

# CHILD-ON-CHILD AND HARMFUL SEXUAL ABUSE POLICY

Date of Issue	February 2024
Approved by	Senior Leadership Team
Contact	Director of Learner Services, Marketing & Communication
Review Date	February 2025



## 1. Overview

Waltham Forest College recognises that it has a moral and statutory duty to safeguard and promote the welfare and wellbeing of those receiving education and training through the College and we believe that all children and vulnerable adults have a right to be safe and should be protected from all forms of abuse and neglect.

This policy is in line with the safeguarding requirements in [Keeping Children Safe in Education](#) (Department for Education ('DfE'), 2023), which we must work to; Part 5 of the Keeping Children Safe in Education statutory guidance sets out how schools and colleges should manage reports of child-on-child sexual violence and harassment. This policy also links to the guidance updated by the DfE in 2023: [Sexual violence and sexual harassment between children in schools and colleges](#).

The purpose of this policy provides a clear set of guidance to staff and students regarding the actions they must take if they become aware or believe that a learner is at risk of abuse from peers through harassment (including sexual) bullying, cyberbullying and LGBTQI+ bullying. Sexual banter and harassment creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to harmful sexual behaviours and violence.

## 2. Definition and Terminology

Sexual abuse involves forcing or enticing a child or young person 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:

- Sexual violence, such as rape, assault by penetration and sexual assault
- Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse
- Upskirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or to cause the victim humiliation, distress or alarm
- Youth produced sexual imagery or otherwise known as 'sexting' and the creating and sharing of sexual photos and videos of under-18s, including selfies, is illegal and typical platforms for sharing material between peers tend to be on social media platforms such as WhatsApp, TikTok or Snapchat. It is illegal to possess, take, make, show or share any images or videos of a sexual nature to anyone under the age of 18.

Sexual Violence: Under the Sexual Offences Act 2003 sexual violence is describes as:

- **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. The act of kissing without consent and 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 should include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

### 3. Harmful Sexual Behaviour

Children and young people's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic and abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is 'Harmful Sexual Behaviour (HSB)'. Harmful sexual behaviour can occur online and/or face to face can also occur simultaneously between the two.

Harmful sexual behaviour can manifest itself in many ways and this may include:

- Inappropriate or unwanted sexualised touching
- Sexual violence and sexual harassment
- Up-skirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm
- Pressurising, forcing, or coercing someone to share nude images (known as sexting or youth produced sexual imagery)
- Sharing sexual images of a person without their consent
- Bullying of a sexual nature online or offline, for example sexual or sexist name-calling

### 4. What does consent mean?

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. 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 the person agrees by choice to that penetration and has the freedom and capacity to make that choice.

- The age of consent is 16 years of age
- Sexual intercourse without consent is rape

Young people can experience harmful sexual behaviour in various settings. This includes at college, at home (or at another home), in public places, and online. At college, issues can occur in places which are supervised and unsupervised. For example, abuse may occur in toilets, corridors, changing areas, common rooms and outside spaces.

The following model (Hackett, S, 2010) is used to explain the continuum of sexual behaviours presented by young people from normal to violent. The table is used as a guide for staff to help them better understand when to respond to sexual abuse and harmful sexual behaviours.

Normal	Inappropriate	Problematic	Abusive	Violent
<ul style="list-style-type: none"> <li>• Developmentally expected</li> <li>• Socially acceptable</li> <li>• Consensual, mutual, reciprocal</li> <li>• Shared decision making</li> </ul>	<ul style="list-style-type: none"> <li>• Single instances of inappropriate sexual behaviour</li> <li>• Socially acceptable behaviour within peer group</li> <li>• Context for behaviour may be inappropriate</li> <li>• Generally consensual and reciprocal</li> </ul>	<ul style="list-style-type: none"> <li>• Problematic and concerning behaviour</li> <li>• Developmentally unusual and socially unexpected</li> <li>• No overt elements of victimisation</li> <li>• Consent issues may be unclear</li> <li>• May lack reciprocity or equal power</li> <li>• May include levels of compulsivity</li> </ul>	<ul style="list-style-type: none"> <li>• Victimising intent or outcome</li> <li>• Includes misuse of power</li> <li>• Coercion and force to ensure compliance</li> <li>• Intrusive</li> <li>• Informed consent lacking or not able to be freely given</li> <li>• May include elements of expressive violence</li> </ul>	<ul style="list-style-type: none"> <li>• Physically violent sexual abuse</li> <li>• Highly intrusive</li> <li>• Instrumental violence which is psychologically and/or sexually arousing to the child responsible for the behaviour</li> <li>• Sadism</li> </ul>

## 5. Minimise the Risk of Harmful Sexual Behaviour

Waltham Forest College aims to build a culture of zero tolerance on sexual harassment and sexual violence and our principal aim is to foster the conditions in which our learners can aspire to and develop their understanding of the cause and effects that will strengthen our learner's confidence in reporting. The voice of our young people is central, where learners feel able to share their concerns openly, knowing that they will be listened to, and that they will not be judged. Sexual harassment creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to harmful sexual behaviours and violence.

Waltham Forest College may be the only stable, secure and safe element in the lives of children at risk of, or who have suffered harm. Nevertheless, whilst at College, their behaviour may be challenging and defiant, or they may instead be withdrawn, or display abusive behaviours towards other young people.

Waltham Forest College recognises that some young people may abuse their peers and any incidents of Child-on-Child abuse will be managed in the same way as any other child protection concern and will follow the same procedures. Advice and support from other agencies will be sought, as appropriate.

Child-on-Child abuse can manifest itself in many ways. This may include bullying (including cyberbullying), physical abuse or initiation / hazing type violence and rituals. Waltham Forest College do not tolerate any harmful behaviour in college and will implement a zero tolerance approach by taking swift action to intervene. All disclosure reports of sexual abuse and sexual violence will be taken seriously. Making sure that all disclosures are supported and considered when making plans for the next steps.

This is to maintain that support for the victim is executed whilst acknowledging the disciplinary action appropriate and on a case by case basis. This will be determined by risk assessment, liaison that may be required. Where possible, support to the victim and disciplinary action will be maintained at the same time as with the local authority, family and with consideration of the victim's needs.

## **6. Training and Development**

All staff, including Governors, will undertake annual safeguarding training which will include training on sexual harassment and harmful sexual behaviours. All new staff members will have a safeguarding induction with the lead DSL or DDSL who will detail this policy and give immediate training and awareness sessions around creating a culture of zero tolerance to any sexual harassment or harmful sexual behaviours.

Waltham Forest College uses the tutorial framework that underpins relationships, sex and health education to help our learners understand, in an age-appropriate way, what harmful sexual behaviour is, including by peers. We teach learners the knowledge they need to recognise and report all forms of abuse and empower learners about the importance of making sensible decisions to stay safe (including online), whilst being clear that if a young person is abused, it is never their fault. We help our learners to develop the skills to understand:

- What constitutes harmful sexual behaviour
- That such behaviour is not acceptable
- The possible reasons for such behaviour, and vulnerability of perpetrators;
- If someone is behaving in a way that makes them feel uncomfortable or if they witness such behaviour towards others, to report such incidents

Waltham Forest College understands our learners may not always feel able to talk to adults about Child-on-Child sexual abuse. To help them, we will encourage them to share their thoughts and opinions, respond to their concerns, and respect and listen to them. We want our learners to feel confident that any concerns they raise will be responded to appropriately.

The College Safeguarding Team will meet weekly to discuss safeguarding cases and analyse data to identify any patterns or trends that could inform future response and practice.

## **7. Designated Safeguarding Lead or Deputy Designated Safeguarding Lead**

The victim may ask the college not to tell anyone about the sexual violence or sexual harassment. If the victim does not give consent to share information, staff may still lawfully share it, if it can be justified to be in the public interest, for example, to protect children from harm and to promote the welfare of children. The designated safeguarding lead (or a deputy) should consider the following responses and actions:

- Be led by the full guidance in the Keeping Children Safe in Education documents.
- Designated Safeguarding Lead will consider referring learners and their parents/carers to other agencies where appropriate. This may include referral for counselling, social services and to the Police
- Where possible managing reports with two members of the safeguarding team present (one including DSL or Deputy DSL)
- All allegations/incidents must be treated seriously and recorded onto CPOMs and learners involved and told what is being recorded, in what context, and why. Learners will be informed of what will happen as a result of a disclosure and what the next course of action is likely to be. Notes and any learner records could be used in further investigations and assessments made by Social Services and The Police

- Considerations should be made as to when to inform the alleged perpetrator, normally external partners would be contacted first, however this will not stop the College from taking immediate action to safeguarding their learners where required
- Appropriate safeguarding and welfare support should be given to both victim and alleged perpetrator while any disciplinary, investigations or legal actions are taking place
- Parents or carers should normally be informed (unless this would put the victim at greater risk. The basic safeguarding principle is: if a child or young person is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to children's social care and/or Police
- Rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made (including historic), this should be referred to the police. The Police will undertake a welfare, rather than a criminal justice approach, in these cases
- A risk assessment should be carried out immediately to ensure the victim and other potential people are protected and supported
- DSL and Deputy DSL will conduct professional and supportive sessions to college employees who have been affected by disclosures of sexual abuse and harmful sexual behaviours and will inform HR so staff can be referred to the Employer Assistance Programme

## **8. All Staff**

The following actions must be taken by all staff:

- All staff to maintain an attitude and mindset of 'it could happen here' so to be vigilant and open to noticing when harmful behaviours occur.
- All staff to respect and understand that the learner has put them in a position of trust in the disclosing their concern and that they will want and need to know what happens next as a result of their disclosure.
- All staff must respond and treat seriously all reports and concerns from a learner including those reports outside of the college and or online.
- All staff and learners have a responsibility to work together to ensure that abuse does not occur, or where it is found, robust action is undertaken
- All staff should maintain a zero-tolerance approach to sexual violence and sexual harassment, including stopping 'banter' and inappropriate touching
- Staff must ensure learners are made aware of the importance of adhering to Learner Code of Conduct
- Course Tutors for under 18s, and those under the age of 25 in receipt of an EHCP and/or high needs funding, must ensure learners understand how to stay safe from abuse through the mandatory tutorial programmes
- Staff members receiving reports of abuse, including incidents that take place off college premises, must make a record and take appropriate action to follow up all allegations/incidents and trigger an investigation which will be managed in line with the Learner Code of Conduct, Behaviour Policy and Safeguarding Policy for reporting safeguarding concerns. Sanctions against alleged perpetrators may include suspension whilst an investigation takes place and possible permanent withdrawal.
- Staff member should not view or forward illegal images of children and young people as it may be more appropriate to confiscate the device and preserve the evidence for the Police. Further advice can be sought from the DSL.
- All staff involved in a disclosure and case must carefully consider the potential impact of the abuse on both the alleged perpetrator/s and the victim/s and refer those involved for additional support to the safeguarding Team as appropriate.

- Staff must ensure the Safeguarding Team are notified immediately and forward notes or records

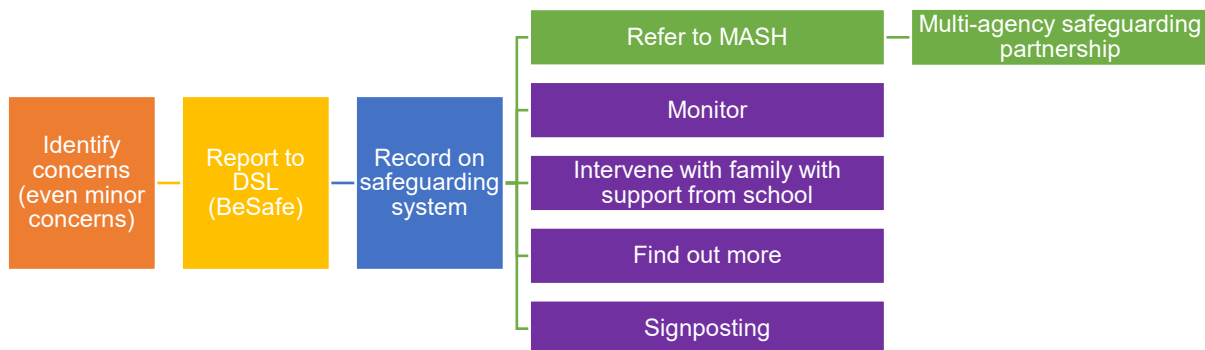
## 9. Safeguarding Reporting Procedure

Any young person reporting a concern will be treated respectfully. We will reassure them that they are being taken seriously and that they will be supported and kept safe; no young person will be given the impression that they are creating a problem by reporting any forms of abuse or made to feel ashamed. Our staff will never promise confidentiality to the young person as the concern will need to be shared further.

The Designated Safeguarding Lead will need to be informed as soon as possible of any incident and the details may also need to be shared with Children’s Social Care / the Police and other specialist agencies. The safeguarding team will explain next steps to the young person so they understand what will happen, including who will be informed. Where the young person already has Social Care involvement we will inform the young person’s Social Worker and work in partnership with them as appropriate.

Whilst we establish the facts of the case and start the process of liaising with other agencies, as appropriate, we will consider how best to keep the victim and alleged perpetrator a reasonable distance apart on the college premises, and where applicable, on transport to and from the college. Where an incident includes an online element, we will always work in accordance with appropriate guidance, taking advice from other partners as necessary. Our staff will not view an indecent image of a young person unless absolutely necessary, nor forward it for any reason.

Actions where there are concerns about a child or vulnerable adult:



All members of staff must develop their understanding of the signs and indicators of abuse and their responsibility for reporting any concerns in a timely manner. All staff are expected to do the following:

- **LISTEN** carefully, stay calm; do not express shock or embarrassment
- **DO NOT** guarantee confidentiality, but be clear that you will act sensitively and explain what will happen next
- **GIVE REASSURANCE** that you are taking the information seriously
- **DO NOT** ask leading questions
- **DO NOT** examine any physical injuries
- **DO NOT** attempt to investigate the allegations yourself
- **NEVER JUDGE** even if the allegation is against a colleague
- **RECORD** what was said, also time, date and place.
- **CONTACT** a member of the BeSafe team as soon as reasonably possible

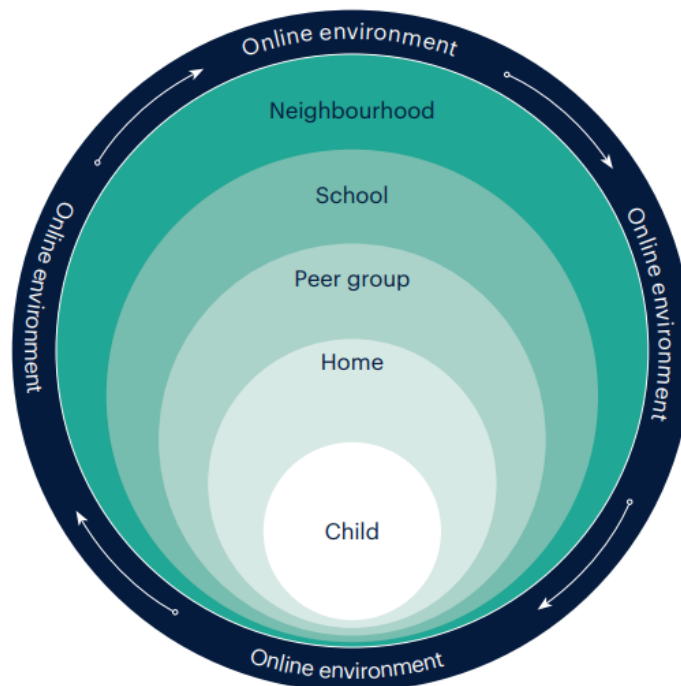
If any staff member suspects that the young person is in immediate danger, they must contact the Police straight away by dialling 999. All incidents and actions taken need to be reported back to the BeSafe Team in a timely manner.

## 10. Contextual Safeguarding

Safeguarding incidents and behaviours can be associated with factors outside Waltham Forest College. All staff are aware of contextual safeguarding and the fact they should consider whether wider environmental factors present in a young person's child's life are a threat to their safety and/or welfare.

To this end, we will consider relevant information when assessing any risk to a child and share it with other agencies to support a better understanding of a child and their family.

Encapsulates a Contextual Safeguarding approach, which is about changing the way that professionals approach child protection cases when risks occur outside of the family, thereby requiring all those within a Local Safeguarding Partnership to consider how they work alongside, rather than just refer into, children's social care, to create safe spaces in which children may have encountered Child-on-Child abuse.





## **11. Risk Assessment**

Waltham Forest College will immediately undertake a risk assessment following a report of harmful sexual behaviour, considering all young people involved in an incident. In instances where there is a serious sexual abuse or harassment allegation then it may be reasonable to remove the alleged preparator from the same class, campus or college. Other considerations should be if they share public transport then a flexible timetable may be considered so to mitigate the two parties travelling at the same time.

An immediate risk assessment should be carried out to protect the victim and other learners or staff. If an alleged preparator is convicted or receives a caution the Safeguarding Team will update the risk assessment and make any necessary adjustments to the assessment and safety plans. Risk assessments will be regularly reviewed to ensure they remain relevant and fit for purpose.

## **12. Notifying Parents or Carers**

It is important that parents and carers understand what is meant by harmful sexual behaviour and reinforce key messages from college at home. We work in partnership with parents and carers to support our learners and want to help them keep their child/ren safe.

Waltham Forest College will normally seek to discuss any concerns about a young person with their parents and or carers. This must be handled sensitively, and the DSL or the safeguarding team will make contact with the parent/carer in the event of a concern, suspicion or disclosure.

The college's focus is the safety and wellbeing of the learner. Therefore, if the College believes that notifying parents and/or carer could increase the risks associated to the learner or exacerbate the concern a decision may be reached not to notify the parent/carer.

Further information to support parents and carers in relation to harmful sexual behaviour is available online, including on the [NSPCC](#) and [Lucy Faithfull Foundation](#) websites.

## **13. Working with external partners and agencies**

The College will have data sharing agreements in place with the Safer Schools Police Team and those inter agency partners who fall under the 'Working together to safeguard children' to ensure an effective and swift response to their disclosure.

The DSL will work with Social Services and Police to ensure any work and disciplinaries carried out at the College do not jeopardise the Police investigation.

## **14. Reporting to the Police**

Where a report of any forms of sexual violence eg. rape, assault by penetration or sexual assault Waltham Forest College will report it to the Police. These include historic cases.

Waltham Forest College will generally inform parents or carers about reports of sexual abuse, unless to do so may place the young person at additional risk. The College will seek advice from other partners in individual cases. In circumstances where parents or carers have not been informed, we will ensure that we can support the young person in any decision undertaken. This is likely to be with the support of children's social care and any appropriate specialist agencies.

Where a case has been reported to the Police, the College will consult with them and agree what information can be disclosed to staff and others, in particular the alleged perpetrator and their parents or carers. The College will also discuss the best way to protect the victim and their anonymity. Where there is a criminal investigation, we will work closely with the Police and other agencies as appropriate to support all young people involved (including potential witnesses). This will help to ensure that any actions undertaken do not jeopardise a Police investigation. Sometimes the Police will decide that further action is not required. In these circumstances we will continue to engage with other agencies to support young person involved.

### **15. Confidentiality and anonymity**

Staff members taking a report should never promise confidentiality as it is very likely that it will be in the interests of the victim to seek advice and guidance and external specialist support. In the event of a learner requesting that the College do not pass on any details to the Police or Social Services then the DSL should be contacted immediately.

The DSL will consider if the information is to be passed on and will consider if the information is in the public interest and to protect other children or young people from further harm. If the DSL feels there is risk to other people outside of the College, then the Police and Social Services will be contacted. The College will ensure they can reasonably protect the anonymity of any learner involved in a report of sexual abuse or sexual harassment. This will include the DSL deciding on who is made aware of the disclosure and only share information on a need-to-know basis.

### **16. Learner Voice**

Waltham Forest College will conduct termly learner surveys which includes questions relating to how safe learners feel at college and if they feel they are being listened too. The DSL will hold focus groups and campus mapping sessions with learners to gather information and intelligence on areas that learners feel are 'Hot Spots' and areas that they feel uneasy/unsafe around both in and outside the campuses. The College will then implement plans to ensure these areas are reported, managed, monitored and supervised.

### **17. Review**

All child protection concerns are reviewed regularly, to ensure that everything has been fully addressed and actions are completed, and to consider whether the young person involved requires any further support. We will continue to work with parents and carers and other agencies as appropriate, and risk assessments will be reviewed and updated as required.

## APPENDIX A: USEFUL CONTACTS IN WALTHAM FOREST

Multi-Agency Safeguarding Hub (MASH) Single point of referral for Early Help, Child Protection and Adults' Safeguarding in Waltham Forest	Phone: 020 8496 2310 Mon-Thurs, 9am-5.15pm and Fri, 9am-5pm Out of Hours: 020 8496 3000 Email: <a href="mailto:MASHrequests@walthamforest.gov.uk">MASHrequests@walthamforest.gov.uk</a> N.B.: If you cannot get through by phone, send an email with your contact details, and you will get a same-day phone response during normal business hours
LADO Team  Allegations against staff and volunteers (ASV)	Phone: 020 8496 3646 Email: <a href="mailto:lado@walthamforest.gov.uk">lado@walthamforest.gov.uk</a> N.B.: If you cannot get through by phone, send an email with your contact details, and you will get a same-day phone response during normal business hours
Safeguarding in Education Team  Consultations / Training / Support (traded service)	Phone: 020 8496 3646 Email: <a href="mailto:safeguardingineducation@walthamforest.gov.uk">safeguardingineducation@walthamforest.gov.uk</a> N.B.: If you cannot get through by phone, send an email with your contact details, and you will get a phone response within 24 hours during normal business hours
Early Help	Phone: 020 8496 1517 Email: <a href="mailto:earlyhelp@walthamforest.gov.uk">earlyhelp@walthamforest.gov.uk</a>
Virtual School	Phone: 020 8496 1741 Email: <a href="mailto:virtual.school@walthamforest.gov.uk">virtual.school@walthamforest.gov.uk</a> Head of Virtual School: <a href="mailto:fay.blyth@walthamforest.gov.uk">fay.blyth@walthamforest.gov.uk</a>
Special Educational Needs & Disability (SEND) Service	Phone: 020 8496 6503 Email: <a href="mailto:senteam@walthamforest.gov.uk">senteam@walthamforest.gov.uk</a>
Local Safeguarding Children Board (LSCB) Local Safeguarding Partners (LSPs)	Email: <a href="mailto:Strategicpartnerships@walthamforest.gov.uk">Strategicpartnerships@walthamforest.gov.uk</a>
Adolescent Safeguarding Lead Children's Social Care	Refer via MASH. Email: <a href="mailto:Reanne.Turner@walthamforest.gov.uk">Reanne.Turner@walthamforest.gov.uk</a>
Harmful Sexual Behaviour Lead Children's Social Care	Refer via MASH. Email: <a href="mailto:tracey.goddard@walthamforest.gov.uk">tracey.goddard@walthamforest.gov.uk</a> Tel: 020 8496 5027 Mob: 0797 476 8433
MARAC / DRM queries	Refer via MASH. <a href="mailto:laura.butterworth@walthamforest.gov.uk">laura.butterworth@walthamforest.gov.uk</a>
Mental Health First Aid / Public Health	<a href="mailto:Catherine.Hutchinson@walthamforest.gov.uk">Catherine.Hutchinson@walthamforest.gov.uk</a>
Violence against women and girls (VAWG) & Domestic Abuse one-stop-shop	Refer via MASH. Email: <a href="mailto:vawg@walthamforest.gov.uk">vawg@walthamforest.gov.uk</a> ; <a href="mailto:domesticabuseadvice@walthamforest.gov.uk">domesticabuseadvice@walthamforest.gov.uk</a>

### Other useful contacts and resources

- NSPCC Helpline 0808 800 5000 NSPCC Harmful Sexual Behaviour
- Rape Crisis
- The UK Safer Internet Centre
- Internet Watch Foundation
- UKCIS Sharing nudes and semi nudes advice
- ThinkUknow
- NICE guidance
- The Lucy Faithful Foundation
- Contextual Safeguarding Network
- Stopitnow
- Anti-Bullying Alliance [www.antibullyingalliance.org](http://www.antibullyingalliance.org)
- Bullying UK [www.bullyinguk.org.uk](http://www.bullyinguk.org.uk)
- Brook Sexual Behaviours Traffic Light Tool