



**TAUNTON
SCHOOL**

WS.044

Sexual Violence & Sexual Harassment Policy

This whole school policy aims to provide a practical guide to ensure that all staff know how to support young people who are affected by sexual violence and sexual harassment between children. As such it should be read in conjunction with:

- a) The school's behaviour policies (eg in the senior school, SNR 0.15 through to SNR 0.19) and the school's anti-bullying and cyberbullying policies (eg in the senior school, SNR 0.25))
- b) The school's safeguarding and child protection policy
- c) The school's PSHEE policy
- d) The School's Code of Conduct
- e) Government guidance: Keeping Children Safe in Education 2021, Working Together to Safeguard Children
- f) The OSTED review into Sexual Violence in Schools 2021

Principles

The principles which underpin this policy are largely covered in the policies outlined above. They are re-stated here but any repetition simply reflects the spirit of the guidance in Keeping Children Safe in Education, 2021 namely:

- The school has a whole school approach to safeguarding which means that all school policies practices should be underpinned by these core values (which are stated below)
- Sexual violence and sexual harassment can occur between two children of any age and sex from primary through to secondary stage and into colleges.
- It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children.
- Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable.
- 'It could happen here'. Taunton school makes reference to this statement but goes further to say 'it does happen here' and it is everyone's responsibility to remain alert to the signs. Therefore, even if TS does not have any reports of sexual harassment, violence or bullying we assume it is happening and we should consider and challenge the school culture
 - Do children feel safe to report it?
 - Do children understand how to report it?
 - Do children have enough suitable student voice to explain how they feel?
- A child abusing another child may be a sign they have been abused themselves or a sign of wider issues that require addressing within the culture of the school or college.
- The school has a 'zero tolerance' approach to behaviour around sexual violence and sexual harassment i.e. it will be taken seriously, 'banter' will always be challenged and reported and it will not be downplayed.
- Incidents or any concerns must be reported appropriately
- National rates tell us that boys are more likely to be perpetrators and girls and pupils who identify as lesbian, gay, bi-sexual, transgender or simply questioning are more likely to suffer sexual violence and sexual harassment.
- TS is committed to using education of staff, pupils and parents to understand, challenge and deal with sexual violence and harassment.
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The school's role

- To create a safe environment in which young people feel comfortable and know how to disclose issues which worry them including sexual violence and sexual harassment
- To ensure all staff know how to manage a disclosure around sexual violence and sexual harassment including external agencies
- To ensure all staff are trained to be aware of the signs of abuse and neglect (including sexual violence and sexual harassment)
- To provide education around safeguarding (including sexual violence and sexual harassment) which challenges everyday sexism and other protected characteristics.

Definitions

Victim	The person who has disclosed that they have suffered sexual violence or sexual harassment either on-line, off line or a combination of both
Perpetrator	The person who is likely to have committed sexual violence or sexual harassment
Between children (sometimes referred to as 'Peer on Peer')	Legally a child is anyone under the age of 18. Taunton School has pupils who are over the age of 18. If sexual violence or sexual assault happens between peers but one is over the age of 18 and one is under the age of 18 (they could still be 'peers', in the same year group) then the school will work with SSCP to agree a suitable way forward as different agency support may be needed.
Outside school	Sexual violence and sexual harassment between children could happen outside school. However, the victim and perpetrator could still be subject to support, intervention and possible disciplinary action because of the impact it will have within school
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. (Schools should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)
Causing someone to engage in sexual activity without consent	A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)
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

	<p>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.</p> <p>A child under the age of 13 can never consent to any sexual activity;</p> <ul style="list-style-type: none"> • the age of consent is 16; 17 • sexual intercourse without consent is rape.
<p>Sexual harassment</p>	<p>Unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school/college.</p> <p>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.</p> <p>Can include:</p> <ul style="list-style-type: none"> • 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; • physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and • online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence
<p>Harmful sexual behaviour</p>	<p>Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. HSB can occur online and/or face to face and can also occur simultaneously between the two.</p>
<p>Whole school approach to safeguarding</p>	<p>Systems should be in place (and they should be well promoted, easily understood and easily accessible) for children and staff to confidently report abuse, sexual violence and sexual harassment, knowing their concerns will be treated seriously, and that they can safely express their views and give feedback. Each part of the school will have their own specific systems in place. These are reflected in the appendices</p> <p>This should be supported by a planned curriculum (in TS this is called PSHEE) which all teachers (and relevant pastoral staff) understand and can support with. For example, tutorial time may well be given over to tutors to support some of the teaching delivery of this curriculum or to discuss an issue which has affected a year group within the school.</p>

	All departments (support staff, heads of academic department, pastoral leadership meetings, senior management meetings, governor meetings etc) have safeguarding as a regular item on their agenda.
Zero tolerance	All staff must have a zero tolerance to any behaviour which could downplay behaviour between peers (and indeed, between staff or between staff and pupils) which could lead to a culture in which sexual violence or sexual harassment is condoned as 'banter', 'just having a laugh'
Extra familial harms	It is possible that someone affected by sexual violence or harassment could be suffering extra-familial harms. These take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to), sexual exploitation, criminal exploitation, sexual abuse, serious youth violence and county lines
On-line and off-line	The school recognises <ul style="list-style-type: none"> a) The impact of on-line life on the attitudes of children and young people towards other children and how this can impact healthy relationships b) How successive lockdowns have exacerbated the influence of on-line life on children and young people c) On-line life impacts on the cultural norms in children and young person's off-line life.

Context

The OSTED report into sexual violence and sexual harassment in schools [Review of sexual abuse in schools and colleges - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/reviews/sexual-violence-and-sexual-harassment-in-schools) was clear that teachers and other stakeholders (including senior leaders, parents and governors) were often unaware of the extent of the problem. Taunton School will overcome this through adherence to the principles outlined on page 1 of this policy.

For example

Staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys.	<p>Almost a quarter (24%) of female students and 4% of male students at mixed-sex schools have been subjected to unwanted physical touching of a sexual nature while at school.</p> <p>Taunton School has specific training set aside for staff and parents to highlight and advise on these issues.</p>
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What staff should be aware of

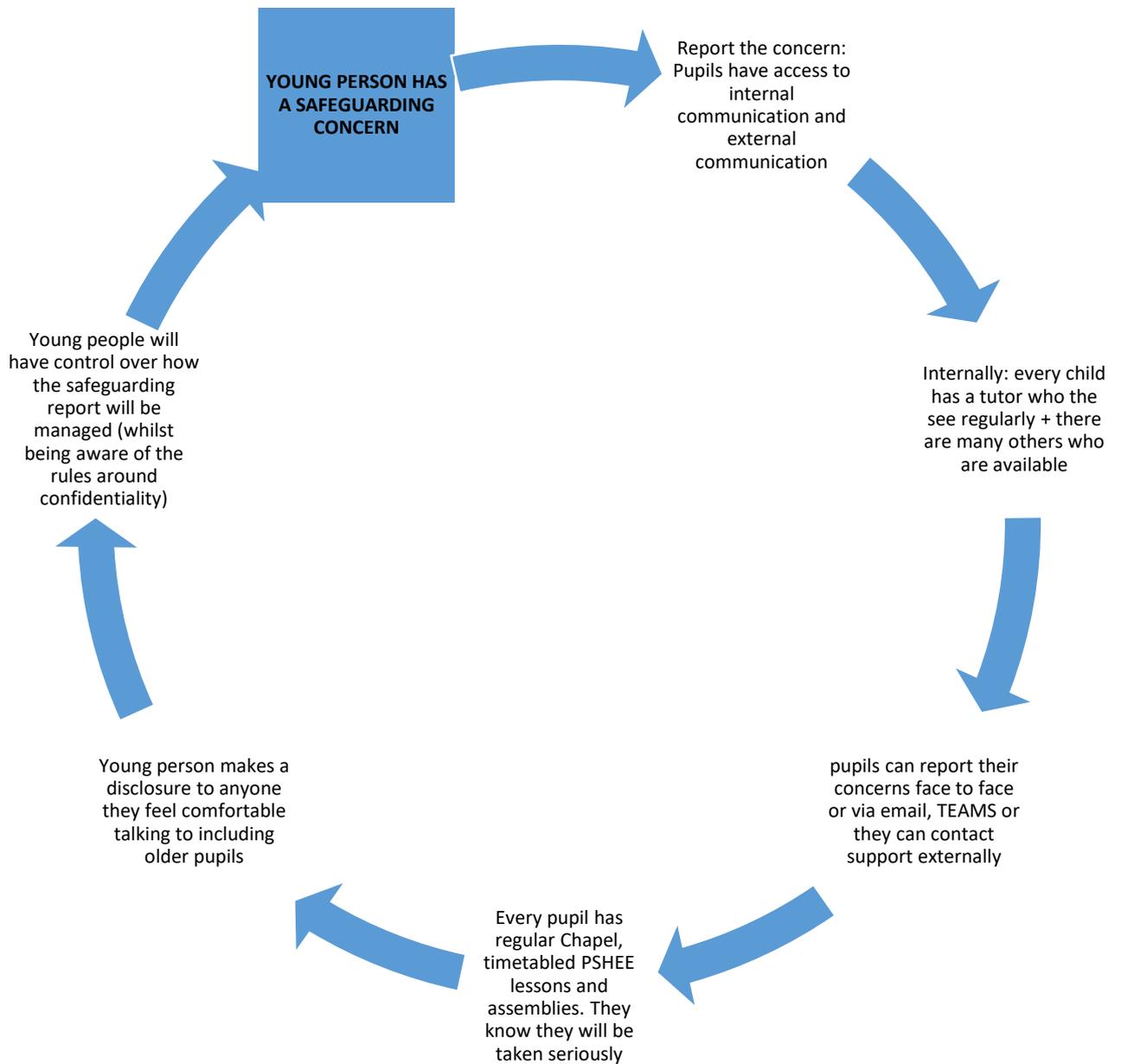
1. They should ensure their behaviours in school set the right example so that they stand out as good role models. This means not only challenging and reporting inappropriate behaviour with pupils but also challenging and reporting inappropriate behaviour between staff (or staff to pupils). This is also explained in the staff code of conduct.

2. They should be aware of the principles behind the school behaviour policies and what role they play in enacting these policies.
3. They should be aware of reasonable force, what it is, how it can be used to keep children and young people safe.
4. They should have a zero tolerance approach towards sexual violence and sexual harassment and should never see 'banter' or 'just having a laugh' as acceptable.
5. They should be aware of what child on child or peer on peer abuse is (see Safeguarding and Child Protection Policy) and that in addition (and specifically related to this sub policy) causing someone to engage in sexual activity without consent, such as forcing to strip, touch themselves sexually or to engage in sexual activity with a third party is also abuse.
6. Children subjected to sexual violence and sexual harassment are likely to
 - a. Be less motivated and therefore attainment in class will suffer
 - b. Change in mood
 - c. Change in physical appearance
 - d. Change in friendship groups
 - e. Change in attendance at school
 - f. Change in possessions
 - g. NSPCC's 'how safe are our children' report 2020 found that girls are particularly vulnerable to sexual abuse, accounting for around 90% of victims of recorded rape offences against 13- to 15-year-olds in England, Wales and Scotland.
 - h. Girlguiding's Girls' 2021 Survey found that 67% of girls and young women aged 13-18 surveyed have experienced sexual harassment at school from another student, and that 29% first experienced sexual harassment when they were just 11-13 years old
 - i. Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers.
 - i. Additional barriers can sometimes exist when recognising abuse in SEND children.
 - ii. These can include:
 - assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
 - the potential for children with SEND being disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs; and
 - communication barriers and difficulties overcoming these barriers.
 - j. Children who are lesbian, gay, bi, or trans (LGBT) can be targeted by their peers. In some cases, a child who is perceived by their peers to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.
7. All staff are responsible for being alert to any safeguarding concerns (including sexual violence and sexual harassment), to act on these concerns appropriately depending on the level of need eg if a pupil is at risk of immediate then the member of staff should act in their best interests which could well mean contacting multi agency partners themselves rather than expecting the DSL or deputies to do so.
8. All staff should be aware that effective record keeping is essential in supporting the child and therefore in each part of the school they should understand their role and how they support this. There is a broader element to this – 'a whole school approach to preventing child on child

sexual violence and sexual harassment’ – by which the school has in place suitable systems to ensure that staff can report abuse. This is covered in training.

9. Technology: staff should be aware that technology plays a significant role in many safeguarding and wellbeing issues.
10. Older pupils: should be aware of the role they have in being good role models and in caring for others, intervening and reporting behaviour which falls below the standard expected within our behaviour and safeguarding policies.
11. How to manage a disclosure: see Appendices below

Appendix A: how a young person can confidently report abuse, sexual violence and sexual harassment



Appendix B: the support provided so that young people know how to report a safeguarding concern

The following is issued to all pupils in the senior school.

This guide explains what you should do if you feel worried about something. Much of what follows may seem obvious to you, but it is important to realise that the School will want to support you if you are unhappy, if something has happened to you which makes you feel uncomfortable or you have questions which you are struggling to answer.

“What do I do if I just want to talk to someone?”

We want Taunton to be a ‘Talking School’ where students and staff feel comfortable talking, supporting and resolving issues in a restorative and mature manner. This can be done within school - close friends, Peer Mentors, Prefects or Heads of House, Mental Health Reps, Housemaster or Housemistress or Tutor, Chaplain, Health Centre staff or Matron – or outside school through your parents, family, school doctor, independent listener or many outside agencies and support groups.

These are some of the outside agencies who can help

- Child Abuse Investigation Team (CAIT) – **01823 363003**
- Child Line – **0800 1111**
- NSPCC helpline (children who have suffered sexual abuse from other children) **0800 136663**
- Domestic abuse freefone service – **0800 6949999**
- NSPCC Child Protection Helpline – **0808 800 5000**
- Samaritans ‘talk to us’: **116 123**
- Stop Hate Crime – **0800 1381625**
- The Bridge (out of hours) - **01173 426999**
- Drink Line – **0800 917 8282**
- Frank – National Drugs Helpline – **0800 776600**
- Somerset Drug and Alcohol Partnership – **0300 3038788**
- NHS Smoking Helpline – **0800 169 0169**
- Somerset Eating Disorders – **01458 448600**, if you are over 16 you can self-refer to CAMHS (children and adolescent mental health services **01823 368368**)
- Victim Supportline – **0845 3030900**
- Samaritans – **116 123**
- NHS Direct – **0845 4647**
- Stonewall - **020 7593 1850**
- 2BU Somerset – **07799 136552**
- LGBT Support line – **0300 3300630**
- Educate and Celebrate – **0300 3300 630**
- Independent Listener - **Miss Anna Manley (07736 254337) and Mr Derek Baty (01983 339779)**
- Somerset Suicide Bereavement Support Service – **0300 3305463**
- Papyrus (prevention of young suicide): **0800 0684141**
- Mindline Somerset (mental health helpline) – **01823 276892**
- CALM (campaign against living miserably) – **0800 585858**
- CASS (women’s self-injury helpline) – **0808 8008088**
- FCN (supporting farming families) – **01934 712128**

You may prefer to talk on-line.

- Kooth (www.kooth.com) and Wysa (www.wysa.io) offer on-line counselling
“What happens if I want to make a complaint about something?”

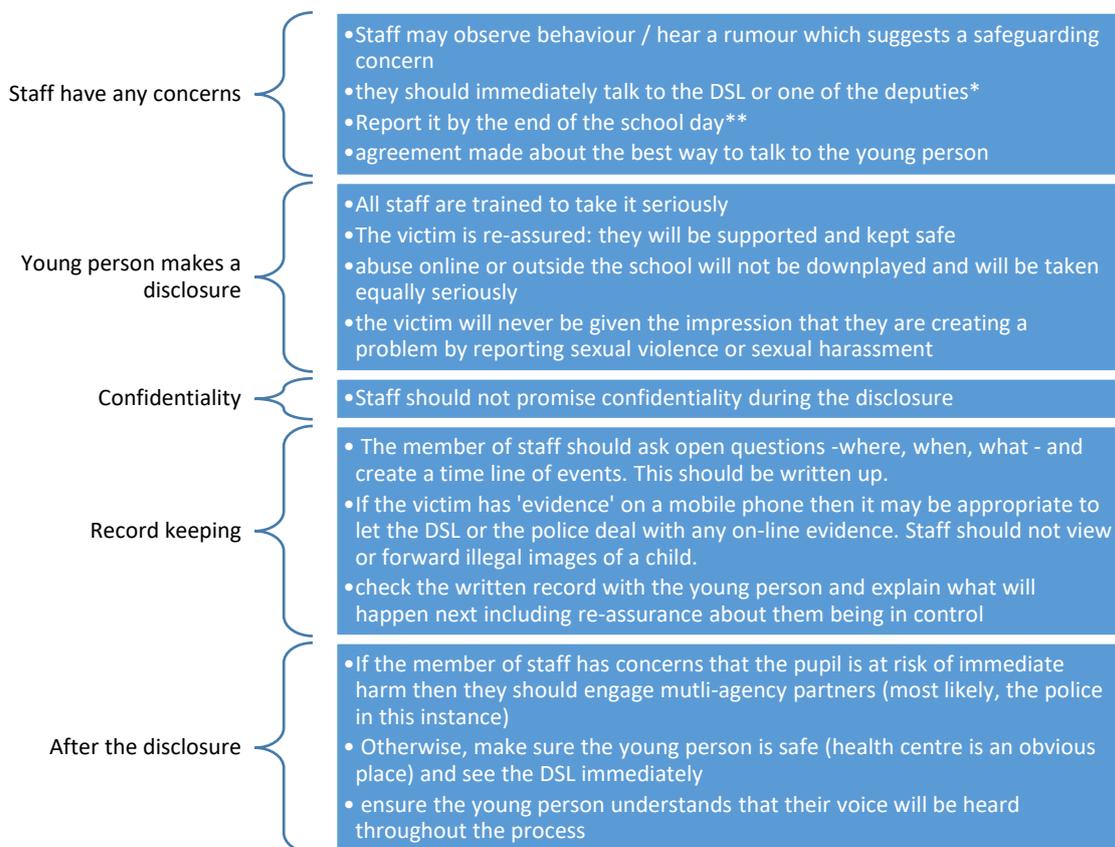
Sometimes you may feel that you would like to complain about something that is worrying you. This might be about how you are being treated. The first thing you should do is speak to any member of staff you trust (e.g. your Housemaster, Housemistress, or Tutor); you can take a friend with you if you wish – another pupil, an older pupil or another member of staff.

If you are in trouble over something you can have your Tutor or a friend with you when you are talking with your Housemaster, Housemistress, the Deputy Headmaster or Headmaster.

If the matter cannot be easily settled to your satisfaction then you can make a formal complaint.

1. Either you or your parents writing to your Housemaster or Housemistress or the Headmaster, or telling your Housemaster or Housemistress that you wish to make a formal complaint.
2. You will then be asked to talk the matter through with either the Deputy Headmaster or the Headmaster. You can have a friend with you, who may be another pupil, your Tutor or any member of staff. If the matter is not satisfactorily sorted out within four or five days you may contact any of the other people whose names are listed above and whose addresses and telephone numbers are given.
3. Whoever you contact will advise you about what course seems sensible. At that stage it will be up to you to make a decision acting on his or her advice

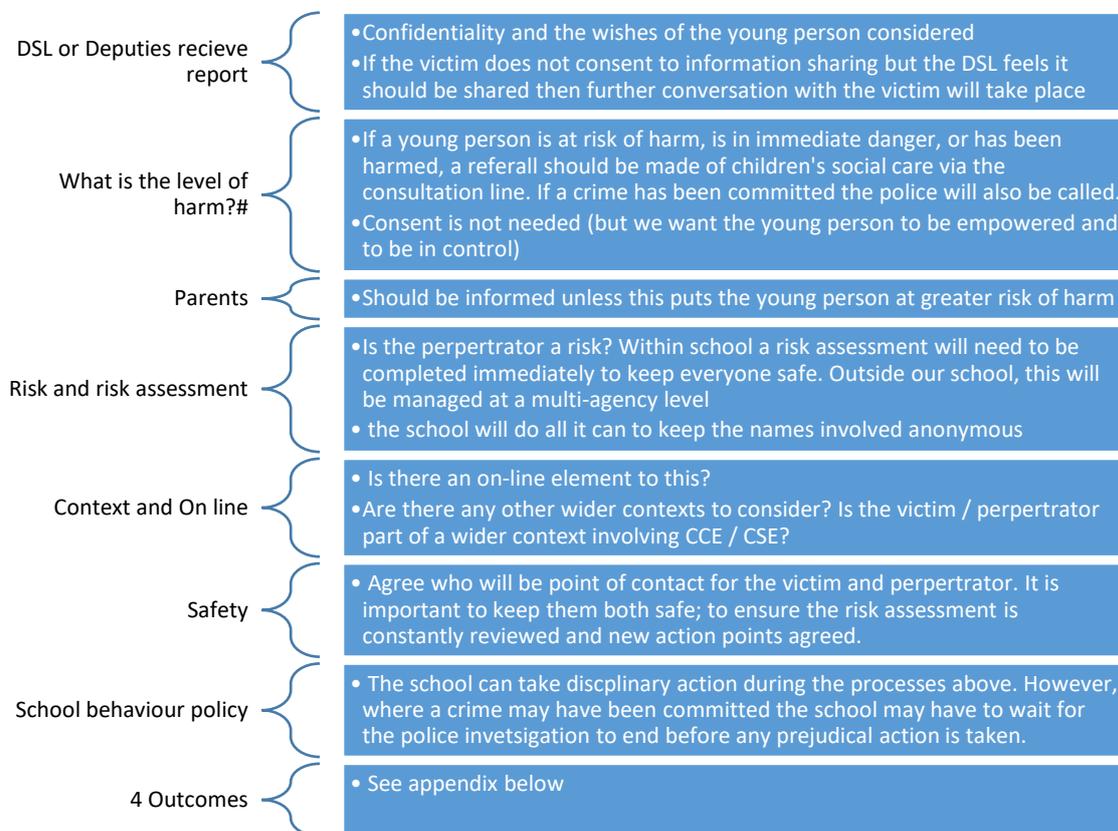
Appendix C: how staff deal with a disclosure around sexual violence or sexual harassment



*if it is more than a low level concern then it should be reported immediately, face to face (or via a phone call) to either the DSL, DDSLs, Head, Head's PA or Office Staff, or Child Protection Leads in the school.

**if it is a low level concern about a child or young person (see specific guidance in the safeguarding policy) then they should report it to the Tutor and Housemaster / Housemistress NO LATER than the end of the day via email or TEAMS.

Appendix D: How the DSL or Deputies will deal with a disclosure around sexual violence and sexual harassment



The DSL will consider the following points when assessing the level of harm

All staff are expected to formally report all concerns. These concerns will be kept on a database (CPOMS) which is separate from their school record. Only those who need to know have access to CPOMS including the DSL and Deputies.

The DSL therefore has the whole picture and will work collaboratively within the school, via the safeguarding safety hub which meets weekly, and externally with agency partners to agree the best steps forward.

The DSL will consider the following:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with the school or college's duty and responsibilities to protect other children

- the nature of the alleged incident(s), including: whether a crime may have been committed and/or whether Harmful Sexual Behaviour 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 an alleged perpetrator significantly older, more mature or more confident? Does the victim have a disability or learning difficulty or health concerns
- 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)
- that sexual violence and sexual harassment can take place within intimate personal relationships between peers
- 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

Appendix E: the risk assessment (an example)

The risk assessment will need to include information around the following.

Taunton School, through the safeguarding management team (who are all trained to use the tool) will use the Brook Tool to help inform the assessment of risk [Sexual Behaviours Traffic Light Tool – Brook](#)

If the report around sexual violence or sexual harassment includes an online element then the school will refer to [Searching, screening and confiscation at school - GOV.UK \(www.gov.uk\)](#) and [Sharing nudes and semi-nudes: advice for education settings working with children and young people - GOV.UK \(www.gov.uk\)](#)

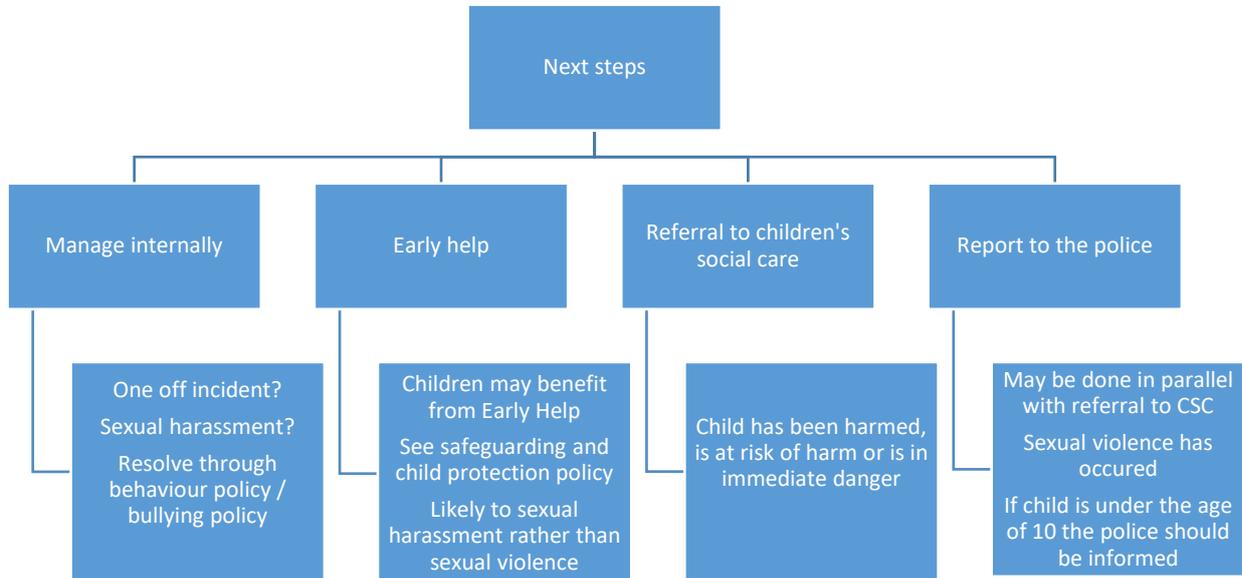
- the nature of the alleged incident(s), including: whether a crime may have been committed and/or whether HSB has been displayed
- the ages of the children involved
- the developmental stages of the children involved
- any power imbalance between the children. For example, is an alleged perpetrator 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)
- that sexual violence and sexual harassment can take place within intimate personal relationships between peers
- 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.

Risk	Detail	Control measures
Victim loses control	Vital that the wishes and voice of the victim are heard	They can be involved in the creation of the risk assessment The issue of control v confidentiality and the need to safeguarding the wider community to be discussed
Has a crime been committed	The questions above, alongside the definitions in this policy will help to assess whether a crime has been committed	This will inform which external agencies will be involved eg a one off incident involving sexual harassment is unlikely to lead to external agency involvement
Are there wider issues to consider?	Is the victim vulnerable in other ways? Have they been subjected to other abuse or neglect?	Harmful sexual behaviours need to be assessed within a broader context. The Lucy Faithful Foundation provide specialist support to help assess HSB https://www.lucyfaithfull.org.uk/

	Is the perpetrator vulnerable? Why have they behaved in this way?	
On-line element?	Has the victim suffered any on-line abuse?	The school has filters (Palo Alto) which monitor wi-fi use in school and the use of the internet via devices which are linked to the school network. Are the filters adequate? The school has strict rules around when devices and which devices can be used in school. (see Acceptable Use Policy) Are these rules sufficient? Has the school used the advice outlined earlier in this Appendix.
Victim sees perpetrator in school	Are they in the same year? Are they in the same house / houses located near to one another? In the same classes?	Move the perpetrator out of their house and re-locate them in a different pastoral structure Check their timetables and move the perpetrator into different classes Reduce the risk of face to face contact by agreeing movement on site, supervision at break times, lunch times etc
Victim has communication with the perpetrator	Perpetrator contacts victim on-line? Victim contacts perpetrator on-line	Regular one to one conversations about on-line life Agreement about boundaries and consequences Potential 'ban' on certain technology (no phone in school?) Support from parents?
Victim and perpetrator suffered decline in welfare such as mental health problems	These cases can take a long time to resolve	Each pupil should have agreed support which could be specialist in nature such as mental health nurse intervention
Anonymity	Rumours which can spread off-line and on-line Impact on social media and on the fairness of the investigation	Talk to social services for advice from specialists Refer to https://www.childnet.com/resources/cyberbullying-guidance-for-schools Talk through the risk assessment with victim and perpetrator (if appropriate, parents) to get 'buy in' Make sure that only 'need to know' staff are informed
Effect on any criminal investigation	Risk that anonymity is affected by School actions such as	Regular liaison with the appropriate external authorities to agree what the school can and cannot do

	disciplinary procedures which prejudice any criminal investigation; any of the actions above which create 'chatter' in the school	
Risks to wider school community and community outside school	Is the behaviour of the perpetrator a risk to other children, staff?	<p>Contact children social services and agree the best way to support all children</p> <p>Check their wider school behaviour record and cross reference any previous school records</p> <p>Refer the issue to the wider SMT body for their input into the risk assessment</p> <p>Involvement of parents unless there is a risk that their involvement increases the risk to any children</p>
Review	Danger that the risk assessment is not a living document	Agreed review points on the risk assessment. These will be agreed in a collegial manner with the input from the bodies outlined the report above
Zero tolerance	Once the community become aware the school will need to ensure that zero tolerance and consequences are understood	At an appropriate time the school will subject the perpetrator to the school's behaviour policy (as agreed with the police)
Parents	If parents are to be informed then it will be very stressful for them. This will work best with their support and buy in to the risk assessment	Page 51 of the guidance has a list of resources and organisations.

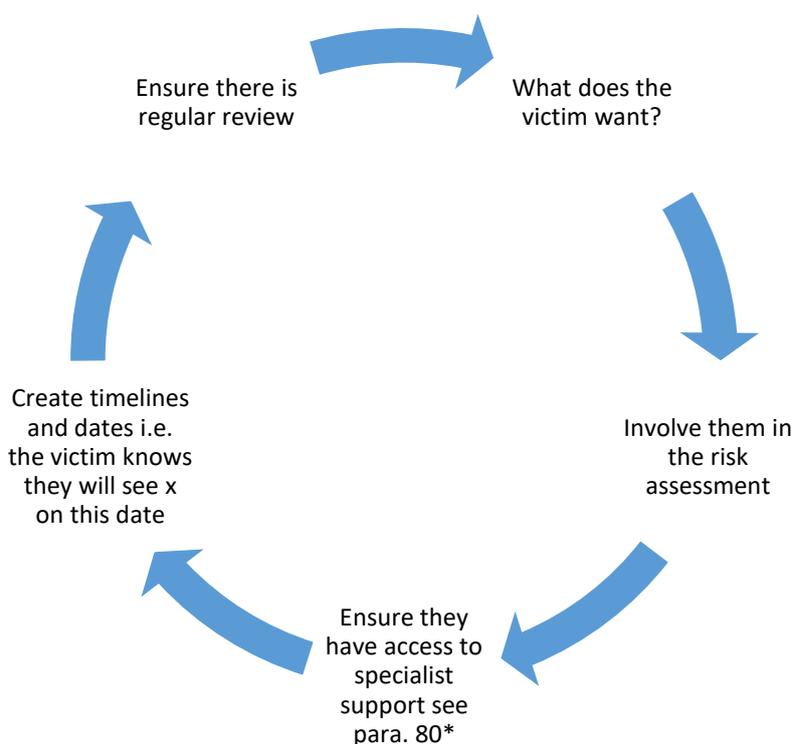
Outcome: following a collaborative approach around the principles above the school will come to 4 conclusions



Appendix F: the police

- The police will help the school with the risk assessment but the school should not wait: they will act immediately to keep the young person safe
- The school will ask if they can carry on with their own disciplinary approach alongside the police investigation as the burden of proof is different and action is important to help keep everyone safe
- The school will work with the police and CSC around bail conditions, the end of the criminal process and any resulting outcomes: unsubstantiated, false or malicious

Appendix G: how Taunton School will support the victim



The guidance in paragraph 80 gives examples of many external agencies which offer specialist support