

Tas Valley Church Schools Federation

Harmful Sexual Behaviour

Policy

2021

Harmful Sexual Behaviour (HSB) is developmentally inappropriate sexual behaviour which is displayed by children and young people and which may be problematic, harmful or abusive. HSB encompasses a range of behaviour, which can be displayed towards younger children, peers, older children or adults.

Where HSB is directed towards another child, it can be considered to be a type of peer on peer abuse. It is harmful to the children and young people who display it, as well as the people it is directed towards.

Harmful sexual behaviour can/may:

- Cause developmental damage
- Occur between children of any age and gender
- Involve individuals or groups, targeting other individuals or groups
- Occur online and/or offline
- Be progressive and escalate

We recognise that 'it could happen here'.

We do not downplay behaviours. We know that by not recognising, acknowledging or understanding the scale of harassment and abuse and/or downplaying some behaviours related to abuse can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Harmful Sexual Behaviour can be indicative of underlying safeguarding concerns; children who exhibit harmful sexual behaviour may have experienced abuse or trauma themselves. Where there are concerns about HSB involving learners, staff should respond in line with their settings child protection policy and report all concerns to the Designated Safeguarding Lead.

This policy relies heavily on Part 5 of Keeping Children Safe In Education 2021 and must be read alongside it. For that reason, it is reproduced as Appendix 1 of this policy.

This policy is also to be read in line with:

Safeguarding and Child Protection Policy and procedures

Behaviour Policy

Exclusions Policy

How do we identify Harmful Sexual Behaviour?

We use the Brook Traffic Light Tool to identify developmentally inappropriate sexual behaviour.

We judge harm by the effect the behaviour has, or could have on others. We listen to children, parents and staff in order to judge the impact of the behaviour.

We recognise that addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

How do we report Harmful Sexual Behaviour at school?

Anyone affected by, or concerned about a child's behaviour should report this to the DSL in the same way as other safeguarding reports.

Reports should always be made in a timely fashion. If someone else has been harmed or exposed to potential harm, as a result of HSB, this must be reported with the utmost urgency

Reports should be factual and include as much detail as possible. The opinion of the reporter must not be reflected in the report.

Language and phrasing should be as they were spoken and not para-phrased.

We aim to create a culture in which children feel able to report their own concerns to an adult at school.

Children's ability to recognise inappropriate sexual behaviours and to articulate what has happened are supported by our PSHE/ RSE curriculum, including our engagement with the NSPCC programmes of work for primary schools.

What happens when Harmful Sexual Behaviour is reported by a child?

All victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. A victim should never be made to feel ashamed for making a report.

No promise of confidentiality will be made.

We listen carefully to the child and reflect back, using the child's language.

We are non-judgmental.

We do not ask leading questions. We prompt the child where necessary with open questions – where, when, what, etc. Staff can ask children if they have been harmed and what the nature of that harm was.

We tell the child what we are going to do about their report.

Staff should only share the report with those people who are necessary in order to progress it.

If the HSB has an online element, it might be necessary to retain devices until the appropriate agency can complete investigations.

We always make a written record of what the child has told us.

What happens after a report has been made?

The starting point regarding any report should always be that there is a zero tolerance approach to sexual violence and sexual harassment and it is never acceptable and it will not be tolerated

The nature and detail of reports is likely to vary widely from case to case; situations may be complex. It is important that all cases are considered separately and an assessment of risks and needs is made.

The assessment should include risks and needs of:

- the victim
- others who may have been affected
- those who may be affected in the future if the behaviour continues
- the alleged perpetrator
- the wider school community

The risk assessment must remain 'live' and be subject to constant review.

Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required.

Depending on the seriousness and/or the circumstances of the allegation it may be decided to contact the police or children's services immediately.

Unless there is reason to believe it is not safe to do so, parents or carers will be informed.

Where there has been a report of sexual harassment, it is more likely that further enquiry will be made at school before other agencies are involved.

Any outcomes of interviews that take place with the victim, alleged perpetrator or witnesses will be recorded in writing.

Staff will consider:

- the nature of the alleged incident(s), including whether a crime may have been committed and/or whether HSB has been displayed
- the ages of the children involved
- the developmental stages of the children involved
- any power imbalance between the children. For example, is the alleged perpetrator significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- if the alleged incident is a one-off or a sustained pattern of abuse (sexual abuse can be accompanied by other forms of abuse and a sustained pattern may not just be of a sexual nature)
- whether there are ongoing risks to the victim, other children or staff
- any other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation; other safeguarding concerns; special educational needs.

The DSL will decide whether the case meets the threshold for referral to other agencies/ services.

Unless there is reason to believe it is not safe to do so, parents or carers will be informed of the reported incident, the outcome of the school enquiry and what measures will be put into place as a result of this.

Where it is not deemed safe to involve parents/ carers, the school will make a safeguarding referral to CADS.

Any measures put into place by the school to protect the victim will be shared with the victim.

The response must be proportional.

What support will be accessed for the victim and the perpetrator?

The school may refer to the Police or to Children's Services. These options are expanded in KCSIE Part 5.

The school may decide that the children involved do not require referral to statutory services but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent HSB and may prevent escalation of sexual violence. A referral to the Early Help Hub requires parental permission.

The school may decide to refer to Just One Norfolk where the child's case will be triaged for referral to health services, including CAMHS. A referral to Just One Norfolk requires parental permission.

The school may refer the case to the Harmful Sexual Behaviour team. A referral to the Norfolk HSB team requires parental permission.

The school may invite parents/carers to self-refer to services.

The school may invite parents to work with school to address their child's needs.

These options are not necessarily exclusive.

What happens if the report of Harmful Sexual Behaviour is found to be false?

If a report is determined to be unsubstantiated, unfounded, false or malicious, the designated safeguarding lead will consider whether the child who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to children's social care may be appropriate.

If a report is shown to be deliberately invented or malicious, the school will consider whether any disciplinary action is appropriate against the individual who made it as per their own behaviour policy.

What happens after these decisions have been made?

The school is aware that the victim may need ongoing and prolonged support.

This is also true of the perpetrator.

KCSIE Part 5 identifies avenues for support. Other options will be explored if these do not meet need.

If either the victim or the perpetrator move to a different educational setting, details of their needs should form part of their transition.

Staff involved may need supervision.

It is important that the school reviews the case and considers any ways in which the school could minimise the risk of future harm by its own practices.

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harmful sexual behaviour (HSB), including that a child displaying HSB may be an indication that they are a victim of abuse themselves

