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The Gilbert School

Child on Child Abuse Policy

Revision Details - in order of appearance	
June 2024	1. Adoption of wording from ECC model policy replacing the introduction section entirely. Updating version of KCSiE from 2022 to 2023.
	3. Updated terminology using ECC model policy from 'online sexual harassment' to 'online harmful sexual behaviour'
	4. Updated the term from Future Skills to Personal Development
	4. Wording adopted from ECC model Policy 2023, to mirror the updated guidance regarding Filtering and Monitoring in KCSiE 2023
	5. Adoption of wording on confidentiality and information sharing from ECC model policy.
	5. Amendment of wording for recording section, acknowledging the role of the triage personnel within the Safeguarding team.
	5. Adoption of ECC model guidance on on-going support for our children

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1 Introduction

Children’s sexual behaviour exists on a wide continuum. It ranges from normal and developmentally expected (age-appropriate), to inappropriate, problematic, abusive, and violent. Problematic, abusive, and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. This is known as Harmful Sexual Behaviour which children can experience in various settings, including at school, at home (or in another home), in public places, online or in person, or simultaneously. Our school recognises that children are vulnerable to, and capable of, harmful sexual behaviour.

We take any allegation of abuse between our children seriously and follow our child protection procedures if a report of harmful sexual behaviour is made. This may include seeking advice and support from other agencies as appropriate. Decisions are made taking into account the age and developmental stages of any child involved. We also consider any other factors as appropriate and balance this with our duty and responsibilities to protect all children.

Within this policy we use the following widely used and recognised terms in places: ‘victim(s)’ and ‘alleged perpetrator(s)’. We recognise that a child who has reported abuse may not consider themselves to be a victim and may not want to be described in this way. We also recognise that a child who is reported to have displayed harmful or abusive behaviour may not consider that they have done so, and that they will also need a safeguarding response. When managing reports of abuse, we are mindful of the language used, particularly when speaking with children, and will adapt this according to the needs of the child.

Our school recognises that CYP are vulnerable to, and capable of, abusing their peers sexually. We consider any allegation of child on child sexual abuse seriously and do not tolerate or dismiss harmful sexual behaviour as ‘banter’, ‘just having a laugh’ or ‘part of growing up’. These allegations are managed in the same way as any other child protection concern and follow the same procedures, including seeking advice and support from other agencies as appropriate.

This policy is in line with the safeguarding requirements in [Keeping Children Safe in Education](#) (Department for Education (‘DfE’), 2023), which we must work to; Part 5 of the Keeping Children Safe in Education statutory guidance sets out how schools should manage reports of child-on-child sexual violence and harassment. This policy also links to the guidance issued by the DfE in 2018: [Sexual violence and sexual harassment between children in schools and colleges](#).

2 Definition of sexual abuse

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education and all staff should be aware of it and of their school or college’s policy and procedures for dealing with it.

(Keeping Children Safe in Education, DfE, 2022)

3 What harmful sexual behaviour means

The Department for Education (DfE) publishes statutory guidance for all education settings: [Keeping children safe in education](#) (DfE, 2023). Part 5 of this guidance sets out how schools should manage reports of child-on-child sexual violence and harassment (harmful sexual behaviour).

Sexual violence

This means sexual offences under the Sexual Offences Act 2003 as described below:

- rape;
- assault by penetration;
- sexual assault (which includes inappropriate or unwanted sexualised touching); and
- causing someone to engage in sexual activity without consent.

Sexual harassment

This means unwanted conduct of a sexual nature, which can occur online and offline and both inside and outside of school, including:

- sexual comments (telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, calling someone sexualised names);
- sexual 'jokes' or taunting;
- physical behaviour, such as deliberately brushing against someone, or interfering with someone's clothes;
- displaying pictures, photos, or drawings of a sexual nature; and
- upskirting, which typically involves taking a picture or video under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, and / or to cause the victim humiliation, distress, or alarm (this is a criminal offence).

Online-harmful sexual behaviour

This can be a single event, 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 (this is a criminal offence);
- sharing of unwanted explicit content;
- sexualised online bullying;
- unwanted sexual comments and messages, including, on social media;
- sexual exploitation, coercion, and threats; and
- coercing others into sharing images of themselves or performing acts they are not comfortable with online.

We recognise that our children can experience harmful sexual behaviour in various settings. This includes at school, at home (or at another home), in public places, and online. At school, issues can occur in places which are

supervised and unsupervised. For example, abuse may occur in toilets, corridors, changing areas, common rooms, outside spaces such as the playground and sports facilities, and when children are travelling home.

4 How we seek to minimise the risk of harmful sexual behaviour

The principle aim of our approach is to foster the conditions in which our pupils can aspire to and realise safe and healthy relationships, at school and as they continue in life. We work to a culture in which the voice of our CYP is central, where pupils feel able to share their concerns openly, knowing that they will be listened to, and that they will not be judged. We are aware that children displaying harmful sexual behaviours have often experienced their own abuse and trauma and it is important they are offered appropriate support.

Today's children and young people are growing up in an increasingly complex world and living their lives seamlessly on and offline. This presents many positive and exciting opportunities, but also challenges and risks. In this environment, children and young people need to know how to be safe and healthy, and how to manage their academic, personal, and social lives in a positive way.

[Relationships and sex education \(RSE\) and health education \(DfE\)](#)

Children and young people

We use relationships, sex and health education (RE or RSE and PSHE via the Personal Development curriculum) to help our students understand, in an age-appropriate way, what harmful sexual behaviour is, including by peers. We teach them the knowledge they need to recognise and report abuse, including emotional, physical, and sexual abuse. We also teach them about the importance of making sensible decisions to stay safe (including online), whilst being clear that if a CYP is abused, it is never their fault.

We help our students to develop the skills to understand:

- the characteristics of positive, respectful and healthy relationships, including friendships;
- boundaries, privacy, and consent;
- what constitutes sexual harassment and sexual violence and why these are always unacceptable; and
- the concepts of, and laws relating to sexual consent, sexual exploitation, abuse, grooming, coercion, harassment, and rape.
- that they must tell a trusted adult if someone is behaving in a way that makes them feel uncomfortable – and must tell a trusted adult if they witness such behaviour towards others.

We understand our pupils may not always feel able to talk to adults about child on child sexual abuse. To help them, we will encourage them to share their thoughts and opinions, respond to their concerns, and respect and listen to them. We want our pupils to feel confident that any concerns they raise will be responded to appropriately.

Parents and carers

It is important that parents and carers understand what is meant by harmful sexual behaviour, and reinforce key messages from school at home. We work in partnership with parents to support our students and want to help them keep their children safe. Parents and carers should understand:

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

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

Staff

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

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

Online Safety

It is essential that children are safeguarded from potentially harmful and inappropriate online material. We have systems in school to filter information and block internet access to harmful sites and inappropriate content. These systems are monitored and regularly reviewed to ensure they are effective, and all staff are trained in online safety and how to report concerns. (wording adopted from ECC model Policy 2023, to mirror the updated guidance in regard to Filtering and Monitoring in KCSiE 2023)

5 Managing reports of harmful sexual behaviour

The wellbeing of our students is always central to our response to an allegation or incident of harmful sexual behaviour. Any CYP reporting a concern will be treated respectfully. We will reassure them that they are being taken seriously and that they will be supported and kept safe; no CYP will be given the impression that they are creating a problem by reporting abuse or made to feel ashamed. Abuse that occurs online or outside of the school will not be downplayed and will be treated equally seriously.

Our staff will never promise confidentiality to the CYP as the concern will need to be shared further. Wherever possible, managing any report of harmful sexual behaviour with two members of staff present. This will usually include our Designated Safeguarding Lead (or Deputy Designated Safeguarding Lead).

The school's Designated Safeguarding Lead will need to be informed as soon as possible of any incident and the details may also need to be shared with Children's Social Care / the police and other specialist agencies. We have in place effective working relationships with our safeguarding partners, which are essential to ensuring that concerns are appropriately managed.

Whilst we establish the facts of the case and start the process of liaising with other agencies as appropriate, we will consider how best to keep the victim and alleged perpetrator a reasonable distance apart on school premises, and where applicable, on transport to and from the school.

Where a report includes an online element, we work to the government advice in [Searching screening and confiscation](#) and [UKCIS Sharing nudes and semi nudes advice for education settings working with children and young people](#). We will never view an illegal image of a child as part of our response to a report of harmful sexual behaviour, unless absolutely necessary in exceptional circumstances. We will never forward an illegal image of a child; and

Working in partnership with other agencies (including statutory partners) to ensure that concerns are appropriately managed. Where a child already has Children's Social Care involvement, such as a Looked After Child, a Child In Need or a child with a Child Protection Plan, we will inform the child's Social Worker and work in partnership with them as appropriate.

Staff should consider intra-familial harms and any necessary support for siblings following a report of sexual violence and/or harassment.

Confidentiality and information sharing

Our staff will never guarantee confidentiality to anyone (including children or parents/carers) about a safeguarding concern, nor promise to keep a secret. In accordance with statutory requirements, where there is a child protection concern, this must be reported to our Designated Safeguarding Lead (or Deputy Designated Safeguarding Lead) and may require further referral to and subsequent investigation by a statutory agency (Police and / or Social Care). Parents and carers will normally be informed about any report of abuse, unless we consider that this may place a child at greater risk.

In some cases, where we may need to involve another agency, this may be against the wishes of a child and / or their parents / carers. In such cases, we will explain our reasons for doing so and support them accordingly.

Anonymity

We will do all we reasonably can to protect the anonymity of any children involved in any report of harmful sexual behaviour. This means we will consider carefully, based on the nature of the report, which staff should know about it, and which staff should know about any support that will be put in place for the children involved.

We are aware of the potential impact of social media, which can facilitate the spreading of rumour and expose a victim's identity, making things more challenging for them. Where the use of social media becomes a factor and is affecting our capacity to manage the report and support our children, we will address this, linking with agencies as appropriate.

Recording

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

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

The Designated Safeguarding Lead (or Deputy) will then be alerted by the Safeguarding administrator via the triage process in place for all incidents recorded on CPOMS. (If it is a paper incident report, this needs to be handed to the DSL or DDSL immediately) who will decide on appropriate action and record this accordingly. If the nature of the concern may require immediate action, the member of staff must seek out the DSL/DDSL to report in person.

Brook Traffic Light Tool

Key staff have undertaken training and hold a license for Brook's nationally recognised Sexual Behaviours Traffic Light Tool. This tool helps professionals to identify, understand and respond appropriately to sexual behaviours in children and young people. It helps us make consistent and informed decisions about our response to sexual behaviours and it supports our existing safeguarding arrangements.

Investigation

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

Risk Assessment

We will usually complete a risk assessment following a report of harmful sexual behaviour. Our risk assessment will include the following considerations:

- the victim, and any actions that may be appropriate to protect them;
- whether there may have been other victims;
- the alleged perpetrator(s);
- the time and location of the incident(s), and any action required to make the location(s) safer; and
- all other children (and, if appropriate, our staff) at the school, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms.

Our risk assessment will be recorded and reviewed regularly to ensure it remains relevant and fit for purpose. Wherever possible, the victim, alleged perpetrator, and their parents and carers will be invited to contribute to the completion and subsequent reviews of the risk assessment.

At all times, we will be actively considering any risks that are identified through our risk assessment, and its ongoing review, to our children. We will put measures in place to protect our children accordingly.

6 Guiding principles

The safety of our students is paramount. We will use a proportionate approach, basing our actions on the principle that harmful sexual behaviour is not acceptable and will not be tolerated.

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

Our approach will help us to ensure that all students are protected and supported appropriately. The following principles will guide us:

- the wishes of the CYP in terms of how they want to proceed – the victim will 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;
- the nature of the alleged incident(s), including whether a crime may have been committed;
- the ages and developmental stages of all CYP involved;
- consideration of any power imbalance between the CYP – for example, is the alleged perpetrator significantly older, more mature, or more confident / does the victim have a disability or learning difficulty;
- consideration of whether the alleged incident was a one-off or a sustained pattern of abuse;
- consideration of any ongoing risks to the victim, other CYP, or staff;
- consideration of any other related issues and wider context.

All concerns will be considered carefully on a case-by-case basis. Our actions will not be judgemental about the guilt of the alleged perpetrator and will always be taken in the interests of all children involved, balanced with our duty and responsibilities to protect our other children.

Safeguarding and supporting a victim

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

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

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

Safeguarding and supporting an alleged perpetrator

We have a duty of care to all children and will protect and support children who have displayed harmful sexual behaviour. We will do this through considering a child's needs, any risks to their safety and what multi-agency responses are needed to support them and their family.

Some children may not realise they have behaved abusively. We will not use language that may make them feel judged or criminalised and ensure that any intervention will be at the least intrusive level required to effectively address the behaviour.

We will carefully consider when to inform an alleged perpetrator(s) about a report of harmful sexual behaviour made against them. Where a request for support is going to be made to Children's Social Care or the police, then, as a general principle, our Designated Safeguarding Lead will speak to those agencies to discuss next steps, including how the alleged perpetrator(s) will be informed of the allegations. This will not prevent the school from taking immediate action to safeguard children, where required.

We will consider appropriate sanctions using our behaviour policy, and work with a child and their support network to consider measures that may help to address their behaviour.

Informing parents and carers

In line with our child protection procedures, we inform parents or carers about reports of sexual abuse unless to do so may place a child at additional risk. We will seek advice from other safeguarding partners in individual cases. In circumstances where parents or carers have not been informed, we will ensure that we support a child in any decision we take. This is likely to be with the support of Children's Social Care and any appropriate specialist agencies.

Ongoing support for our children

We will consider what ongoing support our children may need, and tailor this on a case-by-case basis, according to the needs of all children involved. Support, where it is required, may include pastoral support, counselling services, provision of a trusted adult or a referral to an external specialist agency. Where other agencies are

involved, decisions about support will be made in the context of partnership working, with the needs of the child central to these discussions.

We may also need to provide support to children who have witnessed harmful sexual behaviour, or who have otherwise been affected. This will be informed by our risk assessment and our ongoing work.

We will also consider whether any intervention or support is required as part of a whole-setting approach for our children, or with the wider community of our setting.

7 Investigation outcomes

Our investigation of an allegation or incident as set out in this policy will enable us to determine the outcome, working with our safeguarding partners as appropriate. We will always seek to ensure that the outcome of an investigation is appropriate and proportionate to the circumstances in relation to the report. Various options are open to us, as set out below:

Manage internally

In some cases, for example, one-off incidents, we may take the view that the CYP concerned are not in need of early help or statutory intervention. In these cases, we will follow our other school policies in addressing matters, for example our Student Code of Conduct or Safeguarding Policy.

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

Early Help

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

Requests for support to Children's Social Care

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

If we make a request for support, Children's Social Care will consider whether the CYP involved are in need of protection or other services. Where statutory assessments are appropriate, the school will work with Children's Social Care and other agencies as appropriate. Partnership working helps to ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other CYP that require support.

In some cases, Children's Social Care will review the evidence and decide a statutory intervention is not appropriate. If a statutory assessment is not considered appropriate by Children's Social Care, we will consider what other support may be required. We will make further requests for support to Children's Social Care if we consider that a CYP remains in immediate danger or at risk of harm.

Reporting to the police

Where a report of rape, assault by penetration or sexual assault is made, we will report it to the police. We will generally inform parents or carers about reports of sexual abuse, unless to do so may put a CYP at additional risk. We will seek advice from other partners in individual cases.

In circumstances where parents or carers have not been informed, we will ensure that we support the CYP in any decision we take. This is likely to be with the support of Children's Social Care and any appropriate specialist agencies.

Where we have made a report to the police, we will consult with them and agree what information can be disclosed to staff and others, in particular the alleged perpetrator and their parents or carers. We will also discuss the best way to protect the victim and their anonymity.

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

8 Review

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