



LEAGRAVE PRIMARY SCHOOL

‘Striving for Excellence, Learning for Life’

Child on Child Abuse Policy

Ratified by Governors

Date: November 2024

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NON-STATUTORY

We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations

Introduction

Leagrave Primary School recognises that children are vulnerable to and capable of abusing their peers. We take such abuse as seriously as abuse perpetrated by an adult. This includes verbal as well as physical abuse.

The School's Responsibilities

All adults at this school are committed to the prevention, early identification and appropriate management of child on child abuse both within and beyond the school.

In particular, we:

- are aware of the nature and level of risk to which our pupils are or may be exposed, and have put in place a clear and comprehensive strategy which is tailored to our specific safeguarding context;
- take a whole-school community Contextual Safeguarding approach to preventing and responding to child on child abuse;
- tackle child on child abuse proactively by focusing on the following areas:
 - (i) systems and structures
 - (ii) prevention
 - (iii) identification
 - (iv) response/intervention;
- recognise national and increasing concern about this issue;
- implement this policy in order to mitigate harmful attitudes and child on child abuse in our school; and
- encourage parents to report concerns, so that if their child is feeling unsafe as a result of the behaviour of any of their peers, they know they should inform the school knowing that appropriate and prompt action will be taken in response.

This Policy:

- is the school's overarching policy for any issue that could constitute child on child abuse. It relates to, and should be read alongside, the school's Safeguarding Children and Child Protection Policy and any other relevant policies including, but not limited to, Anti-Bullying (including cyber-bullying), Internet Safety, Mobile Devices Acceptable Use and Behaviour Policy.
- sets out our strategy for prevention, identifying and appropriately managing child on child abuse.
- applies to all governors and staff.

What is Child on Child Abuse?

Child on child abuse is sexual, emotional or physical abuse that happens between children of a similar age or stage of development. It can happen between any number of children and can affect any age group (Department for Education (DfE), 2018).

It can be harmful to the children who display it as well as those who experience it. Children can experience child on child abuse in a wide range of settings, including:

- at school
- at home or in someone else's home
- in public spaces
- online.

(NSPCC, 2018).

It can take place in spaces which are supervised or unsupervised. Within a school context, for example, child on child abuse might take place in spaces such as toilets, the playground, corridors and when children are walking home (Contextual Safeguarding Network, 2020).

As children develop healthily, it's normal for them to display certain types of behaviour. It is important that adults who work with children can identify if any behaviour has become harmful or abusive and respond proportionally to keep all the children involved safe.

We recognise that child on child abuse can manifest itself in many ways such as:

- child sexual exploitation
- sexting or youth produced digital imagery
- upskirting
- bullying
- radicalisation
- abuse in intimate relationships
- children who display sexually harmful behaviour
- gang association and serious violence (County Lines)
- technology can be used for bullying and other abusive behaviour.

This policy concentrates on child on child abuse in the context of sexual harassment and sexual violence, physical abuse and emotional abuse. It is compliant with the statutory guidance on child on child abuse as set out in Keeping Children Safe in Education (2023)

In regard to Harmful Sexual Behaviour we are adopting the NSPCC's definition of HSB as:

"Sexual behaviours expressed by children...that are developmentally inappropriate, may be harmful towards self or others, or be abusive towards another child...or adult."

We will also use Simon Hackett's continuum model (see below) to demonstrate the range of sexual behaviours and the Brook Sexual Behaviours Traffic Light Tool (Appendix 3).

Physical Abuse

While a clear focus of child on child abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals from pupil to pupil can also be abusive.

These are equally not tolerated and if it is believed that a crime has been committed, will be reported to the Police.

The principles from the Anti-Bullying Policy will be applied in these cases, with recognition that any Police investigation will need to take priority.

Online Behaviour

Many forms of child on child abuse have an element of online behaviour including behaviours such as cyberbullying and sexting.

Policies and procedures concerning this type of behaviour can be found in the Safeguarding Children and Child Protection Policy and the Internet Safety Policy.

Vulnerable Groups

We recognise that all children can be at risk, however we acknowledge that some groups are more vulnerable. This can include children who: experience abuse within their family; live with domestic violence; are in care; go missing; have additional needs (Special Educational Needs and/or disabilities); identify or are perceived as LGBT and/or have other protected characteristics under the Equalities Act 2010.

Whilst research tells us girls are more frequently identified as being abused by their peers and that they are more likely to experience unwanted sexual touching in schools, this is not confined to girls.

Boys are less likely to report intimate relationship abuse and may display other behaviour such as antisocial behaviour. Boys report high levels of victimisation in areas where they are affected by gangs. We recognise that both boys and girls experience child on child abuse, but they do so in gendered ways.

Identifying child on child abuse

All staff are aware of indicators which may signal that children are at risk from, or are involved with, serious violent crime. These include;

- increased absence from school
- a change in friendships or relationships with older individuals or groups
- a significant decline in performance
- signs of self-harm
- a significant change in wellbeing
- signs of assault or unexplained injuries.

- unexplained gifts or new possessions which could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

Prevention

Leagrave Primary School actively seeks to raise awareness of and prevent all forms of child on child abuse by educating its community about this issue. This includes teaching about the nature, prevalence and effect of child on child abuse, and how it can be prevented, identified and responded to. This includes:

- understanding contextual safeguarding
- the identification of specific behaviours
- understanding the importance of taking seriously **all** forms of peer abuse and ensuring that **no** form of child on child abuse is ever dismissed as horseplay, teasing or banter
- educating children about the nature and prevalence of child on child abuse via PSHE and the wider curriculum
- informing pupils about what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse
- ensuring that pupils are regularly informed about the school's approach to such issues, including its policy towards all forms of child on child abuse
- talking to parents about this issue
- ensuring that all child on child abuse issues are fed back to the school's Designated Safeguarding Lead and the Deputy Head with responsibility for Behaviour so that they can address any concerning trends and identify pupils who maybe in need of additional support. (This is done by completing a Safeguarding Children form);
- challenging the attitudes that underlie such abuse (both inside and outside the classroom)
- working with Governors, staff, pupils and parents to address equality issues, to promote positive values and to encourage a culture of tolerance and respect amongst all members of the school community
- creating conditions in which our pupils can aspire to and realise safe and healthy relationships
- creating a culture in which our pupils feel able to share their concerns openly, in a non-judgmental environment, and have them listened to and
- responding to cases of child on child abuse promptly.

The Context

Child on child abuse takes place on a spectrum. Understanding where a child's behaviour falls on the spectrum is essential to being able to respond appropriately to it. It is essential that responses to incidents are proportionate and contextual. In this policy we recognise the importance of distinguishing between problematic and Harmful Sexual Behaviour (HSB).

Simon Hackett (2010) has proposed a continuum model of harmful sexual behaviour to demonstrate the range of sexual behaviours presented by children and young people, from those that are normal, to those that are highly deviant:

Normal	Inappropriate	Problematic	Abusive	Violent
Developmentally expected	• Single instances of inappropriate sexual behaviour	• Problematic and concerning behaviours	• Victimising intent or outcome	• Physically violent sexual abuse
Socially acceptable	• Socially acceptable behaviour within peer group	• Developmentally unusual and socially unexpected	• Includes misuse of power	• Highly intrusive
Consensual, mutual, reciprocal	• Context for behaviour may be inappropriate	• No overt elements of victimisation	• Coercion and force to ensure victim compliance	• Instrumental violence which is physiologically and/or sexually arousing to the perpetrator
Shared decision making	• Generally consensual and reciprocal	• Consent issues may be unclear • May lack reciprocity or equal power • May include levels of compulsivity	• Intrusive • Informed consent lacking, or not able to be freely given by victim • May include elements of expressive violence	• Sadism

Determining the level of incidents

While determining the level of incidents is not always clear-cut we use this as a guide. In addition to this we consider the following:

- chronological and developmental ages of everyone involved
- difference in their power or authority in relation to age, race, gender, physical, emotional or intellectual vulnerability
- all alleged physical and verbal aspects of the behaviour and incident
- whether the behaviour involved inappropriate sexual knowledge or motivation
- the degree of physical aggression, intimidation, threatening behaviour or bribery
- the effect on the victim (The victim will be referred to as Child B in this document)
- any attempts to ensure the behaviour and incident is kept a secret
- the child or young person's motivation or reason for the behaviour, if they admit that it occurred and
- whether this was a one-off incident, or longer in duration.

When do we seek support?

Cases of child on child abuse are often complex, may involve multiple children, and consent may be unclear. This is especially difficult when Child A may also be involved in the harm of others. In some situations, it may be appropriate for the school to respond internally. However, in other situations, cases may require a referral to the Police and/or Social Care.

We refer to the flow chart (Appendix 1) and consider the following when deciding if an incident requires a referral to multi-agency services, including the MASH.

Cases that may be best responded to in-school sit between 'Normal/Healthy' and the 'Inappropriate' section on Hackett's continuum, for example:

- single instances of inappropriate sexual behaviour
- socially acceptable behaviour within peer group
- context for behaviour may be inappropriate
- generally consensual and reciprocal

Incidents where a referral to Police/ Social Care is always required are defined under Hackett as 'Violent and Abusive.' These will also meet level 4 criteria in the Effective Support document, such as:

- victimising intent or outcome
- includes misuse of power
- coercion and force to ensure compliance
- intrusive
- informed consent lacking or not able to be freely given
- may include elements of expressive violence
- physically violent sexual abuse
- highly intrusive

Cases of child on child abuse are not always clear cut and there are many grey areas. These grey areas fall under the 'Inappropriate/ problematic' section of the continuum, such as:

- problematic and concerning behaviour
- developmentally unusual and socially unexpected
- no overt elements of victimisation
- consent issues maybe unclear
- may lack reciprocity or equal power
- may include levels of compulsivity

In all cases, advice will be sought from Luton's MASH team.

Response to Child on Child Abuse

The DSL will take a leading role using their professional judgement and be supported by other agencies such as Social Care or the Police as required. All responses to child on child abuse will be informed by the flow charts, the continuum and through liaison with the MASH consultation line.

All incidents of child on child abuse are dealt with immediately and sensitively. Information is gathered as soon as possible to ascertain what has happened and if any other pupils are aware of, or are involved in, the alleged abuse.

Staff use sensitive language when dealing with possible child on child abuse.

Staff talk to the children in a calm and consistent manner. Staff must not be prejudiced, judgmental, dismissive or irresponsible in dealing with such sensitive matters.

The immediate response to a report

- The school will take all reports seriously and will reassure Child B.
- Staff understand the next steps once a child has reported child on child abuse and will take the concern to the DSL.
- Staff will not promise confidentiality as the concern will need to be shared further (for example, with the DSL or Social Care) Staff will however only share the report with those people who are necessary to progress it.
- A written report will be made as soon after the discussion as possible recording the facts as presented by the child. These may be used as part of a statutory assessment if the case is escalated later.
- The DSL will assess the needs of Child B and of the child who is alleged to have caused harm (Child A.)
- Where the report includes an online element the school will follow advice on searching, screening and confiscation. The staff will not view or forward images unless unavoidable and only if another member of staff (preferably the DSL) is present.
- The DSL will be informed as soon as possible and consider a referral to the Police and Social Care using the flow charts (Appendix 1).
- The DSL must complete a Safety Plan (Appendix 5) if sexual violence has occurred. This information must be shared with MASH as part of the action taken and should be referenced in any referrals.

When recording behaviour, it is essential that we:

- record as soon as possible
- are clear, explicit and non-avoidant
- avoid vague statements or euphemisms
- follow the prompts on our Safeguarding Recording form
- use proper names for body parts but record exactly any language or vocabulary used by the child
- use the child's exact words in quotation marks and note where and when the

incident happened and who else was present.

Gather the facts

When making a child/children aware of an allegation of a sexual nature, we will offer them the option to have parents or a person they trust present. They will be made aware that their parents will be informed even if they wish to proceed without parents present. All children who are involved will be spoken to separately in order to gain a statement of facts from them. Children will be asked open questions as they are in all safeguarding matters.

Course of Action

If the child is believed to be at risk of significant harm the School's Safeguarding Children and Child Protection Policy must be followed.

If MASH and the Police intend to pursue this further, they may ask to interview the children in school or they may ask for parents to come to school to be spoken to. It is important to be prepared for every situation and the potential time it may take.

Informing Parent/Carers

Where possible, parents will be informed of allegations face-to-face. We recognise that the nature of the incident and the type of harm/abuse a child may be suffering can cause fear and anxiety to parents/carers whether their child is Child A or Child B.

In all circumstances where the risk of harm to the child is evident we encourage the child to share the information with their parent/carer (they may be scared to tell parents/carers that they are being harmed in any way).

Policy Implementation

The School Governing Body is responsible for the implementation, review and evaluation of this policy. It will be consulted during the review of this policy.

This policy is freely available to all staff, parents/carers and service partners.

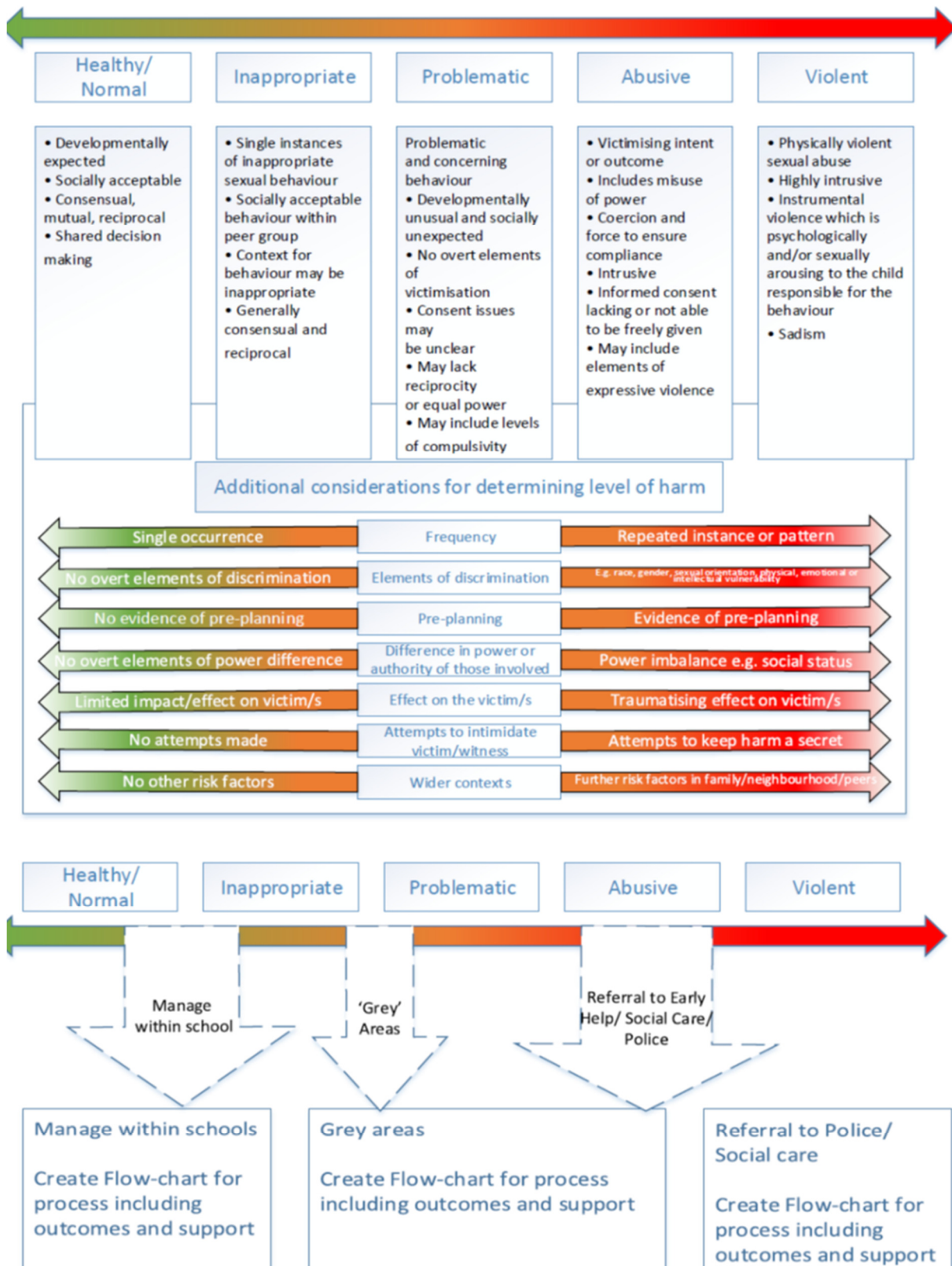
This policy was written by the Designated Safeguarding Lead on behalf of the SLT and in consultation with staff at Legrave Primary School. It will be evaluated by the above.

It will be reviewed in November 2024 or before if procedures change.

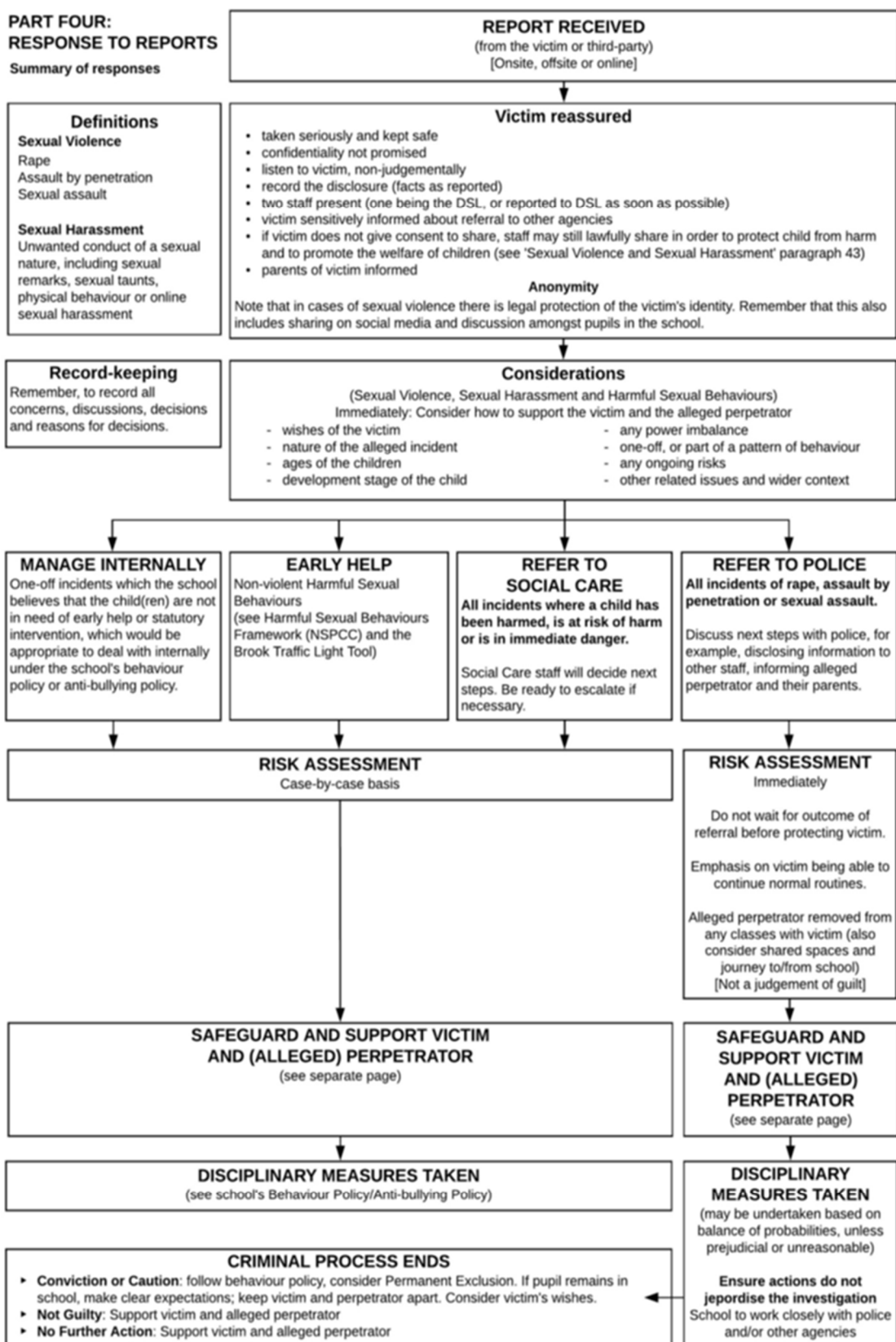
It was agreed and adopted by the Governing Body of Legrave Primary School on 27th November 2024.

This policy will be implemented on 28th November 2024.

Appendix 1: Referral pathways and processes



**PART FOUR:
RESPONSE TO REPORTS**
Summary of responses



Manage internally – school’s internal early help/effective support response

1. In some cases of sexual harassment, for example, one-off incidents, it may be appropriate to handle the incident internally, perhaps through utilising the Behaviour and Anti-Bullying Policies and by providing pastoral support. This decision is considered on the outcome of contact with MASH which will include discussions about safety planning. This decision will be made based on the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated. All decisions, and discussions, including safeguarding supervision outcomes around making these decisions will be recorded and stored by the DSL in the child’s CP File.
2. Sanctions for Child A are never shared with any other persons other than those providing care for them. This is to maintain confidentiality and privacy for the child involved.
3. In line with 1 above, we may decide that the children involved do not require statutory interventions but may benefit from early help from the school.
4. Where a child has been harmed, is at risk of harm, or is in immediate danger, we will make a referral to MASH following locally agreed protocols. Where statutory assessments are appropriate, the DSL will work with the relevant lead social worker.

Safety Plan

When there has been a report of child on child abuse that sits under the Abusive and Violent sections on the flow chart, the DSL will make an immediate risk and needs’ assessment (safety plan). Where there has been a report of sexual harassment, a safety plan must be completed and submitted to MASH. The safety plan should consider:

- Child B, especially their protection and support
- Child A, and
- all the other children at the school, especially any actions that are appropriate to protect them

Safety plans will be recorded and kept in children’s Child Protection files and be kept under review. The DSL will ensure they are engaging with MASH.

Reporting to the Police

DSL’s have a responsibility to report all alleged crimes to the Police. The DSL will also follow local processes for safeguarding referrals.

Where a report of rape, assault by penetration or sexual assault is made, it will be passed on to the Police as a matter of urgency. Whilst the age of criminal responsibility is ten, if Child A is under ten, the principle of reporting to the Police remains.

Where a report has been made to the Police, the school will consult with them and agree what information can be disclosed to staff and others, Child A and their parents or carers. They will also discuss the best way to protect Child B and their anonymity.

Where there is a criminal investigation, we will work closely with the relevant agencies to support all children involved. Where required, advice from the Police will be sought in order to help us.

Whilst protecting children and/or taking any disciplinary measures against Child A, we will work closely with the Police (and other agencies as required) to ensure any actions the school take do not jeopardise the Police investigation.

Separation

If the children involved are in the same class, the school will consider carefully whether to separate them while the concerns are being investigated. In situations of alleged rape and assault by penetration, the statutory guidance is clear that Child A should always be removed from classes they share with the Child B.

We will consider how best to keep Child A and Child B a reasonable distance apart while they are on the same premises.

The school will consider how long these measures should be in place, especially if any police investigation is inconclusive. Lack of a conviction is not the same as the allegation being unfounded. We will continue to provide support to Child B and Child A for as long as necessary. Therefore, any separation arrangements will be continued with for as long as is necessary to make sure children are safe.

There are different factors which must be considered prior to the separation of children occurring. These factors are the allegation itself, the context of the allegation, the wishes and feelings of the Child B, and the threshold the allegation meets.

As part of the consideration as to whether or not the children are separated in school, safety mapping is recommended so that the Child B can clearly identify where they feel safest in school and any areas they do not feel safe. This will also allow us to map out areas each child can frequent without concern or worry that the other will be there. These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of Child A.

It is essential that Child B is able to express their wishes and feelings in respect of the action the school takes. In some circumstances, they may state that they do wish for separation to occur but rather that a seating plan is implemented. This is again considered alongside the context, the allegation itself and the threshold that is met.

If multiple children are involved, then the school will need to complete peer mapping and consult with the children who have been harmed regarding safety mapping both within school and outside school. This information will need to be shared with MASH to support decision making around the consideration/organisation of a complex strategy meeting.

The end of the criminal process

If a child is convicted or receives a caution for a sexual offence, the school will update its safety plan and ensure relevant protections are in place for all children. We will consider any suitable action in accordance with our Behaviour Policy. If Child A remains in the school, we will be very clear as to our expectations regarding their behaviour following a conviction or caution. This could include expectations regarding their behaviour and any restrictions we think are reasonable and proportionate about Child A's timetable.

Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils in the school. We will ensure all children involved are protected, especially from any bullying or harassment.

Where cases are classified as "no further action" (NFA'd) by the Police or Crown Prosecution Service, or where there is a not guilty verdict, we will continue to offer support to Child B and to Child A for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for Child B. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. We will continue to support all parties in this instance.

It is also important to note that by law every child has the right to an education and therefore in instances where allegations have been withdrawn, NFA'd, unfounded or unsubstantiated children may be placed back into lessons together with a seating plan and safety mapping in place. This is decided on a case by case basis and with consideration to the wishes and feelings of Child B.

Support to children who have been harmed and those instigating harm

Support for Children Affected by Sexual Assault

The support that is required, depends on the individual child. It may be that they wish to seek counselling or one to one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends; in which case the child will be monitored and offered support should they require it in the future. Within school, children will be offered a named member of staff they can talk to and from whom they will receive pastoral support.

Other interventions that could be considered may be through the continued curriculum of Relationship and Sex Education, PSHE and SMSC where issues can be discussed.

If the child needs further support it may be that a safety plan can be put in place for them whilst in school so that they have someone named that they can talk to, support strategies for managing future issues and identified services to offer additional support.

Support for victims of sexual assault is available from a variety of agencies (see Appendix 4).

We will support a child who has experienced sexual assault to remain in school but if they are unable to do so we will enable them to continue their education elsewhere. This decision will be made only at the request of Child B and their family. If they are moved, we will ensure the new school is aware of the ongoing support they may need. The DSL will support this move.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, we may take suitable action, if we have not already done so, in line with the Behaviour Policy. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing Child A to remain in the same school would seriously harm the education or welfare of the Child B (and potentially other pupils).

Where a criminal investigation into sexual assault leads to a conviction or caution, we may, if we have not already done so, consider any suitable sanctions using our Behaviour Policy, including consideration of permanent exclusion.

Where Child A is going to remain at the school, the principle would be to continue keeping Child B and Child A in separate classes and to use safety mapping whilst considering the most appropriate way to manage potential contact on school premises. The nature of the conviction or caution and wishes of Child B will be especially important in determining how to proceed in such cases.

All the above will be considered with the needs and wishes of Child B at the heart of the process (supported by parents and carers as required). Any arrangements will be kept under review.

For the child who has displayed harmful behaviour (Child A)

It is important to find out why Child A has behaved in such a way. It may be that they have been experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support such as one to one mentoring or counselling may also be necessary.

Particular support from identified services may be necessary through a MASH referral and the child may require additional support from family members (Appendix 4).

Once the support required to meet the individual needs of the child is in place, the child will receive a consequence for their behaviour in line with the Behaviour Policy. In the cases of sexually harmful behaviour it may be a requirement for the child to engage in one to one work with a particular service or agency (if a crime has been committed this may be through the Police or Youth Offending Service). If there is any form of ongoing criminal investigation, it may be that this child does not want to be educated on site until the investigation has concluded. In this case, the child will be provided with appropriate support and education elsewhere.

It may be that the behaviour that the child has displayed may continue to pose a risk to others, in which case an individual risk assessment may be required. This will be completed via a multi-agency response (referral to MASH) to ensure that the needs of the Child A and the risks towards others are measured by all of those agencies involved

including the child and their parents. This may mean additional supervision of the child or protective strategies if s/he feels at risk of engaging in further inappropriate or harmful behaviour.

The school may also choose a consequence such as exclusion, suspension or internal exclusion for a period of time to allow the child to reflect on their behaviour.

After care

It is important that following the incident the children involved continue to feel supported and receive help even if they have stated that they are managing the incident. Sometimes the feelings of remorse, regret or unhappiness may occur at a much later stage than the incident. It is important to ensure that the children do not engage in any further harmful behaviour either towards someone else or to themselves as a way of coping (e.g. self-harm). For this reason, regular reviews with the children following the incident(s) are imperative.

Multi-agency working

The school actively engages with its local partners in relation to child on child abuse, and works closely with Luton Council Children's Social Care, other relevant agencies and other schools.

They support the school

- to develop a good awareness and understanding of the different referral pathways that operate in its local area, as well as the preventative and support services which exist;
- to ensure that our pupils can access the range of services and support they need quickly;
- to support and help inform our local community's response to child on child abuse; and
- to increase our awareness and understanding of any concerning trends and emerging risks in our local area to enable us to take preventative action to minimise the risk of these being experienced by our pupils.

The school actively refers concerns/allegations of child on child abuse where necessary to Luton's Children's Social Care, and/or other relevant agencies.

The school will consider referrals to other panels such as Luton Multi-Agency Gang Panel (MAGPAN) and Multi Agency Child Exploitation (MACE) if concerns over exploitation are evident. MACE referrals will be made via the Safeguarding in Education team in Luton Council.

Any children who reside out of county but attend our school will be reported to their home authority Social Care team. In cases involving children who are subject to risk, harm and abuse and who are Looked After Children, the children's social worker will be informed and a coordinated approach to address any incidents or concerns will be required.

Appendix 2: Useful definitions

Sexual Harassment

This can be defined as ‘unwanted conduct of a sexual nature’ that can occur online and offline. In the context of this guidance this means in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

It can include

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names
- sexual “jokes” or taunting.

Sharing nudes and semi nudes

This is when someone shares sexual, naked or semi-naked images or videos of themselves or others or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, and laptops - any device that allows you to share media and messages.

The UK Council for Internet Safety (UKCIS) Education Group has published Advice for Schools and Colleges on [Sharing nudes and semi nudes](#)

Upskirting

This 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. It is now a criminal offence and may constitute sexual harassment. Cases of ‘upskirting’ have a mandatory requirement for being reported.

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.

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.

It is important to know that:

- a child under the age of 13 can never consent to any sexual activity, the age of consent is 16
- sexual intercourse without consent is rape

It is also important to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion or exploitation. Due to their additional training, the DSL (or deputy) will be involved and leading the school's response. If in any doubt, she will seek expert advice.

It is important that schools and colleges consider sexual harassment in broad terms. Sexual harassment (as set out above) creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Harmful Sexual Behaviour (HSB)

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is "harmful sexual behaviour". Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two.

We refer to the [Brook Sexual behaviour traffic light tool](#) to identify sexual behaviours by children (Appendix 3)

Initiation/hazing

Hazing or initiation ceremonies refers to the practice of rituals, challenges and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group. Hazing is seen in many different types of social groups, including gangs, sports teams and school groups. The initiation rituals can range from relatively

low level pranks, to protracted patterns of behaviour that rise to the level of abuse or criminal misconduct. Hazing may include physical or psychological abuse. It may also include nudity or sexual assault.

Contextual Safeguarding

All staff, but especially the DSL consider the context within which incidents and/or behaviours occurs. This is known as contextual safeguarding, which means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare.

Legislation, guidance and Law

Additional areas for consideration can be found in [sexual violence and sexual harassment](#)

[Keeping Children Safe in Education 2021](#)

[Human Rights Act 1998](#)

It is essential to note that this guidance adheres to and encourages all persons to ensure that they are adhering to the Human Rights Act 1998, specifically the right to an education, the right to a fair trial and protection from discrimination.

[Equalities Act 2010](#)

This guidance is designed to ensure that the Equalities Act is adhered to at all times. The Equalities Act 2010 provides a basic framework for protection against direct and indirect discrimination, harassment and victimisation in education as well as other sectors.

Appendix 3: Brook sexual behaviours traffic light tool

Behaviours: age 0 to 5 - All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is an amber behaviour? Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or con- text in which they occur. What can you do? Amber behaviours signal the need to take notice and gather information to assess the appropriate action. Amber behaviours • preoccupation with adult sexual behaviour • pulling other children's pants down/skirts up/trousers down against their will • talking about sex using adult slang • preoccupation with touching the genitals of other people • following others into toilets or changing rooms to look at them or touch them • talking about sexual activities seen on TV/online	What is a green behaviour? Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability. They are reflective of natural curiosity, experimentation, consensual activities and positive choices What can you do? Green behaviours provide opportunities to give positive feedback and additional information. Green behaviours holding or playing with own genitals • attempting to touch or curiosity about other children's genitals • attempting to touch or curiosity about breasts, bottoms or genitals of adults • games e.g. mummies and daddies, • doctors and nurses • enjoying nakedness • interest in body parts and what they do • curiosity about the differences between boys and girls	What is a red behaviour? Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental, or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur What can you do? Red behaviours indicate a need for immediate intervention and action. Red behaviours • persistently touching the genitals of other children • persistent attempts to touch the genitals of adults • simulation of sexual activity in play • sexual behaviour between young children involving penetration with objects • forcing other children to engage in sexual play
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Behaviours: age 5 to 9: All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?

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

What can you do?

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

Green behaviours 5-9

- 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

What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur.

What can you do?

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

Amber behaviours 5-9

- 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

What is a red behaviour?

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

What can you do?

Red behaviours indicate a need for immediate intervention and action.

Red behaviours 5-9

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

Behaviours: age 9 to 13

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

What is a green behaviour? Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability and reflective of natural curiosity, experimentation, consensual activities and positive choices What can you do? Green behaviours provide opportunities to give positive feedback and additional information. Green behaviours 9-13 • solitary masturbation • use of sexual language including swear and slang words • having girl/boyfriends who are of the same, opposite or any gender • interest in popular culture, e.g. fashion, music, media, online games, chatting online • need for privacy • consensual kissing, hugging, holding hands with peers	What is an amber behaviour? Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur. What can you do? Amber behaviours signal the need to take notice and gather information to assess the appropriate action. Amber behaviours 9-13 • uncharacteristic and risk-related behaviour, e.g. sudden and/or pro- vocative 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	What is a red behaviour? Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur What can you do? Red behaviours indicate a need for immediate intervention and action. Red behaviours 9-13 • exposing genitals or masturbating in public • distributing naked or sexually pro- vocative 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 inter- course • presence of sexually transmitted infection (STI) • evidence of pregnancy
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Appendix 4: Support for Children

If we think a child has been harmed or is being neglected, the Multi Agency Safeguarding Hub (MASH) will be contacted on 01582 547653, EDT out of hours 0300 300 8123, MASH@luton.gov.uk

For advice and guidance regarding support with referring to the Multi Agency Child Exploitation panel the Safeguarding in Education Team at Luton Council at ella.sealey@luton.gov.uk should be contacted

The Police are also there to offer support and guidance to both alleged victims and children alleged to have caused harm; they can be contacted on 101.

National charities:

Victim Support

A national charity dedicated to helping anyone affected by crime – not just victims and witnesses, but friends, family and anyone else caught up in the aftermath.

Rape Crisis

A national charity offering confidential help, advice and a range of Rape Crisis Centres around the UK.

Galop

A national charity providing advice and support to members of the LGBT community.

Survivors UK

A national charity supporting men who have been raped or sexually assaulted.

Crimestoppers

A national charity with a free helpline for reporting crime anonymously.

Refuge

Refuge supports women, children and men with a range of services, including refuges, independent advocacy, community outreach and culturally specific services.

Women's Aid

Women's Aid is a national charity working to end domestic abuse against women and children.

Men's Advice Line: 0808 801 0327

Confidential helpline for men experiencing domestic violence from a partner or ex-partner (or from other family members).

Useful Publications and Websites

Government Publications

[Sexual violence and sexual harassment](#)

[Keeping Children Safe in Education](#)

[Advice to schools and colleges on gangs and youth violence](#)

[Preventing and tackling bullying](#)

Other useful documents

[Sharing nudes and semi nudes](#)

[Child on child abuse toolkit Farrer & Co](#)

[Anti-bullying alliance guidance on sexual bullying](#)

[Stop It Now guidance - What is age appropriate](#)

[Brook sexual behaviours traffic light tool](#)

[NSPCC Child Abuse and neglect/harmful sexual behaviour](#)

[NSPCC Is this sexual abuse?](#)

[Project deSHAME - Digital exploitation and sexual harassment amongst minors in Europe](#)

[It's Just Everywhere - a study of sexism in schools](#)

[Relationships & Sex Education in Schools | RSE - Get It Right! \(rse-get-it-right.org.uk\)](#)



LEAGRAVE PRIMARY SCHOOL
‘Striving for Excellence, Learning for Life’

Safety Plan for Child on Child Abuse/ Harmful Sexual Behaviour

This safety plan will be used when an incident(s) of child on child abuse has occurred or is likely to occur and is deemed to meet level 3 and above in the Effective Support document. The safety plan will show considerations made for both/all pupils involved and will highlight the plan in place to keep all pupils safe. It will also take into consideration the wishes and feelings of all children involved. Each section/question will be considered from the perspective of all pupils involved. Considerations will also be given for the impact on, and needs of, the wider school community. All concerns and proposed actions will be recorded. The school will work with the local multi-agency safeguarding hub (MASH) and other agencies as necessary when completing this risk assessment. This document will be reviewed frequently to ensure it is fit for purpose. Child B will be the term used to refer to the alleged victim and Child A will refer to the child alleged to have caused harm. NB: there will be no assumption of guilt on the part of the child alleged to have caused harm, pending investigation.

***A risk assessment will be completed for all cases relating to sexual violence or alleged sexual violence. Sexual violence is defined by the Sexual Offences Act 2002 as “criminal acts: rape, assault by penetration and sexual assault”.**

***This risk assessment is completed with reference to Keeping Children Safe In Education and the DFE Sexual Violence and Sexual Harassment in schools and colleges**

Basic information	
Referrer Name and role	
Referrer Contact details (email address and phone number)	
Name of school(s) for Child/ren B	
Name of school(s) for child/ren A	
Did incident occur on school premises? If not where did the incident occur?	

CONSIDERATIONS	RISK (CONSIDER CHILD B, CHILD A, OTHER PUPILS AND STAFF)	RISK LEVEL (HIGH, MEDIUM OR LOW)	ACTIONS TO REDUCE RISK	REVISED RISK LEVEL (HIGH, MEDIUM OR LOW)
What is the incident? Who was involved? Where did it happen				
Does this incident constitute a crime? Assault, sexual assault, rape, sharing of indecent images of children, etc. As such, has this been referred to the police?				
Is it necessary to limit contact between the children involved? Refer to KCSiE and DFE guidance on sexual harassment and sexual violence in schools and colleges.				
Is there an actual or perceived threat from Child A to Child B and/or others?				
Is either Child B or Child A at risk of physical harm as a result of this incident (for example, bullying or 'retribution' by peers)?				
Do they share classes?				

CONSIDERATIONS	RISK (CONSIDER CHILD B, CHILD A, OTHER PUPILS AND STAFF)	RISK LEVEL (HIGH, MEDIUM OR LOW)	ACTIONS TO REDUCE RISK	REVISED RISK LEVEL (HIGH, MEDIUM OR LOW)
Do they share break times? Do they share peer/friendship groups?				
Do they share transport to/from school?				
Are they likely to come into contact with each other (or anyone else involved in/with knowledge of the incident) outside of school?				
How can such contact be limited?				
Is there a risk of harm from social media and gossip?				

Further action taken by the school: Please complete for each child involved.

Action	YES/NO	SERVICE	Date
Police informed			
Referral to MASH			
Referral to external support services			
Referral to internal support services			
Referral to CAMHS			
Referral to early help			
Other			

Action	YES/NO	SERVICE	Date
Police informed			
Referral to MASH			
Referral to external support services			
Referral to internal support services			
Referral to CAMHS			
Referral to early help			
Other			

Action	YES/NO	SERVICE	Date
Police informed			
Referral to MASH			
Referral to external support services			
Referral to internal support services			
Referral to CAMHS			
Referral to early help			
Other			