Sexual Respect

Sexual Violence and Sexual Harassment Policy

Date reviewed: July 2023

Next review by: July 2026

Person Responsible: Chief Education Officer

Contents

Aim

The 5 Dimensions Trust is committed to providing a safe and respectful environment where the whole Trust community is able to learn and thrive free from sexual violence and sexual harassment. The Trust takes any incidents of sexual violence or sexual harassment very seriously and is committed to handling all reports sensitively, effectively and in a timely manner.

We are clear that sexual violence and sexual harassment are not acceptable, will never be tolerated and are not an inevitable part of growing up. We will always challenge behaviour or language that seeks to normalise sexual harassment or violence. Sanctions will be applied in accordance with our Behaviour Policy in each of the school settings.

This policy has been developed in line with the Department for Education's [Sexual violence and sexual harassment between children in schools and colleges (publishing.service.gov.uk)](#) 2021 guidance document.

The policy and procedures outlined below will be considered alongside the school Child Protection and Safeguarding Policy and relevant published government guidance.

What do we mean by sexual violence and sexual harassment between children?

- Sexual violence and sexual harassment can occur between two children of any age and sex from primary through to secondary stage and into colleges. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable. As set out in Part one of Keeping children safe in education (KCSIE), all staff working with children are advised to maintain an attitude of 'it could happen here'.
- Addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important

- intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

- Children who are victims of sexual violence and sexual harassment, wherever it happens, will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school or college. As set out in Part one of KCSIE, schools and colleges should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college, including intimate personal relationships (see also sections of child sexual exploitation and coercive and controlling behaviour at paragraph 32 of KCSIE).

- But 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 me made to feel ashamed for making a report.

- Along with providing support to children who are victims of sexual violence or sexual harassment, the school or college, as set out in paragraph 87 of this guidance, needs to provide the alleged perpetrator(s) with an education, safeguarding support as appropriate and implement any disciplinary sanctions. A child abusing another child may be a sign they have been abused themselves or a sign of wider issues that require addressing within the culture of the school or college. Taking disciplinary action and providing appropriate support, can, and should, occur at the same time if necessary.

- Reports of sexual violence and sexual harassment are extremely complex to manage. It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other 6 7. children, adult students and school and college staff are supported and protected as appropriate.

The evidence

The evidence highlights why it is important that our staff have an understanding of what sexual violence and sexual harassment might look like and what to do if they have a concern or receive a report. Whilst any report of sexual violence or sexual harassment should be taken seriously, staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys.

- Ofsted's Review of sexual abuse in schools and colleges revealed how prevalent sexual harassment and online sexual abuse is for children and young people and that, the issues are so widespread that they need addressing for all children and young people.

- Nationally collected statistics show that there has been a sharp increase in reporting of child sexual abuse to the police in recent years. Figures that include all child sexual abuse cases show that the police recorded over 83,000 child sexual abuse offences (including obscene publications) in the year ending March 2020.

- In the year ending March 2019, the police recorded 73,260 sexual offences where there are data to identify the victim was a child. Around one-quarter (27%) of these were rape offences. These totals are likely to be a significant under-representation of the true number of offences against young people in this age group.

- Police recorded crime data (England and Wales) for year ending March 2020 indicated that 51.9% of female victims and 62.4% of male victims of sexual offences were aged between 5 and 19.

- NSPCC's how safe are our children report 2020 found that girls are particularly vulnerable to sexual abuse, accounting for around 90% of victims of recorded rape offences against 13- to 15-year-olds in England, Wales and Scotland.

- The Women and Equalities committee (WEC) state that a number of large-scale surveys found that girls are consistently reporting high levels of sexual harassment and sexual violence in schools and colleges.

- 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. 11

- Almost a quarter (24%) of female students and 4% of male students at mixed-sex schools have been subjected to unwanted physical touching of a sexual nature while at school.12

What is the definition of sexual violence?

It is important that schools and colleges are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way and that it can happen both inside and outside of school/college. When referring to sexual violence in this advice, we do so in the context of child-on-child sexual violence. For this policy, when referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with the 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.

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 14 Legislation.gov.uk 10 16. 17. 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.)

What is 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. Further information about consent can be found here: What is sexual consent? | Rape Crisis England & Wales | Rape Crisis England & Wales

- a child under the age of 13 can never consent to any sexual activity;

- the age of consent is 16;

- sexual intercourse without consent is rape.

What is sexual harassment?

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. When we reference sexual harassment, we do so 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.

Whilst not intended to be an exhaustive list, sexual harassment 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

- physical behaviour, such as deliberating brushing against someone or interfering with someone's clothes and displaying pictures, photos, or drawings of a sexual nature

- online sexual harassment. This may be standalone, 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. 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 (is a criminal offence);

  - sexualised online bullying;

  - unwanted sexual comments and messages, including, on social media;

  - sexual exploitation; coercion and threats.

Sexual harassment creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Special Educational Needs and Disabilities (SEND)

Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers. Additional barriers can sometimes exist when recognising abuse in SEND children.

These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration

- the potential for children with SEND being disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs

- communication barriers and difficulties overcoming these barriers

Protected Characteristics

Children who are lesbian, gay, bi, or trans (LGBTQ+) can be targeted by their peers. In some cases, a child who is perceived by their peers to be LGBTQ+ (whether they are or not) can be just as vulnerable as children who identify as LGBTQ+.

Harmful sexual behaviour

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" (HSB). The term has been widely adopted in child protection and is used in this policy. HSB can occur online and/or face to face and can also occur simultaneously between the two. HSB should be considered in a child protection context. The Brook Sexual Behaviours Traffic Light Tool will be used to support the Designated Safeguarding Lead (DSL) to make an informed, objective decisions regarding harmful sexual behaviours (see Appendix D).

When considering HSB, ages and the stages of development of the children are critical factors. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years' difference or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature. Confidential, specialist support and advice on HSB is available from the specialist sexual violence sector:

- [Home | Rape Crisis England & Wales | Rape Crisis England & Wales](#) or [The Survivors Trust](#) for information, advice, and details of local specialist sexual violence organisations.

- [Overview | Harmful sexual behaviour among children and young people | Guidance | NICE](#) contains information on, amongst other things: developing interventions; working with families and carers; and multi-agency working.

- The Lucy Faithfull Foundation has developed a HSB toolkit, [Preventing harmful sexual behaviour in children - Stop It Now](#) which amongst other things, provides support, advice and information on how to prevent it, links to organisations and helplines, resources about HSB by children, internet safety, sexual development and preventing child sexual abuse.

- The NSPCC provides free and independent advice about HSB: [Protecting children from harmful sexual behaviour | NSPCC Learning](#) and NSPCC [Harmful sexual behaviour framework | NSPCC Learning](#)

- [Beyond Referrals - Schools (csnetwork.org.uk)](#) provides a school self-assessment toolkit and guidance for addressing HSB in schools.

- StopItNow - [Preventing harmful sexual behaviour in children - Stop It Now](#) provides a guide for parents, carers and professionals to help everyone do their part in keeping children safe, they also run a free confidential helpline

Responding to reports of sexual violence and sexual harassment

Part two of KCSIE is clear that systems should be in place (and they should be well promoted, easily understood and easily accessible) for children to confidently report abuse, knowing their concerns will be treated seriously.

Reports of sexual violence and sexual harassment are likely to be complex and, therefore, require difficult professional decisions to be made, often quickly and under pressure. Guidance from the DfE is clear that it does not attempt to provide (nor would it be possible to provide) detailed advice on what we should do in any or every particular case; it provides effective safeguarding practice and principles for us to consider in our decision-making process.

Ultimately, all decisions across the Trust will be proportionate, considered, supportive and made on a case-by-case basis. The Designated Safeguarding Lead (DSL) and deputies in each school will take the leading role and will use

their professional judgement, supported by other agencies, such as children's social care and the police as required.

Some situations are statutorily clear:

- a child under the age of 13 can never consent to any sexual activity

- the age of consent is 16

- sexual intercourse without consent is rape

- rape, assault by penetration and sexual assault are defined in law

- creating and sharing sexual photos and videos of under 18s is illegal (often referred to as sexting, nudes or youth produced sexual imagery); this includes children making and sharing sexual images and videos of themselves

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. We will usually 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 the student(s) involved.

The police will be important partners where a crime might have been committed. Where a report of rape, assault by penetration or sexual assault is made, the starting principle is that this should be referred on to the police. We will work closely with the police as rape, assault by penetration and sexual assaults are crimes.

- Referrals to the police will often be a natural progression of making a referral to children's social care. The designated safeguarding lead (or a deputy) will lead the school's response and are aware of the local process for referrals to children's social care and making referrals to the police.

- We will work closely with our safer schools' police officer where appropriate

- We will refer to Child Exploitation and Online Protection command: where we suspect students are at risk of sexual exploitation and abuse (CEOP is a law enforcement agency).

Responding to reports of sexual violence and sexual harassment online

We are aware that incidents of sexual violence and sexual harassment that occur online (either in isolation or in connection to offline incidents) can be complex. There is potential for the incident(s) to take place across several social media platforms and services. There is also the potential for the impact of the incident to extend further than our local community (for example, for images or content to be shared around neighbouring schools) and for a victim (or alleged perpetrator) to become marginalised and excluded by both online and offline communities. Additionally, there is the potential for repeat victimisation in the future if abusive content continues to exist somewhere online.

We will act in accordance with our Anti-Bullying and online safety policies and will work collaboratively with external agencies such as the Children's Social Care and the Police where appropriate.

The immediate response to a report – managing the disclosure

It is important to note that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. We will always do our utmost to ensure that victims are reassured that they are being taken seriously and that they will be supported and kept safe. In some cases, the victim may not make a direct report or disclosure. For example, a friend may make a report, or a

member of our school may overhear a conversation that suggests a child has been harmed. All concerns will be reported to the DSL and recorded on CPOMS in line with our child protection and safeguarding policies.

Confidentiality

- Staff taking a disclosure will never promise confidentiality as it is very likely that it will be in the best interests of the victim to seek advice and guidance from others in order to provide support and engage appropriate agencies.

- The victim may ask us not to tell anyone about the sexual violence or sexual harassment. There are no easy or definitive answers when a victim makes this request. If the victim does not give consent to share information, staff may still lawfully share it, if it can be justified to be in the public / individual's interest; for example, to protect children from harm and to promote the welfare of children.

- Parents or carers should normally be informed (unless this would put the victim at greater risk);

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

- rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police (this may be undertaken by CSC at time of referral).

Ultimately, the DSL will have to balance the victim's wishes against their duty to protect the victim and other children within the school setting.

If we do decide to make a referral to children's social care and/or a report to the police against the victim's wishes, this will be handled extremely carefully, the reasons will in most cases be explained to the victim and appropriate specialist support offered.

Anonymity

Where we are aware that an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, we will be mindful of anonymity, witness support and the criminal process in general so that we can offer support and act appropriately. In addition, we will endeavour to do all we can to reasonably protect the anonymity of any children involved in any report of sexual violence or sexual harassment. We will carefully consider which staff in our school should know about the report and any support that will be in place for the children involved.

Risk Assessment

When there has been a report of sexual violence, the DSL will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment will consider:

- the victim

- the alleged perpetrator

- the other children (and, if relevant, staff) at school.

The risk assessments will be recorded on CPOMS and will be kept under regular review, reflecting any changes in circumstances. At all times, we will actively consider the risks posed to all our students and put adequate measures in place to protect them and keep them safe during school hours. The DSL will continue to liaise with Children's Social Care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. Any

such professional assessments will be used to inform our approach to supporting and protecting the student(s) and updating our own risk assessment.

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

We will carefully consider any report of sexual violence and/or sexual harassment. Important considerations will include:

- The wishes of the alleged victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should 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).

- The ages of the students involved as indicated by the Brook Traffic Light Tool.

- The developmental stages of the students involved as indicated by the Traffic Light Tool.

- Any power imbalance between the students (for example, is the alleged perpetrator significantly older?).

- If the alleged incident is a one off or a sustained pattern of abuse (where this may be known).

- Whether there are any ongoing risks.

- Other related issues and wider safeguarding context.

Where incidents and/or behaviours are associated with factors outside the school or occur between children outside the school, we will consider contextual safeguarding. This simply means assessments of children in such cases should consider whether wider environmental factors are present in a child's life that is a threat to their safety and/or welfare.

Options to manage the report

We will consider every report on a case-by-case basis. When to inform the alleged perpetrator will be a decision that will be carefully considered. Where a report is going to be made to Children's Social Care and/or the Police, then, as a general rule, we will speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of the allegations.

There are four likely scenarios we will need to consider when managing any reports of sexual violence and/or sexual harassment.

1. Manage internally

In some cases of sexual harassment (for example, one-off incidents) the school may take the view that the students concerned are not in need of Early Help or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising our Behaviour, Anti-Bullying and Online Safety Policies and by providing pastoral support.

2. Early Help

In line with the above, we may decide that the children involved do not require statutory interventions but may benefit from Early Help. Early Help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

3. Referral to Children's Social Care

Where a child has been harmed, is at risk of harm or is in immediate danger, a likely course of action will be that we make a referral to children's social care. We will work collaboratively with children's social care where a statutory assessment is required.

4. Reporting to the Police

Any report to the Police will generally be in parallel with referrals to Children's Social Care.

Where a report of rape, assault by penetration or sexual assault is made, the starting point is this should be passed on to the police.

At this stage, schools will generally inform parents unless there are compelling reasons not to do so (for example, if informing a parent is likely to put a child at additional risk). In circumstances where parents have not been informed, it will be especially important that the school supports the child in any decision they take. This should be in conjunction with the support of Children's Social Care.

Where a report has been made to the Police, the school will consult the Police and agree what information can be disclosed to staff and others; in particular, the alleged perpetrator and their parents. We will also discuss the best way to protect the victim and their anonymity.

We will work collaboratively with the safer school police officer as appropriate.

Ongoing Considerations:

We will consider the scenario where the victim and alleged perpetrator are sharing classes and sharing space at school. This will inevitably involve complex and difficult professional decisions, including considering our duty to safeguard children and our duty to educate them. It is important each report is considered on a case-by-case basis and any risk assessment in place will be updated as appropriate.

Where there is a criminal investigation, the alleged perpetrator and victim should not share any classes. We will consider how best to keep the victim and alleged perpetrator a reasonable distance apart whilst on school premises including social times. This is in the best interests of both students and should not be perceived to be a judgement on the guilt of the alleged perpetrator; close liaison with the police is essential.

DfE guidance states that where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the school should take suitable action, if they 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 would seriously harm the education or welfare of the victim (and potentially other students). Where a criminal investigation into sexual assault leads to a conviction or caution, we will consider any suitable sanctions in light of our Behaviour Policy, including consideration of permanent exclusion (even if the incident(s) has not occurred in school).

Where the perpetrator is going to remain at school, the principle would be to continue keeping the victim and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

The fact that another body is investigating or has investigated an incident does not in itself prevent the individual schools across the Trust from imposing a sanction in accordance with the school's Behaviour, Anti-bullying or Online Safety Policies, using the balance of probabilities to draw objective and appropriate conclusions.

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 is reported to the police and the case is **not** progressed or is reported to the Police and ultimately results in a **not-guilty** verdict. The process will have affected both victim and alleged perpetrator and these results do not necessarily mean the offence did not happen or that the victim lied. Appropriate support should be provided to both as required, and consideration will be given when considering the sharing of classes and potential contact as required on a case-by-case basis.

All of the above should be considered with the needs and wishes of the victim at the heart of the process and any arrangements will be kept under review.

Safeguarding other children

Consideration will be given to supporting children who have witnessed sexual violence, especially rape and assault by penetration. Witnessing such an event is likely to be traumatic and support may be required. We will signpost agencies and support services available where needed.

Following any report of sexual violence or sexual harassment, it is likely that some children will take 'sides'. The schools will do all we can to ensure both the victim and alleged perpetrator, and any witnesses, are not subject to any bullying or harassment.

Social media is very likely to play a central role in the consequences from any incident or alleged incident. There is the potential for contact between victim and alleged perpetrator and a very high likelihood that friends from either side could well harass the victim or alleged perpetrator online. Any evidence we have of students using social media inappropriately will be managed and sanctioned according to our Behaviour and Anti-Bullying Policies.

A whole school approach to safeguarding, a culture that makes clear that there is a zero-tolerance approach to sexual violence and sexual harassment and that it is never acceptable, and it will not be tolerated, and a strong preventative education programme will help create an environment in which all children at the school are supportive and respectful of their peers when reports of sexual violence or sexual harassment are made.

What we do in school to educate our students against harmful sexual behaviours

We have a planned programme of evidence-based content delivered through the Life Skills and RSHE curriculum, tutor time and assemblies. Our programme is developed in line with the statutory government guidance Personal, social, health and economic (PSHE) education - GOV.UK (www.gov.uk) and is age and stage of development appropriate, and tackles issues such as:

- families

- healthy and respectful relationships, including information on consent

- what respectful behaviour looks like

- online safety

- being safe

- gender roles, stereotyping, equality

- body confidence and self-esteem

- prejudiced behaviour

- that sexual violence and sexual harassment is always wrong

- addressing cultures of sexual harassment

The 5 Dimensions Trust Relationship and Sex Education Policy is available here
2EA24CB5EA20323015D476D28DD3B77F.pdf (sbeschool.org.uk)
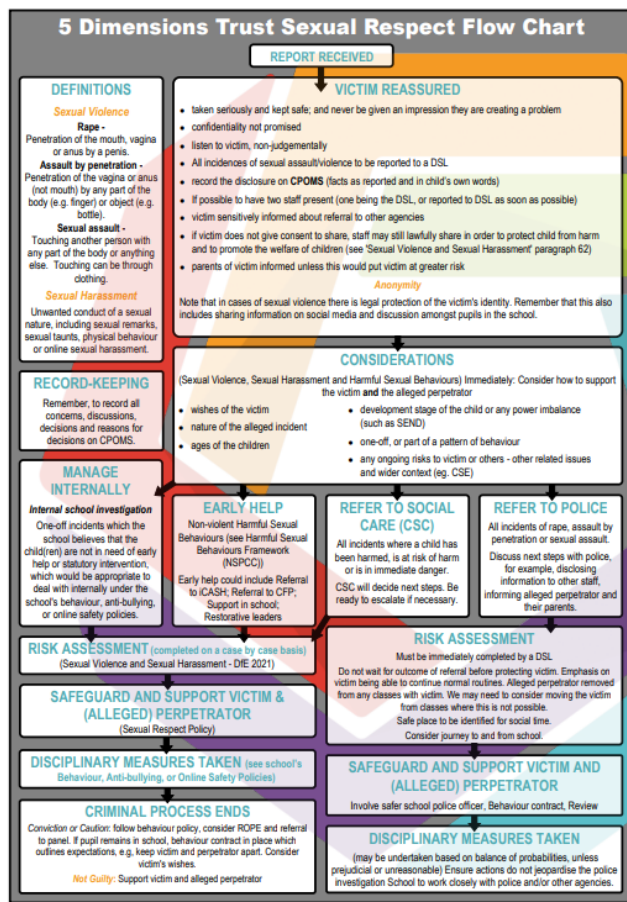
Appendix A: Flow chart

Appendix B: Stepped ApproachSexual Respect Stepped Approach to support and sanctions

(Will be considered on a case-by-case basis)

Level	Example	Actions required	Sanction
1 (Sexual Harassment)	One off inappropriate sexual comment/s – includes face to face or online	• Internal investigation if required • Inform parents • Meeting with student (YL/PL) • Meeting Restorative Leaders (6th formers)	N1-N3 (SBE) B1- B3 (THA)
2 (Sexual Harassment)	Repeated or pattern of inappropriate sexual behaviour – includes face to face or online	• Meet with parent and student (Leadership Group - LG) • Meeting Restorative Leaders (6th formers) • Consider risk assessment • Consider keeping students apart – change of classes/social time • Consider behaviour contract • Meeting with safer school's police officer • Educational intervention completed by YL or deputy DSL • iCASH referral	Up to a 1-day isolation X1- X2 (SBE) B4-B7 (THA)
3 (Sexual Assault)	Touching another person with any part of the body or object, touching can be through clothing	• Internal Investigation • Meet with parent and student (Leadership Group)	Offsite isolation - Fixed term exclusion X2 (SBE)

		• Risk assessment to include mitigation of risk (e.g. keeping students apart, change of classes)	B8-B9
		• Consider informing Police with parental/student consent	
		• Safer school's police officer to meet with student	
		• Readmission meeting if an exclusion with LG (DSL trained) and if appropriate the safer school's police officer	
		• MASH referral for support with parental consent	
		• iCASH referral	
4 (Sexual Assault)	Repeated behaviour (Touching another person with any part of the body or object, touching can be through clothing)	• Report to Children's Social Care - MASH	Up to 5-day exclusion or offsite Alternative Educational Provision
		• Report to police	
		• Internal Investigation	
		• Meet with parent and student (Leadership Group)	
		• Readmission meeting with LG (DSL trained) and if appropriate the safer school's police officer	
		• Risk assessment to include mitigation of risk (e.g. keeping students apart, change of classes)	
		• Consider AROPE (at risk of permanent exclusion)	

		• iCASH referral	
5 (Sexual Violence)	Sexual assault through penetration with a body part or object. Rape	• Report to Children's Social Care (CSC) - MASH • Report to police • Liaison with the police to develop a balanced set of arrangement to reduce the risk of sexual harm • Meet with parent and student (LG) • Readmission meeting with LG (DSL trained) and if appropriate the safer school's police officer • Risk assessment to include mitigation of risk (e.g. keeping students apart, change of classes) • AROPE (At risk of permanent exclusion)	Seek advice from Police and CSC 6-day offsite educational provision Emergency Referral to the Bridge Academy Managed move Permanent exclusion

Risk Assessment and Safety Plan

Risk Management is the process of adopting a proactive approach to the management of future uncertainty (risk) by allowing for the identification of methods for handling risk. This approach is designed to identify / address various risks that exist in relation to the individual young person, reduce the effect of those that cannot be eliminated and gradually eliminate those which could be eliminated.

This risk assessment should be completed as soon after an incident as possible, once the young person has returned or is planning a return to school. Completed assessments should be uploaded onto CPOMS, our Safeguarding Record and relevant sections shared with appropriate colleagues, the young person, and their family where appropriate.

Name of Young Person: **Name of Assessor:**

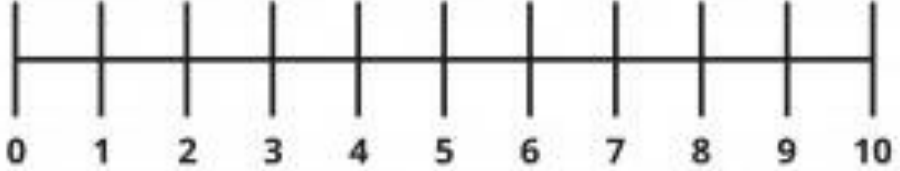**Date of Completion:**   **Review Date:**

Overview of circumstances leading to the need for a risk assessment to be completed for this young person, include detail of any agencies involved in the assessment and safety plan (What, Where, When, Who, Why and How). Include date, time and location.

What are we worried about?	What is working well? (Protective factors, existing strengths, and safety)

Provide a summary of the risk of harm in terms of the pattern, nature, seriousness, likelihood, and imminence. Include a conclusion on the overall risk level.

Safety Plan - What needs to happen? (Future safety/next steps/multi-agency involvement?) Include what steps you are going to make to ensure the environment is safer.	Signs of safety - Where are we on a scale of 0-10? (0 – worst case, 10 – no risk, everything good)
Safety plan Co-ordinator:	**Early help assessment completed: Yes/No**

Behaviour/Risk	Who is at Risk?	Likelihood	When	Seriousness	Triggers	Safety plan
Description	**T**=Themselves **S**=Staff **V**=Visitors to school or members of the public in the community	**HL**=Highly likely. More likely than not to occur **L**=Likely. Probable that the behaviour will occur again **U**=Unlikely strategies/changes mean that the	Time of day, potential triggers etc. Before school, break, lunch, after school,	**A**=Medical attention beyond first aid. Extensive damage to property, significant distress to self and/or others or lengthy disruption to school routines **B**=Requiring some first aid on site.	**1**=Changes to routine – home, school or other **2**=Unstructured time/activity **3**=Being told No **4**=Other students or adults **5**=Availability of dangerous equipment	**What needs to happen to mitigate risk?**

	C=Children, in or out of school P=Property	behaviour is unlikely to reoccur soon	mornings, afternoons, between lessons	Minor damage to property. Some distress to self and others. Brief disruption to school routine. C=No physical injury or damage to property. Minor distress.	6=Other (specify)	
Verbal Abuse						
Self-Harm						
Thoughts of ending life						

Overdose/Attempt to take own life					
Physical intimidation / threats / aggression					
Fighting / violence towards others					
Harmful Sexual Behaviour – indicate Harassment/Assault					
Property destruction / vandalism					
Use of possible Weapon(s) **Including those used to self-harm**					

Truancy/Hiding in the building					
Exploitation – indicate CSE or CCE					
Medical/ illness related incident					
Running away/ absconding/missing episodes from home					
Other (Please Specify)					

Guidance for using the sexual behaviours traffic light tool

Introduction

A guide to identifying sexual behaviours.

This innovative resource is based on the original 'Traffic Light Framework' developed by Family Planning Queensland in Australia and has been adapted for use within the UK. The resource uses a traffic light tool to categorise the sexual behaviours of young people, to help professionals:

- make decisions about safeguarding children and young people
- assess and respond appropriately to sexual behaviour in children
- and young people understand healthy sexual development and distinguish it from harmful behaviour

By identifying sexual behaviours as green, amber or red, professionals across different agencies can work to the same criteria when making decisions and protect children and young people with a unified approach.

This resource has been designed to help professionals think through their decisions and does not replace organisational procedures or assessment frameworks.

The resource

Using the resource, professionals can learn to identify, assess and respond to sexual behaviour in children and young people in a confident and appropriate manner.

The resource is based on current knowledge and research and should be used within the context of your own policies, legal frameworks and competencies, and in conjunction with other relevant assessment tools. It is not intended to replace organisational procedures or assessment frameworks, neither does it cover all presenting behaviours.

The behaviours identified in the tool are examples used to show the differences between healthy and unhealthy sexual development. The resource does not aim to define how children and young people should behave, but to show which behaviours are a natural part of growing up and exploring sexuality, and which are problematic and may need intervention or support.

Professionals who work with children and young people have told us they often struggle to identify which sexual behaviours are potentially harmful and which represent healthy sexual development. It is vital that professionals agree on how behaviours should be categorised regardless of culture, faith, beliefs, and their own experiences or values.

By using a standardised normative list we hope to enable professionals across different agencies to use the same criteria when making decisions, thereby creating a unified approach to protecting children and young people.

Sexual behaviour

Knowing how to take a positive view and recognise healthy sexual behaviour in children and young people helps to support the development of healthy sexuality and protect children and young people from harm or abuse.

Many expressions of sexual behaviour are part of healthy development and no cause for concern. However, when children or young people display sexual behaviour that increases their vulnerability or causes harm to someone else, adults have a responsibility to provide support and protection.

It may be misleading to label behaviours displayed by young children in the birth to 5 category, or even the 5 to 9 category, as 'sexual'. A child who plays with his or her genitals may or may not be seeking sexual pleasure.

It is not clear how aware younger children are of sexual feeling, and behaviours are more likely to be seen as sexual because of the perception of the adult making the observation.

Influences

Many factors influence sexual behaviour, including: lack of sex and relationships
- information
- lack of privacy
- boredom, loneliness, anxiety, confusion or
- depression family/carer conflict or
- information and support needs lack of rules, appropriate consequences or boundaries emotional, physical or sexual abuse
- sexual exploitation and/or
- trafficking communication difficulties
- sexual excitement or
- curiosity attention or
- relationship needs gender issues
- copying the behaviour of other children and
- young people copying behaviours seen on the internet or TV

Identifying any of these factors may help you to decide on the most appropriate intervention. However, this is not an exhaustive list and you may need specialist support to clearly identify the reason for the behaviour and the correct intervention.

Dealing with unhealthy sexual behaviour at an early stage can help to prevent subsequent sexually harmful behaviours from developing. Professionals can begin to help young people change their traffic lights from red to amber and/or from amber to green.

Vulnerability

All children and young people are potentially at risk of harm, though some groups – for example, children and young people who have a disability, have been abused, or have experienced other disruptions to their development or socialisation – may be at increased risk of exposure to, or of developing, unhealthy sexual behaviours. It is important to recognise that in these cases extra support and guidance may be needed.

Using the tool

The traffic light tool lists examples of green, amber and red behaviours within four different age groups. These are examples only and must be considered in context.

The age categories deliberately overlap to demonstrate the fluidity and variable nature of development. These are indicative, and understanding may vary. The 13 to 17 age category may also be a useful guide for vulnerable young people, or young people with physical or learning disabilities, up to age 25.

All green, amber and red behaviours require some form of attention and response, but the type of intervention will vary according to the behaviour. Green behaviours may highlight opportunities to provide positive feedback and information that supports healthy sexuality. Amber and red behaviours may require observation, documentation, education, referral to other services, increased supervision, therapy, safeguarding assessment and/or a legal response.

Sexual development is influenced by many factors. When using the traffic light tool to categorise behaviour, it is necessary to consider the current social, cultural, legal, community and familial context.

What if the presenting behaviour is not in the normative list?

The normative lists provides examples of the types of behaviours that would sit within each colour category. If the presenting behaviour is not given as an example it may be useful to consider the following questions:

Is the behaviour consensual for all children or young

people involved? Is the behaviour reflective of natural

curiosity or experimentation?

Does the behaviour involve children or young people of a similar age or

developmental ability? Is the behaviour unusual for that particular child or

young person?

Is the behaviour excessive, coercive, degrading or threatening?

Is the behaviour occurring in a public or private space? How does this affect the

colour categorisation? Are other children or young people showing signs of alarm or

distress as a result of the behaviour?

Female genital mutilation/cutting

Female genital mutilation (FGM), also known as female circumcision or female genital cutting, is defined by the World Health Organisation as being "all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs whether for cultural, religious or other non-theraputic reason".

FGM is illegal in this country and it is also illegal to take a child out of the country for FGM. FGM is always a safeguarding issue.

It has not been included in the normative lists as it is not a behaviour. However, if it is suspected that a child or

young person may be at risk or has been subjected to FGM, this should be treated as a red indicator.

The law

Children, young people, sex and the law

The legal age for children and young people to consent to sex is 16 regardless of sexual orientation. However, young people are unlikely to be prosecuted for mutually agreed sexual activity where there is no evidence of exploitation.

The law does not affect young people's right to confidential advice on contraception, condoms, pregnancy and abortion, or their ability to consent to treatment, even if they are under 16.

Sexual offences legislation in all parts of the United Kingdom assumes that children and young people under 13 do not have the capacity to consent to sexual activity.

It is illegal for an adult who is in a position of trust to a child or young person under the age of 18, such as a teacher or carer, to have sex with them.

The law covers all intercourse, other penetration or sexual touching of a child. It includes sexual touching of any part of their body, clothed or unclothed, either with a body part or with an object.

It is also against the law to persuade a child to take part in sexual activity, to engage in sexual activity in their presence, to cause them to watch a sexual act (including videos, photographs or on websites) or to arrange to meet them following sexual grooming.

Consent

Sexual offences legislation provides statutory definitions of consent that are relevant in the case of offences such as rape, sexual assault and other non-consensual offences.

In England, Wales and Northern Ireland a person is deemed to consent if she/he agrees by choice, and has the freedom and capacity to make that choice. A person may not have the freedom to consent because she/he is forced by, for example, violence or threat of violence, to engage in sexual activity. A person may not have the capacity to consent to sexual activity because, for instance, they have a mental disorder.

In Scotland, consent is defined as free agreement, supplemented with a non-exhaustive list of circumstances in which consent can never be present, such as when the person is incapacitated by drugs or alcohol, or when they are sleeping.

More details on the laws regarding sexual activity with children and young people can be found at: http://www.brook.org.uk/professionals/information/sex-and-the-law/consent-to-sexual-relationships.

Recognising the challenges of personal and professional values

Many professionals say they experience a 'gut feeling' when children or young people they are working with are at risk of harm, or of harming others. This resource is designed to support that instinct by helping professionals make effective assessments and decisions.

It is important when making decisions about children and young people that professionals acknowledge that they have their own personal judgements, beliefs and values that could affect their choices. If a behaviour is deemed 'inappropriate' by one professional but does not concern another, young people are more likely to get mixed messages about their sexuality and behaviour.

Beliefs

Culture, beliefs and ethnicity play a vital and challenging role when assessing and responding to sexual behaviour. What is considered 'acceptable' sexual behaviour differs vastly from community to community. It is important to consider that this resource is focused on protecting young people from harm and that this does not differ within the context of beliefs.

Where sexual behaviours are considered to be a safeguarding issue, procedures must be adhered to regardless of culture and beliefs within communities.

Challenging assumptions about gender

Professionals and parents often feel different levels of concern dependent on the gender of the child or young person displaying sexual behaviours. It is important to challenge these concerns and to think about why a behaviour may be considered acceptable for one gender but not for the other. These reactions are likely to be based on personal values, beliefs or social assumptions.

Challenging assumptions about sexuality

Young people become aware of their sexual orientation at different ages and a range of factors will impact at what age they feel safe and ready to explore their sexual orientation and to tell others about it. If a young person comes out as lesbian, gay or bisexual then whatever their age, they should be taken seriously and provided with age-appropriate information and guidance.

It is safe and healthy for all young people, whether they are straight, lesbian, gay or bisexual to begin exploring healthy sexual behaviour. However, professionals often regard sexual contact between young people of the same sex with greater concern than they would regard the same sexual contact between young people of the opposite sex.

The sexual development of lesbian, gay and bisexual young people does not in itself require intervention. If professionals react to behaviour simply because it is taking place between two young people of the same sex, it could lead to those young people feeling ashamed about engaging in what is normal healthy behaviour. It sends the message that there is something 'wrong' with the way their sexuality is developing.

There are things that may legitimately give concerns about the sexual behaviour of young people and may lead to an intervention such as if there were a significant age or developmental difference between the partners or the relationship seemed coercive or abusive. Such things would raise concern regardless of whether that behaviour involves someone of the same sex or opposite sex.

The internet and the media

Children and young people are increasingly exposed to a variety of sexual content through the internet. The accessibility of potentially harmful sexual information, imagery and pornography causes concern from professionals, parents and carers. It is vital that young people are given robust and appropriate sex and relationships education to help them process and question this information.

What next?
•

I have identified a green behaviour

Green behaviours reflect safe and healthy sexual development. They are:
displayed between children or young people of similar age or developmental ability reflective of natural curiosity, experimentation, consensual activities and positive choices

Expressing sexuality through sexual behaviour is natural, healthy and a part of growing up. Green behaviours provide an opportunity to positively reinforce appropriate behaviour, and to provide further information and support.

All children and young people have the right to relationships and sex education which equips them with the information and skills they need to form healthy and positive sexual relationships and keep their traffic lights green.

I have identified an amber behaviour.

Amber behaviours have the potential to be outside of safe and healthy development. They may be: unusual for that particular child or young person
• of potential concern due to age or developmental differences
• of potential concern due to activity type, frequency, duration or the context in which they occur

Amber behaviours signal the need to take notice and gather information to consider appropriate action.

Recognising that behaviour may be unhealthy is the first step in a process. If you are a professional working with young people and your organisation has internal guidance or safeguarding frameworks, please refer to these. You may be required, or feel it is necessary, to inform your safeguarding lead or another member of staff.

Amber behaviours cannot be ignored, and it is important to think through the options available to you. Consider why the behaviours may be being displayed, and, where possible, gather further information and continue to monitor behaviour.

I have identified a red behaviour

Red behaviours are outside of safe and healthy behaviour. They may be:
• excessive, secretive, compulsive, coercive, degrading
• or threatening involving significant age, developmental or power differences
• of concern due to the activity type, frequency, duration or the context in which they occur

Red behaviours indicate a need for immediate intervention and action, though it is important to consider actions carefully. When determining the appropriate action, identify the behaviour, consider the context and be guided by:
• relevant national legislation and guidance organisational policies,
procedures and guidance human rights
• the identified risks or needs of the
• young person the potential or real risks to others

If you are a professional working with young people and your organisation has internal guidance or safeguarding frameworks, please refer to these to decide on the next steps to take. Your policy or procedure should guide you towards a designated safeguarding lead who can be notified and will provide support.

I am not a professional working with young people. Where can I go for help?

If you are not a professional working within an organisation with internal procedures or frameworks, you may want to consider contacting a specialist organisation that can advise you. These include:

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- Young people's sexual health services: if you are under 25 contact Ask Brook, www.askbrook.org.uk Contraceptive and sexual health information: visit FPA on www.fpa.org.uk
- NSPCC Helpline: 0800 800 5000 (England and Wales) or www.nspcc.org.uk National Child Protection Line: 0800 022 3222 (Scotland)
- Child Exploitation and Online Protection Centre (CEOP): 0870 000 3344 or www.ceop.police.uk Stop it Now!: 0808 1000 900 or www.stopitnow.org.uk
- Parents Protect!: 0808 1000 900 or www.parentsprotect.co.uk

Behaviours: age 0 to 5

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are:

- displayed between children or young people of similar age or developmental ability

- reflective of natural curiosity, experimentation, consensual activities and positive choices

What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be:

- of potential concern due to age, or developmental differences

- of potential concern due to activity type, frequency, duration or context in which they occur

What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be:

- excessive, secretive, compulsive, coercive, degrading or threatening

- involving significant age, developmental, or power differences

- of concern due to the activity type, frequency, duration or the context in which they occur

What can you do?

Green behaviours provide opportunities to give positive feedback and additional information.

What can you do?

Amber behaviours signal the need to take notice and gather information to assess the appropriate action.

What can you do?

Red behaviours indicate a need for immediate intervention and action.

Green behaviours

- holding or playing with own genitals
- attempting to touch or curiosity about other children's genitals
- attempting to touch or curiosity about breasts, bottoms or genitals of adults
- games e.g. mummies and daddies, doctors and nurses
- enjoying nakedness
- interest in body parts and what they do
- curiosity about the differences between boys and girls

Amber behaviours

- preoccupation with adult sexual behaviour
- pulling other children's pants down/skirts up/trousers down against their will
- talking about sex using adult slang
- preoccupation with touching the genitals of other people
- following others into toilets or changing rooms to look at them or touch them
- talking about sexual activities seen on TV/online

Red behaviours

- persistently touching the genitals of other children
- persistent attempts to touch the genitals of adults
- simulation of sexual activity in play
- sexual behaviour between young children involving penetration with objects
- forcing other children to engage in sexual play

Behaviours: age 5 to 9

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are:

- displayed between children or young people of similar age or developmental ability
- reflective of natural curiosity, experimentation, consensual activities and positive choices

What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be:

- of potential concern due to age, or developmental differences
- of potential concern due to activity type, frequency, duration or context in which they occur

What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be:

- excessive, secretive, compulsive, coercive, degrading or threatening
- involving significant age, developmental, or power differences
- of concern due to the activity type, frequency, duration or the context in which they occur

What can you do?

Green behaviours provide opportunities to give positive feedback and additional information.

What can you do?

Amber behaviours signal the need to take notice and gather information to assess the appropriate action.

What can you do?

Red behaviours indicate a need for immediate intervention and action.

Green behaviours

- feeling and touching own
- genitals curiosity about other
- children's genitals curiosity about sex and relationships, e.g. differences between boys and girls, how sex happens, where babies come from, same-sex relationships
- sense of privacy about bodies
- telling stories or asking questions using swear and slang words for parts of the body

Amber behaviours

- questions about sexual activity which persist or are repeated frequently, despite an answer having been given
- sexual bullying face to face or through texts or online messaging
- engaging in mutual masturbation
- persistent sexual images and ideas in talk, play and art
- use of adult slang language to discuss sex

Red behaviours

- frequent masturbation in front of others
- sexual behaviour engaging significantly younger or less able children
- forcing other children to take part in sexual activities
- simulation of oral or penetrative
- sex sourcing pornographic material online

Behaviours: age 9 to 13

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are:

- displayed between children or young people of similar age or developmental ability
- reflective of natural curiosity, experimentation, consensual activities and positive choices

What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be:

- of potential concern due to age, or developmental differences
- of potential concern due to activity type, frequency, duration or context in which they occur

What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be:

- excessive, secretive, compulsive, coercive, degrading or threatening
- involving significant age, developmental, or power differences
- of concern due to the activity type, frequency, duration or the context in which they occur

What can you do?

Green behaviours provide opportunities to give positive feedback and additional information.

What can you do?

Amber behaviours signal the need to take notice and gather information to assess the appropriate action.

What can you do?

Red behaviours indicate a need for immediate intervention and action.

Green behaviours

- solitary masturbation
- use of sexual language including swear and slang words
- having girl/boyfriends who are of the same, opposite or any gender
- interest in popular culture, e.g. fashion, music, media, online games, chatting online
- need for privacy
- consensual kissing, hugging, holding hands with peers

Amber behaviours

- uncharacteristic and risk-related behaviour, e.g. sudden and/or provocative changes in dress, withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing
- verbal, physical or cyber/virtual sexual bullying involving sexual aggression
- LGBT (lesbian, gay, bisexual, transgender) targeted bullying
- exhibitionism, e.g. flashing or
- mooning giving out contact details
- online viewing pornographic material
- worrying about being pregnant or having STIs

Red behaviours

- exposing genitals or masturbating in public
- distributing naked or sexually provocative images of self or others
- sexually explicit talk with younger children
- sexual harassment
- arranging to meet with an online acquaintance in secret
- genital injury to self or others
- forcing other children of same age, younger or less able to take part in sexual activities
- sexual activity e.g. oral sex or intercourse
- presence of sexually transmitted infection (STI)
- evidence of pregnancy

Behaviours: age 13 to 17

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?

Green behaviours reflect safe and healthysexual development. They are:

- displayed between children or young people of similar age or developmentalability
- reflective of natural curiosity, experimentation,consensual activitiesand positive choices

What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. Theymay be:

- of potential concern due to age, ordevelopmental differences
- of potential concern due to activity type,frequency, duration or context in which they occur

What is a red behaviour?

Red behaviours are outside of safe andhealthy behaviour. They may be:

- excessive, secretive, compulsive, coercive, degrading or threatening
- involving significant age, developmental,or power differences
- of concern due to the activity type, frequency, duration or the context inwhich they occur

What can you do?

Green behaviours provide opportunities togive positive feedback and additional information.

What can you do?

Amber behaviours signal the need to take notice and gather information to assess theappropriate action.

What can you do?

Red behaviours indicate a need forimmediate intervention and action.

Green behaviours

- solitary masturbation
- sexually explicit conversations withpeers
- obscenities and jokes within the currentcultural norm
- interest in erotica/pornography
- use of internet/e-media to chat online
- having sexual or non-sexualrelationships
- sexual activity including hugging,kissing, holding hands
- consenting oral and/or penetrative sexwith others of the same or opposite gender who are of similar age and developmental ability
- choosing not to be sexually active

Amber behaviours

- accessing exploitative or violentpornography
- uncharacteristic and risk-related behaviour, e.g. sudden and/or provocative changes in dress, withdrawal from friends, mixing with newor older people, having more or less money than usual, going missing
- concern about body image
- taking and sending naked or sexuallyprovocative images of self or others
- single occurrence of peeping, exposing,mooning or obscene gestures
- giving out contact details online
- joining adult- only social networkingsites and giving false personal information
- arranging a face to face meeting with anonline contact alone

Red behaviours

- exposing genitals or masturbating in public
- preoccupation with sex, which interferes with daily function
- sexual degradation/humiliation of self or others
- attempting/forcing others to expose genitals
- sexually aggressive/exploitative behaviour
- sexually explicit talk with younger children
- sexual harassment
- non-consensual sexual activity
- use of/acceptance of power and control in sexual relationships
- genital injury to self or others
- sexual contact with others where there is a big difference in age or ability
- sexual activity with someone in authority and in a position of trust
- sexual activity with family members
- involvement in sexual exploitation and/or trafficking
- sexual contact with animals
- receipt of gifts or money in exchange for sex