MURRAY PARK SCHOOL

Sexual Violence and Sexual Harassment Policy

Title of Policy	Sexual Violence and Sexual Harassment Policy
Date of adoption	October 2021
Originator	Suzanne Whiston
Date of review	October 2022
Additional information	This policy should be reviewed on an annual cycle by the Governors' Personal Development, Behaviour and Welfare Committee. Please also refer to UK GDPR DPA Policy.

Policy Intent

This policy details how Murray Park School responds to all reports and concerns of child on child sexual violence and sexual harassment, including those that have happened outside of the school and or/online.

Sexual violence and sexual harassment can occur between two children of any age and sex. They can involve a group of children sexually assaulting or sexually harassing a single child or group of children. Both sexual violence and sexual harassment can occur online and face to face (both physically and verbally) and are never acceptable. *Keeping children safe in education* (statutory guidance for schools and colleges) states that all staff should be aware that children are capable of abusing their peers and that sexual harassment creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

All members of staff working at Murray Park School maintain an attitude of **'it could happen here'.** Addressing inappropriate behaviour is an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

We promote healthy and respectful relationships through our Relationships, Sex and Health Education programme and ensure compliance with the Public Sector Equality Duty (PSED). We ensure that our response to sexual violence and sexual harassment between children of the same sex is equally robust as it is for sexual violence and sexual harassment between children of the opposite sex. We understand that the best responses to child sexual violence and harassment are those which take a whole school approach to safeguarding and child protection. This means involving everyone in the school, including the governing body, all of the staff, students and parents and carers. Safeguarding and child protection runs through our policies and our procedures. Our approach to sexual violence and sexual harassment reflects and is part of our broader approach to safeguarding.

Our Curriculum Rationale

Perseverance
We persevere through every challenge in life.
We have positive mental health and wellbeing.
We have resilience to overcome obstacles.
We learn from life's challenges.

Respect
We are positive role models.
We respect ourselves and each other, irrespective of race, sexuality or gender.
We respect our community and our environment.
We are ambassadors for our local community.

Independence
We do our best to stand out from the crowd.
We are life-long learners.
We are self-motivated and always do our best.
We are financially literate.

Dreams
We take part in a wide range of extra-curricular activities.
We have the opportunity to travel abroad and to widen our horizons.
We have high academic and vocational ambitions.
We achieve our career aims.

Excellence
We work hard to be the best that we can be.
We say that all achievements start with self-belief.
We love to achieve success at every level.
We have the best chances in life.

Our strong set of values: Perseverance; Respect; Independence; Dreams and Excellence (PRIDE) underpins our ethos and our promotion of appropriate behaviour towards all members of our school and community.

Definitions

Peer-on-peer sexual abuse

The term 'peer-on-peer' sexual abuse includes:

- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
- causing someone to engage in sexual activity without consent, such as, forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- upskirting; and
- sexting (also known as 'youth-produced sexual imagery').

A wide variety of behaviours occur online. These include:

- receiving unsolicited explicit photographs or videos;
- sending, or being pressured to send, nude and semi-nude photographs or videos ('nudes'); and,
- being sent or shown solicited or unsolicited online explicit material, such as pornographic videos.

Typical platforms for sharing material between peers include WhatsApp and Snapchat.

Harmful sexual behaviour

The Department for Education defines harmful sexual behaviour as:

Sexual behaviours expressed by children and young people under the age of 18 years old that are developmentally inappropriate, may be harmful towards self or others, or abusive towards another child, young person or adult.

Reports of sexual violence and sexual harassment

Children who are victims of sexual violence and sexual harassment wherever it happens, will likely find the experience stressful and distressing. This could adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) also attends Murray Park School. Members of staff are aware that safeguarding incidents and/or behaviours can be associated with factors outside the school, including intimate personal relationships. All reports of sexual violence or sexual harassment are taken seriously.

Members of staff are aware that it is more likely that girls will be the victims of sexual violence and sexual harassment and that it will be more likely perpetrated by boys.

All victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment; nor will a victim ever be made to feel ashamed for making a report. Members of staff also recognise that a child displaying harmful sexual behaviour (HSB) may be an indication that they are a victim of abuse themselves.

Responding to reports of sexual violence and sexual harassment

Systems are in place, are well promoted, easily understood and easily accessible for children to confidently report abuse, knowing their concerns will be treated seriously. If staff have any concerns about a child's welfare, they should act on them immediately. All staff are trained on how to manage a report by the Designated Safeguarding Lead as detailed in our safeguarding policy.

Where the report includes an online element, staff have been trained regarding the action to be taken regarding not viewing or forwarding illegal images.

Staff understand that certain children may face additional barriers to telling someone because of their vulnerability, disability, sex, ethnicity and/or sexual orientation. It is essential that a written record is made.

Guidance for schools

Murray Park School follows the guidance for schools published by the DfE which details how to respond to sexual harassment and sexual violence, including online, between children. This explains that it is an offence for anyone to have any sexual activity with a person under the age of 16 and provides specific protection for children aged 12 and under who cannot legally give their consent to any form of sexual activity, therefore, when schools are made aware of sexual activity involving a child under the age of 13, they should always refer this to the police and children's social care. The statutory guidance is also used to establish whether risk factors are present before making a decision on whether to engage external agencies if the children are aged 13 to 17.

Risk assessment

When there has been a report of sexual violence, the designated safeguarding lead or a deputy will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment will be considered on a case-by-case basis. The designated safeguarding lead will engage with children's social care and specialist services as required.

Action following a report of sexual violence and/all sexual harassment

Murray Park School responds appropriately to **all** reports and concerns about sexual violence and/or sexual harassment both online and offline, including those that have happened outside of the school. Immediate consideration is given as to how best to support and protect the victim and the alleged perpetrator(s) and any other children involved and impacted.

Murray Park School has a zero tolerance approach to sexual violence and sexual harassment. It is never acceptable and it will not be tolerated. Murray Park School never passes off any sexual violence or sexual harassment as "banter", "just having a laugh" or "part of growing up" as this can lead to a culture of unacceptable behaviours and an unsafe environment for children.

Whilst the school establishes the facts of the case and starts the process of liaising with children's social care and the police, the alleged perpetrator(s) will be removed from any classes they share with the victim. The school will also carefully consider how best to keep the victim and alleged perpetrator(s) a reasonable distance apart on school premises (including during any before or after school-based activities) and on transport to and from the school, where appropriate. These actions are in the best interests of all children involved and will not be perceived to be a judgment on the guilt of the alleged perpetrator(s). For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator(s) and considerations regarding shared classes, sharing school premises and school transport, will be considered immediately.

Where a report is going to be made to children's social care and/or the police, then, as a general rule, the school will speak to the relevant agency and discuss next steps and how the alleged perpetrator(s) will be informed of the allegations.

Consideration of safeguarding the victim, alleged perpetrator(s), any other children directly involved in the safeguarding report and all children at the school will be immediate.

All concerns, discussions, decisions and reasons for decisions will be recorded (written or electronic). The records are reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and addressed.

Unsubstantiated, unfounded, false or malicious reports

If a report is determined to be unsubstantiated, unfounded, false or malicious, the designated safeguarding lead will consider whether the child and/or the person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. In such

circumstances, a referral to children's social care may be appropriate. If a report is shown to be deliberately invented or malicious, the school will consider whether disciplinary action is appropriate against the individual who made it, in line with the School's behaviour policy.

Safeguarding and supporting the victim

Wherever possible, the victim, if they wish, will be able to continue in their normal routine. The priority will be to make the victim's daily experience as normal as possible, so that the school is a safe space for them.

Children and young people that have a health need arising from sexual assault or abuse can access specialist NHS support from a Sexual Assault Referral Centre (SARC) which provides confidential and non-judgemental support to victims and survivors of sexual assault and abuse.

When ongoing support is required, the victim will be asked if they would find it helpful to have a designated trusted adult, for example, their form tutor or designated safeguarding lead, to talk to about their needs. The choice of any such adult should be the victim's (as far as reasonably possible). Murray Park School will respect and support this choice.

Safeguarding and supporting the alleged perpetrator(s) and children and young people who have displayed harmful sexual behaviour

It is important that the perpetrator(s) is/are also given the correct support to try to stop them re-offending and to address any underlying trauma that may be causing this behaviour. Addressing inappropriate behaviour is an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

Support (and sanctions) will be considered on a case-by-case basis. The alleged perpetrator(s) may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other children.

A whole-school approach

Murray Park School creates a culture where sexual harassment and online sexual abuse are not tolerated. Early intervention is crucial in order to protect children and young people. All members of staff working at Murray Park School maintain an attitude of **'it could happen here'.** Our whole-school approach includes:

- a carefully sequenced Relationships, Sex and Health Education (RSHE) curriculum, based on the Department for Education's (DfE's) statutory guidance, that specifically includes teaching about sexual harassment and sexual violence, including online. This includes time for open discussion of topics that children and young people may find particularly difficult, such as, consent and the sending of 'nudes';
- high-quality training for teachers delivering RSHE;
- routine record-keeping and analysis of sexual harassment and sexual violence, including online, to identify patterns and intervene early to prevent abuse;
- a behavioural approach, including sanctions when appropriate, to reinforce a culture where sexual harassment and online sexual abuse are not tolerated;
- school leaders identifying where there may be 'hot-spots' of poor behaviour, such as, in corridors between lessons and act accordingly;
- questionnaires which enable the students to identify the key issues for their age groups;
- 'Listening events' as part of the Year Council programme which enable the students to voice the key issues for their year groups;
- feedback from the students regarding the language they use when discussing sexual harassment and online sexual abuse;
- training to ensure that all staff and governors are able to:
  - better understand the definitions of sexual harassment and sexual violence, including online sexual abuse;
  - understand the different types of abuse and neglect;
  - identify early signs of peer-on-peer sexual abuse;

- know what to do if they have a concern about a child, how to respond to a report of abuse, how to offer support to children and where to go if they need support and,
- consistently uphold standards in their responses to sexual harassment and online sexual abuse.
- the use of external speakers to train staff;
- ensuring that the designated safeguarding lead and the deputies have a good understanding of Harmful Sexual Behaviour which forms part of their safeguarding training;
- ensuring that the designated safeguarding lead and the deputies work closely with the Local Safeguarding Partnership (LSP) so that they are aware of the range of support available to children and young people who are victims or who perpetrate harmful sexual behaviour;
- supporting the designated safeguarding leads (DSLs) and deputies through protected time in their timetables to engage with the LSP.

A planned curriculum as part of a whole school approach
Murray Park School's values and standards are upheld and demonstrated throughout all aspects of school life. These are underpinned by the school's behaviour policy and pastoral support system and by a planned programme of evidence-based content delivered through the whole curriculum. This programme is age and stage of development appropriate (and considers the needs of children with SEND and their cognitive understanding). The School's RSHE programme focusses on the following issues and content:

- healthy and respectful relationships;
- how to determine whether a relationship is unsafe (and to recognise this in the relationships of others);
- how to seek help or advice, including reporting concerns about others;
- what respectful behaviour looks like;
- consent;
- stereotyping;
- equality;
- body confidence and self-esteem;
- prejudiced behaviour;
- that sexual violence and sexual harassment is always wrong; and,
- defining the terms, 'sexual harassment' and 'sexual violence'.

The topic of 'Being Safe' covers the concepts of, and laws relating to, sexual consent, sexual exploitation, abuse, grooming, coercion, harassment, forced marriage, rape, domestic abuse and FGM and how these can affect current and future relationships. The designated safeguarding lead and the deputies are made aware of when these topics are being taught, by the Head of Religious Studies, Citizenship and Personal Development so that they are prepared to support pupils who disclose or are affected by the issues raised.

The focus on healthy relationships supports children who are experiencing or witnessing unhealthy relationships and informs them regarding where to seek help and report abuse. Health Education addresses important aspects, such as, mental wellbeing. The 'Respectful Relationships' unit ensures that all relationships (e.g. friends, family, online) can be supported by being kind, considerate and respectful, including the use of respectful language; being honest; listening to each other; respecting personal space, privacy and boundaries; accepting each other's differences; focussing on the good things in each other; and praising each other on their achievements. The students are taught about what constitutes sexual harassment and sexual violence and why these are always unacceptable. They learn that some types of behaviour within relationships are criminal, including violent behaviour and coercive control. The students are taught about safeguarding, including how to stay safe online and their rights and responsibilities when online and they also learn what to do and where to get support to report material or manage issues online.

How to raise concerns and make a report
The students are made aware of the processes to raise their concerns or to make a report and how any report will be handled. This includes the processes to follow when they have a concern about a

friend or peer. All members of staff know how to support children and how to manage a safeguarding report from a child as detailed in Part One of Keeping children safe in education.

How Murray Park School responds to reports of sexual violence and sexual harassment
Appendix One includes examples which demonstrate how Murray Park School would respond to reports of sexual violence and sexual harassment.

Links to other policies
Child Protection and Safeguarding Policy
Relationships and Sex Education Policy

Further guidance
- Keeping children safe in education (statutory guidance for schools and colleges)
- Relationship Education, Relationships and Sex Education and Health Education (statutory guidance for schools)
- Working Together to Safeguard Children (statutory guidance for schools)
- Exclusions from maintained schools, academies and PRUs (statutory guidance for schools)
- Behaviour and Discipline in Schools (advice for schools)
- Children Missing Education (advice for schools)
- Cyberbullying (advice for schools)
- The Equality and Human Rights Commission (details how to avoid discrimination in a variety of educational contexts)
- Equality Act 2010 and Public Sector Equality Duty (advice for schools)
- Mental Health and Behaviour in Schools (advice for schools)
- Rise Above (advice by Public Health England for schools)
- Preventing and Tackling Bullying (advice for schools)
- Promoting children and young people's emotional health and wellbeing (advice for schools)
- Teaching about relationships sex and health (guidance for schools)
- UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people

Appendix One

Sexual violence and sexual harassment

The examples below demonstrate how Murray Park School responds to reports of sexual violence and sexual harassment.

EXAMPLE	OUR ACTIONS
Report of sexual violence, such as rape, assault by penetration and sexual assault (intentional sexual touching)	School would remove the potential perpetrator immediately so that there is no further contact with the victim. Police would be contacted on 101 and advice requested in terms of a way forward. Social care would also be contacted. We would then await advice from the services as to whether to contact parents of the perpetrator or not. The victim's family would be informed. Potential perpetrator remains at off-site provision until it is deemed they are safe to return – this may never happen. Victim is supported with a key worker, therapy sessions, time out card, etc.
Causing someone to engage in sexual activity without consent, such as forcing them to strip, touch themselves sexually or engage in sexual activity with a third party	School would remove the potential perpetrator immediately so that there is no further contact with the victim. Police would be contacted on 101 and advice requested in terms of a way forward. Social care would also be contacted. We would then await advice from the services as to whether to contact parents of the perpetrator or not. The victim's family would be informed. Potential perpetrator remains at off-site provision until it is deemed they are safe to return – this may never happen. Victim is supported with a key worker, therapy sessions, time out card, etc.
Abuse in intimate personal relationships between peers	School would remove the potential perpetrator immediately so that there is no further contact with the victim. Police would be contacted on 101 and advice requested in terms of a way forward. Social care would also be contacted. We would then await advice from the services as to whether to contact parents of the perpetrator or not. The victim's family would be informed. Potential perpetrator remains at off-site provision until it is deemed they are safe to return – this may never happen. Victim is supported with a key worker, therapy sessions, time out card, etc.
Sexual harassment, such as, sexual comments, remarks, taunting and jokes	School would remove the potential perpetrator and inform services. School would put in place some work with a therapeutic mentor to address the behaviour. The perpetrator would only return to mainstream education if they were no longer seen as a safeguarding issue.

EXAMPLE	OUR ACTIONS
Physical behaviour, such as, interfering with clothes	School would remove the potential perpetrator immediately so that there is no further contact with the victim. Police would be contacted on 101 and advice requested in terms of a way forward. Social care would also be contacted. We would then await advice from the services as to whether to contact parents of the perpetrator or not. The victim's family would be informed. Victim is supported with a key worker, therapy sessions, time out card, etc.
Online sexual harassment, such as, sexting (also known as 'youth-produced sexual imagery')	The perpetrator would have their phone confiscated whilst the Police were contacted to report the incident. School would await advice from the Police as to how to proceed. Victim is supported with a key worker, therapy sessions, time out card, etc.
Upskirting	The potential perpetrator would be removed so that there is no contact with the victim. Police would be contacted and advice requested as to how to proceed. Potential perpetrator remains at off-site provision until it is deemed they are safe to return – this may never happen. Victim is supported with a key worker, therapy sessions, time out card, etc. as required.
Receiving unsolicited explicit photographs or videos	The perpetrator would have their phone confiscated whilst the Police were contacted to report the incident. School would await advice from the Police as to how to proceed. Potential perpetrator remains at off-site provision until it is deemed they are safe to return – this may never happen. Victim is supported with a key worker, therapy sessions, time out card, etc.
Sending, or being pressured to send, nude and semi-nude photographs or videos ('nudes')	The perpetrator would have their phone confiscated whilst the Police were contacted to report the incident. School would await advice from the Police as to how to proceed. Potential perpetrator remains at off-site provision until it is deemed they are safe to return – this may never happen. Victim is supported with a key worker, therapy sessions, time out card, etc.
Being sent or shown solicited or unsolicited online explicit material, such as pornographic videos	The perpetrator would have their phone confiscated whilst the Police were contacted to report the incident. School would await advice from the Police as to how to proceed. Potential perpetrator remains at off-site provision until it is deemed they are safe to return – this may never happen. Victim is supported with a key worker, therapy sessions, time out card, etc.

EXAMPLE	OUR ACTIONS
Sexist comments in school	We want everyone to feel included, respected and safe in our school. We will not tolerate verbal abuse, which includes name-calling and sexist comments. **Sexist comments** are those which discriminate based on sex, particularly against women. **Sexism** also includes behaviour or attitudes that create stereotypes of social roles based on sex. All staff and pupils are encouraged to report this behaviour. If pupils make these comments, we will: • ask them to apologise to anyone the comment was directed at; • support and educate them to improve their behavior; • monitor their behaviour for any recurrence; and, • escalate the sanction to a detention and a letter/phone call to parents if the pupil refuses to apologise in the first instance. Our RSHE curriculum will cover what healthy and respectful behaviour towards one another looks like. This demonstrates our zero-tolerance approach better by making the following things clearer: • What the unacceptable behaviour involves • What we want the culture in our school to be • How we will respond to this behaviour • How we will support the victim(s) and alleged perpetrator(s)