

Responding to allegations of sexual violence, harassment and harmful sexual behaviours between children (child on child abuse) for schools and colleges.

Use in conjunction with *Keeping Children safe in Education*

REPORT RECEIVED

(From the victim or a third-party) (Onsite, offsite or online). Report passed to a DSL immediately.

Taking information of the allegation/report

Immediately: Consider how to support the victim and the accused child: The victim in any incident should be supported and protected as a priority. The accused child/children will also need to be supported, without undermining any subsequent police enquiries.

- Reassure victim in the first instance.
- Listen to victim, non-judgementally. Take all allegations seriously. Never give the impression they are creating a problem for anyone.
- Do not promise confidentiality. Sensitive inform the victim that the allegation may result in referral to other agencies.
- If child does not give consent to share, staff may still lawfully share in order to protect them from harm and to promote the welfare of children.
- Establish the basic facts of the allegation: *who, what where, when*. Record the disclosure (exact words as much as possible that the child used, and the questions asked by staff).
- Contact parents/carers of victim to inform of allegation unless by doing so would put child at further risk. Parents should not be contacted if the report is about them and concerns a criminal offence. In this instance, police should be called and child to remain until police attend.
- If allegation refers to online images- staff should not view or forward images.

Anonymity

In cases of sexual violence there is legal protection of the victim's identity. Remind the child, and family members/carers, that they should take actions to protect their own identity. Details of the allegation should not be shared outside of professionals or close family members: this also includes information about the accused child, sharing on social media and discussion amongst pupils in school.

Contextual Considerations

- What are the wishes of the victim and take into account how they wish to proceed? (Action may need to be taken in the best interest of the child irrespective of their wishes)
- What is the nature of the incident(s), including: whether a crime may have been committed and/or whether harmful sexual behaviour has been displayed (see NPCC When to call Police guidance/DfE Guidance)?
- Is there a power imbalance between the children? E.g. is the accused child older? Has the victim a learning disability/difficulty?
- Is this a one-off behaviour or a sustained pattern of abuse between the accused child and victim?
- Is there a wider context to consider? Other behaviour, safeguarding concerns or CSE concerns.
- Has sexual violence or sexual harassment taken place within intimate personal relationships between peers? If so, then follow the Domestic Abuse Procedures.
- Are there ongoing risks to the victim, other children, adult students or school or college staff?
- Other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation

REFER DIRECTLY TO GUIDANCE FROM DfE guidance 'Responding to reports of sexual violence and sexual harassment' for wider support. [Part five: Child](#)

Considerations for managing allegation

Using contextual considerations, including diversity/culture and details of allegations review options for managing allegation
Document reasons for reaching decision at each stage referring to DfE guidance (options to manage report)
For support in decision making, it is strongly suggested to contact harmful sexual behavior support service helpline on
0344 225 0623 and /or the relevant Children's Social Care Service.

MANAGE INTERNALLY

Incidents where the school believes that the child(ren) are not in need of early help or statutory support, which would be appropriate to deal with under the school's behaviour policy or anti-bullying policy. (These may be one-off and less serious incidents – seek advice and risk assess) support can be gained via East Midlands Children and Young People's Sexual Assault Service.

(SARC). [08088 010818](tel:08088010818)

EARLY HELP

For Non-violent Harmful Sexual Behaviours.
Early help can be useful for cases where there was non-violent harmful- sexual behaviours. Gain parental consent
(See Harmful Sexual Behaviours Framework – NSPCC [Harmful sexual behaviour framework | NSPCC Learning](#).
East Midlands Children and Young People's Sexual Assault Service. (SARC). [08088 010818](tel:08088010818)

REFER TO SOCIAL CARE

All incidents where a child has been harmed, is at risk of harm or is in immediate danger.
Refer to LSCPB thresholds document. (Even if a referral has already been made to the police) Social Care staff will decide next steps. Social care and police should consider a referral to East Midlands Children and Young People's Sexual Assault Service. (SARC). [08088 010818](tel:08088010818)

REFER TO POLICE

All incidents of rape, assault by penetration or sexual assault should be referred to the police. (incl. if accused is 10 or under) When a report is made to the police, the school should consult with the police about what information can be disclosed to the accused, the best way to protect the victim, and accused's anonymity. Report via 999/101. **Report to social care at the same time**

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ALLEGATION REPORTED TO MOST SUITABLE AGENCY FOR SUPPORT OR MANAGED INTERNALLY

Victim

Support for the victim is priority.

It is essential that all victims are reassured that they are being taken seriously and that they will be supported.

Consideration of safeguarding the victim, the accused child(ren), any children directly involved in the reported incident and all children (and adult students) at the school or college should be immediate. See risk assessment below.

Throughout managing a concern advice can be sought from East Midlands Children and Young People's Sexual Assault Service. (SARC) for advice and or direct support services for children and young people. [08088 010818](tel:08088010818)

Accused Child

The accused child is not to be made aware unless there are exceptional circumstances (justified / documented by the school). When to inform the accused child(ren) will be a decision to be carefully considered and consultation is strongly encouraged.

The accused child(ren) will also need to be supported. There will often be significant circumstances in a young person's life that are contributing factors to an incident, and it is important that they are taken into consideration.

Where a report is going to be made to children's social care and/or the police, then, as a rule, the school or college should speak to the relevant agency and discuss next steps and how the accused child(ren) will be informed of the allegations.

RISK ASSESSMENT and SAFETY ARRANGEMENTS

Consider steps required to manage risk and provide safety arrangements for each victim.

Each risk assessment will be individual- refer to DfE guidance Sexual Violence and Sexual Harassment between children in schools and colleges (DfE, 2021) [Part five: Child on Child Sexual Violence and Sexual Harassment \(keepingchildrensafeineducation.co.uk\)](https://www.gov.uk/guidance/part-five-child-on-child-sexual-violence-and-sexual-harassment-keeping-children-safe-in-education)

Ask do the safety arrangements make the victim feel safe?

Do not wait for outcome of referral before protecting/supporting the victim.

Emphasis on victim being able to continue normal routines, be provided with appropriate holistic support

To support the risk assessment of the accused consider using tools, such as Brooke's traffic light tool and/or the Hackett continuum of behaviours
Consideration is required about meeting the welfare needs of the accused. Consider how to support the accused, manage any community impact within the school and the child's holistic needs.

DO DISCIPLINARY MEASURES NEED TO BE TAKEN?

MEASURES MAY BE CONSIDERED BASED ON BALANCE OF PROBABILITIES, UNLESS PREJUDICIAL OR UNREASONABLE)
(See your school's Behaviour Policy/Anti-bullying Policy)

If criminal investigation is ongoing, then liaise with police regarding potential disciplinary action to ensure actions do not jeopardise this.
School should work closely with police and/or other agencies for guidance- Consult harmful sexual behaviour service as above for guidance.

CRIMINAL PROCESS ENDS (if one has taken place)

- **Conviction or Caution:** follow behaviour policy, consider Permanent Exclusion. If pupil remains in school, make clear expectations; keep victim and accused child(ren) apart. Consider victim's wishes.
- **Not Guilty:** Support victim and accused
- **No Further Action:** Support victim and accused child

LONG TERM SUPPORT FOR VICTIM AND ACCUSED CHILD

Consider referrals for keep safe work, counselling and or wellbeing services.

Consider how to meet needs of both victim and accused child. Consider advocate for support for all children involved.