



Education Trust

Inspiring the individuals of today, for a better society tomorrow,
“Aspire, Belong, Collaborate”

SEXUAL VIOLENCE & SEXUAL HARASSMENT MANAGEMENT POLICY

Review Frequency	Annual
Reviewed	September 2025
Next Review	September 2026
Agreed by Trustees	13 th October 2025



CONTENTS

Introduction	3
Context	3
Victims & Alleged Perpetrators	3
What is Sexual Harassment & Sexual Violence	3
Definitions	4
Sexual Violence	4
What is consent	4
Sexual Harassment	4
Online Sexual Harassment	5
Responsibilities	5
Curriculum Foci	6
Responding	6
Response Protocol	7
Supporting Young People through Criminal Cases	8
Thresholds	9
Ongoing Responses	10
School Initial Action Flowchart	11
Supportive & Specialist Organisations	12
Details of Amendments	13



INTRODUCTION

In December 2017 the Department for Education released advice; “Sexual violence and sexual harassment between children in schools and colleges”. This is advice for governing bodies, proprietors, head teachers, principals, senior leadership teams and Designated Safeguarding Leads (DSL).

The advice is to be read and referenced alongside Keeping Children Safe in Education. Part 5 of KCSIE focusses specifically on child-on-child sexual violence and sexual harassment. The guidance seeks to define the issues, minimise risks and what to do if an incident occurs/alleged to have occurred.

We are clear that sexual violence and sexual harassment is not acceptable, will never be tolerated. It is not an inevitable part of growing up. We will always challenge and educate behaviour or language that seeks to normalise sexual harassment or violence in school.

CONTEXT

Victims and alleged perpetrators

There are many ways to describe children and young people (CYP) who have been subjected to sexual violence and / or sexual harassment and many ways to describe those who are alleged to have carried out any form of abuse. For the purposes of this advice, we use the term ‘victim’. It is a widely recognised and understood term. It is important that schools and colleges recognise that not everyone who has been subjected to sexual violence and/or sexual harassment considers themselves a victim or would want to be described in this way. Ultimately, schools and colleges should be conscious of this when managing any incident and be prepared to use any term with which the individual child or young person is most comfortable. For the purpose of this advice, we also use the term ‘alleged perpetrator’. It is important to remember that, as a child or young person, any alleged perpetrator is entitled to, deserving of, and should be provided with, a different level of support to that which might be provided to an adult who is alleged to have abused a child or young person.

What is sexual harassment and sexual violence?

- Sexual violence and sexual harassment can occur between two children of any sex. They can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.
- Victims of sexual violence and sexual harassment will likely find the experience stressful and distressing.
- Sexual harassment and sexual violence is not ‘part of growing up’.



- Children and young people who have a special educational need and/or disability (SEND) or who identify as LGBTQ+ are particularly vulnerable to sexual harassment and sexual violence.

DEFINITIONS

Sexual violence

- It is important that schools are aware of sexual violence and the fact that children and young people can, and sometimes do, abuse their peers in this way.
- When referring to sexual violence in this advice, we do so in the context of child-on-child sexual violence namely, sexual offences under the Sexual Offences Act 2003 as defined, below:

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

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.
- All RET personnel, particularly Designated Safeguarding Lead (and Deputies), should understand “consent”. This will be especially important if a child or young person is reporting they have been raped. It is important to differentiate between consensual sexual activity between children and young people of a similar age and that which involves any power imbalance, coercion or exploitation. Due to their additional training, the Designated Safeguarding Lead (or Deputy) should be involved and generally speaking leading the school or college response. If in any doubt, they should seek expert advice.

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 sexualized 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 sexualized names; Sexual “jokes” or taunting;

Inappropriate physical behaviour. This could include: deliberately brushing against someone, interfering with someone’s clothes displaying pictures, photos or drawings of a sexual nature; and;

Online sexual harassment

This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:

- non-consensual sharing of sexual images and videos.
- sexualised online bullying;
- unwanted sexual comments and messages, including, on social media; and
- sexual exploitation; coercion and threats.

RESPONSIBILITIES

- Schools have a statutory duty to safeguard and promote the welfare of the children and young people at their school. As part of this duty, schools are required to have regard to guidance issued by the Secretary of State. In particular, all schools must have regard to Keeping Children Safe in Education and Working Together to Safeguard Children.
- All schools are required by law to have a behaviour policy and measures in place to prevent all forms of bullying. All maintained schools must teach sex and relationship education, schools can play an important role in preventative education. Good practice is that which allows children and young people an open forum to talk things through and all staff should be aware of how to support children and young people and how to manage a disclosure.
- Schools should consider the makeup of their own pupil and student body,
- including the gender and age range of its children and young people, and whether additional support for those with protected characteristics (who are potentially at greater risk) is appropriate.



CURRICULUM FOCI

The most effective preventative education programme will be through the whole school approach that prepares children and young people for life in modern Britain and includes:

- Healthy and respectful relationships; including rape and consent (RSHE)
- What respectful behaviour looks like
- Prejudiced behaviour
- Gender, roles, stereotyping and equality including toxic masculinity
- Body confidence and self-esteem
- Addressing cultures of sexual harassment including rape and consent
- Reinforcing that violence and assault are always wrong

RESPONDING

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. Some situations are clear:-

- A child or young person 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; and
- Creating and sharing sexual photos and videos of under-18s is illegal (often referred to as sexting). This includes children and young people making and sharing sexual images and videos of themselves.

It is important that all schools and colleges within RET follow the guidance; as outlined in Part 5 of KCSIE.

Schools are not alone in dealing with sexual violence and sexual harassment; statutory partners such as Children's Services and the police may need to become involved in some cases. It is likely that any issues will extend beyond school, online issues and the use of various social media platforms can extend the impact of the abuse. This is also the case for children and young people using public transport and school transport; *the school still has a duty to respond to all incidents they are made aware of even if the child or young person has not reported directly.*

It is essential that children and young people are reassured that they are being taken seriously and will be supported and kept safe as far as is possible. A victim should never be given the impression they are creating a problem, nor should they be made to feel ashamed for making a report.



The school's response protocol (refer also to the schools' Child Protection & Safeguarding Policies)

At RET we recognise that a child or young person is likely to disclose to someone they trust: this could be anyone on the school or college staff. Therefore, it is essential that all staff are aware of the response protocol.

Response Protocol

- Do not promise confidentiality
- Inform the victim of the next steps
- Be supportive and respectful
- Be non- judgemental and listen to what the child or young person is saying to you (*TED* questions; *Tell me, Explain, Describe...*)
- No leading questions, use open questions
- Record the disclosure via CPOMS (or the relevant recording MIS) devote time to listening to what the child is saying, write notes if it is appropriate and then transfer or scan/upload facsimiles to CPOMS verbatim and in the child's/young person's words.
- Only record the facts as the child or young person presents them
- No personal opinions should be recorded.
- Inform the Designated Safeguarding Lead (or in their absence their Deputy) **immediately.**

Where the report includes an online element, it is important for RET schools to be aware of searching, screening and confiscation advice (for schools) and UKCCIS sexting advice (for schools and colleges). ***The key consideration is for staff not to view or forward illegal images of a child.*** The hyperlinked advice provides more details on what to do when viewing an image is unavoidable.

When to inform the alleged perpetrator will be a decision that should be carefully considered. Where a report is going to be made to children's social care (via Torbay Multi Agency Safeguarding Hub – MASH) and/or the police, then, as a general rule, the school should speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of the allegations.

The Designated Safeguarding Lead should consider the following:-

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



- the basic safeguarding principle is that: 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. The starting point is that reports should be passed to the police.

THE DESIGNATED SAFEGUARDING LEAD WILL MAKE A DECISION WHETHER TO CONTACT CHILDRENS SERVICES AND THE POLICE. IF THE DESIGNATED SAFEGUARDING LEAD IS NOT AVAILABLE IT IS YOUR RESPONSIBILITY TO CONTACT CHILDRENS SERVICES AND/OR THE POLICE.

LEAVING SCHOOL WITHOUT SHARING THE INFORMATION IS NOT AN OPTION.

Where there has been a report of sexual violence the Designated Safeguarding Lead should make an immediate risk assessment factoring in:-

- the victim, especially their protection and support
- the alleged perpetrator
- other children or young people (and sometimes staff)
- lessons/classes where the victim and alleged perpetrator are together
- transport

Risk assessments should be recorded (written or electronic) and should be kept under review. A suitable risk assessment should be used to inform a formal Risk Assessment & Management Plan (RAMP).

At all times, RET schools should actively consider the risks posed to all their children and young people and put adequate measures in place to protect them and keep them safe.

The logging of incidents via CPOMs will enable DSLs and senior leaders to maintain an overview of issues being reported. This data is required for any Ofsted inspection.

SUPPORTING YOUNG PEOPLE THROUGH CRIMINAL CASES

Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, schools and colleges should be aware of anonymity, witness support and the criminal process in general so they can offer support and act appropriately. Further information for supporting children and young people can be located [here](#).

In addition to the legal protections, as a matter of effective safeguarding practice, schools and colleges should do all they reasonably can to protect the anonymity of any children or young



people 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 in place for the children and young people involved. Schools should also consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities.

THRESHOLDS

As always when concerned about the welfare of a child or young person, all staff should act in the best interests of the child. In all cases, schools should follow general safeguarding principles as set out in the RET safeguarding and child protection policies. Immediate consideration should be given as to how best to support and protect the victim and the alleged perpetrator (and anyone else involved / impacted)

In some cases of sexual harassment, for example one-off incidents, the school may take the view that the children and young people 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 their behaviour and bullying policies and by providing pastoral support. All concerns, discussions, decisions and reasons for decisions should be recorded (on CPOMS). The designated safeguarding lead (or deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the school's initial response.

The school may decide that the children involved do not require statutory interventions but may benefit from Early Help. Early help means providing support as soon as a problem emerges, at any point in a child or young person's life. Providing Early Help is putatively more effective in promoting the welfare of children and young people than reacting later. Early Help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

Where a child or young person has been harmed, is at risk of harm, or is in immediate danger schools and colleges should make a referral to local Children's Social Care.

In some cases, Children's Social Care will review the evidence and decide a statutory intervention is not appropriate. The school (generally led by the Designated Safeguarding Lead or a deputy) should be prepared to refer again if they believe the child or young person remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the Designated Safeguarding Lead (or a deputy) should consider other support mechanisms such as Early Help, specialist support and pastoral support.

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. Any report to the police will generally be in parallel with a referral to children's social care.



If a child or young person is convicted or receives a caution for a sexual offence, the school should update its risk assessment (RAMP – Risk Assessment & Management Plan), ensure relevant protections are in place for all the children and young people at the school and, if it has not already, consider any suitable action in light of their behaviour policy. If the perpetrator remains in the same school as the victim, the school should be very clear as to their expectations regarding the perpetrator now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions the school thinks are reasonable and proportionate with regard to the perpetrator’s timetable.

ONGOING RESPONSES

School safeguarding personnel (the DSL and/or DDSL) should consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. Schools should be aware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and alleged perpetrator.

School safeguarding personnel should consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.

Victims may not disclose the whole picture immediately. They may be more comfortable providing information on a piecemeal basis. It is essential that dialogue is kept open and encouraged. When it is clear that ongoing support will be required, schools should ask the victim if they would find it helpful to have a designated trusted adult (for example their class-teacher or Designated Safeguarding Lead) to talk to about their needs. *The choice of any such adult should be the victim’s.* Schools should respect and support this choice. Victims may not disclose the whole picture immediately. They may be more comfortable providing information on a piecemeal basis. It is essential that dialogue is kept open and encouraged. This should be because the victim wants to, not because it makes it easier to manage the situation. If required, schools should provide a physical space for victims to withdraw.

If the victim does move to another educational institution (for any reason), the new educational institution must be made aware of any ongoing support needed. The Designated Safeguarding Lead should take responsibility to ensure this happens as well as transferring the child protection file. Following any report of sexual violence or sexual harassment, it is likely that some children and young people will take “sides”. The school or college should do all they can to ensure both the victim and alleged perpetrator, and any witnesses, are not being bullied or harassed.



School initial action flowchart

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 in CPOMS (or the school's confidential recording MIS where CPOMS is not used).

Victim(s)

Immediate provision must be made for their physical and emotional safety. This may include being removed from lessons and offered a safe space in school. They should then be given the opportunity to write a statement (or to explain their allegation to a trusted adult of their choosing who will keep a record) recording it directly onto or scanning / uploading a written account into CPOMS. This may need to take place later in the presence of a family member.

Alleged perpetrator(s)

The DSL will make an immediate Risk Assessment appropriate to the age(s) of the children/young people concerned and take action to ensure the safety of the victim, perpetrator, other students and staff. This may involve completing a Risk Assessment Management Plan (RAMP). Actions 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 CPOMS directly or in scanned / uploaded facsimile.

Decision to involve other agencies

The DSL (or deputy) will collate all documents / responses and record all interactions and investigations on CPOMS. The DSL (or deputy) will discuss the allegations with the school Head or other suitably qualified member of SLT or another RET safeguarding lead. A decision will be made as to whether the allegation can properly be managed internally or whether other agencies should be involved. Guidance on decision making can be found paras 6 & 8, above and in "Sexual violence and sexual harassment between children in schools and colleges" (DfE May 2018). 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.

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 CPOMS

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 CPOMS

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.



SUPPORT and SPECIALIST ORGANISATIONS

Below provides an illustrative list of specialist organization that are available to support:

- Barnardo's <https://www.barnardos.org.uk>
- Lucy Faithfull Foundation <https://www.lucyfaithfull.org.uk>
- NSPCC <https://www.nspcc.org.uk>
- RSHE implementation guidance ASCL, NAHT, NEU, The PSHE Association
- The PSHE Association
- Rape Crisis <https://rapecrisis.org.uk>
- UK Safer Internet Centre <https://www.saferinternet.org.uk>
- Digital Awareness UK
- Anti-Bullying Alliance <https://www.anti-bullyingalliance.org.uk>
- MoJ Victim Support <https://www.rapecentre.org.uk>
- The Survivors Trust <http://thesurvivorstrust.org/isva>
- Victim Support <https://www.victimsupport.org.uk>
- Gillick Competency <https://www.nspcc.org.uk/preventing-abuse/childprotection-system/legal-definition-child-rights-law/gillick-competency-fraser-guidelines>
- Parent Zone <https://parentzone.org.uk>
- Thinkuknow <https://www.thinkuknow.co.uk/parents>
- Contextual Safeguarding Network <https://contextualsafeguarding.org.uk/>



DETAILS OF AMENDMENTS

September 2021

- Policy adopted.

June 2023

- Policy review changed to annual.
- KCSiE 2023 and future updates added.

September 2024

- Reviewed, no changes made.

September 2025

- No changes

