



Education Trust

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

SEXUAL VIOLENCE & SEXUAL HARASSMENT MANAGEMENT POLICY

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INTRODUCTION

This policy sets out Riviera Education Trust's approach to preventing and responding to sexual violence, sexual harassment and other harmful sexual behaviour between children and young people. It is informed by Keeping Children Safe in Education 2026 (KCSIE), Part Five, Working Together to Safeguard Children 2026, the current statutory Relationships, Sex and Health Education (RSHE) guidance, and relevant local safeguarding arrangements. It should be read alongside each school's Child Protection and Safeguarding Policy, Behaviour Policy, Online Safety Policy and other relevant procedures.

KCSIE 2026 makes clear that sexual violence and sexual harassment are forms of child-on-child abuse and that schools should adopt a zero-tolerance approach to sexual harassment, sexual violence and harmful sexual behaviour. The Trust will act on all concerns, use professional judgement on a case-by-case basis, and work with children's social care, police and other agencies where required. The former DfE advice "Sexual violence and sexual harassment between children in schools and colleges" is no longer current guidance.

We are clear that sexual violence and sexual harassment are not acceptable and will not be tolerated. They are not an inevitable part of growing up. RET schools will challenge and educate behaviour or language that seeks to normalise sexual harassment, sexual violence, misogyny or other harmful sexual behaviour, and will provide appropriate support to children affected.

CONTEXT

Victims and alleged perpetrators

There are many ways to describe children and young people who have been subjected to sexual violence and/or sexual harassment and those who are alleged to have carried out harmful behaviour. For the purposes of this policy, we use the terms "victim" and "alleged perpetrator" where appropriate, while recognising that an individual child may prefer different language. The Trust will respect the child's preferences where this is consistent with safeguarding practice. An alleged perpetrator who is a child is entitled to appropriate safeguarding, pastoral and educational support, while the school must also protect the victim and other children. The terms used in this policy do not determine the outcome of any investigation or criminal process.

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.
- Harmful sexual behaviour (HSB) can include a range of sexual behaviours, from inappropriate sexualised language and unwanted touching through to sexual assault and rape. Schools should recognise that HSB can be developmentally inappropriate, abusive or harmful even where it does not meet the threshold of a criminal offence. Concerns should be considered in context, including age, developmental stage, consent, power imbalance, coercion, vulnerability, repetition and any pattern of behaviour.

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.
- Sexual violence in this policy refers to sexual offences under the Sexual Offences Act 2003. The principal offences relevant to this policy include rape, assault by penetration and sexual assault. Schools should not attempt to determine criminal liability; where a report may amount to a criminal offence, the DSL should follow the referral and police reporting requirements in Part Five of KCSIE 2026 and local safeguarding procedures.

Rape: A person commits an offence of rape if they intentionally penetrate the vagina, anus or mouth of another person with their penis, the other person does not consent to the penetration and the person does not reasonably believe that the other person consents.

Assault by Penetration: A person commits an offence if they intentionally penetrate the vagina or anus of another person with a part of their body or anything else, the penetration is sexual, the other person does not consent to the penetration and the person does not reasonably believe that the other person consents.

Sexual Assault: A person commits an offence of sexual assault if they intentionally touch another person, the touching is sexual, the other person does not consent to the touching and the person does not reasonably believe that the other person 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, and consent can be withdrawn at any time. Someone consents to sexual activity only if they agree by choice and have the freedom and capacity to make that choice. Schools should also consider age, development, vulnerability,



coercion and power imbalance when responding to reports.

- 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

- Sexual harassment means unwanted conduct of a sexual nature that can occur online and offline. In this policy, it is considered in the context of child-on-child sexual harassment and may form part of a wider pattern of harmful sexual behaviour.
- 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. It can include, but is not limited to:

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

Online sexual harassment may be standalone or part of a wider pattern of sexual harassment, sexual violence or harmful sexual behaviour. It may include:

- making, requesting or sharing nudes and semi-nudes, including non-consensual sharing and digitally manipulated or AI-generated sexual images;
- sexualised online bullying, including misogynistic or other degrading sexualised content;
- unwanted sexual comments, messages or explicit content, including on social media, messaging services or gaming platforms; and
- sexual exploitation, coercion, threats or financially motivated sexual extortion (“sextortion”).

RESPONSIBILITIES

- Schools have a statutory duty to safeguard and promote the welfare of children and young



people. RET schools must have regard to Keeping Children Safe in Education 2026 and the current Working Together to Safeguard Children 2026 statutory guidance, alongside relevant legislation and local safeguarding arrangements. Staff must know how to report concerns to the DSL or deputy without delay and must act immediately where a child is at risk.

- Schools are required to have appropriate behaviour and anti-bullying arrangements and should provide preventative education through the curriculum and wider school culture. Current statutory RSHE guidance applies from 1 September 2026: Relationships Education is compulsory in primary schools, Relationships and Sex Education (RSE) is compulsory in secondary schools, and Health Education is compulsory in primary and secondary schools, subject to the statutory framework and school type. RET schools should ensure their RSHE curriculum reflects the current statutory guidance.
- 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.
- Information sharing: safeguarding duties take priority over unnecessary delay. Data protection law is not a barrier to appropriate safeguarding information sharing. Staff should follow the Trust's information-sharing and record-keeping procedures, sharing information lawfully, proportionately and only with those who need it. The statutory Information Sharing Duty under section 16LA of the Children Act 2004 comes into force on 30 September 2026 and should be reflected in local practice from that date.

CURRICULUM FOCI

Preventative education will form part of a whole-school approach and will prepare children and young people for safe, healthy and respectful relationships. It should be age- and developmentally appropriate and include:

- Healthy and respectful relationships, including consent, rape and sexual violence (RSHE)
- Respectful behaviour, boundaries and how to seek help
- Prejudice, discrimination and harmful sexualised behaviour
- Gender, roles, stereotyping and equality, including challenging misogyny and harmful online narratives
- Body confidence, self-esteem and healthy attitudes to appearance
- Sexual harassment, sexual violence, consent, coercion and power/control
- Reinforcing that violence, abuse and assault are wrong and that children can seek help safely



RESPONDING

Reports of sexual violence, sexual harassment and harmful sexual behaviour are likely to be complex and may require difficult professional decisions to be made quickly. Staff must act immediately, report concerns to the DSL or deputy without delay, and follow the school's safeguarding procedures. Some legal and safeguarding principles 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
- Making or sharing nudes and semi-nudes of children is a safeguarding concern and may involve criminal offences. This includes images or videos created by children themselves, images shared with or without consent, and digitally manipulated or AI-generated images. Staff must follow current DfE/UKCIS guidance on sharing nudes and semi-nudes and must not view, copy, save or forward illegal sexual images of children except where specific professional guidance makes this unavoidable.

All RET schools must follow Part Five of KCSIE 2026 and the current local safeguarding procedures. The former DfE advice on "sexual violence and sexual harassment between children in schools and colleges" should not be cited as current guidance.

Schools are not alone in dealing with sexual violence and sexual harassment. Children's social care, the police, health services and specialist organisations may need to become involved. Concerns may arise outside school, online, on public transport or school transport, or in other community settings; where the school becomes aware of a safeguarding concern it must respond in accordance with its safeguarding duties and local procedures.

Children and young people must be reassured that they are being taken seriously, will be supported and will be kept safe as far as possible. A victim should never be made to feel that they are creating a problem or should feel ashamed for reporting. Staff should use a child-centred, non-judgemental approach and recognise that a first disclosure may not contain the full picture.

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. Explain that information will be shared with those who need to know in order to protect the child and others.
- Inform the child of the next steps in a clear, age-appropriate way, without making promises about the outcome.
- Be supportive, respectful and non-judgemental.
- Listen carefully. Use open-ended prompts such as Tell me, Explain and Describe. Avoid leading or investigative questions.
- Do not investigate the allegation. Ask only enough open questions to clarify immediate safeguarding needs and enable an accurate referral/record.
- Record the disclosure promptly on CPOMS (or the school's confidential safeguarding recording system). Record the child's words as accurately as possible, distinguish fact from professional judgement, and include actions, decisions, rationale and outcomes.
- Record facts and the child's words; do not add personal opinions or speculation.
- Do not interpret the child's account or attempt to determine whether the allegation is true. Professional assessment and investigation should be undertaken by the appropriate agencies.
- Inform the Designated Safeguarding Lead (or deputy) immediately. If the DSL/deputy cannot be contacted and the concern requires urgent action, the staff member must follow the school's escalation route and contact the appropriate safeguarding agency without delay.

Where the report includes an online element, staff must follow current searching, screening and confiscation guidance and the DfE/UKCIS guidance on sharing nudes and semi-nudes. The key consideration is that staff must not view, copy, save or forward illegal images of a child. If an image is already in the school's possession or viewing is unavoidable, staff should seek advice from the DSL and follow the current guidance, preserving relevant information without unnecessarily accessing or distributing the image.

When to inform the alleged perpetrator should be considered carefully. If a referral is being made to children's social care and/or the police, the school should discuss with the relevant agency when and how the alleged perpetrator should be informed. The school must not take action that could compromise a criminal investigation or increase risk.

The Designated Safeguarding Lead should consider the following:-

- parents or carers should normally be informed, unless there are compelling reasons not to do so or doing so would place a child at greater risk; the DSL should consult children's



social care and/or police where appropriate;

- where a child has been harmed, is at risk of harm or is in immediate danger, a referral should be made to children's social care in line with local safeguarding procedures; and
- rape, assault by penetration and sexual assault are crimes. The starting point is that reports should be passed to the police, generally in parallel with any referral to children's social care.

THE DESIGNATED SAFEGUARDING LEAD (OR DEPUTY) WILL MAKE A DECISION ABOUT REFERRING TO CHILDREN'S SOCIAL CARE AND/OR THE POLICE USING PROFESSIONAL JUDGEMENT AND LOCAL THRESHOLDS. IF THE DSL/DEPUTY IS NOT AVAILABLE, THE STAFF MEMBER MUST FOLLOW THE SCHOOL'S ESCALATION PROCEDURE AND CONTACT THE APPROPRIATE AGENCY WITHOUT DELAY.

LEAVING SCHOOL WITHOUT SHARING THE INFORMATION IS NOT AN OPTION WHERE A SAFEGUARDING CONCERN REQUIRES ACTION.

Where there has been a report of sexual violence, the DSL should make an immediate risk and needs assessment and keep it under review. Consider, as appropriate:

- the victim's safety, wishes, needs and support;
- the alleged perpetrator, including their age, development, behaviour and safeguarding needs;
- other children, young people and staff who may be affected or at risk;
- shared lessons/classes, school premises, clubs, trips and other locations where contact may occur;
- transport and travel arrangements;
- the nature of the allegation, ages and developmental stages, any power imbalance, coercion, disability or additional vulnerability, whether there is an isolated incident or a pattern, whether the children are in an intimate relationship, any intrafamilial or contextual safeguarding concerns, and any ongoing risk of exploitation or further harm.

Risk and needs assessments must be recorded and kept under review. They should inform a proportionate Risk Assessment & Management Plan (RAMP) and be updated as circumstances change. Schools should seek specialist or multi-agency advice where professional assessment is required.

At all times, RET schools should actively consider the risks posed to all children and young people and put adequate measures in place to protect them and keep them safe. Where rape or assault by penetration is reported, the alleged perpetrator should be removed from shared classes with



the victim and physical separation and transport arrangements should be considered. For other reports, proximity, shared activities and transport should be considered case-by-case, based on the risk and needs assessment.

The logging of incidents via CPOMS (or the school's confidential safeguarding recording system) enables DSLs and senior leaders to maintain an overview of concerns, decisions and patterns. Records should include the concern, actions taken, decisions made, rationale and outcomes and should be retained in line with the Trust's safeguarding records policy and data protection requirements.

SUPPORTING YOUNG PEOPLE THROUGH CRIMINAL CASES

Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, schools should understand relevant anonymity, witness support and criminal process considerations so they can offer appropriate support and act safely. The school should follow advice from police and other agencies and should not allow its safeguarding responsibilities to be delayed by the criminal investigation.

Schools should do all they reasonably can to protect the privacy and anonymity of children involved in reports of sexual violence or sexual harassment. This includes carefully considering which staff need to know, limiting information sharing to what is necessary, managing rumours and social media risks, and ensuring that records are stored securely.

THRESHOLDS

All staff should act in the best interests of the child and follow the RET safeguarding and child protection policies. Immediate consideration should be given to how best to support and protect the victim, alleged perpetrator and anyone else involved or affected. The DSL/deputy should use professional judgement and local safeguarding thresholds, taking account of the child's wishes and the nature and seriousness of the concern.

In some cases of sexual harassment, including a one-off incident, the school may determine that the children concerned do not require statutory intervention and that the incident can be managed internally through behaviour, anti-bullying and pastoral arrangements. This is a safeguarding decision, not simply a behaviour decision. All concerns, discussions, decisions and reasons for decisions must be recorded, and the DSL/deputy should be involved in determining the initial response.

Where statutory intervention is not required but additional support may be beneficial, the school may seek Family Help or other locally available targeted early support. Family Help brings together targeted early help and section 17 support within the current Working Together framework. Early



support may be particularly useful in addressing non-violent harmful sexual behaviour and preventing escalation.

Where a child has been harmed, is at risk of harm or is in immediate danger, schools should make a referral to local Children's Social Care in accordance with local safeguarding procedures.

If Children's Social Care reviews the evidence and decides that statutory intervention is not appropriate, the school should continue to support the child and consider Family Help, specialist services and pastoral support. The DSL/deputy should re-refer if concerns remain or new information indicates that the child is at risk of harm.

Where a report of rape, assault by penetration or sexual assault is made, the starting point is that it should be passed to the police. Any report to the police will generally be made in parallel with a referral to children's social care. The DSL should discuss with police and/or social care how information should be shared with the victim, alleged perpetrator and parents/carers.

If a child is convicted or receives a caution for a sexual offence, the school should update its risk and needs assessment/RAMP, ensure relevant protections are in place for all children and consider proportionate action under its behaviour and safeguarding policies. Any restrictions or arrangements for the child should be reasonable, proportionate and kept under review.

ONGOING RESPONSES

School safeguarding personnel (the DSL and/or DDSL) should consider the age and developmental stage of the victim, the nature of the allegations, the potential risk of further abuse and any power imbalance. They should also consider the alleged perpetrator's safeguarding needs and the impact on other children and staff.

The response must be proportionate and tailored case-by-case. A one-off incident of sexualised name-calling may require a different response from a report of rape, but every concern should be taken seriously, recorded and considered through safeguarding procedures.

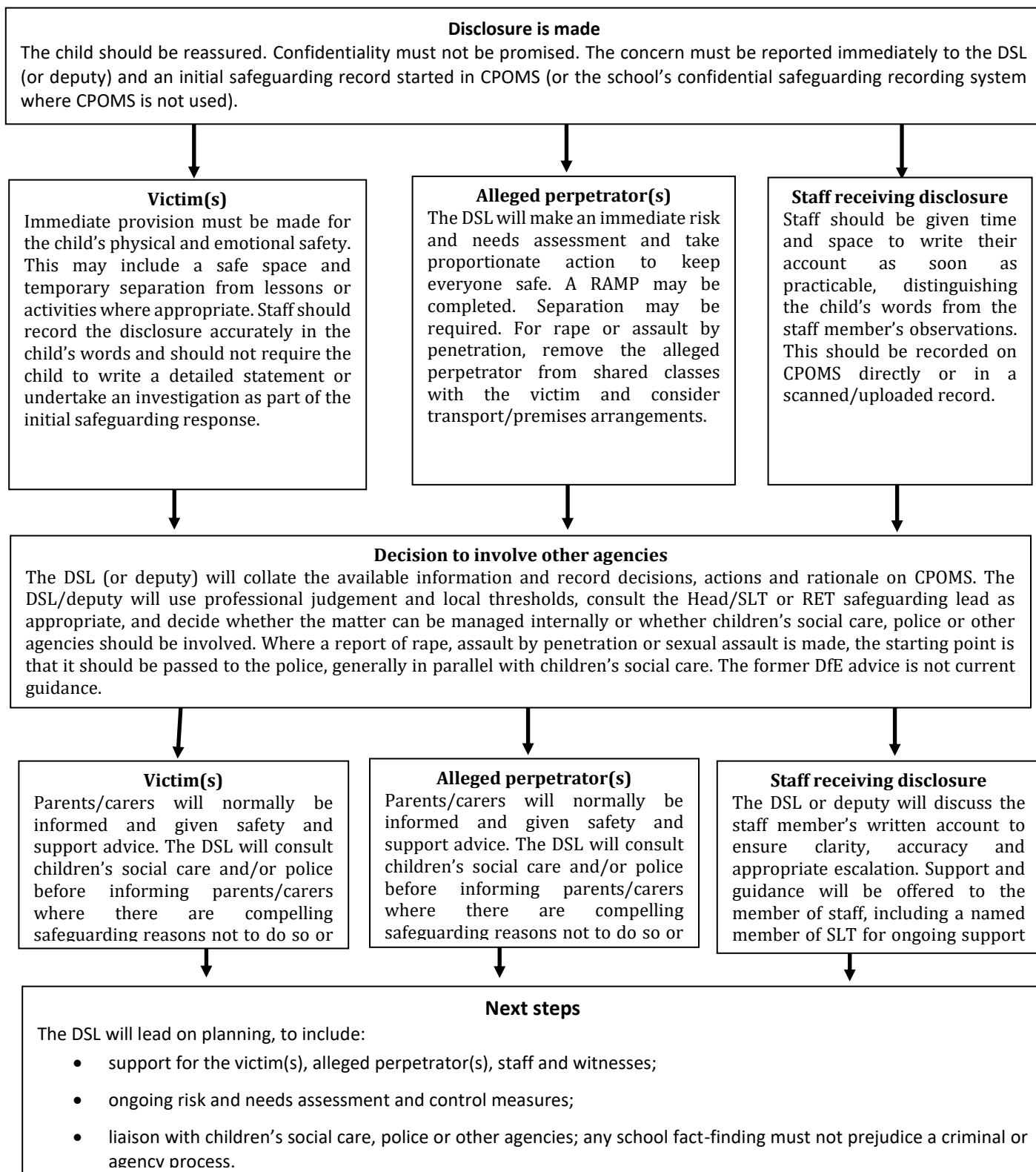
Victims may not disclose the whole picture immediately and may provide information on a piecemeal basis. Dialogue should be kept open and encouraged because the child wants support, not because it makes the situation easier to manage. Where ongoing support is required, the school should offer a trusted adult and a safe space where appropriate, and should respect the child's reasonable preferences. The child should not be required to produce a detailed written statement for the school as part of the initial safeguarding response.

If the victim moves to another educational institution, the new institution should be made aware of relevant ongoing support needs and the child protection file should be transferred securely in line with KCSIE and Trust procedures. Following any report, schools should take reasonable steps

to prevent bullying, harassment, retaliation or social exclusion affecting the victim, alleged perpetrator or witnesses.



School initial action flowchart



SUPPORT and SPECIALIST ORGANISATIONS

The following organisations and resources may provide support or specialist information. The DSL should use the current official websites and local safeguarding pathways and should check that links remain current.

- Barnardo's <https://www.barnardos.org.uk>
- Lucy Faithfull Foundation <https://www.lucyfaithfull.org.uk>
- NSPCC <https://www.nspcc.org.uk>
- DfE Relationships, Sex and Health Education (RSHE) statutory guidance <https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education>
- The PSHE Association <https://pshe-association.org.uk>
- Rape Crisis England & Wales <https://rapecrisis.org.uk>
- UK Safer Internet Centre <https://www.saferinternet.org.uk>
- Childline / Report Remove <https://www.childline.org.uk/info-advice/bullying-abuse-safety/online-mobile-safety/report-remove/>
- Anti-Bullying Alliance <https://anti-bullyingalliance.org.uk>
- National Crime Agency CEOP Safety Centre <https://www.ceop.police.uk/ceop-reporting/>
- The Survivors Trust <https://www.thesurvivorstrust.org/>
- Victim Support <https://www.victimsupport.org.uk>
- Gillick competency / Fraser guidelines – NSPCC <https://learning.nspcc.org.uk/child-protection-system/gillick-competency-and-fraser-guidelines>
- Parent Zone <https://parentzone.org.uk>
- Thinkuknow <https://www.thinkuknow.co.uk/parents/>
- Contextual Safeguarding Network <https://contextualsafeguarding.org.uk/>
- Local safeguarding contacts – Torbay: MASH 01803 208100 (referrals can also be made through the Children, Young People and Families Portal); out of hours Children's Social Care 0300 456 4876; police 101 (999 in an emergency); LADO 01803 208541 for concerns/allegations about adults working with children. These details should be checked against current Torbay arrangements when the policy is reviewed.



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

September 2026

Major annual review and update to align the policy with KCSiE 2026 (Part Five), Working Together to Safeguard Children 2026, the revised statutory RSHE guidance effective from 1 September 2026, and current local Torbay safeguarding arrangements.

The former DfE “Sexual violence and sexual harassment between children in schools and colleges” advice has been removed as a current reference because it is withdrawn. The policy now relies on current KCSiE Part Five and associated statutory guidance.

Updated terminology and scope to cover child-on-child abuse, harmful sexual behaviour, sexual harassment, sexual violence, making/sharing nudes and semi-nudes, AI-generated or digitally manipulated sexual imagery, online sexual harassment and sextortion.

Strengthened the response protocol: no promises of confidentiality; immediate DSL/deputy reporting; open-ended, non-leading questions; accurate recording of the child’s words; no school-led investigation at the initial disclosure stage; secure information sharing; and recording of actions, decisions, rationale and outcomes.

Expanded risk and needs assessment requirements, including victim wishes and safety, alleged perpetrator needs, other children/staff, age/development, power imbalance, vulnerability, patterns of behaviour, shared classes, premises and transport. Clarified that separation/isolation is risk-assessed and proportionate, with specific consideration of separation following reports of rape or assault by penetration.

Updated family notification wording so that parents/carers are normally informed unless there are compelling safeguarding reasons not to do so, with consultation with children’s social care/police where appropriate. Updated the thresholds section to reflect current Family Help terminology and re-referral expectations.

Updated the curriculum section to reflect the September 2026 statutory RSHE framework and strengthened preventative education on consent, healthy relationships, misogyny, harmful online narratives, coercion, power/control and sexual harassment.

Added information-sharing provisions, including reference to the statutory Information Sharing Duty under section 16LA of the Children Act 2004 coming into force on 30 September 2026, and clarified that data protection law is not a barrier to necessary safeguarding information sharing.

Updated online safety guidance and support resources, including Childline/Report Remove and the NCA CEOP Safety Centre, and corrected the previous Victim Support link. Added current Torbay safeguarding contact information and referral routes.

Flowchart updated to reflect current KCSIE principles: immediate safeguarding action; accurate staff recording; proportionate risk assessment; agency consultation; careful family notification; and avoiding an automatic requirement for immediate isolation or a school-led written statement/investigation.

