



# EAST TILBURY PRIMARY SCHOOL

## Harmful Sexual Behaviour/Child on Child Abuse Policy 2023 – 2024

Signed:

Chair of Governors

Headteacher

Reviewed: November 2023

Next Review Date: November 2024

## Osborne Co-operative Academy Trust

Osborne Co-operative Academy Trust is a multi-academy trust (MAT) incorporated around the principles and values of the International Co-operative Movement. These are Equality, Equity, Democracy, Self-help, Self-Responsibility and Solidarity, along with the ethical values of openness, honesty, social responsibility and caring for others. These values and principles underpin all our actions.

### Introduction

Whilst it is normal for some children and young people (CYP) to become inquisitive and display sexualised behaviour towards their peers as they develop, sexualised behaviour between peers that has become harmful or abusive is unacceptable and must be addressed. East Tilbury Primary School recognises that CYP are vulnerable to, and capable of, abusing their peers sexually. We consider any allegation of child-on-child sexual abuse seriously and we do not tolerate or pass off harmful sexual behaviour as 'banter', 'just having a laugh' or 'part of growing up'. These allegations are managed in the same way as any other safeguarding concern and follow the same procedures, including seeking advice and support from other agencies as appropriate. All reported incidents of child-on-child sexual abuse will be recorded as such on CPOMS and monitored by the safeguarding team in school by the safeguarding team.

<b>Normal</b>	<b>Inappropriate</b>	<b>Problematic</b>	<b>Abusive</b>	<b>Violent</b>
<ul style="list-style-type: none"><li>• Developmentally expected</li><li>• Socially acceptable</li><li>• Consensual, mutual, reciprocal</li><li>• Shared decision-making</li></ul>	<ul style="list-style-type: none"><li>• Single instances of inappropriate sexual behaviour</li><li>• Socially acceptable behaviour within peer group</li><li>• Context for behaviour may be inappropriate</li><li>• Generally consensual and reciprocal</li></ul>	<ul style="list-style-type: none"><li>• Problematic and concerning behaviour</li><li>• Developmentally unusual and socially unexpected</li><li>• No overt elements of victimisation demonstrated</li><li>• Consent issues may be unclear</li><li>• May lack reciprocity or equal power</li><li>• May include levels of compulsivity</li></ul>	<ul style="list-style-type: none"><li>• Victimising intent or outcome</li><li>• Includes misuse of power</li><li>• Coercion and force to ensure victim compliance</li><li>• Intrusive</li><li>• Informed consent lacking or not able to be freely given by victim</li><li>• May include elements of expressive violence</li></ul>	<ul style="list-style-type: none"><li>• Physically violent sexual abuse</li><li>• Highly intrusive</li><li>• Instrumental violence that is psychologically and/or sexually arousing to the perpetrator</li><li>• Sadism</li></ul>

Each CYP is different and may become interested in relationships, sex and sexuality at slightly different ages. As they get older and develop, the way they express their sexual feelings changes. Many sexual behaviours CYP show as they grow up are normal and healthy, as long as they're not causing harm to others or to themselves. However, sometimes they develop sexual behaviours that are inappropriate for their age and/or harmful and as educational settings we must be alert to such behaviours and appropriately address any concerns in accordance with safeguarding procedures.

### Guiding principles

We will use a proportionate approach, basing our actions on the principle that harmful sexual behaviour is not acceptable and will not be tolerated in our school community. All concerns will be considered carefully and on a case-by-case basis, underpinned by robust risk assessments. Our actions will not be judgemental about the guilt of the alleged perpetrator and will always be taken in the interests of all CYP concerned. Our approach will help us to ensure that all CYP are protected and supported appropriately. The following principles will guide us:

- the wishes of the CYP in terms of how they want to proceed – the victim will 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), including whether a crime may have been committed;
- the ages and developmental stages of all CYP involved;
- consideration of any power imbalance between the CYP – for example, is the alleged perpetrator significantly older, more mature, or more confident/does the victim have a disability or learning difficulty;
- consideration of whether the alleged incident is a one-off or a sustained pattern of abuse;
- consideration of any ongoing risks to the victim, other CYP or staff;
- consideration of any other related issues and wider context.

## Responding to children who display sexualised behaviour

It's important to be able to distinguish developmentally typical sexual behaviours from those that may be problematic or harmful, and make sure children get appropriate support. Always consider the child's holistic needs and safeguarding concerns alongside any sexualised behaviour and follow due procedures accordingly. This guide is a tool to support objective decision making about a child or young person's sexual behaviour and does not replace professional judgement or policy and legislation. Visit [nspcc.org.uk/hsb](https://nspcc.org.uk/hsb) for more information.

**Need advice?**  
Contact our helpline for advice and support:

- Call **0808 800 5000**
- Email [help@nspcc.org.uk](mailto:help@nspcc.org.uk)
- Visit [nspcc.org.uk/helpline](https://nspcc.org.uk/helpline)

**Childline**  
For children who need further support our free, confidential helpline is available 24/7:

- Call **0800 1111**
- Visit [childline.org.uk](https://childline.org.uk)

Developmentally typical	Problematic		Harmful	
Normal	Inappropriate	Problematic	Abusive	Violent
<ul style="list-style-type: none"> <li>• Developmentally expected and socially acceptable behaviour</li> <li>• Consensual, mutual and reciprocal</li> <li>• Decision making is shared</li> </ul>	<ul style="list-style-type: none"> <li>• Single instances of developmentally inappropriate sexual behaviour</li> <li>• Behaviour that may be socially acceptable within a peer group but not in wider society</li> <li>• May involve an inappropriate context for behaviour that would otherwise be considered normal</li> </ul>	<ul style="list-style-type: none"> <li>• Developmentally unusual and socially unexpected behaviour</li> <li>• May be compulsive</li> <li>• Consent may be unclear and the behaviour may not be reciprocal</li> <li>• May involve an imbalance of power</li> <li>• Doesn't have an overt element of victimisation</li> </ul>	<ul style="list-style-type: none"> <li>• Intrusive behaviour</li> <li>• May involve a misuse of power</li> <li>• May have an element of victimisation</li> <li>• May use coercion and force</li> <li>• May include elements of expressive violence</li> <li>• Informed consent has not been given (or the victim was not able to consent freely)</li> </ul>	<ul style="list-style-type: none"> <li>• Physically violent sexual abuse</li> <li>• Highly intrusive</li> <li>• May involve instrumental violence which is physiologically and/or sexually arousing to the perpetrator</li> <li>• May involve sadism</li> </ul>
<p><b>How to respond</b></p> <ul style="list-style-type: none"> <li>• Although green behaviours are not concerning, they still require a response</li> <li>• Listen to what children and young people have to say and respond calmly and non-judgementally</li> <li>• Talk to parents about developmentally typical sexualised behaviours</li> <li>• Explain how parents can positively reinforce messages about appropriate sexual behaviour and act to keep their children safe from abuse</li> <li>• Signpost helpful resources like our 'Talk PANTS' activity pack: <a href="https://nspcc.org.uk/pants">nspcc.org.uk/pants</a></li> <li>• Make sure young people know how to behave responsibly and safely</li> </ul>	<p><b>How to respond</b></p> <ul style="list-style-type: none"> <li>• Amber behaviours should not be ignored</li> <li>• Listen to what children and young people have to say and respond calmly and non-judgementally</li> <li>• Consider the child's developmental age as well as their chronological age, alongside wider holistic needs and safeguarding concerns about the problematic sexualised behaviour</li> <li>• Follow your organisation's child protection procedures and make a report to the person responsible for child protection</li> <li>• Your policy or procedure should guide you towards a nominated child protection lead who can be notified and will provide support</li> <li>• Consider whether the child or young person needs therapeutic support and make referrals as appropriate</li> </ul>		<p><b>How to respond</b></p> <ul style="list-style-type: none"> <li>• Red behaviours indicate a need for immediate intervention and action</li> <li>• If a child is in immediate danger, call the police on 999</li> <li>• Follow your organisation's child protection procedures and make a report to the person responsible for child protection</li> <li>• Your policy or procedure should guide you towards a nominated child protection lead who should be notified and will provide support</li> <li>• Typically referrals to children's social care and the police would be required. Referrals to therapeutic services should only be made once statutory services have been informed and followed due procedures</li> </ul>	

**NSPCC Learning**

In partnership with



Supported by Health Education England

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This policy is in line with the safeguarding requirements in [Keeping Children Safe in Education, 2021 \(KCSiE\)](#); section five of this statutory guidance sets out how schools should manage reports of child-on-child sexual violence and harassment. This policy also links to the guidance issued by the DfE in 2021: [Sexual violence and sexual harassment between children in schools and colleges](#).

Children with SEND can be especially vulnerable - additional barriers can sometimes exist when recognising abuse in SEND children;

- 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

In addition to this CYP with SEND may well develop at a different rate than expected, this should be considered carefully when dealing with behaviours of those pupils with SEND.

All staff are expected to have a clear understanding of the school's policy and procedures with regard to child on child abuse and the important role they have to play in being vigilant -recognising and reporting if unsure, preventing it and responding where they believe a CYP may be at risk from it.

### DfE Sexual violence and sexual harassment between children in schools & colleges document

1. "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'. " DfE September 2021

### **Definition of sexual abuse:**

*'Forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening.'*

The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. The sexual abuse of children by other children is a specific safeguarding issue in education. Keeping Children Safe in Education, 2021 (KCSiE)

### **Harmful sexual behaviour**

Harmful sexual behaviour can manifest itself in many ways. This may include:

- inappropriate or unwanted sexualised touching;
- sexual violence and sexual harassment;
- upskirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm;
- pressurising, forcing, or coercing someone to share nude images (known as sexting or youth produced sexual imagery);
- sharing sexual images of a person without their consent;
- bullying of a sexual nature online or offline, for example sexual or sexist name-calling.

Our school understands that CYP can experience harmful sexual behaviour in various settings, as a school we will address all concerns raised. This includes, but is not limited to, the following areas: at school, at home (or at a friend's house), in public places, and online.

### **How we seek to minimise the risk of harmful sexual behaviour**

The principle aim of our approach is to develop a culture of positivity, inclusivity and supportive environment where CYP know, understand and expect to have their concerns listened to, with a swift response. The voice of CYP is central to our approach, they are able to share their concerns openly, knowing that they will be listened to, and that they will not be judged.

### **RSE Curriculum**

Our Relationship and Sex Education Curriculum ensures that it engages CYP in age-appropriate discussion within a safe environment, this can be found on our website <https://easttilburyprimary.thurrock.sch.uk>. We teach them the knowledge they need to recognise and report abuse, including emotional, physical, and sexual abuse. We also teach them about the importance of making sensible decisions to stay safe (including online), whilst being clear that if a CYP is abused, it is never their fault.

We enable our CYP to develop the skills to understand:

- what constitutes harmful sexual behaviour;
- that such behaviour is not acceptable;
- the possible reasons for such behaviour, and vulnerability of perpetrators;
- that they must tell a trusted adult if someone is behaving in a way that makes them feel uncomfortable – and must tell a trusted adult if they witness such behaviour towards others.

We understand our pupils may not always feel able to talk to adults about child-on-child sexual abuse. In our school we actively promote the [NSPCC helpline](#), we encourage them to share their thoughts and opinions, respond to their concerns, and respect and listen to them. We want our pupils to feel confident that any concerns they raise will be responded to appropriately.

### **Parents/Carers**

As partners in educating CYP, it is important that our parents/carers understand what is meant by harmful sexual behaviour and reinforce key messages from school at home. Parents/carers should understand:

- the nature of harmful sexual behaviour;
- the effects of harmful sexual behaviour on CYP;
- the likely indicators that such behaviour may be taking place;
- what to do if it is suspected that child on child sexual abuse has occurred;

### **Staff**

Our annual safeguarding training provides all staff with the knowledge and understanding of different types of abuse and neglect; this includes information about harmful sexual behaviour and our expectations for staff vigilance about this and other potential types of abuse. Staff also receive updates on relevant safeguarding issues via our weekly safeguarding update through [Andrew Hall](#), including regular updates

about the nature and prevalence of harmful sexual behaviour and resources that can be used to support victims or further develop the knowledge of CYP in how to keep safe. Importantly, the training also ensures that our staff know what to do if they receive a report that harmful sexual behaviour may have occurred, including how to support the CYP, how to record the incident, how to follow up the concern and how to provide ongoing support for the CYP.

## **Our response to an incident / allegation**

The mental health and wellbeing of our CYP is always central to our response to an allegation or incident of harmful sexual behaviour. Any CYP reporting a concern will be treated respectfully. We will reassure them that they are being taken seriously and that they will be supported and kept safe; no CYP will be given the impression that they are creating a problem by reporting abuse or made to feel ashamed. Our staff will never promise confidentiality to the CYP as the concern will need to be shared further. The school's Designated Safeguarding Lead will need to be informed as soon as possible of any incident and the details may also need to be shared with Children's Social Care/ the police and other specialist agencies.

We have in place effective working relationships with our safeguarding partners, which are essential to ensuring that concerns are appropriately managed. We will explain next steps to the CYP so they understand what will happen, including who will be informed. Where the CYP already has Social Care involvement, such as a Child Looked After, a Child in Need or a Child Protection Plan, we will inform the CYP's Social Worker and work in partnership with them as appropriate.

Whilst we establish the facts of the case and start the process of liaising with other agencies as appropriate, we will consider how best to keep the victim and alleged perpetrator a reasonable distance apart on school premises, and where applicable, on transport to and from the school. Where an incident includes an online element, we will always work in accordance with appropriate guidance, taking advice from other partners as necessary. Our staff will **not view an indecent image** of a CYP, **nor forward it for any reason**.

## **Recording of incident**

It is essential that information relating to allegations about harmful sexual behaviour are recorded, as with any other child protection concern – and in line with our Child Protection Policy. In our school our Safeguarding recording system is CPOMs; all staff have received training in how to record all incidents on this system. The record may form part of a statutory assessment by Children's Social Care or by another agency so it is essential that the reporting is accurate and in the words of the CYP. Any member of staff receiving a disclosure of harmful sexual behaviour or noticing signs or indicators of this, will record it as soon as possible, noting what was said or seen (if appropriate, using a body map to record), giving the date, time and location. The facts will be recorded as the CYP presents them. The Designated Safeguarding Lead (or Deputy) will then be alerted via CPOMs of an incident, and they will decide on appropriate action and record this accordingly. All related concerns, discussions, decisions, and reasons for decisions will be entered onto CPOMs and will include the action taken.

## **Investigation**

The Designated Safeguarding Lead or the Deputy Designated Safeguarding Lead will be responsible for leading investigations, and for liaising with other agencies as appropriate, for example Children's Social Care and the Police. They will also be the main point of contact for parents and carers. The Designated Lead will ensure there are accurate records of each stage of the investigation and that any supporting information is included in the Child Protection files on CPOMs

## **Risk Assessment**

The safety of CYP is paramount, we will complete a risk assessment following a report of harmful sexual behaviour, considering all CYP involved in an incident. We will also consider all other CYP at our school and any actions that may be appropriate to protect them. Risk assessments will be regularly reviewed to ensure they remain relevant and fit for purpose. Where appropriate, the affected CYP and their parents/carers will be invited to contribute to the completion and review of the risk assessment. The measures in the risk assessment will be shared with all relevant staff to ensure a joined-up, supportive approach for the CYP involved.

## **Supporting the CYP who has allegedly experienced harmful sexual behaviour**

We will assess what short-term and long-term support a CYP may need to help them manage the immediate aftermath of an incident, and to recover from what they have experienced. The CYP's existing support network will be central to this work; we will work with other partners as appropriate and in accordance with the CYP's wishes and, wherever appropriate, in discussion with parents/carers. We will consider what is necessary to support the CYP straightaway, for example by making adaptations to their timetable and in-school support and taking steps to protect them from attention or peer pressure they may experience due to making a report. This work will be guided by a robust risk assessment process and we will ensure that the CYP and their parents/carers have an opportunity to contribute. We will also ensure there is regular review of arrangements to be confident they meet the needs of all involved. It may be necessary to make requests for support to mental health and wellbeing services or for therapeutic intervention. We may also need to link with other agencies to remove inappropriate material from the Internet.

## **Supporting the CYP who has allegedly displayed harmful sexual behaviour**

We have a duty of care to all CYP and we will protect and support CYP who have displayed abusive or harmful sexual behaviour. We will do this through considering the needs of the CYP, any risks to their safety and what multi-agency responses are needed to support them and their family. This work will be guided by a robust risk assessment process and we will ensure that the CYP and their parents/carers have an opportunity to contribute. We will also ensure there is regular review of arrangements to be confident they meet the needs of all involved. Some CYP may not realise they have behaved abusively. We will avoid using language that may make them feel judged or criminalised and ensure that any intervention will be at the least intrusive level required to effectively address the behaviour. We will consider appropriate sanctions using our behaviour policy, and work with the CYP and their support network to consider measures that may help to address the CYP's behaviour.

## **Investigation outcomes**

Our investigation of an allegation or incident as set out in this policy will enable us to determine the outcome, working with our safeguarding partners as appropriate. We will always seek to ensure that the outcome of an investigation is appropriate and proportionate to the circumstances in relation to the report. Various options are open to us, as set out below:

## **Manage internally**

- In some cases, for example, one-off incidents, we may take the view that the CYP concerned are not in need of early help or statutory intervention. In these cases, we will follow our other school policies in

addressing matters, for example our behaviour/anti-bullying policies which are available on our school website,

- We will consider what support the CYP involved may need going forward - for example, pastoral support, counselling services, and ensuring that there is a trusted adult for those affected to speak with if they wish to.
- We will consider whether any intervention or support is required as part of a whole setting approach or with the wider school community.
- We will work with parents/carers and other relevant partners when following this approach, which can be particularly useful in addressing non-violent harmful sexual behaviour and may prevent escalation.

## **Requests for support to Children's Social Care**

- Where a CYP has been harmed, is at risk of harm, or is in immediate danger, we will make a request for support to Children's Social Care.
- We will inform parents/carers of this unless to do so may put a CYP at additional risk.
- We will seek advice from other partners on such matters.
- Following a request of support from Children's Social Care they will consider whether the CYP involved are in need of protection or other services.
- Where statutory assessments are appropriate, the school will work with Children's Social Care and other agencies as appropriate.
- Partnership working helps to ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other CYP that require support.
- In some cases, Children's Social Care will review the evidence and decide a statutory intervention is not appropriate. If a statutory assessment is not considered appropriate by Children's Social Care, we will consider what other support may be required.
- We will make further requests for support to Children's Social Care if we consider that a CYP remains in immediate danger or at risk of harm.

## **Reporting to the police**

- Where a report of rape, assault by penetration or sexual assault is made, we will report it to the police.
- We will generally inform parents/carers about reports of sexual abuse, unless to do so may put a CYP at additional risk.
- We will seek advice from other partners in individual cases. In circumstances where parents or carers have not been informed, we will ensure that we support the CYP in any decision we take. This is likely to be with the support of Children's Social Care and any appropriate specialist agencies.
- Where we have made a report to the police, we will consult with them and agree what information can be disclosed to staff and others, in particular the alleged perpetrator and their parents or carers.
- We will also discuss the best way to protect the victim and their anonymity. Where there is a criminal investigation, we will work closely with the police and other agencies as appropriate to support all CYP involved (including potential witnesses). This will help to ensure that any actions we take do not jeopardise a police investigation. Sometimes the police will decide that further action is not required. In these circumstances we will continue to engage with other agencies to support the CYP involved.

## **Review**

All child protection concerns are reviewed regularly, to ensure that everything has been fully addressed, that actions are completed, and to consider whether the CYP involved need any further support. Ongoing reviews of actions will be discussed as part of our monitoring in school, we will ensure that we have



accurate records of open and closed cases. We will continue to work with parents/carers and other agencies as appropriate, and risk assessments will be reviewed and updated as required