

Islington Safeguarding Children Partnership Protocol for managing child on child sexual violence, abuse and harassment in schools, settings and colleges

This Protocol has been produced by the Islington Safeguarding Children Partnership, London Borough of Islington, primary and secondary head teacher representatives from Islington schools, the North Central Borough Command Unit of the Metropolitan Police and North Central London Clinical Commissioning Group.

After reading through this document and looking at the procedure chart, if you have any queries, or require further advice about the processes you should be following, please email iscp@islington.gov.uk.

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1. Introduction

All children have a right to be safe from abuse. Safeguarding children is a responsibility shared by everyone in contact with children. This Protocol sets out the procedures for recognising and responding to sexual abuse, exploitation and harmful sexual behaviour, including online abuse and exploitation for children under the age of 18 years in any educational settings in Islington including those working in early years, maintained and independent schools, academies and further education colleges.

This Protocol should be read in conjunction with Part 5 of Keeping Children Safe in Education 2021, [Sexual violence and sexual harassment between children in schools and colleges 2021uk](#) and [Part 7 of the London CP Procedures: Safeguarding Children from Sexual Exploitation](#) which set out how schools should respond to all reports and concerns of child on child sexual violence and sexual harassment, including those that have happened outside of the school premises and/or online.

This Protocol has taken into account the [Ofsted's Review of sexual abuse in schools and colleges](#) published on 10 June 2021 and the recommendations for schools, following the Everyone's Invited campaign.

This Protocol must be used by all schools in Islington to inform procedures, policy making and training.

Hereafter the term 'child' or 'children' will be used to refer to children and young people under the age of 18 years. The term 'school' will be used to refer to schools, settings and colleges and 'parent' will refer to parents and carers.

For the purpose of this Protocol the words 'victim' and 'alleged perpetrator' will be used because these are widely used and familiar terms to identify the parties. Despite this, it should be recognised that both 'victim' and 'alleged perpetrator' are vulnerable children and that schools should think very carefully about terminology, especially when speaking in front of children.

Key Definitions

Sexual Violence and Abuse

Child sexual abuse¹ involves forcing or enticing a child to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Child Sexual Abuse includes Child Sexual Exploitation (CSE) and Harmful Sexual Behaviour (HSB).

¹ Keeping Children Safe in Education

Child Sexual Exploitation (CSE)

Child sexual exploitation² is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity:

- a) in exchange for something the victim needs or wants, and/or
- b) for the financial advantage or increased status of the perpetrator or facilitator.

The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Harmful Sexual Behaviour (HSB)

Harmful sexual behaviour is developmentally inappropriate sexual behaviour displayed by children which is harmful or abusive³. This can include:

- Using sexually explicit words and phrases
- Inappropriate touching
- Using sexual violence or threats
- Full penetrative sex with other children or adults

Children who develop HSB may harm themselves and others⁴

Harmful sexual behaviours in young children may be (and often are) a symptom of their own abuse or exposure to abusive practices or materials. Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.⁵ Schools should work closely with the Islington Safeguarding Children Partnership and be aware of the range of support available to children who are victims or perpetrators. Advice should be sought from CSC, the Police and specialist sexual violence services:

- [Rape Crisis](#) or [The Survivors Trust](#) for details of the nearest centre.
- [NICE](#) for advice on developing interventions working with families and multi-agency working.
- [CSnetwork.org.uk](#) for a range of resources to support schools to address harmful sexual behaviour
- The Anti-Bullying Alliance guidance for schools about [Sexual and Sexist Bullying](#).

Schools can use the Contextual Safeguarding Network's [Beyond Referrals - Schools \(csnetwork.org.uk\)](#) to assess their whole school approach.

- Professor Hackett and the NSPCC developed the [HSB framework](#)⁶ covering essential elements of developing and delivering an integrated and effective HSB service for children and families which includes a guide on prevention, identification and early assessment. This

² DfE Child Sexual Exploitation – Definition and Guide for Practitioners

³ Hackett, S (2014) Children and young people with harmful sexual behaviours. London: Research in Practice

⁴ NSPCC/Hackett Harmful Sexual Behaviours Framework

⁵ Keeping Children Safe in Education Paras 281, 289

⁶ Hackett, S, Branigan, P and Holmes, D (2019) Harmful sexual behaviour framework: an evidence-informed operational framework for children and young people displaying harmful sexual behaviours, second edition, London, NSPCC.

framework can be used to understand the range of sexual behaviours presented by children, from those that are normal, to those that are highly deviant and to:

- Understand healthy sexual development and distinguish it from harmful behaviours
- Assess and respond appropriately to sexual behaviours in children
- Make decisions about safeguarding children

Upskirting

The Voyeurism (Offences) Act 2019, commonly known as the upskirting act, is when someone takes a picture or an image under a person's clothing (not necessarily a skirt) without their permission or knowledge, with the intention of obtaining sexual gratification, or cause the victim, humiliation, distress or alarm. Anyone of any gender can be a victim.

Low Level Concerns v High Level Concerns

Hackett (2010) has proposed a continuum model to demonstrate the range of sexual behaviours presented by children, from those that are normal, to those that are highly deviant from normal, inappropriate, problematic, abusive and violent. Normal behaviours are described as developmentally expected, socially acceptable, consensual, mutual, reciprocal and where there is shared decision making.

Inappropriate behaviours are described as single instances of inappropriate sexual behaviour, socially acceptable behaviour within a peer group, where the context for the behaviour may be inappropriate and where behaviours are generally consensual and reciprocal.

Problematic behaviours are more likely to occur in younger children and may be defined as behaviours involving sexual body parts that are developmentally inappropriate or potentially harmful to the child or others. Reasons for this include learning disabilities, mental health problems, trauma, anxiety and curiosity.

Abusive behaviours involve coercion or manipulation. Where there is also a power imbalance, the victim cannot give informed consent and the behaviour can cause physical or emotional harm.

Sexual consent means being able to say yes and agreeing to sexual activity or choosing to take part in an activity and includes the right to say no or change their mind if they no longer wish to continue. The legal age to have sex in the UK is 16 years old. The law is there to protect children and not to prosecute under 16s who have mutually consenting sexual activity. Sexual contact without consent is illegal, regardless of age. The Sexual Offences Act 2003 states that children under the age of 13 cannot consent to any type of sexual activity.

It will always be necessary to refer to CSC/Police cases of sexual activity involving children under the age of 13, because this is a serious offence and indicates a risk of significant harm to the child. A strategy discussion will be held to discuss the appropriate next steps.

Sexual activity with a child under the age of 16 is also an offence. Where it is consensual it may be less serious than if the child were under 13 years, but may nevertheless have serious consequences for the welfare of the child.

In every case of sexual activity involving a child aged 13 to 15 there should be a discussion with the CSC Referral and Advice team as to whether a referral should be made. Section 10.2 of the London CP Procedures⁷ state:

‘Under the Sexual Offences Act, penetrative sex with a child under 13 is classed as rape. Where a practitioner is concerned that a child is involved with penetrative sex, or other intimate sexual activity, there will always be reasonable cause to suspect that a child, whether girl or boy, is suffering or is likely to suffer Significant Harm’

Section 10.3 states

‘Sexual activity with a child under 16 is also an offence. Where it is consensual it may be less serious than if the child were under 13, but may nevertheless have serious consequences for the welfare of the young person. Consideration should be given in every case of sexual activity involving a child aged 13-15 as to whether there should be a discussion with other agencies and whether a referral should be made to children's social care.’

The younger the child, the more sexual activity will be a matter of concern. Where the situation is an emergency, the Police must be contacted. If this involves penetration activity and this comes to the attention of the school, this is a crime that should be recorded as such and CSC and the Police involved in the referral. A referral to CSC in these circumstances will trigger a strategy meeting which will consider the following:

- If the child is not in need, CSC will ‘step down’ to early help (Bright Futures) or the Targeted Youth Service
- If the child is in need - CSC will determine what services they should provide and continue an assessment under Section 17 of the Children Act 1989.
- If the child has suffered or is likely to suffer significant harm - CSC will initiate a S47 child protection investigation.

Sexual activity involving 16/17 year olds, even if it does not involve an offence, may still involve harm or a risk of harm. Schools should still bear in mind the considerations and processes outlined in this Protocol in assessing whether harm has been suffered, and should seek advice and share information as appropriate. If the behaviour is inappropriate but not thought to be abusive, the school may wish to speak to the parents to devise a consistent strategy to manage the behaviour, eliminate any abusive element and consider a possible referral to the Children's Service Contact Team for social and emotional mental health support.

It is an offence for a person to have a sexual relationship with a 16/17 year old or they cause or incite a child to engage in sexual activity if they hold a position of trust⁸ in relation to them. Any disclosure of an offence in relation to the person in a position of trust must be referred to the Police.

Sexual Harassment

Sexual harassment is unwanted conduct of a sexual nature by a child towards another child that can occur online and offline. Sexual harassment violates a child's dignity, makes them feel intimidated, degraded or humiliated and creates a hostile, offensive or sexualised environment.

⁷ [10. Safeguarding Sexually Active Children \(londoncp.co.uk\)](http://londoncp.co.uk)

⁸ Sections 21 & 22 Sexual Offences Act 2003

2. Legal Responsibilities of Schools

Schools have a statutory duty to safeguard and promote the welfare of the children at their school and as part of this duty they are required to have regard to guidance issued by the Secretary of State. This includes [Keeping children safe in education 2021](#), [Working Together to Safeguard Children](#), the [London Child Protection Procedures](#) and the school's own safeguarding procedures.

Schools are required by law to have a behaviour policy in place and measures to prevent all forms of bullying. Relationship and sex (RSE) education must be taught in maintained secondary schools and relationship education in maintained primary schools statutory guidance is available: [Relationships and Sex Education and Health Education guidance](#). Schools must have a clear policy in place that has been consulted on with parents.

Human Rights

Schools should be aware of their obligations under the Human Rights Act 1998 and the United Nations Convention on the Rights of the Child that would make it illegal to act in a way that is incompatible; being subject to sexual violence or sexual harassment may breach any or all of these rights, depending on the circumstances.

Equality Act 2010

The equality duty supports good education and improves pupil outcomes. The Equality Act must be followed by all schools, by not unlawfully discriminating against pupils because of their sex, race, disability, religion or belief, gender reassignment, pregnancy or sexual orientation, specifically important in the context of this protocol is support regarding their sex, sexuality and gender reassignment.

Positive action can be taken where it is proportionate to do so, to address particular disadvantages affecting one group e.g. supporting girls where there is evidence they are disproportionately impacted by sexual violence or sexual harassment.

The Public Sector Equality Duty⁹ is a legal requirement for governing bodies, head teachers, special educational needs co-ordinators and staff at all maintained primary and secondary schools, including academies, free schools, and Pupil Referral Units in England.

3. A Whole School Approach

School leaders should create a culture where inappropriate language, sexual harassment and online sexual abuse are not tolerated, and where they identify issues and intervene early to better protect children. In order to do this, they should assume that sexual harassment and online sexual abuse are happening in their setting, even when there are no specific reports, and put in place a whole-school approach to address them as such abuse may still be taking place and is simply not being reported.

Respectful relationships, well-being and safeguarding should be at the heart of the school ethos, touching upon all aspects. "Whole school approaches emphasise the need for prevention that includes multiple activities within schools and targets multiple stakeholders, including pupils, staff and parents."¹⁰ This approach should first be agreed and promoted by the senior leadership team

⁹ [Public Sector Equality Duty for Schools](#)

¹⁰ Jenny Lloyd, Responses and interventions into harmful sexual behaviour in schools, Child Abuse and Neglect 94 (2019)

and governing body and thereafter involve everyone in the school including all the staff, children, adult students, parents.

To identify the key issues their own policy and approach will need to address, schools should regularly reflect on the effectiveness of their approaches using the [contextual safeguarding network's self-assessment tool](#). The [farrer--co-safeguarding-child on child -abuse-policy-toolkit](#) includes a policy template and guidance which should be used by schools.

Schools also complete an Annual Safeguarding Report to Governors which is based on S175 Education Act 2002 – the purpose of this is to self-assess their safeguarding and online safety procedures and in doing so take into account the need to minimise the risk of harm to pupils and where there are concerns, that they are acted on to remedy those concerns.

In addition schools complete a Section 11 self-assessment audit every two years based on Section 11 of the Children Act 2002 and the need to have regard to safeguarding and promoting the welfare of children in carrying out the functions of their role. In doing so they will address key parts of this Protocol. Upon completion of the audit, schools will have a concise document to evidence outcomes to governing bodies and a school action plan to address any developments necessary.

School child protection policies should include a statement which makes clear there should be a zero-tolerance approach to abuse, that it should never be passed off as 'banter', 'just having a laugh', 'part of growing up', or 'boys being boys'. This can lead to a culture of unacceptable behaviours and an unsafe environment for children.

Training and Development

Schools should ensure that staff (and governors where relevant), receive appropriate training to

- Recognise and respond to the use of inappropriate language
- Better understand the definitions of sexual harassment and sexual violence including online abuse
- Identify early signs of child-on-child sexual abuse and knowing how to respond to disclosures (all professionals in school settings should have a DBS check and be trained in safeguarding)
- Consistently uphold standards in their responses to sexual harassment and online sexual abuse
- Teachers must teach high quality PSHE (personal, social and health education), including relationships, sex and health education (RSHE) in line with statutory requirements and receive high quality training for delivering RSHE
- Schools should be assured that anyone coming onto their premises are trained in safeguarding and DBS checked.
- Include equality and diversity training for teachers and support staff which explicitly includes content on gender equality and violence against women and girls.

The Curriculum and an Open Culture

A robust safeguarding culture, where the use of inappropriate language, sexual harassment and abuse are not tolerated, requires engagement and collaboration at all levels. A carefully planned PSHE curriculum that reflects the DfE's [Relationships Education, Relationships and Sex Education and Health Education guidance](#) must also include time for open discussion of topics that children find particularly difficult eg consent and sending of 'nudes'.

In Islington, we recommend that all schools teach RSE as part of a comprehensive PSHE (personal, social, health and economic) education curriculum. The [health and wellbeing team](#) in the school improvement service is funded in Islington to support schools with this important curriculum area.

Strong leadership and consultative dialogue can help direct the values, a clear vision, behavioural expectations and the culture of the school. It is also important to promote a culture where speaking out about abuse is encouraged and supported to enable disclosures to be made, a key barrier in education settings. Children should be taught how to raise a concern, to make a report and what is likely to happen. All staff should be trained on how children should be supported and how to manage a disclosure from a child¹¹. Schools should consider seeking support from external organisations¹² where appropriate.

Involving pupils in shaping the culture and ethos of the school can promote healthy relationships. Keeping Children Safe in Education states that schools should teach children about safeguarding, including how to stay safe online [Teaching Online Safety in Schools](#) as part of a broad and balanced curriculum, [Education for a Connected World \(publishing.service.gov.uk\)](#). The information in paragraph 121 of Keeping Children Safe in Education, September 2021 includes a one-stop page for teachers in relation to national guidance on teaching about relationships, sex and health and further guidance on teaching safeguarding. Schools can access additional, bespoke, support on this through the [health and wellbeing team](#) in Islington's school improvement service.

The school behaviour policy and pastoral system should underpin a clear set of values and standards to be upheld and demonstrated throughout all aspects of school life. The behavioural approach should reinforce a culture where sexual abuse and harassment is not tolerated and should also include sanctions. Together with a PSHE programme, which includes RSHE delivered through the whole curriculum in an age-appropriate and child-focused way, this should address, both on and offline:

- Healthy and respectful relationships
- Respectful behaviour
- Consent
- Gender roles, stereotyping and equality
- Body confidence and self-esteem
- Prejudiced behaviour
- Sexual violence and sexual harassment is always wrong
- Addressing cultures of sexual harassment

If the behaviour involves more than one child or a group, this may be addressed through PSHE lessons. Children may be affected by issues discussed in lessons. School staff should identify and speak to relevant children, especially those who they know may have been directly impacted by issues covered in the lessons and those with adverse childhood experiences. As they may find the content challenging, suggest trusted adults they could approach after the lesson to talk more about the content

The NSPCC has developed a series of bilingual resources¹³ to support the use of the [PANTS resources for schools and teachers | NSPCC Learning](#) in the classroom. The resource allows adults to have

¹¹ Keeping Children Safe in Education 2020, paragraph 17

¹² Sexual Violence and Sexual Harassment in Schools 2018, Annex A

¹³ <https://learning.nspcc.org.uk/research-resources/schools/pants-teaching>

simple, age appropriate conversations with children about being safe and speaking out about anything that worries them.

4. Embedding Values of Equality, Diversity and Inclusion

Inequalities and discrimination can increase the frequency of child-on-child abuse. Children may experience child-on-child abuse because of their cultural background, gender or socio-economic status. Statutory guidance states that staff should be aware that girls are more likely to be victims and boys more likely to be perpetrators, but that it can also affect boys, children with learning difficulties or disabilities and LGBTQ children.

Research suggests that an open and supportive school culture which is underpinned by values based on equality, diversity and inclusion conveys a caring environment to children and staff that improves reporting rates.¹⁴ This will also increase children's sense of belonging and reduce levels of peer aggression and violence.

Children from different cultural backgrounds can get involved in misunderstandings and peer pressure that can lead to an increased risk of abuse. Schools can support children to navigate these differences by creating safe spaces to discuss identity, peer pressure and consent and how cultural difference may impact their understanding on how they should behave.

Schools can ensure children are aware of different ways in which they can share concerns by prominently displaying posters, giving them safe spaces, visual process maps and providing a trusted adult from their own background/gender can help provide them with a language they can use and this can encourage reporting.

5. Misogyny and Sexism

Misogyny – a dislike for, contempt of or belief in the inferiority of women, has no place in our society, our schools or in the lives of our children. It can begin in the early years, influenced by the home environment. If these beliefs are unchallenged at home, at school and beyond, they can become embedded. The impact of sexism on all children can be significant and hinder personal and social development.

Misogyny or sexism can manifest itself through overt sexual bullying to casual sexist comments which some seek to trivialise as humour. Both boys and girls, and both men and women, can be the perpetrators of such behaviour, albeit by females to a lesser extent. Overall, women and girls are more likely to be the targets of sexist behaviour.

Schools should be wholly gender inclusive and be committed to the development of more consistent, coherent approaches to the promotion of gender equality and towards tackling the problem of sexual harassment and bullying of young women and girls, young men and boys or anyone who may be judged as failing to 'conform' to gender or sexual 'norms'.

Policy and practice

School policies should be precise in language and specifically address issues related to gender equality and violence against women with clear procedures on addressing them. Analysis of data by

¹⁴ McLeod, D., Jones, R. et al. *An Evaluation of a School-Based, 'Peer-Facilitated, Healthy Relationship' Program for At-Risk Adolescents*. 2015;

gender, exclusions, attendance, attainment, referrals to other agencies, applications for Education, Health & Care Plans, will inform policy and practice and identify inadvertent discrimination.

The School Ethos

All stakeholders (children, parents, staff and governors) should be given an opportunity to contribute to the school's vision and values which should be consistent with a commitment to gender equality.

Any existing gender stereotyping of both girls and boys from early years through to further education should be eradicated. Equality of opportunity for both girls and boys should be reflected in:

- classroom resources
- assigning of roles and responsibilities
- class groupings
- regular and open discussion with children on issues related to gender equality eg use of language which is derogatory towards women, violence against women and pornography.
- The use of assemblies to focus on some of these issues
- Consistent attitudes of both female and male staff across the school
- Open discussions with children in relation to conventional attitudes towards gender
- Peer to peer anti sexism education
- Discussions with children in relation to subject choice - consider how misogyny as gender stereotyping may be impacting on subject choice and take steps to tackle this
- The curriculum and explicit exploration of the topic within Religious Education, English, History, Drama, PSHE and Art
- The tackling of gender issues as they relate to body image, size, self-esteem and confidence through health and wellbeing and learning designed to address gender equality, body image, medial portrayal of women and human trafficking
- Cross curricular work highlighting violence against women [16 Days of Action Against Domestic Violence](#) from 25 November – 10 December and International Women's Day in March
- Visits from the police to highlight the seriousness of sexual bullying, misogynistic abuse on social media and violence against women
- Engagement with parents and governors to understand and support the school's approach

6. Response and Intervention

Schools are key to the effective response to child-on-child sexual abuse, exploitation and HSB and are part of the wider context of a multi-agency approach. Designated Safeguarding Leads (DSLs) should take a leading role and make decisions on a case by case basis with the support of children's social care (CSC), the police and other agencies as required. DSLs should receive support eg protected time in timetables to liaise with the local safeguarding partnership.

Children may not find it easy to tell staff about their abuse verbally, but may show signs or act in ways that they hope adults will notice and react to. Direct reports may not always be made eg a friend may make a report, a member of staff could overhear something suggesting a child has been harmed or a child's behaviour may indicate something is wrong or a child may find particular issues within PSHE difficult. Staff should not wait to be told, they should act on concerns immediately.

How the school responds initially is incredibly important as it can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward.

Schools should use the Contextual Safeguarding Network/NSPCC's [Beyond Referrals Toolkit](#) which gives further details about the key features of an effective multi-agency approach to preventing and responding to HSB and includes the following:

- Student engagement guidance
- Hotspot mapping guidance
- Student survey guidance and webinar
- Parent survey guidance and template
- Reviewing safeguarding and behaviour logs

As part of the school's response, it is essential that 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. Nor should a victim ever be made to feel ashamed for making a report.

Managing a Disclosure

- Listen to the victim
- Reassure them that you are taking them seriously, that you will support them and keep them safe
- Do not promise confidentiality
- Do not stop them while they are recalling events
- Use open ended questions and limit to those needed to take immediate action
- At the end of the disclosure,¹⁵ immediately write up a thorough summary allowing the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, it is essential a written, comprehensive record is made, recording the time, date, place and people present.

NSPCC Helpline

The NSPCC has launched a new helpline 0800 136 663 to support potential victims of sexual harassment and abuse in education settings. It aims to provide children and adults who are victims of sexual abuse in schools with the appropriate support and advice, including on how to contact the Police and report crimes. The helpline will also provide support to parents and professionals. Schools should promote and remind children about the helpline and to use whatever means the school chooses/has available to do so. **The helpline will be available until December 2021 after which time the main NSPCC helpline number can be used 0808 800 5000.**

Children with Additional Needs

Children with Special Educational Needs and/or Disabilities (SEND) are three to four times more likely to be abused and neglected than other children and significant barriers can exist to their safeguarding and wellbeing. This includes being more at risk of child-on-child abuse and sexual abuse.

¹⁵ Keeping Children Safe in Education 2021 para 443

They face both additional and specific risks and barriers to their protection including:

- Attitudes and assumptions such as a reluctance to believe disabled children are abused, minimising the impact of abuse and attributing indicators of abuse to a child's impairment without an exploration of possible causes or underlying reasons
- Barriers to the provision of support services that lead to the disabled child and their family being isolated
- Impairment-related factors such as dependency on a number of carers for personal assistance, impaired capacity to resist/avoid abuse, communication impairments and an inability of the child to understand what is happening or to seek help
- A skills gap such as an inability to communicate with the disabled child and respond to their individual needs in a child protection context, inappropriate application of thresholds

Schools should be aware of the additional needs SEND children may have that could mean they are more vulnerable to abuse and/or less able to speak out if something isn't right, particularly if they :

- have additional communication needs
- do not understand that what is happening to them is abuse
- need intimate care or are isolated from others
- are dependent on adults for care.

It is important for staff who work with children with additional needs to understand children's communication needs and attend training in relation to this.

Some children may not have the capacity to know that they are being abused eg they may not have the skills required to identify when a friendship or relationship is unhealthy or recognise coercive relationships.

Vulnerable Groups

A variety of groups of children with disabilities are considered particularly vulnerable with children with mild to moderate learning difficulties the most at risk, together with those with more severe learning difficulties and communication difficulties. Girls and boys, children who are LGBTQ, those from different communities and children with Autistic Spectrum Disorder (ASD) are also considered particularly vulnerable due to their different social understanding potentially making them more likely to engage in 'risky' behaviours and/or child-on-child abuse.

Safeguarding and teaching PSHE, including RSHE to children with special educational needs and disability (SEND) is crucial because these children are generally, more vulnerable to abuse, bullying, exploitation and other issues because of their SEND.

Children with SEND may need extra help to deal with peer pressure and coercion.

Sexual Behaviours in Children with Disabilities

On occasions children with disabilities may display sexualised behaviour in a public area. Some examples of sexual behaviours which may be presented are :

- Touching private body parts
- Removing clothes in public
- Masturbating
- Touching others inappropriately

- Discussing inappropriate sexual subjects
- Looking up shorts, skirts, dresses or down shirts
- Sexualised gestures
- Non-consensual hugging and consensual hugging
- Inappropriate remarks and suggestions that have sexual content
- Echolalic repetition of sexual terms
- Perseveration on sexual topics

These behaviours are mostly displayed due to different forms of understanding around the notion of social norms. This is why the PSHE and RSE programmes mentioned above are essential. It is important that children with disabilities are able to express and explore their sexuality, but this needs to be both safe and socially acceptable. Where staff are presented with any of the above behaviours they should distract and encourage appropriate behaviour. Where possible they should explain what is socially acceptable and how a young person should act in public, drawing attention to what should take place in private and what can take place in public.

For children with significant disabilities it may be appropriate to provide a safe and private space for some of these activities, for example masturbation, if preventing this would cause significant distress and potential challenging behaviour.

Further advice and support regarding sexual behaviours in children with disabilities can be accessed by contacting the special schools in the borough or the Disabled Children's Social Work Team on Tel: 0207 527 3366 or via email DisabledChildren.Team@islington.gov.uk.

Camden and Islington Young People Sexual Health Network (CAMISH) can provide free relationships and sex education programmes and support to children with special educational needs and disabilities. They can work with individuals or small groups. Please see their [website](#) for more information.

Managing disclosures for children with additional needs

It's important that schools create a clear process for disclosures that all staff are aware of and emphasise identifying a trusted adult children can speak to if they have concerns or questions.

If a child makes a disclosure during the lesson, ensure that it is dealt with immediately by someone who knows them well (pupils with learning difficulties may not be able to retain the information until the end of the lesson).

Use photographs of school staff members alongside their names, to reinforce the identity of people to whom children can talk to after the lesson if they have any concerns or worries.

'Disabled children (and severely disabled children even more so) may disclose less frequently and delay disclosure more often compared to typically developing children. Disabled children are most likely to turn to a trusted adult they know well for help such as family, friend or teacher'¹⁶

¹⁶ (Marchant et al. 2007; Briggs 2006; Hershkowitz et al. 2007; Marchant et al. 2008).' – NSPCC 'We have the Right to be Safe'

[Keeping children safe in education 2021](#) states that schools should ensure that their child protection policy reflects the fact that additional barriers can exist when recognising abuse and neglect in SEND children including:-

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's condition without further exploration;
- these children being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children;
- the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in managing or reporting these challenges

School child protection policies should therefore reflect the above and to address these additional challenges, schools should consider extra pastoral support and attention for these children, along with ensuring any appropriate support for communication is in place.

Immediate Response

Where a child is suffering, or is likely to suffer from harm, or is at immediate risk, a referral to CSC (and, if appropriate, to the Police) should be made immediately.

Paragraphs 45 – 48 of the DfE's Sexual Abuse and Sexual Harassment in Schools (and Part 5 KCSIE) outline the steps that should be followed once information has been received:

- Reassure the child that they are being taken seriously, supported and kept safe.
- The concern may arise through another person or persons; staff should not assume that someone else is taking responsibility. They should speak to the DSL and following the safeguarding policy. The DSL should handle the information with sensitivity and with the support of CSC if required.
- The reports of the alleged sexual violence or sexual harassment may indicate it took place away from the school premises or online. The school's duty to safeguard remains the same and appropriate information sharing and multi-agency working will be particularly important.
- All staff should be trained to manage a disclosure/report from a child (KCSIE, Part 1). This will include:
 - Being clear with victims that they are believed and will be supported through hearing their voice and responding to all children that describe experiencing sexual abuse or harassment
 - Using an interpreter when necessary
 - Not promising confidentiality – the report should be shared on a need to know basis to ensure its progression. The victim must be made aware of the next steps and who will receive the information.
 - The person receiving the information from the child to recognise they are in a position of trust and should be supportive and respectful
 - Being non-judgmental, not asking leading questions and using open questions, where, what, when etc.
 - Remaining engaged with the child and writing a thorough summary immediately after the disclosure.
 - Only recording the facts as relayed by the child, not personal opinion

- If the disclosure includes online safety, being aware of the DfE guidance on [Searching, screening and confiscation](#) and the [Sharing nudes and semi-nudes: advice for education settings](#) ensuring they do not view or forward illegal images of a child and to be aware of the advice when viewing an image is unavoidable.
- Where possible disclosures should be managed with two members of staff present (one the DSL).
- Informing a DSL as soon as practically afterwards.

The DSL should advise on the school's initial response and will consider:

- The wishes of the victim and how they want to proceed
- The nature of the alleged incident, including considering whether a crime has been committed
- The ages of the children involved
- The developmental stages of the children involved
- Any power imbalance between the children eg is the alleged perpetrator significantly older, does the victim have a disability or learning difficulty?
- Whether it is a one-off incident or is there a pattern of abuse
- Whether there are ongoing risks to other children, adult students or staff
- Whether extra familial harm is a factor, consideration of sexual exploitation, criminal exploitation and serious youth violence
- The proximity of the victim and alleged perpetrator and considerations (including the option of remote learning) regarding shared classes, sharing school premises and school transport

The Risk Assessment

An immediate, written (or electronic) risk assessment should be made by the DSL to consider:

- The victim's safeguarding, education and support
- The alleged perpetrator's safeguarding, education and support
- All the other children (or adult students and staff) at the school and what actions will protect them
- An assessment of the physical environment

The risk assessment should be put in place by the school, even when there is a Police investigation, and should be reviewed to actively consider the risks posed to everyone including advice from the support agencies detailed under the section 'Harmful Sexual Behaviour' above.

Engagement with CSC and specialist services is important to ensure their risk assessments are informing the school's approach and updating the school risk assessment as well as continuing to work collaboratively within the multi-agency network. The school risk assessment can be shared with the Police and CSC. These will be key factors when considering the school's actions following a disclosure.

Actions following a Report/Disclosure

Schools will consider the following ways to manage any reports/disclosures of sexual violence and/or sexual harassment:

1. Manage internally – if it is assessed the children are not in need of early help or statutory intervention and it is a one-off incident, then for sexual harassment, it could be handled

internally through the behaviour policy and pastoral support. The principle that it is never acceptable and will not be tolerated must be reinforced.

2. The initial stages of considering a disclosure or incident (or at any point during the management of a concern), can also include seeking advice from the children's social care referral and advice team
3. Early help – If statutory interventions are not required, but a child may benefit from early help and support in order to address non-violent harmful sexual behaviour and to prevent the escalation of sexual violence.
4. A referral to CSC (and the Police where appropriate) – where a child has been harmed, is at risk of harm or in immediate danger. Parents should be informed unless there are compelling reasons not to (where to do so will put the child at additional risk). The school should work alongside and cooperate with the social worker and should not wait for the start of an investigation before protecting the victim and other children. Working closely with CSC will ensure actions taken do not jeopardise a statutory investigation. If CSC decide not to carry out an assessment, the school should be prepared to refer again if they believe the child remains in immediate danger or at risk of harm. Other support mechanisms should be considered e.g. early help specialist and/or pastoral support.
5. Where a referral to CSC does not meet threshold, CSC may be able to help identify appropriate support for children, either through Bright Futures (Islington's early help service) or other services. This may include protective behaviours' work to help them identify safe and unsafe touches and who they could talk to if they have any worries. This work could be offered by Bright Futures, the Targeted Youth Service or the school.
6. A report to the Police – usually in parallel with a referral to CSC. Where there is a report of rape, assault by penetration or sexual assault, the initial action is a referral to the Police, even when the alleged perpetrator is under the age of ten. Parents should be told of the referral unless there are compelling reasons not to e.g. if informing the parent is likely to put the child at additional risk. The Police will advise on what information should be shared with staff and others, particularly the alleged perpetrator and the parents. The DSL should be aware of the Police Child Abuse Investigation Team local arrangements. If the Police do not take further action, the school should continue to engage with specialist support for the victim.
7. Guidance and support in relation to discussions within joint friendship groups and how this should be handled can be obtained from ExploitationandMissing@islington.gov.uk.

All of the scenarios above:

- Should be underpinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated, and
- All concerns should be recorded either written or in electronic format, as soon as possible after they arise.

Criminal Proceedings

If the school is informed of criminal proceedings, schools are expected to:

- Make records available to the Police
- Ensure they do NOT take statements, these will be taken by the Police

It is important that the DSL works closely with the Police (and other agencies) to ensure any actions the school takes do not jeopardise the Police investigation. Schools should ask the Police when they

have any questions about the investigation. The Police will help and support the school as much as they can (within the constraints of any legal restrictions).

The Police must ensure the outcome of any criminal proceedings and/or any decisions about prosecution is communicated to the school. The Local Authority must convene a strategy meeting in accordance with Chapter 1 Working Together to Safeguard Children to determine the child's welfare and plan rapid future action if there is reasonable cause to suspect the child is suffering or is likely to suffer significant harm:

'Whenever there is reasonable cause to suspect that a child is suffering or is likely to suffer significant harm there should be a strategy discussion involving local authority children's social care (including the residential or fostering service, if the child is looked-after), the police, health and other bodies such as the referring agency. This might take the form of a multi-agency meeting or phone calls and more than one discussion may be necessary. A strategy discussion can take place following a referral or at any other time, including during the assessment process and when new information is received on an already open case'.

The strategy meeting must be attended by the Police, a social work manager and the school representative, (where it falls during the school term).

The Strategy Discussion

The purpose and requirements of a strategy discussion are set out in statutory guidance, Working Together to Safeguard Children, Page 42 and the London Child Protection Procedures, Chapter 4. At a minimum, the following should be involved:

- A local authority social work manager
- A health practitioner
- A police representative
- Other relevant practitioners will depend on the nature of the individual case but may include:
 - the practitioner or agency which made the referral
 - the child's school or nursery
 - any health or care services the child or family members are receiving

All attendees should be sufficiently senior to make decisions on behalf of their organisation and agencies.

The tasks of the strategy discussion are to:

- Share available information
- Agree the conduct and timing of any criminal investigation
- Decide whether enquiries under section 47 of the Children Act 1989 must be undertaken and if so:
 - what further information is needed if an assessment is already underway and how it will be obtained and recorded
 - what immediate and short-term action is required to support the child, and who will do what by when
 - whether legal action is required
 - agree timescales for next steps should be based upon the needs of the individual child, and consistent with this Protocol and the London CP Procedures

The Role of the Social Worker

- consider the child's welfare and safety, and identify the level of risk faced by the child
- decide what information should be shared with the child and family (on the basis that information is not shared if this may jeopardise a police investigation or place the child at risk of significant harm)
- agree what further action is required, and who will do what by when, where an Emergency Protection Order is in place or the child is the subject of police powers of protection
- record agreed decisions in accordance with local recording procedures
- follow up actions to make sure what was agreed gets done
- continue to work and support the family

The Role of the Police

- discuss the basis for any criminal investigation and any relevant processes that other organisations and agencies might need to know about, including the timing and methods of evidence gathering
- lead the criminal investigation (local authority children's social care have the lead for the section 47 enquires and assessment of the child's welfare) where joint enquiries take place

Unsubstantiated, unfounded, false or malicious reports

- All concerns, discussions and decisions made and reasons for decision should be recorded in writing
- DSLs should review records so that patterns of concerning, problematic or inappropriate behaviour can be identified and addressed
- KCSIE 2021 says, 'If a report is determined to be unsubstantiated, unfounded, false or malicious, the DSL should consider whether the child and/or person making 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 CSC may be appropriate
- If a report is shown to be deliberately invented or malicious, the school should consider whether any disciplinary action is appropriate against the individual who made it as per their own behaviour policy.'¹⁷

7. Ongoing Response

Supporting the Victim

The victim should be safeguarded and support offered, this will depend on the age and developmental stage, the nature of the allegations and potential risk of further abuse. Schools should be aware that sexual assault can result in a range of health needs including physical, mental and sexual health problems and unwanted pregnancy.

Schools should consider whether a power balance has been created between victim and alleged perpetrator. The safety, needs and wishes of the victim should be paramount in any response and they should be able to continue in their normal routine. Schools should support them as follows:

- Continuing in their normal routine and make daily experiences as normal as possible
- Never making them feel they are a problem for making a report or made to feel ashamed

¹⁷ Keeping Children Safe in Education 2021 paras 452-454

- Support offered should depend on the seriousness of the incident e.g. is it a one-off incident of sexualised name-calling or an allegation of rape?
- A referral to the Social & Emotional Mental Health Service via the Front Door 0207 527 7400 to access the Child and Adolescent Mental Health Services (CAMHS) and other mental health services
- Rape Crisis Centre
- [Internet Watch Foundation](#) (to potentially remove illegal images)
- Work collaboratively with other boroughs where either the victim or the alleged perpetrator lives out of borough. If schools are dissatisfied with the response received, for example if the other borough refuses to engage unless a child has been permanently excluded, then the [London Professional Conflict Resolution procedure](#) should be followed.
- Victims may disclose information piece by piece. They should be given opportunities to share concerns and offered ongoing support. A designated trusted adult can be offered to talk about their needs, ask the victim to choose someone.

Consider the trauma experienced by the victim and whether they find it difficult to maintain a full timetable – if so a space should be provided.

It may be necessary to maintain arrangements to protect and support the victim for a long time. Schools should work with CSC and other agencies and do everything they can to protect the victim from bullying and harassment, because of the disclosure. CSC will make appropriate referrals to The Lighthouse, telephone: [020 3049 0010](tel:02030490010), email: thelighthouse.ask@nhs.net).

Transferring to another school

Alternative provision or a move to another school should be considered if it is not possible for either the victim/perpetrator to continue in the same school. A change of school should only be at the request of the victim/perpetrator and following a discussion with the parents and should be expedited in the most appropriate and timely manner, for example via an Education, Health and Care Annual Review, Managed Transfer or ordinary in-year admissions application. In extraordinary circumstances where this comes to light following the allocation of a school place by the Primary Securing Education Board or Secondary Securing Education Board, a new school can be identified via Chair's Action. The application forms for the securing education board are stored on Islington CS with details of the process and dates of meetings:

[Primary SEB](#)

[Secondary SEB](#)

Any transferring school should be made aware of any ongoing support needs. The DSL should discuss this with the victim and parents and also transfer the child protection file to the new setting within 5 days.¹⁸

Supporting the Alleged Perpetrator

Support and sanctions should be considered on a case by case basis. The alleged perpetrator may potentially have unmet needs as well as potentially posing a risk of harm to other children. Harmful

¹⁸ Keeping Children Safe in Education 2021 Page 146

sexual behaviour in young children may be (and often are) a symptom of either their own abuse or exposure to abusive practices and/or materials.

Schools must balance carefully the need to provide the alleged perpetrator with an education, safeguarding support and implement any disciplinary sanctions. In order to do this, they must consider:

- The age and developmental stage
- The nature of the allegations
- The stress of being the subject of an allegation
- Any unmet needs
- Whether they pose a risk of harm to other children
- HSB in young children may be a symptom of either their own abuse or exposure to abusive practices
- The school should take advice from the Children's Services Contact Team Referral & Advice (0207 527 7400), specialist sexual violence services and the Police.
- It is the responsibility of the DSL that if the alleged perpetrator moves to another educational setting, they are made aware of any ongoing support needs and where appropriate, potential risks to other children and staff.
- The DSL should also transfer the child protection file to the new setting within 5 days of the child transferring.
- When there is a criminal investigation and the Police have advised that schools cannot share any information with the alleged perpetrator, how to manage this can be discussed and agreed at the early strategy meeting that will include a representative from the school

8. Record Keeping and Information Sharing

Effective information-sharing underpins joint working and is a vital element of work to safeguard and promote the welfare of children.

"Effective sharing of information between practitioners and local organisations and agencies is essential for early identification of need, assessment and service provision to keep children safe."¹⁹

Information sharing should therefore be a two-way process.

Schools should use robust record keeping, including the use of chronologies, to identify patterns and to aid early identification of concerns. Chronologies will help to identify a pattern of behaviour. Concerns may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

Records should include²⁰:

- a clear and comprehensive summary of the concern;
- details of how the concern was followed up and resolved;
- a note of any action taken, decisions reached and the outcome.

¹⁹ Working Together to Safeguard Children 2018

²⁰ Paras 71, 72 Keeping Children Safe in Education September 2021

If in doubt about recording requirements, staff should discuss with the designated safeguarding lead (or deputy).

The records that are completed by the member of staff to whom a disclosure is made will need to be kept and provided as exhibits if there is a Police investigation. Staff will need to be aware that they may need to provide a statement to the Police.

Referring to other Agencies

Multi-agency early help will work best with engagement with parents. When a referral is being made to CSC, parents will usually be informed, unless there are compelling reasons not to (if informing a parent is going to put the child at additional risk).

Schools and statutory services should be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children, either when problems first emerge or where a child is already known to children's social care.

The Data Protection Act 2018 and the UK GDPR do not prevent the sharing of information for the purposes of keeping children safe and fears about sharing must not be allowed to stand in the way of the need to safeguard a child. Schools can also share information without consent where there is a good reason to do so eg it will enhance the safeguarding of a child if shared in a timely manner or if to gain consent, would put the child at risk.

When a referral is being made to the police, the DSL should consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator and their parents. They should also discuss the best way to protect the victim and their anonymity.

9. Working with Parents

Communication and Understanding

The London Child Protection Procedures state that 'where parents are or can be a protective factor, it is important that:

- They are supported
- They are included in the assessment of the risk to their child and incorporated into the plans made to protect them
- They are kept informed about progress or lack of progress in relation to protecting their child
- If their child is missing, they are kept informed of efforts to find them and immediately informed when their child is found
- That their concerns are listened and responded to
- That their knowledge and understanding of their child informs the assessment and planning'.

Schools should make use of their websites when communicating with parents on safeguarding issues. In addition to the safeguarding and child protection policy, details of key staff members and the first steps parents should take if they have any worries concerning their child should be made clear to them. Safeguarding newsletters, a safeguarding section on the website, coffee mornings on key themes, leaflets and e-messages are useful ways of updating parents on issues appropriate to their context, such as the risks relating to child sexual exploitation or online bullying. An inclusive approach to safeguarding and regular communications can make all the difference in engaging parents and improving relationships.

The Safeguarding and Child Protection Policy and the Behaviour Policy should be clear, accessible and understood by parents. Parents may find it difficult to cope with information about their child being a victim of assault or an alleged perpetrator. Sexual Violence and Sexual Harassment in Schools contains support organisations in Annex A and parents should be signposted to these.

Sharing Information with Parents

The school will usually engage with both the victim's and the alleged perpetrator's parents when there has been a report of sexual violence, but should carefully consider what information they provide about the other child involved and when they do so. There is an exception if there is a reason to believe informing a parent will put a child at additional risk.

Schools will generally inform parents unless there are compelling reasons not to, eg, if informing a parent is likely to put a child at additional risk. Where they are not informed, it is especially important that the school is supporting the child in any decision they take and this should be with the support of children's social care and any appropriate specialist agencies – see the section Strategy Discussion above.

The DSL should meet the victim's parents with the victim present to discuss what arrangements are being put in place to safeguard him/her and understand their wishes in terms of support they may need and how the report will be progressed. It should be decided on a case-by-case basis whether other agencies should also be present.

It is also good practice for the school to meet with the alleged perpetrator's parents to discuss any arrangements that are being put into place that impact the alleged perpetrator, such as, for example, moving them out of classes with the victim and what this means for their education. The reason behind any decisions should be explained. Support for the alleged perpetrator should be discussed.

Victims should be given all the necessary support to remain in their school. In some cases this may not be possible, depending on how traumatised the victim is. Following a discussion with both sets of parents and at the request of the victim and/or perpetrator, alternative provision or a move to another school should be considered.

Flowchart for managing child-on-child sexual violence, abuse and harassment

Appendix 1



