

# Ladywood Primary School



## SAFEGUARDING POLICY

### APPENDIX

Sexual Violence and Sexual Harassment

September 2021

## Introduction/Rationale

In June 2021 Ofsted released a review of sexual abuse in schools following which in September 2021 the Department of Education released updated guidance with the intention of defining the issues, minimising risks and providing advice to help investigate and manage an incident/allegation of sexual violence/harassment.

Sexual violence and sexual harassment can occur between two children of any sex. They can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment.

The Ofsted report states that currently young people experience a prevalence of sexual harassment, inappropriate e-communication and other related behaviours. The review stated that 90% of secondary aged girls reported unwanted sexualised e-communication. Ofsted also referred to other evidence that suggested 15% of concerns disclosed to a self-report website, were from primary aged pupils. Schools must therefore assume that sexual harassment, online sexual abuse and sexual violence is likely to be happening across all areas of the UK and therefore also in their school communities. Even though Ladywood Primary School may have no specific reports or concerns at present, we have decided we should put in place a whole-school approach to address the review.

This policy intends to explain the definitions of Sexual Violence, Sexual Harassment, Online Sexual Harassment and share Ladywood's proactive procedures to support pupils day to day and our reactive procedures to handle any incidents that do occur.

## Defining Sexual Violence

- **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. 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 engaging 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.) Please note a child under the age of 13 can never consent to any sexual activity.

## Defining Sexual Harassment

Sexual Harassment is 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school'. Examples of Sexual Harassment include:

1. sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
2. sexual jokes or taunting;
3. physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes and displaying pictures, photos or drawings of a sexual nature; and
4. online sexual harassment. This may be standalone or part of a wider pattern of sexual harassment and/or sexual violence.

## Online Sexual Harassment

Online Sexual Harassment may include:

- Consensual and non-consensual sharing of nude and semi-nude images and videos as set out in *UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people* (which provides detailed advice for schools and colleges) taking and sharing nude photographs of U18s is a criminal offence;
- sharing of unwanted explicit content;
- upskirting (a criminal offence);
- sexualised online bullying;
- unwanted sexual comments and messages, including, on social media;
- sexual exploitation; coercion and threats.

## Procedures at Ladywood

At Ladywood Primary School we make sure that staff are trained to deal with incidents of a sexual nature and know who to approach for support, pupils receive education to equip them to help prevent inappropriate sexual incidents, and, we have a strict no tolerance policy for Sexual Violence and Sexual Harassment. We do this by:

- Where incidents are reported, staff understand how to handle them, in line with the DfE's guidance.
- Staff are aware of the definitions of Sexual Violence and Sexual Harassment
- Staff have good awareness of the signs that a child is being neglected or abused and that they are confident about what to do if a child reports that they have been sexually abused by another child.
- All members of the school community have their eyes open at all times - staff recognise unusual play and language which could indicate inappropriate sexual experiences and they act immediately.
- Children are taught about safeguarding risks, including online risks and pupils are supported to understand what constitutes a healthy relationship, both online and offline.
- We have a carefully sequenced RSE curriculum, based on the Department for Education's (DfE's) statutory guidance, that specifically includes sexual harassment and sexual violence, including online.
- Our teachers are trained on the delivery of Relationships and Sex Education and have the resources to deliver the curriculum effectively.
- Staff keep careful record of sexual harassment and sexual violence, including online, and intervene early to prevent abuse.

- We work in careful partnership with other professionals, as is reflected in our Safeguarding Policies.
- We have a trained Designated Safeguarding Lead in school at all times.
- Pupils are made clear about the next steps, when an incident is reported.
- We have a Safeguarding Governor.

### **Responding to reports of sexual violence and sexual harassment**

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. All decisions are made on a case by case basis.

The Designated Safeguarding Leaders (DSLs), Clare Grainger-Roystone, Lyndsey Roystone, Sue McQuillan and Kelly Marsden, will take the leading role. They will follow the DfE Guidance, use their professional judgement and seek the support of other agencies, such as children's social care and the police as required. All disclosures will be treated in accordance with Ladywood Primary School's Safeguarding Policy. Detailed confidential logs are maintained.

Our basic safeguarding principle is: if a child has been harmed, is in immediate danger, or is at risk of harm a referral should be made to children's social care.

Where there is a report of a rape, assault by penetration or sexual assault, it will also be passed to the Police without delay. We will work closely with the Police as rape, assault by penetration and sexual assaults are crimes.

We will inform parents that we are making a referral to children's social care however, this too is on a case by case basis. It may be that we have assessed the situation and believe that a referral is needed without parental knowledge in order to safeguard pupils involved.

A social worker should respond to the DSL referrer within one working day to explain what action they will be taking.

Once a referral is processed children's social care will consider if early help, section 17 and/or 47 statutory assessments are appropriate.

**Ladywood Primary School will support in an early help assessment, child protection enquiry, strategy discussion and child protection conference.**

### **NOTES**

This policy has been written with reference to:

- Keeping Children Safe in Education 2021
- DfE Guidance on Sexual Violence and Sexual Harassment between children in schools and colleges

This policy should be considered alongside:

- Safeguarding Policy
- RSE Policy
- PSHCE Policy
- Sex and Relationships Policy

This Safeguarding Policy appendix was written by Mrs Clare Grainger-Roystone, Headteacher in September 2021.