



SHIRLEY HIGH SCHOOL PERFORMING ARTS COLLEGE

Our Vision:

To develop aspirational learners who strive for excellence academically, creatively and culturally, benefitting from a wide range of opportunities led by inspirational educators.

CHILD ON CHILD ABUSE POLICY

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School and Croydon Local Authority Contacts

- Designated Safeguarding Lead: Ms. M Francis
- Deputy Designated Safeguarding Lead: Mr. K Powders
- Deputy Designated Safeguarding Lead: Mr. J Rayner
- Deputy Designated Safeguarding Lead: Mr. M Cotton
- Deputy Designated Safeguarding Lead: Ms. K Stewart
- Lead on Domestic Abuse and/or Sexual Violence: Ms. M Francis
- Croydon Local Authority Single Point of Contact (MASH Team)
Professional Consultation Line: 020 8726 6464
Email: childreferrals@croydon.gov.uk
- Croydon Local Authority LADO 0208 255 2889 / lado@croydon.gov.uk

Intent

The Governors, all staff and volunteers at Shirley High School are committed to the prevention, early identification and appropriate management of child on child abuse (as defined below) both within and beyond school.

In particular we:

- Believe that in order to protect children, all schools should (a) be aware of the level and nature of risk to which their students are or may be exposed, and put in place a clear and comprehensive strategy which is tailored to their specific safeguarding context; and (b) take a contextual whole-school approach to preventing and responding to child-on-child abuse
- Regard the introduction of this policy as a preventative measure, and do not feel it is acceptable merely to take a reactive approach to child-on-child abuse in response to alleged incidents of it
- Recognise national and increasing concern about these issues, and wish to implement this policy in order to ensure that our students are safe



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- Encourage parents to hold us to account on this issue, so that if their child is feeling unsafe as a result of the behaviour of any of their peers, they should inform Woodcote High School to that it can ensure that appropriate and prompt action is taken in response

This policy sets out our strategy for preventing, identifying and appropriately managing child-on-child abuse.

This policy avoids the term 'victim' and / or 'perpetrator'. This is because Shirley High School takes a safeguarding approach to all individuals involved in allegations of or concerns about child-on-child abuse, including those who are alleged to have been abused and those who are alleged to have abused their peers, in addition to any sanctioning work that may also be required for the latter. Research has shown that many children or young people who present with harmful behaviour towards others, in the context of child-on-child abuse, are themselves vulnerable and may have been victimised by peers, parents or adults in the community prior to their abuse of peers.

This policy uses the terms 'child' or 'young person', which are defined for the purposes of this policy as a person aged under 18. We have chosen not to restrict our approach under this policy to child-on-child abuse to children or young people but instead to adopt a wider interpretation of our safeguarding responsibilities so that they apply to all students, regardless of age. We recognise that there may be some additional considerations in relation to a student aged 18 or over in terms of how local agencies and / or partners respond. Similarly, Shirley High's response to incidents involving the exchange of youth produced sexual imagery will need to differ depending on the age of the students involved (see Appendix 1).

This policy builds on 'Sexual violence and sexual harassment between children in schools and colleges' (September 2021), 'Keeping Children Safe in Education' (September 2022), 'Sexting in schools and colleges: responding to incidents and safeguarding children' (UKCCIS), the NSPCC's Research in Practice's Harmful Sexual behaviour Framework and Croydon's Safeguarding Children's Board Safeguarding policy.

This policy applies to all staff, governors, contractors and volunteers. It is reviewed annually, and updated in the interim as required, to ensure that it continually addresses the risks to which students are or may be exposed.

This is Shirley High's overarching policy for any issue that could constitute child-on-child abuse. It relates to and should be read alongside the Child Protection Policy, the Staff Code of Conduct and any other relevant policies including, but not limited to:

- Anti-Bullying Policy (inc. the Cyber Bullying Policy)
- Behaviour Policy
- Inclusion Policy
- E-Safety & Social Media Policy
- Safer Recruitment Policy (inc. Statement on the Recruitment of Ex-offenders)
- Equalities Policy
- Relationship, Sex and Health Education Policy



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Implementation

Understanding child-on-child abuse

Child-on-child abuse is defined as 'any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between children and within children's relationships (both intimate and non-intimate)' (Abuse between young people: a contextual account (Routledge 2017)).

We recognise that child-on-child abuse can take various forms, including:

- serious bullying (including cyber-bullying)
- relationship abuse
- domestic violence.
- child sexual exploitation
- youth and serious youth violence
- harmful sexual behaviour
- gender-based violence
- Sexual violence and harassment
- Upskirting (now a criminal offence and has reporting requirements)
- Initiation /hazing type violence and rituals
- Sexting
- Physical abuse

Useful definitions can be found in Appendix 2.

We acknowledge that these types of abuse rarely take place in isolation and often indicate wider safeguarding concerns. Children's experiences of abuse and violence are rarely isolated events, and they can often be linked to other things that are happening in their lives and spaces in which they spend their times.

We recognise the need to adopt a contextual safeguarding approach and to ensure that our response to incidents of child-on-child abuse takes into account any potential complexity.

As a result, we:

- adopt an approach to safeguarding children that recognises their experiences of significant harm in extra-familial contexts, and seeks to include these contexts within prevention, identification, assessment and intervention safeguarding activities
- recognise that as children enter adolescence, they spend increasing amounts of times outside the home in public environments (including the internet) within which they may experience abuse
- consider interventions to change the systems or social conditions of the environments where abuse has occurred

We acknowledge that research suggests that child-on-child abuse is one of the most common forms of abuse affecting children in the UK. We therefore must adopt an approach of 'it could happen here.'

Students also need to know how to report concerns and know that they will be listened to and supported.



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These should include:

- Procedures to minimise the risk of child on child abuse
- How allegations are recorded, investigated and dealt with
- Clear processes as to how victims, perpetrators and any other students affected will be supported
- Recognition of the gendered nature of child on child abuse but recognising, that all forms of this behaviour are unacceptable and will be taken seriously

Additional areas for consideration can be found in:

Sexual Violence and Sexual Harassment between Children in Schools and Colleges guidance 2018):

<https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges>

Keeping Children Safe in Education 2022:

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Sexual behaviour

The NSPCC explains that ‘children’s sexual behaviours exist on a wide continuum, from normal and developmentally expected to highly abnormal and abusive. [Staff] should recognise the importance of distinguishing between problematic and abusive sexual behaviour ... As both problematic and abusive sexual behaviours are developmentally inappropriate and may cause developmental damage, a useful umbrella term is Harmful Sexual Behaviours (or HSB).’ In the NSPCC’s and Research in Practice’s Harmful Sexual Behaviour Framework, harmful sexual behaviours are defined as ‘sexual behaviours expressed by children ... that are developmentally inappropriate, may be harmful towards self or others, or be abusive towards another child ... or adult.’

Simon Hackett, in the NSPCC’s and Research in Practice’s Harmful Sexual Behaviour Framework, proposes the following continuum model to demonstrate the range of sexual behaviours presented by children. This model is helpful when seeking to understand a student’s sexual behaviour and in deciding how to respond to it.

Normal	Inappropriate	Problematic	Abusive	Violent
Developmentally expected	Single instances of inappropriate sexual behaviour	Problematic and concerning behaviour	Victimising intent or outcome	Physically violent sexual abuse
Socially Acceptable	Socially acceptable behaviour within peer group	Developmentally unusual and socially unexpected	Includes misuse of power	Highly intrusive
Consensual, mutual, reciprocal		No overt elements of victimisation	Coercion and force to ensure compliance	Instrumental violence which is psychologically and / or sexually arousing to the child



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Shared decision making	Context for behaviour may be inappropriate Generally consensual and reciprocal	Consent issues may be unclear May lack reciprocity or equal power May include levels of compulsivity	Intrusive Informed consent lacking or not able to be freely given May include elements of expressive violence	responsible for the behaviour Sadism
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<https://learning.nspcc.org.uk/research-resources/2019/harmful-sexual-behaviour-framework>

Other behaviour

When dealing with other alleged behaviour which involves, for example, emotional or physical abuse, Hackett's continuum is a useful tool to assess where behaviour falls on the spectrum and to decide how to respond. Criteria may include it:

- being socially acceptable
- involving a single incident or occurring over a period of time
- being socially acceptable within the peer group
- problematic and concerning
- involving any overt elements of victimisation or discrimination (e.g. related to race, gender, sexual orientation, physical, emotional or intellectual vulnerability)
- involving an element of coercion or pre-planning
- involving a power imbalance between the child(ren) responsible for the behaviour and the child(ren) allegedly the subject of that power
- involving a misuse of power

Shirley High recognises that issues rarely occur in isolation and that we may be required to deal with cases involving a range of alleged behaviours including sexual behaviour, emotional behaviour, physical behaviour and behaviour online.

Shirley High recognises that behaviour which is not abusive at first (e.g. a one-off physical fight between two children), may become abusive quickly or over time. Intervening early and addressing any inappropriate behaviour which may be displayed by a child is vital and could potentially prevent their behaviour from progressing on a continuum to become problematic, abusive and / or violent, and ultimately requiring (greater or more formal) engagement with specialist external or statutory agencies.



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Identifying child-on-child abuse

As with safeguarding children, signs that a child may be suffering child-on-child abuse can overlap with other types of abuse. Signs can include:

- failing to attend school, disengaging from classes or struggling to carry out school related tasks to the standard ordinarily expected
- physical injuries
- experiencing difficulties with mental health and / or emotional wellbeing
- becoming withdrawn and / or shy
- experiencing headaches, stomach aches, anxiety and / or panic attacks
- suffering from nightmares or lack of sleep or sleeping too much
- broader changes in behaviour including alcohol or substance misuse
- changes in appearance and / or starting to act in a way that is not appropriate for the child's age
- abusive behaviour towards others

Shirley High acknowledges that research suggests that child-on-child abuse may affect boys differently to girls, and that this difference may result from societal norms (particularly around power, control and the way in which femininity and masculinity are constructed) rather than biological make up.

Shirley High also recognises that there are other factors, situational and individual, which may make a child more vulnerable to child-on-child abuse, including, but not limited to:

- the onset of adolescence
- peer group dynamics
- sexuality
- gender identity

Responding to concerns or allegations of child-on-child abuse

It is essential that all concerns / allegations of child-on-child abuse are handled sensitively, appropriately and promptly. The way in which they are responded to can have a significant impact on the school/college environment. Any response should:

- include a thorough investigation of the concerns / allegations and the wider context in which they may have occurred (as appropriate)
- treat all children involved as being at potential risk; while the child allegedly responsible for the abuse may pose a significant risk of harm to other children, he may also have considerable unmet needs and be at risk of harm themselves. Shirley High is committed to ensuring that a safeguarding response is in place for both the child who has allegedly experienced the abuse, and the child who has allegedly been responsible for it, and additional sanctioning work may be required for the latter
- take into account:
 - that the abuse may indicate wider safeguarding concerns for any of the children involved and consider and address the effect of wider socio- cultural contexts, such as the child(ren)'s peer group (both within and outside of the school/college).



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- family, the school environment, their experience(s) of crime and victimisation in the local community, and the child(ren)'s online presence. Shirley High will consider what changes may need to be made to these contexts to address the child's/children's needs and to mitigate risk.
- the potential complexity of child-on-child abuse and of children's experiences and consider the interplay between power, choice and consent. While children may appear to be making choices, if those choices are limited, they are not consenting.
- the views of the child/children affected. Unless it is considered unsafe to do so (e.g. where a referral needs to be made immediately), the Designated Safeguarding Lead (DSL) should discuss the proposed action with the child(ren) and their parents and obtain consent to any referral before it is made. This may vary for the child(ren) depending on their age and any specific SEND needs. Shirley High will manage the child(ren)'s expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so.

What should you do if you suspect either that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s)?

If a student is in immediate danger, or at risk of significant harm, a referral to children's social care (if the student is aged under 18) and / or the police should be made immediately. Anyone can make a referral. Where referrals are not made by the DSL, the DSL should be informed as soon as possible that a referral has been made.

If a member of staff thinks for whatever reason that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should discuss their concern with the DSL without delay (in accordance with the procedures set out in the School/college's Safeguarding and Child Protection Policy) so that a course of action can be agreed.

If a child speaks to a member of staff about child-on-child abuse that they have witnessed or are a part of, the member of staff should listen to the child and use open language that demonstrates understanding rather than judgement.

How will the School respond to concerns or allegations of child-on-child abuse?

All reports of child on child abuse will be made on a case by case basis with the designated safeguarding lead or their deputy taking a leading role using their professional judgement and supported by other agencies such as social care or the police as required.

The immediate response to a report

- The school will take all reports seriously and will reassure the victim that they will be supported and kept safe.
- All staff will be trained to manage a report.
- Staff will not promise confidentiality as the concern will need to be shared further (for example, with the designated safeguarding lead or social care) staff will however only share the report with those people who are necessary to progress it.



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- A written report will be made as soon after the interview as possible recording the facts as presented by the child. These may be used as part of a statutory assessment if the case is escalated later.
- Where the report includes an online element the school will follow advice on searching, screening and confiscation. The staff will not view or forward images unless unavoidable and only if another member of staff (preferably the DSL) is present.
- The DSL will be informed as soon as possible.
- The DSL will discuss the concerns or allegations with the member of staff who has reported them and will, where necessary, take any immediate steps to ensure the safety of the child(ren) affected.

DSLs should always use their professional judgement to determine whether it is appropriate for alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required. In borderline cases the DSL may wish to consult with children's social care and / or any other external agencies on a 'no names' basis to determine the most appropriate response. Details to support the decision making can be found below, as well as in KCSIE 2021 and Sexual violence and sexual harassment between children in schools and colleges 2021.

Where the DSL considers or suspects that the behaviour in question might be abusive or violent on a spectrum (as opposed to inappropriate or problematic), the DSL should contact the local Safeguarding Children Partnership as well as the Safeguarding Children Partnership(s) in which the student(s) reside immediately, and in any event within 24 hours of the DSL becoming aware of it. The DSL will discuss the allegations / concerns with the local Safeguarding Children Partnership and the Safeguarding Children Partnership(s) in which the student(s) reside and agree on a course of action, which may include:

a) Manage internally with help from external specialists where appropriate and possible

Where behaviour between peers is abusive or violent (as opposed to inappropriate or problematic), scenarios (b), (c) or (d) should ordinarily apply. However, where support from local agencies is not available, the School may need to handle allegations / concerns internally. In these cases, the School will engage and seek advice from external specialists (in the private and / or voluntary sector).

b) Undertake / contribute to an inter-agency early help assessment, with targeted early help services provided to address the assessed needs of a child(ren) and their family

These services may, for example, include CAMHS, a specialist harmful sexual behaviour team, and / or youth offending services

c) Refer child(ren) to children's social care for a Section 17 (Child in Need) and / or Section 47 (Child Protection) statutory assessment

As a matter of best practice, if an incident of child-on-child abuse requires referral to and action by children's social care and a strategy meeting is convened, then the School will hold every professional involved in the case accountable for their safeguarding response, including themselves, to both the child who has experienced the abuse, and the child who was responsible for it, and the contexts to which the abuse was associated

d) Report alleged criminal behaviour to the Police



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Alleged criminal behaviour will ordinarily be reported to the Police. However, there are some circumstances where it may not be appropriate to report such behaviour to the Police. For example, where the exchange of youth produced sexual imagery does not involve any aggravating factors (see Appendix 1). All concerns/allegations will be assessed on a case by case basis, and in light of the wider context. In the incidences of Rape, assault by penetration or sexual assault, these will always be reported to the Police in the first instance.

Individual risk and needs assessment

- Where there is an incident of child-on-child abuse, the school will carry out a robust risk and needs assessment in respect of each child affected by the abuse. These risk assessments will:
- assess and address the nature and level of risks that are posed and / or faced by the child
- engage the child's parents and draw upon local services and agencies to ensure that the child's needs are met in the long-term
- consider whether any targeted interventions are needed to address the underlying attitudes or behaviour of any child
- be reviewed at regular intervals in light of the child's on-going needs to ensure that real progress is being made which benefits the child.

If at any stage the child's needs escalate, the DSL should contact the SPOC consultation line to determine the appropriate course of action. See appendix 4 of this policy for a model template.

Disciplinary action

Shirley High will consider whether disciplinary action may be appropriate for any child(ren) involved; any such action should address the abuse, the causes of it, and attitudes underlying it. Disciplinary action may sometimes be appropriate, including to:

- ensure that the child(ren) take(s) responsibility for and realise(s) the seriousness of their behaviour
- demonstrate to the child(ren) and others that child-on-child abuse can never be tolerated
- ensure the safety and wellbeing of other children. However, these considerations must be balanced against the child(ren)'s own potential unmet needs and any safeguarding concerns. Before deciding on appropriate action Shirley High will always consider its duty to safeguard all children from harm; the underlying reasons for a child's behaviour; any unmet needs, or harm or abuse suffered by the child; the risk that the child may pose to other children; and the severity of the child-on-child abuse and the causes of it.

Shirley High will take any disciplinary action in line with processes set out in the Behaviour Policy.

Preventative work and whole school-approach

The school is committed to ensuring that its response to concerns / allegations of child-on-child abuse is part of on-going proactive work to embed best practice and take a contextual whole-school approach to such abuse. The school actively seeks to raise awareness of and prevent all forms of child-on-child abuse by:

- Educating all staff, governors, contractors and volunteers, parents and students about this issue.



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This includes:

- training all Governors, members of the Senior Leadership Team (SLT), staff and volunteers on the nature, prevalence and effect of child-on-child abuse, and how to prevent, identify and respond to it. This includes (a) Contextual Safeguarding; (b) the identification and classification of specific behaviours; and (c) the importance of taking seriously all forms of child-on-child abuse (no matter how low level they may appear) and ensuring that no form of child-on-child abuse is ever dismissed as horseplay, teasing, 'boys will be boys' or 'banter'.
- educating children about the nature and prevalence of child-on-child abuse via PD, assemblies, form time and the wider curriculum. Students are regularly informed about the school's approach to such issues, including its zero-tolerance policy towards all forms of child-on-child abuse.
- engaging parents on this issue by: (a) talking about it with parents, both in groups and one to one; (b) asking parents what they perceive to be the risks facing their child and how they would like to see the School address those risks; (c) involving parents in the review of School policies and lesson plans; and (d) encouraging parents to hold the school to account on this issue.
- ensuring that all child-on-child abuse issues are reported to the DSL and Safeguarding team so that they can spot and address any concerning trends and identify students who may need additional support. This is done in line with our safeguarding procedures as well as full recording of concerns and actions as well as next steps of support for the child/young person.
- challenging the attitudes that underlie such abuse (both inside and outside the classroom).
- working with Governors, the SLT, all staff and volunteers, students and parents to address equality issues, to promote positive values, and to encourage a culture of respect amongst all members of the School community.
- creating conditions in which students can aspire to and realise safe and healthy relationships. This is done through PD, assemblies, Sex and Relationships Education (RHSE).
- creating a culture in which our students feel able to share their concerns openly, in a non-judgmental environment, and have them listened to. This is done via a culture of openness.
- responding to cases of child-on-child abuse promptly and appropriately.

Multi-agency working

Shirley High actively engages with its local partners in relation to child-on-child abuse, and works closely with, for example, Croydon Local Authority, children's social care, Early Help teams, the Children Missing in Education worker, the Police, CAMHS, other relevant agencies, and other schools.

The relationships the school has built with these partners are essential to ensuring that we are able to prevent, identify early and appropriately handle cases of child-on-child abuse. Partners help the school to:

- develop a good awareness and understanding of the different referral pathways that operate in its local area, as well as a preventative and support services which exist
- ensure that students are able to access the range of services and support they need quickly
- support and help inform our local community's response to child-on-child abuse
- increase our awareness and understanding of any concerning trends and emerging risks in our local area to enable us to take preventative action to minimise the risk of these being experienced by our students.



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Shirley High actively refers concerns/allegations of child-on-child abuse where necessary to children's social care and / or other relevant agencies. This is particularly important because child-on-child abuse can be a complex issue, and even more so where wider safeguarding concerns exist. It is often not appropriate for one single agency (where the incident cannot be managed internally) to try to address the issue alone – it requires effective partnership working.

Support for Children Affected by Sexual-Assault

Support for victims of sexual assault is available from a variety of agencies. We will support the victim of sexual assault to remain in school but if they are unable to do so we will enable them to continue their education elsewhere. This decision will be made only at the request of the child and their family.

If they are moved, we will ensure the new school is aware of the ongoing support they may need.

Where there is a criminal investigation the alleged perpetrator will be removed from any shared classes with the victim and we will also consider how best to keep them a reasonable distance apart on the school premises or on school transport. This is in the best interest of the children concerned and should not be perceived to be a judgement of guilt before any legal proceedings. We will work closely with the police.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, we may take suitable action, if we have not already done so. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in the same school or college would seriously harm the education or welfare of the victim (and potentially other pupils or students). Discussions will take place with the Fair Access Manager and others within the LA Education Team to decide on the most appropriate provision.

Where a criminal investigation into sexual assault leads to a conviction or caution, we may, if we have not already done so, consider any suitable sanctions using our behaviour policy, including consideration of permanent exclusion.

Where the perpetrator is going to remain at the school or college, the aim would be to continue keeping the victim and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact on school and college premises and transport.

The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the police (for a variety of reasons). In some cases, rape, assault by penetration, sexual assault or sexual harassment are reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict.

None of this means the offence did not happen or that the victim lied. The process will have affected both victim and alleged perpetrator. Appropriate support will be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis.



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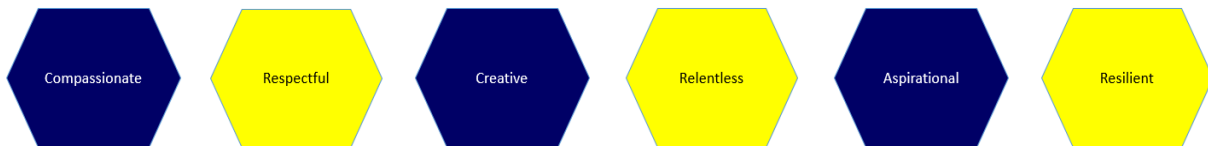
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All the above will be considered with the needs and wishes of the victim at the heart of the process (supported by parents **and carers as required**). **Any arrangements should be kept under review.**

Impact

A school where all have a duty of care to protect children from abuse and in the case of identified or suspected abuse, respond effectively and without delay. Through informed staff, parents and students, we can help to reduce the risk of sexual violence and harassment in our school and create a generation of young people who embrace healthy and respectful relationships.

We want all at SHS to believe in and maintain the values of our school:





Appendix 1: Youth Produced Sexual Imagery/'Sexting'

In August 2016, the UK Council for Child Internet Safety (UKCCIS) published non-statutory guidance (<https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people>) on managing incidents of sexting by under-18s. The UKCCIS guidance is non-statutory, but should be read alongside Keeping Children Safe in Education (KCSIE, 2022) and it should be followed unless there's a good reason not to do so.

There is no clear definition of 'sexting'. The UKCCIS guidance talks about 'youth-produced sexual imagery'. This is imagery that is being created by under-18s themselves and involves still photographs, video and streaming. In the guidance, this content is described as sexual and not indecent. 'Indecent' is subjective and has no specific definition in UK law.

Incidents covered by the guidance:

- A person under 18 years old creates a sexual image of themselves and shares it with another person under 18 years old
- A person under 18 years old shares an image of another under 18 years old with another person under 18 years old or an adult
- A person under 18 years old is in possession of sexual imagery created by another person under 18 years old

Incidents not covered by the guidance:

- Under 18s sharing adult pornography
- Under 18s sharing sexual texts without sexual imagery
- Adults sharing sexual imagery of under 18s. (This is child sexual abuse and must always be reported to police.)

Response to incidents of youth produced sexual imagery

(<https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people>)

The response should be guided by the 'principle of proportionality'. 'The primary concern at all times should be the welfare and protection of the young people involved.' (Sexting in schools and colleges: responding to incidents and safeguarding young people).

The Law

Making, possessing, and distributing any imagery of someone under 18 years old which is indecent is illegal. This includes imagery of yourself if you're under 18 years old. Indecent is not definitively defined in law, but images are likely to be considered indecent if they depict:

- a naked young person
- a topless girl
- an image which displays genitals
- sex acts including masturbation
- overtly sexual images of young people in their underwear



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These laws weren't created to criminalise young people but to protect them. Although sharing sexual images of themselves is illegal and risky, it is often the result of curiosity and exploration. Young people need education, support, and safeguarding, not criminalisation. The National Police Chiefs' Council (NPCC) is clear that "youth-produced sexual imagery should be primarily treated as a safeguarding issue."

Shirley High may respond to incidents without involving the police. (However, in some circumstances, the police must always be involved.)

Crime recording

When the police are notified about youth-produced sexual imagery, they must record this as a crime. The incident is listed as a crime, and the young person is the suspect. This is, however, not the same as a criminal record. Every crime reported to the police must have an outcome code. The NPCC, Home Office and the DBS have agreed a new outcome code for youth-produced sexual imagery:

Outcome 21: This outcome code allows the police discretion not to take further action if it is not in the public interest, even though there is enough evidence to prosecute.

Using this outcome code is likely to mean the offence would not appear on a future Enhanced DBS check (although it is not impossible) as that disclosure is a risk-based decision. Schools can be assured that the police have the discretion they need not to adversely impact young people in the future.

Handling incidents:

- Refer to the Designated Safeguarding Lead (DSL)
- DSL meets with the young people involved
- Do not view the image unless it is unavoidable
- Discuss with parents, unless there is an issue where that's not possible
- contact social care or the police where there is any concern the young person is at risk of harm

Always refer to the police or social care if incident involves:

- an adult
- coercion, blackmail, or grooming
- concerns about capacity to consent (e.g. SEND)
- images show atypical sexual behaviour for the child's developmental stage
- violent acts are depicted
- image shows sex acts and includes a child under 13 years old
- a young person at risk of immediate harm as a result of the disclosure (e.g. self-harm or suicide)

Once a DSL has enough information, the decision should be made to deal with the matter in school/college, refer it to the police or to social care. All information and decision-making should be recorded in line with the School's procedures. If the incident has been dealt with in school/college, a further review should be held to assess risks.

Assessing the risks once the images have been shared

- Has it been shared with the knowledge of the young person?



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- Are adults involved in the sharing?
- Was there pressure to make the image?
- What is the impact on those involved?
- Does the child or children have additional vulnerabilities?
- Has the child taken part in producing sexual imagery before?

Viewing images

- Avoid viewing youth-produced sexual imagery. Instead, respond to what you have been told the image contains.
- If it is felt necessary to view, discuss with the DSL first.
- If it is felt necessary to view, do so with another member of staff present
- Never copy, print, or share the image (it is illegal to do so)
- Record the fact that the images were viewed along with reasons and who was present, sign and date this record.

Deleting images (from devices and social media)

If the school has decided that involving other agencies is not necessary, consideration should be given to deleting the images. It is recommended that students are asked to delete the images themselves and confirm they have done so. This should be recorded, signed, and dated. Any refusal to delete the images should be treated seriously, reminding the student that possession is unlawful.



Appendix 2: Useful definitions

Sexual Harassment

This can be defined as ‘unwanted conduct of a sexual nature’ that can occur online and offline. In the context of this guidance this means 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.

It 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

Sexting

Sexting is when someone shares sexual, naked or semi-naked images or videos of themselves or others or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops - any device that allows you to share media and messages. This is also known as youth produced sexual imagery

The UK Council for Internet Safety (UKCIS) Education Group has published Advice for Schools and Colleges on Responding to Sexting Incidents

Upskirting

This typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is now a criminal offence and may constitute sexual harassment. Cases of ‘up skirting’ have a mandatory requirement for being reported.

Sexual Violence

In this guidance this refers to sexual violence in the context of child on child sexual violence. Children can and do abuse other children. Sexual violence covers a spectrum of behaviour. It can refer to sexual offences under the Sexual Offences Act 2013.

This includes: -

- **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.



Consent

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice. It is important to know that:

- A child under the age of 13 can never consent to any sexual activity
- The age of consent is 16 years old
- Sexual intercourse without consent is rape

It is also important to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion or exploitation. Due to their additional training, the designated safeguarding lead (or deputy) should be involved and leading the school or college response. If in any doubt, they should seek expert advice.

It is important that schools and colleges consider sexual harassment in broad terms. Sexual harassment (as set out above) creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Harmful Sexual Behaviour (HSB)

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is "harmful sexual behaviour". The term has been widely adopted in child protection and is used in this advice. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context.

Useful guidance can be found in: NSPCC and Research in Practice's Harmful Sexual Behaviour Framework: <https://learning.nspcc.org.uk/research-resources/2019/harmful-sexual-behaviour-framework>

Hazing/Initiation

The practice of rituals, challenges, and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group.

Contextual Safeguarding

All staff, but especially the designated safeguarding lead (or deputy) should be considering the context within which incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare.



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Appendix 3- Useful Publications and Websites

Government Publications

[Sexual harassment and sexual violence in schools](#)

[Keeping Children safe in Education 2021](#)

[Preventing youth violence and gang involvement](#)

[Preventing and tackling bullying in schools](#)

[Working together to safeguarding children](#)

[Searching, Screening and Confiscation at school](#)

Other useful documents and Links

[Sharing Nudes and Semi-Nudes advice for education settings](#)

Sexting in schools and colleges-Responding to incidents and safeguarding young people:

[child-on-child abuse](#)

Farrer &Co - child-on-child abuse toolkit, guidance on peer-on peer abuse policy and template child-on-child abuse policy:

[Anti-bullying alliance](#)

There are some useful links on the section on **sexual bullying**:

Sexual bullying: developing effective anti-bullying practice- A guide for school staff and other professional:

[What is Age appropriate?](#)

[NSPCC-Harmful sexual behaviour](#)

[NSPCC –Is this sexual abuse?](#)

[Online sexual harassment](#)

Project deSHAME- Digital Exploitation and Sexual Harassment Amongst Minors in Europe Understanding, Preventing, Responding.

[Sexism](#)

It's Just Everywhere- a study on sexism in schools –and how we tackle it

[When to Call the Police](#)

[Rape Crisis](#)



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[The Survivors Trust](#)

[CAMHS](#)

[Male Survivors Partnership](#)

[Help after Rape and Sexual Assault - NHS](#)

[Rape and Sexual assault referral centres](#)

[Childline](#)

[Internet Watch Foundation](#)

[Childline – IWF remove a nude image shared online](#)

[NSPCC protecting children from harmful sexual behaviour](#)

[NSPCC harmful sexual behaviour framework](#)

[Contextual Safeguarding – Beyond Referrals](#)

[Preventing Harmful Sexual Behaviours – Stop it Now](#)

[Behaviour and Discipline in schools](#)

[Exclusions from Maintained schools, academies and PRUs](#)

[Stop it Now – professionals Looking for Advice](#)