Park Hill Thorns Federation

Responding to allegations of sexual violence or harassment between children protocols

for

Thorns Community Infant School and Park Hill Junior School

Written: October 2021

Agreed by governors: December 2021

To be reviewed: December 2022

Contents

1.1   Introduction and aims

Sexual violence and sexual harassment are not acceptable and will not be tolerated at the Park Hill Thorns Federation. It is especially important not to pass off any sexual violence or harassment as 'banter', 'part of growing up' or 'having a laugh'.

The following is based on advice from the Ealing Grid for Learning and from advice given in the documents Sexual violence and sexual harassment between children in schools and colleges, advice for governing bodies, proprietors, headteachers, principals, senior leadership teams and designated safeguarding leads (DfE, May 2018); on Keeping Children Safe in Education (2021) and on the Government Review of Sexual Abuse in Schools (2021).

This protocol aims to provide a framework for a consistent, confident response to alleged incidents of sexual harassment or violence between children. It will be followed by senior staff in the event that an allegation of sexual violence or sexual harassment between students is brought to the attention of the school. Allegations will be investigated and actions taken separately from any investigations or actions taken by outside agencies, such as social care or the police. Everyone working within the federation will assume that sexual harassment, online sexual abuse and sexual violence are happening in and around schools, even when there are no specific reports and therefore follow these protocols. Children's understanding of sexual harassment and violence are supported and developed through our PSHE and Relationships education and online safety education – please see that policy for further information.

1.2   Definitions

The above government guidance defines sexual violence as:

- Rape
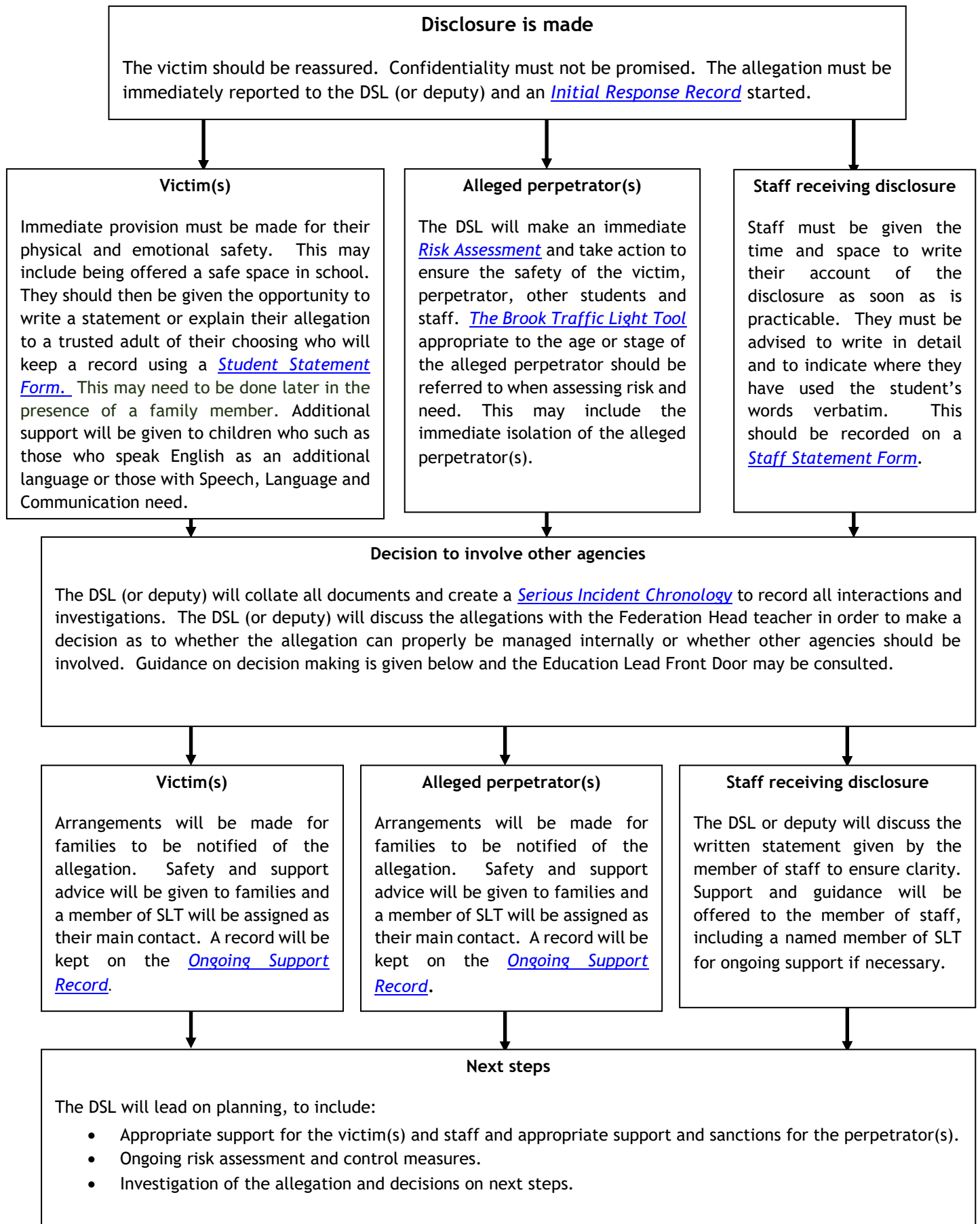- Assault by penetration
- Sexual assault

The guidance defines sexual harassment as:

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

It further notes that:

- A child under the age or 13 can never consent to sexual activity
- The age of consent is 16
- Creating and sharing sexual images is illegal

1.3   School initial action flow chart

Disclosure is made

The victim should be reassured. Confidentiality must not be promised. The allegation must be immediately reported to the DSL (or deputy) and an *Initial Response Record* started.

Victim(s)

Immediate provision must be made for their physical and emotional safety. This may include being offered a safe space in school. They should then be given the opportunity to write a statement or explain their allegation to a trusted adult of their choosing who will keep a record using a *Student Statement Form.* This may need to be done later in the presence of a family member. Additional support will be given to children who such as those who speak English as an additional language or those with Speech, Language and Communication need.

Alleged perpetrator(s)

The DSL will make an immediate *Risk Assessment* and take action to ensure the safety of the victim, perpetrator, other students and staff. *The Brook Traffic Light Tool* appropriate to the age or stage of the alleged perpetrator should be referred to when assessing risk and need. This may include the immediate isolation of the alleged perpetrator(s).

Staff receiving disclosure

Staff must be given the time and space to write their account of the disclosure as soon as is practicable. They must be advised to write in detail and to indicate where they have used the student's words verbatim. This should be recorded on a *Staff Statement Form*.

Decision to involve other agencies

The DSL (or deputy) will collate all documents and create a *Serious Incident Chronology* to record all interactions and investigations. The DSL (or deputy) will discuss the allegations with the Federation Head teacher in order to make a decision as to whether the allegation can properly be managed internally or whether other agencies should be involved. Guidance on decision making is given below and the Education Lead Front Door may be consulted.

Victim(s)

Arrangements will be made for families to be notified of the allegation. Safety and support advice will be given to families and a member of SLT will be assigned as their main contact. A record will be kept on the *Ongoing Support Record.*

Alleged perpetrator(s)

Arrangements will be made for families to be notified of the allegation. Safety and support advice will be given to families and a member of SLT will be assigned as their main contact. A record will be kept on the *Ongoing Support Record*.

Staff receiving disclosure

The DSL or deputy will discuss the written statement given by the member of staff to ensure clarity. Support and guidance will be offered to the member of staff, including a named member of SLT for ongoing support if necessary.

Next steps

The DSL will lead on planning, to include:

- Appropriate support for the victim(s) and staff and appropriate support and sanctions for the perpetrator(s).
- Ongoing risk assessment and control measures.
- Investigation of the allegation and decisions on next steps.

1.4   Involving other agencies

An allegation may properly be managed internally if it:

- Is a one-off incident
- Does not constitute a criminal offence
- The children involved are not considered to need early help and intervention
- It is considered that the allegation can properly be managed through the school's Behaviour Policy.

Consideration must be given to involving the following agencies and decisions taken on involvement must be recorded. In the case of a decision not to involve an agency, the reason for this decision must be recorded.

Health -   Appropriate medical care should be given or summoned if a child has been physically injured or is unwell.

Social care -   If a child has been seriously harmed, is in immediate danger, or is at risk of harm a referral must be made to children's social care.

Police -   Where there is a report of activity which is an offence, a report must be made immediately to the police.

1.5   Planning and recording

The management of an allegation of sexual violence or sexual harassment should be carefully considered, planned and recorded. Records will include the following:

- Brook Traffic Light Tool (appendix 2) – annotated
- Student and staff statements – staff taking statements should write their own statement of each meeting with a child in which they give information about the incident.
- Sexual violence or harassment between children - Initial Response Record (appendix 1)
- Serious incident chronology (appendix 4)
- Risk Assessment (appendix 3)
- Sexual violence or harassment between children – Ongoing Support Record – Victim (appendix 5) and Ongoing Support Record – Alleged Perpetrator (appendix 6)

Planning and decision making will take account of Keeping Children Safe in Education (DfE, 2021), and other relevant advice and guidance, including that on behaviour, discipline and exclusion from school.

1.6 Ongoing school actions

Initial accounts

The member of staff taking the initial disclosure must record it in as much detail as possible as soon as is practical, indicating where the students' own words are recorded.

Risk Assessment

A Risk Assessment should be carried out with a view to taking immediate action to safeguard the victim(s), perpetrator(s), other students and staff. The risk assessment must be regularly reviewed an amended if necessary as more information is received. The Brook Traffic Light tool should be used to determine the level of risk. Short term plans will be put in place to manage risk and to support all students involved, which may necessitate alternative arrangements being made for the education of students involved.

Determining the nature of the incident

All allegations of sexual assault or sexual abuse will be fully investigated following normal school procedures. This includes the taking of witness statements, checking for potential CCTV and the chance for those involved to give a full account, before a judgement is made about what the evidence indicates has taken place.

Interviewing victims

It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. There is likely to be a need for further interview of the victim(s). A child is likely to disclose information to someone they trust and should be asked for their preference on a member of staff to interview them or to be part of an interview. Wherever possible, two members of staff should be involved in an interview with one most likely to be the DSL. An accurate record must be kept of any interviews.

Interviewing alleged perpetrators

The school must remain mindful of the duty of care to alleged perpetrators. As a matter of effective safeguarding practice, schools and colleges should do all they reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment. Amongst other things, this will mean carefully considering, based on the nature of the report, which staff should know about the report and any support that will be put in place for the children involved. Alleged perpetrators should also be interviewed with two members of staff present and an accurate record kept. Consideration must be given to the fact that abusing another child can be an indication that the perpetrator has themselves been abused.

Parents and carers

The parents / carers of students involved will be informed as soon as is practical as long as this does not put the child at additional risk. The parents / carers will be involved as appropriate throughout the investigation process.

Actions

A decision on actions to be taken by the school will be taken in line with the Behaviour Policy and the Safeguarding Policy as well as other school policies as necessary. The reasons for decisions made will be recorded. Where a report has been made to the police and / or to social care, the school will work with these agencies to determine necessary actions to safeguard students and in response to the incident.

Ongoing support

The school will plan for ongoing support for the victim(s) and alleged perpetrator(s) as necessary and will appoint a member of SLT or the Children and Family Support team to oversee this and to be the main contact with the student and their family. It is important that the child and their family are given the opportunity to shape the nature of any ongoing support.

Consideration will be given to:

- Ongoing interactions in school including in class and in other areas
- Potential interactions outside of school
- Confidentiality and students sharing information with other students
- Repercussions following any sanctions
- The particular needs of the children involved
- Early Help
- Counselling or other support
- Health
- Support from SIBS or statutory services

1.6 Further advice and references

Professionals

NSPCC - Harmful Sexual Behaviour: https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/harmful-sexual-behaviour/

NSPCC audit tool: https://learning.nspcc.org.uk/research-resources/2016/harmful-sexual-behaviour-framework

NSPCC helpline 0808 800 5000, help@nspcc.org.uk.

Peer on Peer abuse toolkit: https://www.farrer.co.uk/globalassets/news-articles/downloads/peer-on-peer-abuse-toolkit-14.pdf

Victims

Rape Crisis: www.rapecrisis.org.uk

The Survivors Trust: www.thesurvivorstrust.org

Childline: https://www.childline.org.uk/   0800 1111

Families

ThinkUKnowwww.thinkuknow.co.uk/parents/articles/Challenging-harmful-sexual-attitudes/

Appendix 1

Sexual violence or harassment between children

Initial response record

Details of disclosure			
Name of student(s) making disclosure			
Disclosure made to		**Date of disclosure**	
Time		**Location**	
Other adults present		**Other students present**	
Summary of disclosure			
Full statements must be written by all staff and students involved at the earliest appropriate opportunity			

Initial action taken (To include the student(s) making the disclosure and the subject(s) of the disclosure)		
Student	**Action taken**	**By whom**

Professionals involved						8
Professional / agency	Notified?	Reason	Method	Date	Time	Notified by
D.S.L.						
Headteacher						
Police						
Social Care						
Health						

Notification to families				
Student name	Notified via	Date of notification	Time of notification	Notified by

Record completed by	
Signature	
Date	

Student name: _____

Reason for selection: Chronological age / Developmental stage

Completed by: _____ **Date:** _____

brook

SEXUAL BEHAVIOURS
●●● TRAFFIC LIGHT TOOL

Behaviours: age 5 to 9 years

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

🟢 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

What is 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 amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. 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 context in which they occur

What is 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

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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.

Student name: _____

Reason for selection: Chronological age   /   Developmental stage

Completed by: _____   **Date:** _____

brook

SEXUAL BEHAVIOURS
🟢🟡🔴 TRAFFIC LIGHT TOOL

Behaviours: age 9 to 13 years

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

🟢 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 peer

🟠 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

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

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

What is amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. 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 context in which they occur

What is red behaviour?

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- 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.

(Note that this page is included for information only)

Student name: _____

Reason for selection: Chronological age   /   Developmental stage

Completed by: _____   Date: _____

brook

●●● TRAFFIC LIGHT TOOL

Behaviours: age 13 to 17 years

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

🟢 Green behaviours

- solitary masturbation
- sexually explicit conversations with peers
- obscenities and jokes within the current cultural norm
- interest in erotica/pornography
- use of internet/e-media to chat online
- having sexual or non-sexual relationships
- sexual activity including hugging, kissing, holding hands
- consenting oral and/or penetrative sex with 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 violent pornography
- 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
- concern about body image
- aking and sending naked or sexually provocative images of self or others
- single occurrence of peeping, exposing, mooning or obscene gestures
- giving out contact details online
- joining adult- only social networking sites and giving false personal information
- arranging a face to face meeting with an online 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

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What can you do?

Red behaviours indicate a need for immediate intervention and action.

Appendix 3

Individual student risk assessment – peer on peer abuse

Name(s)	Names of all students involved should be added here unless it is deemed appropriate to do a separate risk assessment for each student involved.	D.O.B.	
Reason for risk assessment	Brief summary of allegation		
Has violence been used or threatened?	Yes or no and with brief details		
What kind of harm has been threatened or sustained previously?	Details of alleged incident triggering risk assessment		
Is there a pattern of behaviour / risk?	Records (SIMs, confidential file) should be checked or any previous incidents which could indicate a pattern		
Is there evidence to suggest it will be repeated or that there has been increase of risk?	Consideration should be given to the nature of the alleged incident and all students' reactions to it. Increased risk could refer to risk of repeated or worsening incidents or to emotional risk through students involved being in contact with each other		
Is there evidence to suggest premeditation?	Yes or no with brief details		
Professionals / other adults involved and roles	Name, role and agency involved in the risk assessment – either directly or through their advice or opinions being taken into account - should be recorded here.		
Intended outcome of risk assessment	This will include safe management of risk and should say whether the intention is for all parties to remain in school / classes or will be educated elsewhere.		

Individual or group at risk	Nature of risk	Protective factors / controls normally in place	Risk rating (severity x likelihood = risk)	Controls / actions needed	Modified risk rating (severity x likelihood = risk)
Victim	Physical – risk of repeated assault or harassment	Staff and students adhering to Behaviour for Learning Policy	4 x 3 = 12	Consideration of isolation or exclusion of perpetrator	4 x 1 = 4
	Physical – risk of retaliation by friends / family of perpetrator	Staff and students adhering to Behaviour for Learning Policy	4 x 3 = 12	Action taken to ensure wider knowledge of incident is understood and students are clear about expectations. Ongoing need to consider isolation or exclusion for others	4 x 2 = 8
	Emotional – impact of assault or harassment	Support available from pastoral team	4 x 5 = 20	Named person for support, support plan agreed with victim and family. Consideration of support being sought from other agencies. Advice and guidance given to family	3 x 4 = 12
	Emotional –aggravation of pre-existing physical or mental health concerns	Support available from pastoral team and medical support	4 x 5 = 20	Named person for support, support plan agreed with victim and family. Consideration of support being sought from other agencies. Advice and guidance given to family	3 x 4 = 12
	Emotional – impact of ongoing investigation especially by outside agencies	Support available from pastoral team	4 x 4 = 16	Named person for support, support plan agreed with victim and family. Consideration of support being sought	3 x 4 = 12

				from other agencies. Advice and guidance given to family Named person for support, support plan agreed with victim and family. Consideration of support being sought from other agencies. Advice and guidance given to family	
	Online – risk of harassment via social media	Support available from pastoral team	4 x 3 = 12	Action taken to ensure wider knowledge of incident is understood and students are clear about expectations. Ongoing need to consider isolation or exclusion for others	4 x 2 = 8
Alleged perpetrator	Physical – risk of retaliation by friends / family of victim	Staff and students adhering to Behaviour for Learning Policy	4 x 3 = 12	Action taken to ensure wider knowledge of incident is understood and students are clear about expectations. Ongoing need to consider isolation or exclusion for others	4 x 2 = 8
	Emotional – impact of alleged incident	Support available from pastoral team	4 x 5 = 20	Named person for support, support plan agreed with perpetrator and family. Consideration of support being sought from other agencies. Advice and guidance given to family	3 x 4 = 12
	Emotional –aggravation of pre-existing physical or mental health concerns	Support available from pastoral team and medical support	4 x 4 = 16	Named person for support, support plan agreed with perpetrator and family. Consideration of support being sought from other agencies. Advice and guidance given to family	3 x 4 = 12

	Emotional – impact of ongoing investigation especially by outside agencies	Support available from pastoral team	4 x 3 = 12	Named person for support, support plan agreed with victim and family. Consideration of support being sought from other agencies. Advice and guidance given to family	3 x 4 = 12
	Online – risk of harassment via social media	Support available from pastoral team	4 x 2 = 8	Action taken to ensure wider knowledge of incident is understood and students are clear about expectations. Ongoing need to consider isolation or exclusion	4 x 2 = 8
	Media –risk of incident being reported in the media	Support available from pastoral team	4 x 2 = 8	Action taken to ensure wider knowledge of incident is understood and students are clear about expectations. No comment made to press	3 x 2 = 6
Other students	Physical – risk of assault or harassment	Staff and students adhering to Behaviour Policy	4 x 3 = 12	Consideration of isolation or exclusion of perpetrator	4 x 1 = 4
	Emotional – impact of assault or harassment on friend / wider community	Support available from pastoral team	4 x 3 = 12	Action taken to ensure wider knowledge of incident is understood and students are clear about expectations. Ongoing need to consider isolation or exclusion for others	4 x 2 = 8
	Emotional – impact of ongoing investigation	Support available from pastoral team	4 x 5 = 20	Action taken to ensure wider knowledge of incident is understood and students are clear about	3 x 4 = 12

				expectations. Watching brief of anyone affected	
	especially by outside agencies				3 x 4 = 12
	Online – risk of being a victim or perpetrator of harassment via social media	Support available from pastoral team and year teams	4 x 4 = 16	Action taken to ensure wider knowledge of incident is understood and students are clear about expectations. Watching brief of anyone affected. Ongoing need to consider isolation or exclusion for others	
Staff	Physical – risk of assault or harassment	Staff and students adhering to Behaviour for Learning Policy	4 x 3 = 12	Consideration of isolation or exclusion of perpetrator	4 x 1 = 4
	Emotional – impact of receiving disclosure for staff involved including consideration of possible impact on pre-existing physical or mental health concerns	Support available from DSL and SLT line manager	4 x 3 = 12	Regular support offered as required. Consideration of involvement of support from other agencies as necessary.	3 x 2 = 6
	Emotional – impact of assault or harassment on wider community	Support available from DSL and SLT line manager	4 x 3 = 12	Regular support offered as required. Consideration of involvement of support from other agencies as necessary.	3 x 2 = 6
	Emotional – impact of ongoing investigation especially by outside agencies	Support available from DSL and SLT line manager	4 x 3 = 12	Regular support offered as required. Consideration of involvement of support from other agencies as necessary.	3 x 2 = 6

	Likelihood				
Severity	Not likely (1)	Unlikely (2)	Possible (3)	Likely (4)	Highly likely (5)
Fatality (5)	5	10	15	20	25
Major injury / harm (4)	4	8	12	16	20
Moderate injury / harm (3)	3	6	9	12	15
Minor injury / harm (2)	2	4	6	8	10
No injury / harm (1)	1	2	3	4	5

Overall risk rating				
1 - 2	3 - 7	8 - 11	12 - 14	15 - 25
No risk	Minimal risk	Moderate risk	Serious risk	Major risk

Risk assessment completed by:

Signed: **Name:**

Role: **Date:**

Staff / other professionals consulted:

Proposed action, with controls as detailed above, can / cannot proceed.

Signed: **Name:**

Role: **Date:**

Appendix 4
Serious Incident Chronology – peer on peer abuse

Date of incident	
Location of incident	
Brief summary of incident	
Victim(s)	
Alleged perpetrator(s)	
Student witnesses	
Staff witnesses	
Lead member of staff investigating	
Lead staff contact – victim(s)	
Lead staff contact – perpetrator(s)	
Other staff involved	
Other professionals – victim(s)	
Other professionals – alleged perpetrator(s)	

This log must be stored securely along with any other documents and statements. A copy of the Peer on Peer Abuse Protocols, annotated to show actions taken, will also be included.

Date & time	Detail	Action	Resp.	Doc. ref.	Recorded by

Appendix 5

Sexual violence or harassment between children

Ongoing support record – victim

Details of disclosure			
Name of student			
Assigned staff contact		Date of disclosure	
Summary of disclosure			

Student details		
Vulnerability	Y / N?	Detail
S.E.N.D.		
Medical		
Emotional		
Family		
Peer group		

Professionals involved			
Professional / agency	Inv'd?	Contact name	Telephone / Email
D.S.L.			
Headteacher			
Police			
Social Care			
Health			
CAMHS			

Support plan					
Area of need	**Support plan**	**Lead professional**	**School contact (if applicable)**	**Date**	**Initials**

Appendix 6

Sexual violence or harassment between children
Ongoing support record – alleged perpetrator

Details of disclosure			
Name of student			
Assigned staff contact		Date of disclosure	
Summary of disclosure			

Student details		
Vulnerability	Y / N?	Detail
S.E.N.D.		
Medical		
Emotional		
Family		
Peer group		

Professionals involved			
Professional / agency	Inv'd?	Contact name	Telephone / Email
D.S.L.			
Headteacher			
Police			
Social Care			
Health			
CAMHS			

Support plan					
Area of need	**Support plan**	**Lead professional**	**School contact (if applicable)**	**Date**	**Initials**