



## Harmful Sexual Behaviour and Child-on-Child Abuse Policy

### 1. Introduction

It is normal for some children and young people to display sexualised behaviour towards their peers as they develop. However, sexualised behaviour between children that has become harmful or abusive is unacceptable and must be addressed.

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 and young people can experience in various settings, including at school, at home (or in another home), in public places, online or in person, or simultaneously.

Open Box Education Centre recognises that our students 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 pass off 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 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/111111/Keeping_children_safe_in_education_-_GOV.UK.pdf) (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 Essex in 2023: [01 Child on Child Abuse - Harmful Sexual Behaviour - guidance for schools and education settings - Autumn 2023](#)

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 abusive behaviour may not consider that they have done so, and that if abusive behaviour has occurred it will have had an impact on them too. We are conscious of the language we use when managing reported abuse, especially when speaking with our children, and will consider this on a case-by-case basis. We are prepared to use any term which our children are most comfortable with.

### 2. Definition of sexual abuse

Sexual abuse is forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of 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.

The sexual abuse of children by other children is a specific safeguarding issue in education.

*(Keeping children safe in education, DfE, 2023)*

### **3. Harmful sexual behaviour**

The Department for Education (DfE) publishes statutory guidance for all education settings: [Keeping children safe in education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101321/Keeping-children-safe-in-education-2023.pdf) (Department for 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).

Harmful sexual behaviour can manifest itself in many ways. This may include:

#### **3.1 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 (consent is about having the freedom and capacity to choose – a child under the age of 13 can never consent to any sexual activity).

#### **3.2 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).

#### **3.3 Online sexual harassment**

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.

Our school also understands the different gender issues that can be prevalent when dealing with harmful sexual behaviour.

Students 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 students 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 students 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 students is central, where students feel able to share their concerns openly, knowing that they will be listened to, and that they will not be judged.

### **4.1 Children and young people**

Today's children and young people are growing up in an increasingly complex world and living their lives seamlessly online 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.

We use relationships, sex and health education (PSE and RSE 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 young person is abused, it is never their fault and victim blaming is always wrong.

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 harmful sexual behaviour, sexual harassment and sexual violence;
- that such behaviour is not acceptable;
- the possible reasons for such behaviour, and vulnerability of perpetrators;
- 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 students 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 students to feel confident that any concerns they raise will be responded to appropriately.

Please see our PSE and RSE Policies for more information.

## **4.2 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 child/ren safe. Parents and carers should understand:

- the nature of harmful sexual behaviour;
- the effects of harmful sexual behaviour on young people;
- 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.

## **4.3 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 young people.

## **4.4 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.

Please see our Online Safety policy for more information.

## **5. Our response to an incident / allegation**

The wellbeing of our students is always central to our response to an allegation or incident of harmful sexual behaviour. Any young person 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 young person 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.

5.1 Our staff will follow these safeguarding practice principles:

- 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);
- listening carefully to a child in a non-judgemental way and ensuring we are clear about how the report will be progressed. We will ensure our children know they can speak to our staff again if they wish to provide more information, or for any other reason;
- 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.

Our staff will never promise confidentiality to anyone (including parents/carers or student) as the concern will need to be shared further. 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.

We will explain next steps to the student so they understand what will happen, including who will be informed.

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 an incident includes an online element, we will always work in accordance with appropriate guidance, taking advice from other partners as necessary. Our staff will not view an indecent image of a young person unless absolutely necessary, nor forward it for any reason.

## 5.2 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.

## 5.3 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, 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 young person presents them.

The record will then be presented to the Designated Safeguarding Lead (or Deputy), who will decide on appropriate action and record this accordingly.

If a student is at immediate risk of harm, staff will speak with the Designated Safeguarding Lead or Deputy first, and deal with recording as soon as possible afterwards.

All related concerns, discussions, decisions, and reasons for decisions will be dated and signed and will include the action taken.

At our school, our DSL and Deputy DSL have undertaken training and hold a licence 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 responses to sexual behaviours and it supports our existing safeguarding arrangements.

## **5.4 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.

## **5.5 Risk Assessment**

We will usually complete a risk assessment following a report of harmful sexual behaviour, considering all young people involved in an incident. We will also consider all other students at our school and any actions that may be appropriate to protect them. 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.

Risk assessments will be regularly reviewed to ensure they remain relevant and fit for purpose. Where appropriate, the affected young person and their parents and carers will be invited to contribute to the completion and review of the risk assessment.

## **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 young people concerned.

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

- the wishes of the young person 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 and/or whether harmful sexual behaviour has been displayed;
- the ages and developmental stages of all young people involved;
- consideration of any power imbalance between the young people – 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 is a one-off or a sustained pattern of abuse;
- that sexual violence and sexual harassment can take place within intimate personal relationships between children;
- the importance of understanding intra-familial harms and any necessary support for siblings following incidents;
- consideration of any ongoing risks to the victim, other young people, or staff;
- consideration of any other related issues and wider context.

## **6.2 Supporting the young person who has allegedly experienced harmful sexual behaviour**

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

We will consider what is necessary to support the young person straightaway, for example by making adaptations to their timetable and in-school support and taking steps to protect them from attention or peer 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 young person 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](#).

## **6.3 Supporting the young person who has allegedly displayed harmful sexual behaviour**

We have a duty of care to all students and we will protect and support young people who have displayed abusive or harmful sexual behaviour. We will do this through considering the needs of the young person, any risks to their safety and what multi-agency responses are needed to support them and their family. This work will be guided by a robust risk assessment process and we will ensure that the young person 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.

Some young people 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 Relationships & Behaviour Policy, and work with the young person and their support network to consider measures that may help to address the young person's behaviour, through our restorative processes.

#### **6.4 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.

#### **6.5 Ongoing support for our children**

Children who have experienced harmful sexual behaviour display a wide range of responses. Children may show clear signs of trauma, physical and emotional responses, or no overt signs at all. Children who display harmful sexual behaviour may also respond in these or in other ways. We will remain vigilant and show sensitivity to the needs of all our children, for example, about attendance in lessons.

We will consider what ongoing support our children may need, and tailor this on a case-by-case basis. For example, the support provided for children following a single incident of a lewd remark may be different from that following a report of sexual assault. Examples are pastoral support, counselling services, and ensuring that there is a trusted adult for the children involved to speak with if they wish to. It may be necessary for us to maintain arrangements to protect and support victims for some time, working with Children's Social Care and other agencies as required.

We may also need to provide support to children who have witnessed harmful sexual behaviour, or 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 school community.

### **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:



## **7.1 Manage internally**

In some cases, for example, one-off incidents, we may take the view that the young people 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 Child Protection Policy, our Relationships & Behaviour Policy and our Anti-Bullying Policy.

We will also consider what support the young people involved may need going forward - for example, pastoral support, mentoring, 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.

## **7.2 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 young person'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.

## **7.3 Requests for support to Children's Social Care**

Where a young person 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 young person 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 young people 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 young people 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 young person remains in immediate danger or at risk of harm.

## **7.4 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 young person 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 young person 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 young people 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 young people 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 young people 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.

**Designated Safeguarding Lead:** Alison Dolan  
**Deputy Designated Safeguarding Lead:** Samantha Hutton  
**Designated Governor for Safeguarding:** Julie Lorkins

Approved by: ..... (Principal) ..... (date)

Authorised by:..... (Chair of Governors) ..... (date)

**Next Review: 1 Year**

**To be reviewed: Sep 2024**

Date of Review	Reviewed by	Approved by Governors	Date of next review
09-05-21 – version 1.0	Alison Dolan	11-05-21	May 2022
Sep 2022 – version 1.1	Alison Dolan	11-10-22	Sep 2023
Sep 2023 – version 1.2	Samantha Hutton	21-11-23	Sep 2024

Appendix 1:

Displays around school to support students

# Feeling unsafe?

**If you feel unsafe in school,  
always speak to an adult.**

Always tell an adult in school how you are feeling, and we will work together to **help you to feel safe**. If you don't feel confident talking about this, leave a note with someone in the office or ask a parent/carer to call us and explain.

**Your safety is important – don't put up with feeling unsafe – tell someone now!**

# NSPCC

Report Abuse in Education helpline

Are you a child or young person who has experienced sexual harassment or abuse at school?

Child-on-Child Abuse Helpline  
**0800 136 663**

This dedicated helpline is for children and young people who have experienced sexual harassment or abuse at school. It offers support, advice and onward action, if requested. This helpline is also for worried adults and professionals that need support and guidance, including for non-recent abuse.

Report Abuse in Education on 0800 136 663 or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk).