of specific behaviours, including digital behaviours, (iii) the importance of taking seriously all forms of child on child abuse (no matter how 'low level' they may appear) and ensuring that no form of child on child abuse is ever dismissed as horseplay or teasing, and (iv) social media and online safety, including how to encourage children to use social media in a positive, responsible and safe way, and how to enable them to identify and manage abusive behaviour online.

Educating children about the nature and prevalence of child-on-child abuse, positive, responsible and safe use of social media, and the unequivocal facts about consent, via PSHE and the wider curriculum. For example, by addressing gender inequality in a statistics class, or by reviewing literature in an English class which addresses bullying and its effect on mental health. Pupils are frequently told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse.

They are regularly informed about the school's approach to such issues, including its zero-tolerance policy towards all forms of peer-on-peer abuse.

Engaging parents on these issues by: talking about them with parents, both in group and one to one, asking parents what they perceive to be the risks facing their child and how they would like to see the school address those risks and encouraging parents to hold the school to account on this issue.

Supporting the on-going welfare of the pupil body by drawing on multiple resources that prioritise pupil mental health, and by providing in-school counselling and therapy to address underlying mental health needs. These interventions can be 'de-clinicalised' and brokered through a positive relationship with the school and its staff.

Key staff are trained to meet low-level mental health difficulties within the pupil body and whole staff training on mental health and well-being is delivered regularly.

Across all our preventative work and when responding to a specific case or disclosure, our approach is to explain to children that the law is there to protect them rather than criminalise them. (KCSIE 2024 p118).

Multi agency working

We actively engage with our Local Safeguarding Partnership in relation to child-on-child abuse, and work closely with, for example, children's social care, the police, Redbridge MASH, and other relevant agencies in accordance with the Local Safeguarding Partnership's procedures, and other schools. The relationships that we have built with these partners are essential to ensuring that the school is able to prevent, identify early, and appropriately handle cases of child-on-child abuse.

They help Wanstead High School to:

- develop a good awareness and understanding of the different referral pathways that operate in our local area, as well as the preventative and support services which exist;
- ensure that our pupils are able to access the range of services and support they need quickly;
- support and help inform the school's local community's response to child-on-child abuse;
- increase our awareness and understanding of any concerning trends and emerging risks in our local area to enable us to take preventative action to minimise the risk of these being experienced by our pupils.

We actively refer concerns and allegations of child-on-child abuse where necessary to children's social care, the police and MASH and other relevant agencies in accordance with the Local Safeguarding Partnership's procedures.

This is particularly important because child on child abuse can be a complex issue, and even more so where wider safeguarding concerns exist. It is often not appropriate for one single agency to try to address the issue alone – it requires effective partnership working.

6. Responding to reports of sexual violence and sexual harassment

Reports of sexual violence and sexual harassment are likely to be complex and, therefore, require difficult professional decisions to be made, sometimes quickly and under pressure. Guidance from the DfE is clear that it does not attempt to provide (nor would it be possible to provide) detailed advice on what we should do in any or every particular case; it provides effective safeguarding practice and principles for us to consider in our decision-making process. Nevertheless, government advice makes it clear that a disclosure regarding sexual abuse requires careful response and so all staff who receive a disclosure will follow the guidance and advice provided through staff training.

Ultimately, all decisions in school will be made on a case-by-case basis. Our Designated Safeguarding Leads will access regular CPD on the Brook Sexual Behaviours Traffic Light Tool to enable them to assess behaviours outlined in any disclosure.

The Designated Safeguarding Lead (DSL) and deputies will take the leading role and will use their professional judgement, supported by other agencies, such as children's social care and the police as required.

Some situations are statutorily clear:

- 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;
- rape, assault by penetration and sexual assault are defined in law;
- creating and sharing sexual photos and videos of under 18s is illegal (often referred to as sexting, nudes or youth produced sexual imagery); this includes children making and sharing sexual images and videos of themselves.

Our basic safeguarding principle is: if a child has been harmed, is in immediate danger or is at risk of harm a referral should be made to Children's Social Care. We will usually inform parents that we are making a referral to Children's Social Care.

However, this too is on a case-by-case basis. It may be that we have assessed the situation and believe that a referral is needed without parental knowledge in order to safeguard the pupil(s) involved.

We will work closely with the police as rape, assault by penetration and sexual assaults are crimes. Where there is a report of a rape, assault by penetration or sexual assault, the starting point is it should be passed to the police who will advise and log according to their own guidelines.

Responding to reports of sexual violence and sexual harassment online

We are aware that incidents of sexual violence and sexual harassment that occur online (either in isolation or in connection to offline incidents) can be complex. There is potential for the incident(s) to take place across a number of social media platforms and services. There is also the potential for the impact of the incident to extend further than our local community (for example, for images or content to be shared around neighbouring schools) and for a victim (or alleged perpetrator) to become marginalised and excluded by both online and offline communities.

The immediate response to a disclosure

In managing the disclosure, we will always do our utmost to ensure that victims are reassured that they are being taken seriously and that they will be supported and kept safe. In some cases, the victim may not make a direct report or disclosure. For example, a friend may make a report or a member of our school may overhear a conversation that suggests a child has been harmed.

All concerns and allegations of child-on-child abuse are handled sensitively, appropriately and promptly. The way in which they are responded to can have a significant impact on our school's environment.

Any response will:

Include a thorough investigation of the concern or allegation, and the wider context in which it may have occurred (as appropriate) – depending on the nature and seriousness of the alleged incident. (It may be appropriate for the police and/or children's social care to carry out this investigation).

Treat all pupils involved as being at potential risk – while the pupil allegedly responsible for the abuse may pose a significant risk of harm to other pupils, they may also have considerable unmet needs and be at risk of harm themselves.

Take into account that the abuse may indicate wider safeguarding concerns for any of the pupil involved, and consider and address the effect of wider sociocultural contexts – such as the child's/ children's peer group (both within and outside the school); family; the school environment; their experience(s) of crime and victimisation in the local community; and the pupil/pupils' online presence.

We will consider what changes may need to be made to these contexts to address the pupil/pupils' needs and to mitigate risk, and – the potential complexity of child-on-child abuse and of pupil's experiences, and consider the interplay between power, choice and consent.

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. We will also consider any intra familial harms and provide any necessary support for siblings following an incident.

While pupils may appear to be making choices, if those choices are limited, they are not consenting, – the views of the pupil/pupils are affected Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSL/appropriate member of the safeguarding team will discuss the proposed action with the pupil/pupils and their parents/carers, and obtain consent to any referral before it is made where possible.

We will manage the pupils' expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so. It is particularly important to consider the wishes of any pupil who has allegedly been abused, and to give that pupil as much control as is reasonably possible over decisions regarding how any investigation will be progressed and how they will be supported.

We will ensure that a safeguarding response is in place for both the pupil who has allegedly experienced the abuse, and the pupil who has allegedly been responsible for it (and the additional sanctioning work may be required for the latter).

The DSL will discuss the concern or allegation with the member of staff who has reported it and will, where necessary, take any immediate steps to ensure the safety of the child/all children affected.

Where any concern or allegation indicates that indecent images of a child or children may have been shared online, the DSL will consider what urgent action can be taken in addition to the actions and referral duties set out in this policy. See the Youth involved sexual imagery section below to seek specialist help in preventing the images spreading further and removing the images from the internet - **Appendix B**.

The Internet Watch Foundation (IWF) has a trained team that can evaluate and remove illegal images from the internet when the images are reported to them quickly.

They will also share the image with the National Crime Agency's CEOP Command to facilitate an investigation. Any report to IWF will be made in consultation with the police.

The DSL and Safeguarding Officers will always use their professional judgement to assess the nature and seriousness of the alleged behaviour and determine whether it is appropriate for the alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required.

In borderline cases the DSL may wish to consult with children's social care or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures on a no-names basis (where possible) to determine the most appropriate response.

Where the DSL considers or suspects that the alleged behaviour in question might be abusive or violent on a spectrum or where the needs and circumstances of the individual child/children in question might otherwise require it, the DSL should contact children's social care and/or the police immediately and, in any event, within 24 hours of the DSL becoming aware of the alleged behaviour. The DSL will discuss the concern(s) or allegation(s) with the agency and agree on a course of action.

The DSL will always refer to the police if there are aggravating factors: If the incident involves an adult (over 18). If there are concerns about the capacity to consent (SEND). Images show atypical sexual behaviour for their development stage or violent acts. Images show sex acts with a child under age 13. The disclosure places the pupil (or any child) at risk of imminent harm (self-harm, exploitation, harmful response from home etc).

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 by using the behaviour or anti bullying policy.

In all cases pastoral support will be offered and organised, this may be internal or by referral to external agencies or organisations.

All decisions, and discussions around making these decisions will be recorded and stored.

What should school staff do if they suspect either that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s)?

If a colleague thinks for whatever reason that a pupil may be at risk of or experiencing abuse by their peer(s), or that a pupil may be at risk of abusing or may be abusing their peer(s), they should discuss the matter with their DSL as soon as possible to explain their concern via email to childprotection@wansteadhigh.co.uk as per the schools safeguarding procedures.

Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and, if appropriate, the police) is made immediately.

Anyone can make a referral. Where referrals are not made by the DSL, the DSL should be informed as soon as possible that a referral has been made in line with the Safeguarding and Child protection policy.

If a pupil speaks to a member of staff about peer-on-peer abuse that they have witnessed or are a part of, the member of staff should listen to the pupil and use open language that demonstrates understanding rather than judgement without promising confidentiality.

7. Summary of Action following a report of sexual violence and/or sexual harassment

We will carefully consider all reports of sexual violence and/or sexual harassment. Important considerations will include:

- The wishes of the alleged victim in terms of how they want to proceed.
- The nature of the alleged incident(s).
- The ages of the pupils involved as indicated by the Traffic Light Tool.
- The developmental stages of the pupils involved as indicated by the Traffic Light Tool.
- Any power imbalance between the pupils (for example, is the alleged perpetrator significantly older?).
- If the alleged incident is a one off or a sustained pattern of abuse (where this may be known).
- Whether there are any ongoing risks.
- Other related issues and wider context.

Where incidents and/or behaviours are associated with factors outside the school or occur between children outside the school, we will consider contextual safeguarding. This simply means assessments of children in such cases should consider whether wider environmental factors are present in a child's life that is a threat to their safety and/or welfare.

Options to manage the report

We will consider every report on a case-by-case basis. When to inform the alleged perpetrator will be a decision that will be carefully considered. When a report is going to be made to Children's Social Care and/or the Police, then, as a general rule, we will speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of the allegations.

Where there is a report of rape or serious sexual assault or violence, being in close proximity to the alleged perpetrator is likely to be especially distressing. In line with KCSIE 2024 guidance (p124), whilst establishing the facts of the case and starting the process of liaising with children's services and the police, the alleged perpetrator will be removed from any classes they share with the victim. We will also consider how best to keep them at a reasonable distance apart, this may involve an off-site placement or alternative provision for the alleged perpetrator. These actions are in the best interest of all children involved and should not be perceived to be a judgement on the guilt of the alleged perpetrator.

There are four likely scenarios we will need to consider when managing any reports of sexual violence and/or sexual harassment.

1. Manage internally

In some cases of sexual harassment (for example, one-off incidents) the school may take the view that the pupils 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 our Behaviour and Anti-Bullying Policies and by providing pastoral support. Our approach will always be one informed by the principle of a zero-tolerance approach to sexual violence and harassment.

2. Early Help

In line with the above, we may decide that the children involved do not require statutory interventions but may benefit from Early Help. Early Help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence. Early help and the option to manage a report internally do not need to be mutually exclusive: a school could manage internally and seek early help for both the victim and alleged perpetrator(s). All concerns, discussions, decisions and reasons for decisions must be recorded (written or electronic).

3. Referral to Children's Social Care

Where a child has been harmed, is at risk of harm or is in immediate danger, a likely course of action will be that we make a referral to local children's social care. At the point of referral to local authority children's social care, schools and colleges will generally inform parents or carers, unless there are

compelling reasons not to (if informing a parent or carer is going to put the child at additional risk). Any such decision should be made with the support of local authority children's social care.

4. Reporting to the Police

Where a report of rape, assault by penetration or sexual assault is made, the starting point is this should be passed on to the Police. Reporting to the Police will generally be in parallel with referrals to Children's Social Care. At this stage, schools will generally inform parents unless there are compelling reasons not to do so (for example, if informing a parent is likely to put a child at additional risk). In circumstances where parents have not been informed, it will be especially important that the school supports the child in any decision they take.

This should be in conjunction with the support of Children's Social Care. Where a report has been made to the Police, the school will consult the Police and agree what information can be disclosed to staff and others; in particular, the alleged perpetrator and their parents. We will also discuss the best way to protect the victim and their anonymity.

Ongoing Considerations: victim and alleged perpetrator sharing classes

We will consider the scenario where the victim and alleged perpetrator are sharing classes and sharing space at school. This will inevitably involve complex and difficult professional decisions, including considering our duty to safeguard children and our duty to educate them. It is important each report is considered on a case-by-case basis and risk assessments are updated as appropriate.

Where there is a criminal investigation, the alleged perpetrator should 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. This is in the best interests of both pupils and should not be perceived to be a judgement on the guilt of the alleged perpetrator; close liaison with the police is essential. DfE guidance states that where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the school should take suitable action, if they have not already done so. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in the same school would seriously harm the education or welfare of the victim (and potentially other pupils).

Where a criminal investigation into sexual assault leads to a conviction or caution, we will consider any suitable sanctions in light of our Behaviour Policy, including consideration of permanent exclusion (even if the incident(s) has not occurred in school). Where the perpetrator is going to remain at school, the principle would be to continue keeping the victim and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

The fact that another body is investigating or has investigated an incident does not in itself prevent Wanstead High School from imposing a sanction in accordance with the school's Behaviour Policy, using the balance of probabilities to draw objective and appropriate conclusions. Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the Police (for a variety of reasons).

In some cases, rape, assault by penetration, sexual assault or sexual harassment is reported to the police and the case is not progressed or is reported to the Police and ultimately results in a **not-guilty verdict**. The process will have affected both victim and alleged perpetrator and these results do not necessarily mean the offence did not happen or that the victim lied.

Appropriate support should be provided to both as required, and consideration will be given when considering the sharing of classes and potential contact as required on a case-by-case basis. All of the above should be considered with the needs and wishes of the victim at the heart of the process and any arrangements will be kept under review.

Pupil Risk Assessments and Safety Plans

We will carry out a pupil risk assessment in respect of:

- any pupil who is alleged to have behaved in a way that is considered to be abusive or violent;
- any pupil who has reportedly been abused or affected by the alleged abusive or violent;
- behaviour by another pupil;
- any pupil who may be at risk due to the alleged abusive or violent behaviour by another;
- pupil as deemed appropriate by the DSL.

Where it is alleged that a pupil has behaved in a way that is considered to be inappropriate or problematic (as opposed to abusive or violent), the DSL will use their professional judgement – based on the particular concern or allegation raised, and the needs and circumstances of the individual children in question – to determine whether it would be appropriate to contact children’s social care, and to carry out a safety plan.

Careful judgement and consideration are required as to whether alleged behaviour which might be judged to be inappropriate by an adult might actually be harmful to another pupil. The DSL/Safeguarding Officer should refer to Simon Hackett’s continuum model and Brook sexual behaviours traffic light tool - **Appendix A**. Consultation with children’s social care must also take place where any doubt exists.

Careful consideration will also be given to a range of factors including the context, severity of the alleged behaviour, impact of the alleged behaviour on others, risk to others, and whether there are any patterns of behaviour occurring.

Where other pupils have been identified as witnesses to alleged abuse or violence, consideration should also be given to by the DSL to whether there might be any risks to those children, and whether a safety plan would be appropriate in relation to any risks presenting to them.

8. Safeguarding other children

Consideration should be given to supporting children who have witnessed sexual violence, especially rape and assault by penetration. Witnessing such an event is likely to be traumatic and support may be required. We will signpost agencies and support services available where needed. Following any report of sexual violence or sexual harassment, it is likely that some children will take ‘sides. The school will do all we can to ensure both the victim and alleged perpetrator, and any witnesses, are not subject to any bullying or harassment. Social media is very likely to play a central role in the consequences from any incident or alleged incident. There is the potential for contact between victim and alleged perpetrator and a very high likelihood that friends from either side could well harass the victim or alleged perpetrator online. Any evidence we have of pupils using social media inappropriately will be managed and sanctioned according to our Behaviour Policy.

9. Information Sharing, Confidentiality and Record Keeping

Confidentiality

Staff taking a disclosure will 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. We do not consider ourselves to be experts in this area and it is vital that appropriate support is publicised to pupils and their parents, or organised by us for them.

The victim may ask us 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 it can be justified to be in the public / individual’s interest; for example, to protect children from harm and to promote the welfare of children.

Ultimately, the DSL will have to balance the victim's wishes against their duty to protect the victim and other children within the school setting. If we do decide to make a referral to children's social care and/or a report to the police against the victim's wishes, this will be handled extremely carefully, the reasons will in most cases be explained to the victim and appropriate specialist support offered.

Anonymity

Where we are aware that an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, we will be mindful of anonymity, witness support and the criminal process in general so that we can offer support and act appropriately. In addition, we will endeavour to do all we can to reasonably protect the anonymity of any children involved in any report of sexual violence or sexual harassment. We will carefully consider which staff in our school should know about the report and any support that will be in place for the children involved.

Information sharing, data protection and record keeping

When responding to a concerns or allegation of child-on-child abuse, we will:

- always consider carefully, in consultation with children's social care, the police and other relevant agencies (where they are involved), how to share information about the concern or allegation with the pupil(s) affected, their parents, relevant staff, and other appropriate individuals.
- record the information that is necessary for the school and other relevant agencies (where they are involved) to respond to the concern or allegation and safeguard everyone involved.
- Keep a record of the legal purpose for sharing the information with any third party, including relevant authorities, and ensure that the third party has agreed to handle the information securely and to only use it for the agreed legal purpose, and be mindful of and act in accordance with its safeguarding and data protection duties, including those set out in Working Together to Safeguard Children and the HM Government advice on Information Sharing.

10. Support for pupils

- Support for victims of sexual assault is available from a variety of agencies (see Appendix D). We will support the victim of sexual assault to remain in school but if they are unable to do so we will enable them to continue their education elsewhere. This decision will be made only at the request of the child and their family.
- If they are moved, we will ensure the new school is aware of the ongoing support they may need. The DSL will support this move.
- Where there is a criminal investigation, the alleged perpetrator will be removed from any shared classes with the victim and we will also consider how best to keep them a reasonable distance apart on the school premises or on school transport. This is in the best interest of the children concerned and should not be perceived to be a judgement of guilt before any legal proceedings.
- Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, we may take suitable action, if we have not already done so. The rape or assault is likely to constitute a serious breach of discipline and will 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).
- 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, rape, assault by penetration, sexual assault or sexual harassment are reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict. None of this means the offence did not happen or that the victim lied. The process will have affected both victim and alleged perpetrator.
- Appropriate support will be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis.
- All the above will be considered with the needs and wishes of the victim at the heart of the process (supported by parents and carers as required). Any arrangements should be kept under review.

Behaviours: age 5 to 9 and 9 to 13

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability and reflective of natural curiosity, experimentation, consensual activities and positive choices

What can you do?

Green behaviours provide opportunities to give positive feedback and additional information.

Green behaviours 5-9

- feeling and touching own genitals
- curiosity about other children's genitals
- curiosity about sex and relationships, e.g. differences between boys and girls, how sex happens, where babies come from, same-sex relationships
- sense of privacy about bodies
- telling stories or asking questions using swear and slang words for parts of the body

Green behaviours 9-13

- solitary masturbation
- use of sexual language including swear and slang words
- having girl/boyfriends who are of the same, opposite or any gender
- interest in popular culture, e.g. fashion, music, media, online games, chatting online
- need for privacy
- consensual kissing, hugging, holding hands with peers

What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur.

What can you do?

Amber behaviours signal the need to take notice and gather information to assess the appropriate action.

Amber behaviours 5-9

- questions about sexual activity which persist or are repeated frequently, despite an answer having been given
- sexual bullying face to face or through texts or online messaging
- engaging in mutual masturbation
- persistent sexual images and ideas in talk, play and art
- use of adult slang language to discuss sex

Amber behaviours 9-13

- uncharacteristic and risk-related behaviour, e.g. sudden and/or provocative changes in dress, withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing
- verbal, physical or cyber/virtual sexual bullying involving sexual aggression
- LGBT (lesbian, gay, bisexual, transgender) targeted bullying
- exhibitionism, e.g. flashing or mooning
- giving out contact details online
- viewing pornographic material
- worrying about being pregnant or having STIs

What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur

What can you do?

Red behaviours indicate a need for immediate intervention and action.

Red behaviours 5-9

- frequent masturbation in front of others
- sexual behaviour engaging significantly younger or less able children

- forcing other children to take part in
- sexual activities
- simulation of oral or penetrative sex
- sourcing pornographic material online

Red behaviours 9-13

- exposing genitals or masturbating in public
- distributing naked or sexually provocative images of self or others
- sexually explicit talk with younger children
- sexual harassment
- arranging to meet with an online acquaintance in secret
- genital injury to self or others
- forcing other children of same age, younger or less able to take part in sexual activities
- sexual activity e.g. oral sex or intercourse
- presence of sexually transmitted infection (STI)
- evidence of pregnancy

Behaviours: age 13 to 17

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability and reflective of natural curiosity, experimentation, consensual activities and positive choices

What can you do?

Green behaviours provide opportunities to give positive feedback and additional information.

Green behaviours

- solitary masturbation
- sexually explicit conversations with peers
- obscenities and jokes within the current cultural norm
- interest in erotica/pornography
- use of internet/e-media to chat online
- having sexual or non-sexual relationships
- sexual activity including hugging, kissing, holding hands
- consenting oral and/or penetrative sex with others of the same or opposite gender who are of similar age and developmental ability
- choosing not to be sexually active

What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur.

What can you do?

Amber behaviours signal the need to take notice and gather information to assess the appropriate action.

Amber behaviours

- accessing exploitative or violent pornography
- uncharacteristic and risk-related behaviour, e.g. sudden and/or provocative changes in dress,

- withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing
- concern about body image
- taking and sending naked or sexually provocative images of self or others
- single occurrence of peeping, exposing, mooning or obscene gestures
- giving out contact details online
- joining adult-only social networking sites and giving false personal information
- arranging a face to face meeting with an online contact alone

What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur

What can you do?

Red behaviours indicate a need for immediate intervention and action.

Red behaviours

- exposing genitals or masturbating in public
- preoccupation with sex, which interferes with daily function
- sexual degradation/humiliation of self or others
- attempting/forcing others to expose genitals
- sexually aggressive/exploitative behaviour
- sexually explicit talk with younger children
- sexual harassment
- non-consensual sexual activity
- use of/acceptance of power and control in sexual relationships
- genital injury to self or others
- sexual contact with others where there
- is a big difference in age or ability
- sexual activity with someone in authority and in a position of trust
- sexual activity with family members

- involvement in sexual exploitation and/or trafficking
- sexual contact with animals
- receipt of gifts or money in exchange for sex

This is intended to be used as a guide only. Please refer to the guidance tool at

<https://www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool>

Brook sexual behaviours traffic light tool adapted from Family Planning Queensland. (2012)

Appendix B - Procedure for Youth Involved Sexual Imagery

Definitions:

'Youth involved sexual imagery' best describes the practice because:

- 'youth involved' includes children sharing images that they, or another child, have created of themselves.
- 'imagery' covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the policy).
- A judgement of whether something is 'decent' is both a value judgement and dependent on context.
- The term 'sexual' is clearer than 'indecent', although the DSL will nevertheless always need to use professional judgement when determining whether a photo is 'sexual'.

Types of incidents that are covered by this policy:

- A child creates and shares sexual imagery of themselves with a peer (also under the age of 18).
- A child shares sexual imagery created by another child with a peer (also under the age of 18) or an adult.
- A child is in possession of sexual imagery created by another child.

Types of incidents that are not covered by this policy:

- The sharing of sexual imagery of children by adults constitutes child sexual abuse and the school will always inform the police.
- Children sharing adult pornography or exchanging sexual texts which do not contain imagery.
- Sexual imagery downloaded from the internet by a child and not shared.

Education will be inclusive, age appropriate, and provide pupils with the opportunity to discuss and ask questions. Where education does consider the legal issues associated with youth involved sexual imagery, it should consider the nature of the legislation and likely police responses, rather than simple declarations of illegality.

When considering the sharing of youth involved sexual images among peers, a lot of online safety messaging centres on telling children that they should not produce images of themselves and send them to people because it is illegal, or in doing so they are placing themselves at risk.

We find this approach problematic because:

- These messages are likely to result in a child being abused, coerced, or exploited as a result of such behaviour feeling that they cannot ask for help or disclose abuse because they did something wrong and, therefore, they deserve what is happening to them.
- The nature of this messaging can contribute to victim blaming.
- The more problematic behaviours around the sharing of youth involved sexual images does not lie with the initial generation of the image but the distribution, or threat to distribute, by the recipient to third parties. Therefore, we tackle the subject by focusing on the non-consensual sharing and the potential punishment for those individuals, rather than potentially suggesting that for anyone who creates and sends an image deserves the abuse they receive.

Disclosure:

Any disclosure by a pupil should be taken very seriously. A pupil who discloses they are the subject of sexual imagery is likely to be embarrassed and worried about the consequences. It is likely that disclosure in the school is a last resort and they may have already tried to resolve the issue themselves.

Handling Incidents:

When an incident involving youth involved sexual imagery comes to a member of staff's attention:

- The incident will be referred to the DSL as soon as possible, certainly that day.

- The DSL should hold an initial review meeting with appropriate colleagues. The DSL will follow the procedures and guidance set out in Sexting in schools and colleges: responding to incidents and safeguarding young people.
- There will be subsequent interviews with the pupils involved.
- Parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the child at risk of harm.
- Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and, if appropriate, the police) is made immediately.
- Any report to the police should be considered against the severity of the concerns and/or allegations, the impact on any child who has allegedly experienced the abuse, and broader context of the production and distribution of the image (for example: was production consensual or coerced? Was sharing consensual? Was production volunteered or requested? What are the ages of the children involved?).

Always refer to the police if there are aggravating factors:

- If the incident involves an adult (over 18).
- If there are concerns about the capacity to consent (SEND).
- Images show atypical sexual behaviour for their development stage or violent acts.
- Images show sex acts with a child under age 13.
- The disclosure places the YP at risk of imminent harm.

Depending on the facts of the particular concern or allegation, a report to the police does not necessarily mean that the child will be criminalised. However, in the event of coercion, exploitation, further harm or aggravated behaviours, it is valid for police involvement to result in criminal charge. We will communicate with their police liaison to determine awareness of Outcome 21 recording and its appropriateness in any given incident.

Sexual Violence, Sexual Harassment or Harmful Sexual Behaviour:

What happens next?

We cannot promise you confidentiality. We hope and believe you have shared this with us because you want help.

WE CAN:

Listen to you, take time and move at a pace you are happy with.
Use our knowledge as safeguarding specialists to assess your situation and choose the right next steps.

WE MAY:

Contact other agencies e.g. social care, police.
Investigate further and speak to other students and family members.

FOUR POSSIBLE OUTCOMES:

The school manages this internally to bring about a conclusion that supports you.

The school starts the "Early Help" process. You and your family agree to support and we work on ways to help.

The school contacts Social Care as we feel you are at risk of harm or have been harmed.

The school contacts the police as we believe a crime has been committed.

WHATEVER HAPPENS, WE WILL:

Do an immediate risk assessment to check you are safe
Offer you support and show you others who may be able to help.
Tell you what is happening and why and (if relevant) what we are going to tell others and when.
Take advice from specialists if appropriate.
Advise you on your own possible next steps.

Responding to Sexual Violence and Sexual Harassment

