

## Sexual violence and sexual harassment between children in school and colleges DfE September 2021

### Related guidance

- Keeping children safe in education (updated September 2021)
- Relationship Education, Relationships and Sex Education and Health Education (statutory)
- Working Together to Safeguard Children
- Behaviour policy
- Safeguarding policy
- Anti-bullying policy

### Context

Sexual violence and sexual harassment can occur between two children **of any age and sex** from primary through to secondary stage and colleges. It can occur through a group of children or a single child. It can occur online, face to face both physically or verbally.

All staff are advised to maintain an attitude of **'it could happen here'**.

It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

### The evidence

- Ofsted review of sexual abuse in schools (June 2021) revealed how prevalent sexual harassment and online sexual abuse is for children, that the issues are so widespread they need addressing for all children.
- National statistics show there has been a sharp increase of reporting sexual abuse to the police. Over 83,000 child sexual offences were reported in the year ending in March 2020.
- Crime data up to March 2020 indicated that 51.9% of female victims and 62.4% of male victims of sexual offences were aged between 5 and 19.
- Girlguiding's Girls 2021 Research briefing: It happens all the time found that 67% of girls and young women aged 13-18 surveyed have experienced sexual harassment at school from another student, and that 29% first experienced sexual harassment when they were just 11-13 years old.

### What school needs to be aware of

- There is zero-tolerance approach to sexual violence and sexual harassment. It is never acceptable or seen as 'banter' and 'just having a laugh', 'part of growing up', 'boys being boys'.
- We will not create a culture of unacceptable behaviour or an unsafe environment that normalises abuse which will lead to children accepting it as normal – this is created by not recognising, acknowledging or understanding the scale of harassment and abuse.
- Understand that all of the above can be driven by wider social factors, such as everyday sexist stereotypes and language. This is why a whole school approach-**preventative education is crucial**.

## SEND

- SEND are 3x more likely to be abused than their peers. They present additional barriers when recognising abuse in SEND children.
  - Assumption that signs of possible abuse are related to their disability
  - Disproportionate potential for SEND children to be impacted without outwardly showing any signs
  - Communication barriers and difficulties

## LGBT

LGBT children can be targeted by their peers.

## Sexual violence

This can happen in and outside school and can be carried out by their peers (child on child sexual violence).

- Rape
- Assault by penetration
- Sexual assault
- Causing someone to engage in sexual activity without consent

## Consent

Consent is having the freedom and capacity to choose.

- A child under the age of 13 can never give consent
- The age of consent is 16
- Sexual intercourse without consent is rape

## Sexual harassment

Sexual harassment is 'unwanted conduct of a sexual nature'. It 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.

- Sexual comments
- Sexual 'jokes' or taunting
- Physical behaviour
- Online sexual harassment

**Sexual harassment creates a culture that, if not challenged, can normalise inappropriate behaviours and promote 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. This can occur online and/or face to face and can also occur simultaneously between the two.

- Ages and stages of development of the children are critical factors
- Younger children can abuse an older child, if they have power over them
- Children displaying HSB have often experienced their own abuse and trauma

**Schools legal responsibilities**

- Statutory duty to safeguard and promote the welfare of children (Keeping children safe in education and Working together to safeguard children)
- Co-operate with relevant agencies
- Have a behaviour policy
- RSHE curriculum
- Human rights act 1998
- Equality act 2010
- Public sector equality duty (PSED)

**Whole school approach to preventing SV and SH**

- Policy
- Procedures
- Systems in place to report
- Staff aware that this can happen outside school- extra-familial harms
- Staff aware technology is a significant component
- Contextual safeguarding
- Safeguarding training (every 3 years)
- Staff aware of different types of abuse and neglect and how to respond/support this
- Preventative education
- Planned curriculum to prepare pupils for life in modern Britain (school values, British values, behaviour policy, pastoral support, PSHE, RSHE- being safe, respectful relationships)