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# HARMFUL SEXUAL BEHAVIOUR PROCEDURE

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**RAEDWALD**  
T · R · U · S · T

APPROVED BY CENTRAL LEADERSHIP:  
7<sup>TH</sup> DECEMBER 2022

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**NEXT REVIEW DATE: SEPTEMBER 2023**

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## HARMFUL SEXUAL BEHAVIOUR PROCEDURE

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<b>Date to Central Leadership:</b>	December 2022
<b>Date Approved:</b>	7 <sup>th</sup> December 2022
<b>Date to be Reviewed:</b>	September 2023
<b>Policy displayed on website:</b>	Yes

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## 1. Legislative Background and Context

In the Sexual Offences Act 2003, the term Harmful Sexual Behaviour (HSB) covers a wide range of behaviours. HSB can occur online, offline or in a blend of both environments. The term HSB is widely acknowledged in child protection and should be treated in this context.

“Child-on-child” has evolved from the term “peer-on-peer” in recognition that age and development is a factor in making decisions about behaviour. A significant age difference between the children involved in an incident may lead to a decision about the behaviour being harmful or not. For example, this could be an older child’s behaviour towards a pre-pubescent child, or a younger child’s behaviour towards an older child with learning difficulties. It is important that designated safeguarding leads (DSL) and deputy designated safeguarding leads (DDSL) know what is and is not HSB.

DSLs/DDSLs are involved in planning the curriculum for HSB, planning preventative actions and ensuring a whole-school culture that tackles HSB, alongside all other forms of abuse and harassment. This procedure provides a basis for an effective approach to managing sexual violence and harassment.

Harmful sexual behaviours can be self-directed, for example, using highly sexualised language, persistent private and or public masturbation, prolifically watching or searching for pornographic content/ age-inappropriate materials. To understand more about the range of behaviours that should be recognised as harmful, we refer to the [NSPCC Harmful sexual behaviour framework](#).

## 2. What is Sexual Violence?

The following are sexual offences under the [Sexual Offences Act 2003](#):

### 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. (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 engage in the activity, and A does not reasonably believe that B consents. (this could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

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### 3. What is Sexual Harassment?

Part 5 in the [Keeping children safe in education statutory guidance \(2022\)](#) states:

*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/college. 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 make clear that when any of this crosses a line into sexual violence – it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and*
- *Online sexual harassment 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 U18s is a criminal offence.*
  - *Sharing of unwanted explicit content*
  - *Upskirting (this is a criminal offence)*
  - *Sexualised online bullying*
  - *Unwanted sexual comments and messages, including, on social media*
  - *Sexual exploitation; coercion and threats*

*As a Trust, we recognise it is important that schools and colleges consider sexual harassment in broad terms. Sexual harassment (as set out above) creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.*

### 4. Online

This section is to help staff understand how online content and contact can be an element of, or impact on, the harmful sexual behaviour being displayed. It is important to understand every aspect of the child’s life to ensure a rounded response and this will include their online life. The behaviour may also be facilitated by online technologies.

As a Trust, we recognise that sexual violence and sexual harassment occurring online (either in isolation or in connection with face-to-face incidents) can introduce a number of complex factors. Amongst other things, this can include widespread abuse or harm across social media platforms that leads to repeat victimisation. Online concerns can be especially complicated, and support is available from a range of organisations – see the [Helpful Links](#) section below.

In the context of harmful sexual behaviour, children and young people may experience inappropriate contact online and threats. Inappropriate contact could include sexualised communications from peers,

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adults, or unknown people and or grooming. Online threats can include threats to share nude images or expose personal information. For this reason, we ensure we have an effective safeguarding and child protection policy, which includes online safety. We also have an online safety procedure.

## 5. Key Documents

[Department for Education: Keeping children safe in education](#)

[Department for Education: Sharing Nudes and Semi-Nudes: Advice for Education Settings working with Young People](#)

[Department for Education: Working together to safeguard children](#)

The [Everyone's Invited](#) website was created with the mission to “expose and eradicate rape culture with empathy, compassion and understanding” and to provide “a safe place for survivors to share their stories completely anonymously”; attracting thousands of testimonials about incidents that occurred in schools in the UK. This highlighted a wide range of abuse scenarios involving children abusing other children. As a result, the then Education Secretary requested a rapid review into sexual abuse in schools and colleges in England. [Ofsted published its findings in June 2021](#). This led to a series of recommendations for schools, multi-agency partners and government, and resulted in Ofsted making changes to the school inspection handbook.

## 6. Ofsted's School Inspection Handbook

The school inspection handbook states that Ofsted will look at how leaders ensure that their school's culture addresses harmful sexual behaviour. Inspectors will expect schools to assume that sexual harassment, online sexual abuse and sexual violence are happening in the community, and potentially in the school, even when there are no specific reports, and put in place a whole-school approach to address them.

Schools should have appropriate and well-communicated school-wide policies in place that make it clear that sexual harassment, online sexual abuse and sexual violence (including sexualised language) are unacceptable.

As a part of a school inspection, Ofsted will:

- Request that college leaders supply records and analysis of sexual harassment and sexual violence, including online, to inspectors
- Speak with groups of pupils, where this helps them to better understand the school's approach to tackling sexual harassment and violence, including online
- Feed this part of the inspection into a judgement of safeguarding and leadership and management. If a school's processes are not adequate, Ofsted is likely to judge both their safeguarding practices and leadership and management as inadequate
- The Independent Schools Inspectorate will also specifically request schools to provide the same records upon notification of inspection, in addition to its current practice
- The school's behaviour and safeguarding and child protection policies will likely be checked to see whether they set out clear and effective procedures to prevent and respond to incidents. It will be expected that you have a zero-tolerance approach to all harmful sexual behaviour

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## **7. Statement of Intent**

Raedwald Trust has a zero-tolerance approach to any harmful sexual behaviour involving children and acknowledges that it could be occurring at our schools and in our school community. The Trust is proactive in its approach to assessing prevalence, responding to incidents and challenging and changing behaviour. This procedure applies to all Trustees, staff and pupils.

Schools and colleges have a statutory duty to safeguarding the children in their setting. We work together to foster an environment that creates healthy relationships for children and young people. Our whole-school approach encourages healthy relationships and works to prevent harmful sexual behaviour. We provide high quality education within the curriculum to reduce the likelihood of the situations occurring.

We recognise that harmful sexual behaviour is harmful to both the child/children affected by the behaviours and the child/children who displayed the behaviour and provide ongoing support for all involved.

Our approach is to treat everything as a safeguarding incident in the first instance - we distinguish between behaviours that are exploratory and part of healthy age and ability appropriate development and those that may be harmful.

As a Trust we provide regular opportunities for staff to understand what harmful sexual behaviours might look like and what safeguarding leads should do in the event of a report. We do this by providing training and regular updates where possible.

We also use the RSHE curriculum to help educate students about these issues as well as regularly remind and promote reporting routes within school to ensure they know what to do should an incident occur.

## **8. Related Policies**

The following policies and procedures that should be read in conjunction with this procedure:

- Safeguarding and Child Protection policy
- Whistleblowing Procedure
- Positive Behaviour Change Policy
- Anti-Bullying Procedure
- Online Safety Procedure
- Acceptable Use Agreements
- Use of External Agencies Procedure

## **9. Leaders and Designated Safeguarding Leads (DSLs)**

Our leaders, DSLs and DDSL's have ultimate responsibility in dealing with all incidents of harmful sexual behaviour, including online. It is the expectation that all incidents of harmful sexual behaviour/sexual violence and harassment are reported to the school in line with the Trust's safeguarding and child protection procedures. We ensure that our DSLs/DDSLS receive appropriate training so that they are confident in Trust safeguarding processes. They know when it is necessary to escalate and have

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information on what national specialist support is available to support all children involved in harmful sexual behaviour and are confident as to how to access this support when required.

Our DSLs/DDSLs have an in-depth working knowledge of key documentation, particularly KCSIE 2022. We ensure that they receive appropriate specialist training, commensurate with their role, and provide ongoing training for all Trust staff.

It is the role of school leaders and DSLs to ensure that all staff and Trustees receive training specific to harmful sexual behaviour.

## **10. Staff**

It is the responsibility of all staff to have read and understood this procedure and associated policies and procedures. All staff must report any incidents or suspected incidents of harmful sexual behaviour in line with our Safeguarding and Child Protection policy and ensure they are informed of the outcome, where appropriate. It is expected that all staff will challenge any harmful sexual language or inappropriate behaviour. Staff have a duty to ensure that the school environment is one which is safe, and which supports pupils to understand safe and healthy relationships and appropriate behaviour through delivery of our curriculum.

## **11. Trustees**

We ensure our Trustees receive appropriate training about what harmful sexual behaviour is, when it can pose a risk to children and how to keep children safe. Our Trustees receive regular training and updates, both in terms of what sexualised behaviour is, but also how to effectively support establishments and their stakeholders whilst holding provision to account.

As part of the Trust Board's monitoring systems, our Trust Board has the opportunity to monitor and evaluate the approach to harmful sexual behaviour to ensure it is adequate and effective. This includes evaluation of the curriculum, pupil voice activity and evaluation of parent/carer engagement. It is the responsibility of the Trustees to ensure that risks relating to these issues are identified, that a number of reporting routes are available, and that risks are effectively mitigated.

## **12. Pupils**

All pupils have the right to learn in a safe, healthy and respectful school environment. Our pupils benefit from a broad and balanced curriculum. They are taught about healthy relationships and how and when to report and that a range of different reporting routes are available to them. Our pupils are encouraged to report any harmful sexual behaviour, even if they are not directly involved. All pupils will be listened to if they make a disclosure and will be treated sensitively - whilst we cannot guarantee confidentiality, their requests will be considered when supporting them.

## **13. Parents/Carers**

We work hard to engage parents and carers by:

- Regular and ongoing communication, including via phone calls and home visits
- Sharing newsletters
- Sharing information online e.g. website, social media
- Providing curriculum information

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Our parents and carers are made aware of how and when to report any concerns to the school, that all incidents will be handled with care and sensitivity, and that it may sometimes be necessary to involve other agencies.

## **14.Vulnerable Groups**

We recognise that, nationally, vulnerable pupils may be more likely to be at risk of experiencing harmful sexual behaviour. These include:

- A child with additional needs and disabilities
- A child living with domestic abuse
- A child who is at risk of/suffering significant harm
- A child who is at risk of/or has been exploited or at risk of exploited
- A care experienced child
- A child who goes missing or is missing education
- Children who identify as, or are perceived as, LGBTQI+ and/or any of the other protected characteristics
- Children displaying harmful sexual behaviour have often experienced their own abuse and trauma. We work to ensure that any vulnerable pupil is offered appropriate support, both within and outside of school, sometimes via specialist agencies

## **15.Training**

Through the provision of good quality training and support, we strive to foster in our DSLs/DDSs a good understanding of harmful sexual behaviour. This forms part of their safeguarding and child protection training. Supporting them in planning preventative education and measures, drafting and implementing an effective safeguarding and child protection policy and incorporating the approach to sexual violence and sexual harassment into the whole school approach to safeguarding. The training includes:

- [Brook traffic light tool](#)
- [NSPCC training](#)
- Whole staff training

Our Trust-wide safeguarding and child protection training supports staff to respond effectively to different types of harassment and sexual misconduct incidents. An assessment of the training needs of all staff is undertaken following their attendance at this training. Any areas identified by staff that they require further training in are addressed.

Training will be made available on an ongoing basis for all staff and pupils to raise awareness of harassment and sexual misconduct with the purpose of preventing incidents and encouraging reporting where they do occur.

## **16.Helpful links**

[Child Exploitation and Online Protection command](#)

CEOP is a law enforcement agency which aims to keep children and young people safe from sexual exploitation and abuse. Online sexual abuse can be reported on their website and a report made to one of their Child Protection Advisors.

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### The NSPCC

Provides a helpline for professionals at 0808 800 5000 and [help@nspcc.org.uk](mailto:help@nspcc.org.uk). The helpline provides expert advice and support for school and college staff, and will be especially useful for the DSL/DDSL's.

### Specialist Sexual Violence Sector Organisations

We can access support from specialist sexual violence sector organisations such as [Rape Crisis](#) or [The Survivors Trust](#).

The Anti-Bullying Alliance has developed guidance for schools about [Sexual and sexist bullying](#).

### The UK Safer Internet Centre

Provides an online safety helpline for professionals at 0344 381 4772 and email to: [helpline@saferinternet.org.uk](mailto:helpline@saferinternet.org.uk). The helpline provides expert advice and support for school and college staff regarding online safety issues.

### Internet Watch Foundation

If the incident/report we are dealing with involves sexual images or videos that have been made and circulated online, the victim can be supported to get the images removed by the Internet Watch Foundation (IWF).

### ChildLine/IWF Report Remove

Is a free tool that allows children to report nude or sexual images and/or videos of themselves that they think might have been shared online.

### UKCIS Sharing Nudes and Semi-nudes Advice

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).

### Thinkuknow

NCA-CEOP provides support for the children's workforce, parents and carers on staying safe online. [CEOP Education \(thinkuknow.co.uk\)](http://thinkuknow.co.uk)

### The Centre of Expertise on Child Sexual Abuse

Has developed a range of helpful resources to identify and respond to child sexual abuse, including a [guide for professionals supporting children following incidents of HSB](#).

### Lucy Faithfull Foundation

Is a UK-wide charity dedicated solely to preventing child sexual abuse. They work to prevent abuse from happening in the first place by working with all those affected including adult male and female abusers.

### Marie Collins Foundation

Support people to recover from technology assisted sexual abuse in childhood. They do this directly by supporting individuals and their families, and indirectly through advocacy and education.

### NSPCC National Clinical and Assessment Service

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(NCATS) is a national service that offers assessment, treatment, consultation and training for and about children and young people where there are concerns about harmful sexual behaviour.

#### Project deSHAME from Childnet

Provides useful research, advice and resources regarding online sexual harassment.

### **17. Education**

Our Trust's educational approach seeks to develop knowledge and understanding of healthy, problematic or sexually harmful behaviours, and empowers young people to make healthy, informed decisions. Our Trust's approach is delivered predominantly through PSHE and RSE with additional opportunities provided through:

- Cross curricular programmes
- Identified 1:1's
- During form time
- Bespoke sessions with our Trust PCSO

Our approach is given the time it deserves and is authentic i.e., based on current issues nationally, locally and within our setting. It is shaped and evaluated by pupils and other members of the Trust community to ensure that it is dynamic, evolving and based on need. We do this through:

- Surveys
- Parental engagement
- Multi-agency working
- Staff training

The following resource can be used:

- ProjectEVOLVE - <https://projectevolve.co.uk>

### **18. Reporting**

Our safeguarding systems are well promoted in order to be easily understood and easily accessible for our pupils to confidently report any concerns, including abuse, knowing their concerns will be treated seriously. All reports will be dealt with swiftly and sensitively and outcomes shared where appropriate. We also respond to anonymous reports, or reports made by third parties. Pupils can also report their concerns via the 'Report a Concern' button on the Raedwald Trust website:

- [Home - Raedwald Trust](#)
- [Staying Safe - Raedwald Trust](#)

We also recognise that incidents will not always be reported directly to us, therefore we also train staff to recognise and spot signs of harmful sexual behaviour.

### **19. Responding to an Incident or Disclosure**

We recognise the importance of distinguishing between healthy, problematic and harmful sexual behaviour.

Our response is always based on sound safeguarding principles and follows Trust safeguarding processes. It is considered appropriate and puts the pupil at the centre of all decisions made.

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The Trust will always adopt a multi-agency approach and seek external support and guidance, in line with Trust policy, if deemed necessary. Agencies we may approach for further advice, support or guidance include:

- Suffolk Safeguarding Partnership
- Suffolk Police
- Our Trust PCSO
- Suffolk County Child Exploitation Coordinator
- MASH Team
- MASH Professional Consultation Line
- Social Care teams
- Make a Change teams
- Suffolk Youth Justice Service
- Early Help team
- Health and Mental Health Services

## **20.Risk Assessment**

The Trust may deem it necessary to complete a harmful sexual behaviour risk assessment as part of the response to any reported incidents. The purpose of the risk assessment is to protect and support all those involved by identifying potential risk, both in and out of school (e.g., public transport, after school clubs etc.) and by clearly describing the strategies put in place to mitigate such risk.

The risk assessment will be completed following a meeting with all professionals working with the pupil, as well as parents/carers. Where appropriate, the pupils involved will also be asked to contribute.

The risk assessment will be shared with all staff who work with the pupil, as well as parents/carers. It will respond to any changes in behaviour and will be regularly updated and evaluated to assess impact.