

# BRIDGEWATER SCHOOL

WORSLEY, MANCHESTER

M28 2WQ

## **WHOLE SCHOOL SEXUAL HARASSMENT AND ABUSE POLICY**

This policy has been drawn up to meet the requirements of *the Children Act (1989)* and DfE guidance published in *Keeping Children Safe in Education (2023)*. This policy should be read in conjunction with the school's Safeguarding Policy, Anti-bullying Policy Online Safety Policy and Cyber-bullying policies.

**This school will not tolerate a culture where sexual harassment and sexual abuse (including that which occurs online) are accepted. To tackle these issues the school will assume that sexual harassment and abuse are happening, even where there are no reports, and ensure that they are addressed at whole-school level.**

The school acknowledges that incidents can occur between pupils of any age or gender and that they can occur inside or outside school. Abuse that occurs online or outside the school should not be downplayed and should be treated equally seriously. The school also recognises that sexual violence can occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

### **1. Responding to allegations**

The school recognises the incredible importance of how it responds to such reports because of the impact it will have on the confidence of the victim or future victims to report or come forward with other information. 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.

Support for those concerned, including victims and perpetrators, will be carefully considered and will be tailored on a case-by-case basis, so that the proportionality of the response can be carefully gauged.

In cases of sexual harassment the school recognises that early intervention in addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

Any child can report an incident to any adult within the school and they will immediately inform the DSL (or a deputy in her absence). It is recognised that children will confide in those members of staff they trust. The concerns will be treated seriously and will not be treated in a way that will normalise any culture of abuse.

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. Any decisions will be made on a case-by-case basis, with the designated safeguarding lead (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required. Guidance will be taken from all statutory guidance.

The school also recognises 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. As per the statutory guidance, if staff have any concerns about a child's welfare, they should always act on them immediately.

It is important to understand that 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 and so children may not be able to recall all details or timeline of abuse. Certain children may face additional barriers to telling someone because of their vulnerability, disability, gender, ethnicity and/or sexual orientation.

## **2. Reporting on incidents of abuse or harassment**

When making a report if possible there should be two members of staff present, (preferably one of them being the designated safeguarding lead or a deputy). However, it is recognised that this might not always be possible.

Where a reporting of an incident includes an online element, guidance can be found in the *Searching screening and confiscation advice (for schools)* and *UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people*. The key consideration is for staff not to view or forward illegal images of a child. In most cases, where possible, it may be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection.

Children who are victims of sexual violence and sexual harassment wherever it happens, 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 school. Abuse that occurs online or outside of the school should not be downplayed and should be treated equally seriously.

During the report meeting, staff should ensure they are listening carefully to the child, reflecting back, using the child's language, being non-judgmental, 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 when making a report 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. However, it is essential a written record is made and that this report should only record the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. Staff should be aware that notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation.

### **3. Considerations of the DSL before responding to a report**

When responding to any report of sexual harassment and abuse the DSL will have a number of important considerations:

- 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. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with the school's duty and responsibility to protect other children;
- the nature of the alleged incident(s), including whether a crime may have been committed and/or whether harmful sexualised behaviour has been displayed;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is the alleged perpetrator(s) significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- if the alleged incident is a one-off or a sustained pattern of abuse (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 peers;
- are there ongoing risks to the victim, other children, adult students or school staff; and,
- other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation.

#### **4. Managing the outcomes of a reported incident**

There are a number of scenarios to consider when managing the outcomes of a report.

i. Manage internally - in a case of sexual harassment, the school may choose to manage the situation through the normal behaviour policy and pastoral systems, whilst making it clear that there is a zero tolerance approach to any issue of sexual violence or harassment. Decisions will be recorded.

ii. Early help – the school may decide that early help rather than a report to social care is necessary, particularly if there has been no sexual violence involved. Such help will be of pastoral support to the student concerned. Such early help may be used alongside the use of the school's disciplinary situation. Again such a decision should be under-pinned by the principle that there is zero tolerance approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated. All concerns, discussions, decisions and reasons for decisions should be recorded

iii. Referrals to children's social care - Where a child has been harmed, is at risk of harm, or is in immediate danger, the school should make a referral to local children's social care. At the point of referral to 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 children's social care. If a referral is made, children's social care will then make enquiries to determine whether any of the children involved are in need of protection or other services. Where statutory assessments are appropriate, the school (especially the designated safeguarding lead or a deputy) should be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator(s) and any other children that require support. The school should not wait for the outcome (or even the start) of a children's social care investigation before protecting the victim and other children in the school. It will be important for the designated safeguarding lead (or a deputy) to work closely with children's social care (and other agencies as required) to ensure any actions the school takes do not jeopardise a statutory investigation.

In some cases, children's social care will review the evidence and decide a statutory intervention is not appropriate. The school (generally led by the designated safeguarding lead or a deputy) should be prepared to refer again if they believe the child remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the designated safeguarding lead (or a deputy) should consider other support mechanisms such as early help, specialist support and pastoral support. Whatever the response, it should be under-pinned by the principle that there is a

zero tolerance approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated. All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

iv. Reporting to the Police - Any report to the police will generally be in parallel with a referral to children's social care (as above). It is important that the designated safeguarding lead (and their deputies) are clear about the local process for referrals and follow that process. Where a report of rape, assault by penetration or sexual assault is made, the starting point is that this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator(s) is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach. The following advice may help the school to decide when to engage the Police and what to expect of them when they do.

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(s) and their parents or carers. The school will also discuss the best way to protect the victim and their anonymity. At this stage, the school will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a child at additional risk. In circumstances where parents or carers have not been informed, it will be especially important that the school supports the child in any decision they take. This should be with the support of children's social care and any appropriate specialist agencies. It will be important that the designated safeguarding lead (and their deputies) are aware of their local arrangements relating to police units who specialise in these cases.

In some cases, it may become clear very quickly that the police (for whatever reason) will not take further action. In such circumstances, it is important that the school continues to engage with specialist support for the victim and alleged perpetrator(s) as required.

Whilst protecting children and/or taking any disciplinary measures against the alleged perpetrator(s), it will be important for the designated safeguarding lead (or a deputy) to work closely with the police (and other agencies as required), to ensure any actions the school takes do not jeopardise the police investigation. If the school has questions about the investigation, they should ask the police. The police will help and support the school as much as they can (within the constraints of any legal restrictions). Whatever the response, it should be under-pinned by the principle that there is a zero tolerance approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated. All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

If a child is convicted or receives a caution for a sexual offence, the school will update its risk assessment, ensure relevant protections are in place for all the children at the school and, if it has not already, consider any suitable action in line with their behaviour policy. This process should include a review of the necessary actions to keep all parties safe and meet their needs.

v. Unsubstantiated, unfounded, false or malicious reports - all concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified, and addressed. If a report is determined to be unsubstantiated, unfounded, false or malicious, the designated safeguarding lead should consider whether the child and/or the person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to children's social care may be appropriate. If a report is shown to be deliberately invented or malicious, the school should consider whether any disciplinary action is appropriate against the individual who made it as per the behaviour policy.

## **5. Support following the reporting of an incident**

Any decisions about safeguarding will take into account the needs and wishes of the victim (alongside 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.

The school is aware that sexual assault can result in a range of health needs, including physical, mental, and sexual health problems and unwanted pregnancy. Children and young people that have a health need arising from sexual assault or abuse can access specialist NHS support from a Sexual Assault Referral Centre (SARC). SARCs offer confidential and non-judgemental support to victims and survivors of sexual assault and abuse. They provide medical, practical, and emotional care and advice to all children and adults, regardless of when the incident occurred.

Support might include:

- Early help and children's social care
- Children and Young People's Independent Sexual Violence Advisors (ChISVAs)
- Police and social care agencies can signpost to ChISVA services
- Child and adolescent mental health services ([CAMHS](#))

- The specialist sexual violence sector can provide therapeutic support for children who have experienced sexual violence. Contact [Rape Crisis](#) (England & Wales) or [The Survivors Trust](#) for details of local specialist organisations. The [Male Survivors Partnership](#) can provide details of services which specialise in supporting men and boys.
- [NHS - Help after rape and sexual assault](#) - provides a range of advice, help and support including advice about the risk of pregnancy, sexually transmitted infections (STI), reporting to the police and forensics.
- Rape and sexual assault referral centres services can be found at: Find [Rape and sexual assault referral centres](#). Sexual assault referral centres (SARCs) offer medical, practical and emotional support. They have specially trained doctors, nurses and support workers. If children, young people, or their families are unsure which service to access, they should contact their GP or call the NHS on 111.
- [Childline](#) provides free and confidential advice for children and young people.
- [Internet Watch Foundation](#) works internationally to remove child sexual abuse online images and videos and offers a place for the public to report them anonymously.
- [Childline / IWF: Remove a nude image shared online](#) Report Remove is a free tool that allows children to report nude or sexual images and videos of themselves that they think might have been shared online, to see if they can be removed from the internet.

The school will do all it can to protect and support the victim of a report. The school recognises that the full picture may only emerge over time and that an open dialogue will remain. This will be a traumatic incident for those involved and there may be some problems in remaining within a classroom environment. The school will operate on a case by case basis and offer support via a reduced timetable if necessary, whilst also working on a principle that the victim should not feel isolated. This situation may continue for a long period and the school will work with social care and other authorities, remaining flexible to any alternative arrangements.

Whilst they should be given all the necessary support to remain in their school, if the trauma results in the victim being unable to do this, alternative provision or a move to another school should be considered to enable them to continue to receive suitable education. This should only be at the request of the victim (and following discussion with their parents or carers). If the victim does move to another educational institution (for any reason), it is important that the new educational institution is made aware of any ongoing support needs. The designated safeguarding lead should

take responsibility to ensure this happens (and should discuss with the victim and, where appropriate their parents or carers as to the most suitable way of doing this) as well as transferring the child protection file.

**Reviewed by the Head Teacher and the Senior Management Team - October 2023**