

Bankfoot Primary School

Dealing with Sexual Harassment and Sexual Violence

Date	Review Date	Designated Safeguarding Lead	Deputy Designated Safeguarding Lead	Nominated Governor
October 2021	October 2022	Juliet Wright	Munir Irfan	Eric Fairchild

The following are very important telephone numbers that must be kept up to date at all times:

Safeguarding Contacts	Name	Mobile
Designated Safeguarding Lead	Juliet Wright	07415905388
Deputy Designated Safeguarding Lead	Munir Irfan	07495771350
Nominated Governor for Safeguarding	Eric Fairchild	07518031750
Local Authority Designated Officer (LADO)	Initial Contact Point	01274 435600
Social Services Referrals	Initial Contact Point	01274 435600
Out of Hours Social Services	Emergency Team	01274 431010
Police		999
NSPCC Whistle-blowing Helpline		0808 8005000

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Children Act 1989
- Education Act 2002
- Female Genital Mutilation Act 2003
- Sexual Offences Act 2003
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Education and Inspections Act 2006
- Children and Young Persons Act 2008
- Childcare (Disqualification) Regulations 2009
- Police Act 1997 (Criminal Records) (No. 2) Regulations 2009
- School Staffing (England) Regulations 2009
- Equality Act 2010
- Education Act 2011
- Protection of Freedoms Act 2012
- Counter Terrorism and Security Act 2015
- Serious Crime Act 2015
- Children and Social Work Act 2017

The following documentation is also related to this policy:

- Dealing with Allegations of Abuse against Teachers and other Staff: Guidance for Local Authorities, Headteachers, School Staff, Governing Bodies and Proprietors of Independent Schools (DfE)
- Equality Act 2010: Advice for Schools (DfE)
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE)
- Mental Health and Behaviour in Schools: Departmental Advice (DfE 2014)
- Information Sharing 2015 (HM Government)
- What to do if you're worried a child is being abused 2015 (HM Government)

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- Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children
- Child Sexual Exploitation - definition and guide for practitioners (DfE 2017)
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)
- Exclusions From Maintained Schools, Academies and PRUs (statutory guidance)
- Sex and Relationship Education (statutory guidance)
- Behaviour and Discipline in Schools (advice for schools)
- Children Missing Education (advice for schools)
- Cyberbullying (advice for schools)
- Public Sector Equality Duty (advice for schools)
- Preventing and Tackling Bullying (advice for schools)
- The Equality and Human Rights Commission
- Sexual violence and sexual harassment between children in schools and colleges (DfE)

We believe this policy should be viewed in **conjunction** with the following policies:

- Safeguarding Part 1 of 4
- Safeguarding Part 2 of 4 : Roles and Responsibilities
- Safeguarding Part 3 of 4: Recognising the Signs of Abuse
- Safeguarding Part 4 of 4: Safeguarding Procedures

We are aware that 'Governing bodies and proprietors should ensure there are appropriate policies and procedures in place in order for appropriate action to be taken in a timely manner to safeguard and promote children's welfare.' (Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE 2020))

We are committed to safeguarding and promoting the welfare of all children and we give due regard to the guidance as found in the DfE documents 'Keeping Children Safe in Education' and 'Working Together to Safeguard Children' as the safety and protection of children is of paramount importance to everyone in this school.

We believe it is very important in taking a whole school approach to safeguarding that prepares pupils for life in modern Britain by involving all stakeholders and by creating and maintain a culture of vigilance throughout the school.

We have in place a broad and balanced curriculum that ensures children are taught about safeguarding by way of a planned programme (that is age and stage of development appropriate) of evidence-based content delivered through the whole curriculum. The programme covers such topics as:

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

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(Sexual violence and sexual harassment between children in schools and colleges (DfE))

We understand that when 'referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline.'

We are aware that '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.'

Sexual harassment can include:

- 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 and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment which may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence and may include:
 - ☐ non-consensual sharing of sexual images and videos;
 - ☐ sexualised online bullying;
 - ☐ unwanted sexual comments and messages, including, on social media;
 - ☐ sexual exploitation; coercion and threats; and
 - ☐ upskirting (which is now a criminal offence) 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

(Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE))

We ensure that all school personnel have received training in responding to a report of sexual violence or sexual harassment by reassuring all victims that they are being taken seriously and that they will be supported and kept safe. School personnel are trained to:

- never give a victim the impression that they are creating a problem by reporting sexual violence or sexual harassment; or
- never give a victim the feeling of being ashamed for making a report;
- follow the referral process if they have a concern about a child or a child makes a report to them;
- speak with the designated safeguarding lead (or deputy) if they have any doubt

We are aware that 'sexual violence and sexual harassment can occur between two children of any sex and they can occur 'through a group of children sexually assaulting or sexually harassing a single child or group of children'.

We are aware that girls, pupils who identify as LGBT, or are perceived by their peers to be LGBT and pupils with SEND are most likely to be at risk from sexual violence or sexual harassment.

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We have the responsibility to ensure that sexual violence and sexual harassment is not acceptable and will not be tolerated. All incidents of sexual violence and sexual harassment will be dealt with and all victims will be taken seriously with the appropriate support provided.

We wish to work closely with the School Council and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We all have a responsibility to ensure equality permeates in to all aspects of school life and that everyone is treated equally irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

The educational section of the audit that covers: differences by region; attainment and economic disadvantage; exclusions and abuse; and destinations, has a significant importance for the strategic planning of this school.

Aims

- To have in place a safeguarding and child protection policy and related policies that outline clear procedures to ensure that we meet our responsibilities for safeguarding and promoting the welfare of all children.
- To ensure that sexual violence and sexual harassment is not acceptable and will not be tolerated.
- To ensure that all school personnel are aware of what action to take when dealing with a child protection issue.
- To create and provide a learning environment that is safe, secure, warm and welcoming for children combined with sound security systems and procedures.
- To ensure compliance with all relevant legislation connected to this policy.
- To share good practice within the school, with other schools and with the local authority in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- appointed members of the senior leadership team to act as the Designated Safeguarding Lead (DSL) and Deputy Designated Safeguarding Lead (DDSL);
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and stakeholders are aware of and comply with this policy;
- responsibility for ensuring full compliance with all statutory responsibilities;
- responsibility for ensuring that the school complies with all equalities legislation;

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- nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- make effective use of relevant research and information to improve this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- nominated a link governor to:
 - ☐ visit the school regularly to work closely with the Headteacher, the Designated Safeguarding Lead and the Deputy Designated Safeguarding Lead;
 - ☐ ensure this policy and other linked policies are up to date;
 - ☐ ensure that everyone connected with the school is aware of this policy;
 - ☐ attend training related to this policy;
 - ☐ report to the Governing Body every term;
 - ☐ annually report to the Governing Body on the success and development of this policy
- responsibility for the effective implementation, monitoring and evaluation of this policy

Role of the Headteacher and Designated Safeguarding Lead

The Headteacher, DSL and DDSL will:

- ensure a whole school approach to safeguarding and child protection that will prepare pupils for life in modern Britain;
- ensure children are taught about safeguarding through Relations Education, Sex Education and Health Education and Personal, Social, Health and Economic Education, as part of providing a broad and balanced curriculum that will cover the following issues:
 - ☐ healthy and respectful relationships;
 - ☐ what respectful behaviour looks like;
 - ☐ gender roles, stereotyping, equality;
 - ☐ body confidence and self-esteem;
 - ☐ prejudiced behaviour;
 - ☐ that sexual violence and sexual harassment is always wrong; and
 - ☐ addressing cultures of sexual harassment
- undertake effective safeguarding training undertaken by a specialist trainer in order to:
 - ☐ have a good understanding of harmful sexual behaviour;
 - ☐ undertake a risk and needs assessment by considering the victim, the alleged perpetrator, and the other children, once a report of sexual violence has been made;
 - ☐ be able to safeguard and support victims of sexual violence and sexual harassment;
 - ☐ be able to safeguard and support alleged perpetrators;
 - ☐ be able to safeguard and support children who have witnessed sexual violence;
 - ☐ deal with victims and alleged perpetrators sharing classes;
 - ☐ work with parents and carers

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- be aware that:
 - ☐ a child under the age of 13 can never consent to any sexual activity;
 - ☐ the age of consent is 16;
 - ☐ sexual intercourse without consent is rape;
 - ☐ rape, assault by penetration and sexual assault are defined in law;
 - ☐ creating and sharing sexual photos and videos of under-18s is illegal
- work in conjunction with the Senior Leadership Team to ensure all school personnel, pupils and parents are aware of and comply with this policy;
- ensure risk assessments are:
 - ☐ in place and cover all aspects of this policy;
 - ☐ accurate and suitable;
 - ☐ reviewed annually;
 - ☐ easily available for all school personnel
- organise a series of safeguarding and child protection workshops to ensure parents are aware of:
 - ☐ Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges
 - ☐ Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children
 - ☐ the Safeguarding and Child Protection policy
 - ☐ safeguarding procedures in place;
 - ☐ all safeguarding policies;
 - ☐ their role in safeguarding and child protection
- monitor the effectiveness of this policy by speaking with pupils, school personnel, parents and governors;
- annually report to the Governing Body on the success and development of this policy

Role of the Designated Safeguarding Lead and Deputy Designated Safeguarding Lead

The DSL and DDSL's will:

- have close links with external support agencies in order to support children, to train school personnel or support school personnel;
- take the lead role and using their professional judgement make all decisions on a one-to-one basis;
- be aware of the local process for making referrals and will use this if a child has been harmed, is in immediate danger, or is at risk of harm;
- inform the police (and to children's social care) a report of rape, assault by penetration or sexual assault;
- reassure all victims that they are being taken seriously and that they will be supported and kept safe;
- inform parents or carers if a referral has been made

Role of School Personnel and Volunteers

School Personnel will:

- undertake training in order to:
 - ☐ be aware of the different types of abuse and neglect;
 - ☐ know what to do if they have a concern about a child;
 - ☐ to know how to handle a disclosure;
 - ☐ to know how to offer support to children; and
 - ☐ know where to go to if they need support.
- if a pupil makes a disclosure:
 - ☐ listen to the pupil;
 - ☐ remain calm;
 - ☐ offer reassurance;
 - ☐ not ask the pupil to remove or adjust clothing if bruises are observed;
 - ☐ not ask leading questions;
 - ☐ let the pupil speak freely;
 - ☐ accept what has been told them without challenge;
 - ☐ not offer opinion or criticize or lay blame;
 - ☐ reassure the pupil at the end of the disclosure telling them that they have done the right thing;
 - ☐ not promise confidentiality but inform them that other people need to be told;
 - ☐ record accurately and factually what the child has said in note form;
 - ☐ record observed injuries or bruises on a map of the body;
 - ☐ submit a completed critical incident sheet to the designated person who will seek advice from the Local Authority Designated Officer (LADO);
- if they suspect that a child may be a victim of abuse then they must:
 - ☐ record accurately and factually what they have seen in note form;
 - ☐ submit a completed critical incident sheet to the designated person;
- be aware that the Designated Safeguarding Lead will then:
 - ☐ further investigate and keep records of this investigation;
 - ☐ decide whether to take this referral further or to monitor the situation;
 - ☐ inform the person making the initial referral of his/her decision;
 - ☐ prepare in readiness for a case conference/core group meeting the following information on the child:
 - attendance and punctuality data
 - academic achievement
 - child's behaviour and attitude
 - relationships and social skills
 - appearance and presentation
 - any known incidents in or outside school

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➤ school contact with parents/carers

- if a parent makes a disclosure to school then the Designated Safeguarding Lead:
 - ☐ should meet with the parent taking down all details;
 - ☐ will assure the parent that the school will take the matter seriously;
 - ☐ that he/she will have to take advice from the Local Authority Designated Officer (LADO) about the disclosure;
 - ☐ will get back to the parent when a decision has been taken and how to proceed.
- record any concern or incident in the following way:

<input type="checkbox"/> Date	<input type="checkbox"/> All facts
<input type="checkbox"/> Time	<input type="checkbox"/> Observed injuries and bruises
<input type="checkbox"/> Place	<input type="checkbox"/> Note the actual words of the child
<input type="checkbox"/> Nature of the concern	<input type="checkbox"/> Sign the notes and hand to the DSL

Role of Pupils

Pupils must:

- feel safe and protected;
- know how to assess risk to themselves;
- know how to keep themselves safe;
- know how to raise a complaint or concern;
- know and recognise a trusted adult that they can go to and raise their concerns;
- feel supported and protected when they raise a concern;
- be kept informed of any actions that have been taken when they have raised a complaint;
- feel safe from discrimination and bullying;
- be made aware of the basic safeguarding procedures in school such as visitors signing in and wearing visitor badges.

Role of Parents/Carers

Parents will be:

- asked to work hard with the school to establish excellent home-school relationships;
- made aware that we have a responsibility for the welfare of all our pupils;
- aware that we have a duty to involve children's social care or any other agency if we have any concerns about a child;
- made aware that under certain circumstances we will involve an agency without informing them if we think that by so doing we will place the child at even greater risk;
- made aware that they will be kept up to date with all our actions;
- invited to attend a series of safeguarding and child protection workshops to ensure parents are aware of:
 - ☐ Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges
 - ☐ Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children

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- ☐ the Safeguarding and Child Protection policy
- ☐ safeguarding procedures in place;
- ☐ all safeguarding policies;
- ☐ their role safeguarding and child protection

Raising Awareness of this Policy

We will raise awareness of this policy via:

- School Handbook/Prospectus;
- School website;
- Staff Handbook;
- Meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops;
- School events;
- Meetings with school personnel;
- Written communications with home such as weekly newsletters and of end of half term newsletters;
- Annual report to parents;
- Headteacher reports to the Governing Body;
- Information displays in the main school entrance;
- Text messages
- Email
- Social media:
 - ☐ Facebook
 - ☐ Twitter
 - ☐ Virtual pin boards
 - ☐ School blog

Training

We ensure:

- all school personnel:
 - ☐ have received the appropriate training on all safeguarding policies and procedures undertaken by a registered training provider;
 - ☐ are familiar with the following documentation:
 - Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges
 - Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children
 - ☐ are aware of the following linked policies:
 - ☐ All aspects of this policy
 - ☐ School Personnel Code of Conduct
 - ☐ Keeping Children Safe
 - ☐ Working Together to Safeguard Children
 - ☐ Sexual Violence and Sexual Harassment
 - ☐ Listening to Pupils
 - ☐ The Safe Use of the Internet and Social Media
 - ☐ Equal opportunities
 - ☐ Inclusion
- the content of all training is correct, delivered well and engages staff as we believe that the more engaging training is, the better the outcomes that we need to measure;

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- that we have in place data that evidences staff understanding by using a simple short multiple-choice test through one of the following applications such as Google Forms, Microsoft Forms, Kahoot or SurveyMonkey;
- that we have in place evidence for all staff that:
 - ☐ highlights the knowledge gaps in the training;
 - ☐ shows how those knowledge gaps were corrected
- all school personnel understand and undertake their role in safeguarding and child protection effectively

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

Race Disparity Audit

We acknowledge the findings of the Race Disparity Audit that clearly shows how people of different ethnicities are treated across the public services of health, education, employment and the criminal justice system.

The educational section of the audit that covers: differences by region; attainment and economic disadvantage; exclusions and abuse; and destinations, has a significant importance for the strategic planning of this school.

Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.

Linked Policies

- Safeguarding and Child Protection
- Relations Education, Sex Education and Health Education

See Appendices Documents section on Policies for Schools Website

- Frequency of Policy Monitoring
- Monitoring Implementation and Policy Effectiveness Action Plan
- Initial Equality Impact Assessment

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- Policy Evaluation
- Policy Approval Form

We believe this policy:

- has been reviewed thoroughly by the safeguarding governor and the Designated Safeguarding Lead has been questioned on it to make sure it stands up to scrutiny;
- flows and is easy to follow;
- is an essential part of the school;
- supports staff in managing certain situations;
- forms an important framework that will ensure consistency in applying values and principles throughout the establishment;
- provides guidance, consistency, accountability, efficiency, and clarity on how the school operates;
- provides a roadmap for day-to-day operations;
- ensures compliance with laws and regulations, gives guidance for decision-making, and streamlining internal processes;
- is designed to influence and determine all major decisions, actions and all activities taking place within the boundaries set by them;
- stems from the school's vision and objectives which are formed in strategic management meetings;
- has been received by all school personnel via appropriate safeguarding training;
- is provided to all school personnel and a hard copy can be found in the staffroom reference library

Headteacher:	Juliet Wright	Date:	October 2021
Chair of Governing Body:	Jamil Rafiq	Date:	October 2021

Addendum

We are aware that:

The government has asked Ofsted to undertake an immediate review of safeguarding policies in state and independent schools and colleges in relation to sexual abuse. The review will look at whether schools and colleges have appropriate processes in place to allow pupils to report sexual abuse concerns freely, knowing these will be taken seriously and dealt with swiftly and appropriately.

It will establish whether there is sufficient guidance for schools and colleges on how they should deal with sexual harassment and violence allegations, and whether they understand and implement guidance well. It will also seek to identify whether current inspection regimes in both state and private schools are strong enough to address concerns and promote the welfare of children.

Ofsted will work with representatives from social care, police, victim support groups, school and college leaders and the Independent Schools Council. The review will conclude by the end of

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May 2021 and will seek to establish where safeguarding arrangements and processes are good and have worked well and where improvements are needed.

The review will answer questions in the following areas:

Safeguarding and curriculum

Multi-agency safeguarding arrangements

Victims' voice and reporting

(<https://www.gov.uk/government/publications/ofsted-review-of-sexual-abuse/ofsted-review-into-sexual-abuse-in-schools-terms-of-reference>)