



## **Sexual Violence and sexual harassment between Children Policy**

Sexual violence refers to sexual offences under the sexual offences Act 2013 and includes:

Rape: A person (A) commits an offense 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.

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 and B does not give consent.

Sexual assault: A person (A) commits sexual assault if s/he intentionally touches another person (B), the touching is sexual and B does not give consent

Consent:

- 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

Sexual harassment is unwanted conduct of a sexual nature, this can occur online and offline. Sexual harassment is likely to violate a child's dignity, make them feel intimidated, degraded or humiliated, create a hostile, offensive or sexualised environment

This can include:

- sexual comments
- telling sexual stories
- making lewd comments,
- sexual jokes,
- Making remarks about clothing and appearance or calling someone sexualised names.
- Physical behaviours, such as brushing up against someone, interfering with clothes (consider the views of the victim)
- Displaying pictures, drawings or photos of a sexual nature
- Non-consensual sharing of sexual images or videos, sexting
- Sexualised online bullying
- Unwanted sexual comments and messages including social media
- Sexual coercion or threats

C.I.T. consider sexual harassment in the broad term and this will always be challenged.

Sexual violence and sexual harassment can occur between two children of any age or sex. It can occur through a group of children sexually assaulting or sexually harassing a single or group of children.

Children with additional needs and disabilities (SEND) are three times more likely to be abused than their peers and additional barriers can sometimes exist when recognising abuse in SEND children, these can include

- Assumptions that indicators of possible abuse such as behaviour, mood injury relate to the child's disability without further exploration
- Communication barriers and difficulty overcoming these barriers.

C.I.T. pays full regards to D of E guidance sexual violence and sexual harassment between children in schools and colleges 2018 and keeping children safe in education 2018

We recognise that sexual violence and sexual harassment is not acceptable, will never be tolerated. Reports of sexual violence and sexual harassment will never be dismissed as "banter" or "just having a laugh".

Challenging behaviours (potentially criminal in nature) such as grabbing bottoms, breasts or genitalia, flicking bra straps or lifting up skirts will not be tolerated and should be reported to Designated safeguarding lead or deputy.

### **Responding to reports of sexual violence and sexual harassment**

Staff will report any concerns or disclosures immediately to the safeguarding team. Staff must reassure victims 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 in reporting sexual violence or sexual harassment.

The designated safeguarding lead (or Deputy) will usually take the leading role using their professional judgement and being supported sensitively and by other agencies e.g. social care, and the police as required

### **Confidentiality and anonymity**

- Staffs should never promise confidentiality as it is likely that it will be in the best interests of the victim to seek advice and guidance from appropriate agencies
- Only staff and agencies who are required to support the children involved should be involved in the investigation
- Inform the designated safeguarding lead (or deputy) as soon as practically possible if they are not involved in the initial report.
- Parents and carers should be contacted unless this would put the victim at greater risk.
- Allegations of rape, assault by penetration and sexual assaults are crimes and should be reported immediately to the police

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