

A report of sexual violence and/or sexual harassment

What to consider.

Bilbrough Country Classroom will carefully consider any report of sexual violence and/or sexual harassment. Important considerations will include:

- the wishes of the student reporting the incident in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. The student 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;
- the nature of the alleged incident(s), including: whether a crime may have been committed and consideration of harmful sexual behaviour;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is the alleged perpetrator significantly older, more mature or more confident? Does the reporting student have a disability or learning difficulty?;
- if the alleged incident is a one-off or a sustained pattern of abuse;
- are there ongoing risks to the reporting student, other children, adult students or school staff
- other related issues and wider context, including family, peer group, school or neighbourhood.

As always when concerned about the welfare of a child, all staff will act in the **best interests of the child**. In all cases, Bilbrough Country Classroom will follow general safeguarding principles. Immediate consideration should be given as to how best to support and protect the reporting student and the alleged perpetrator (and any other children involved/impacted).

The starting point regarding any report will always be that sexual violence and sexual harassment is not acceptable and will not be tolerated. Bilbrough Country Classroom will not pass off any sexual violence or sexual harassment as 'banter', 'part of growing up' or 'having a laugh'.

Options to manage the report

Any report will be managed on a case-by-case basis. When to inform the alleged perpetrator will be a decision that the Head Teacher will carefully consider. Where a report is going to be made to children's social care and/or the police, then, as a general rule, the Head Teacher will speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of the allegations. There are four likely scenarios to consider when managing any reports of sexual violence and/or sexual harassment.

1. Manage internally

- In some cases of sexual harassment, for example, one-off incidents, the school may take the view that the children concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally, utilising the behaviour and bullying policies and provide pastoral support.
- Bilbrough Country Classroom will make it clear that sexual violence and sexual harassment is never acceptable and will not be tolerated.
- All concerns, discussions, decisions and reasons for decisions will be recorded (written or electronic).

2. Early help

- In line with 1 above, Bilbrough Country Classroom may decide that the students involved do not require statutory interventions but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.
- Multi-agency early help will work best when placed alongside strong school or college policies, preventative education and engagement with parents and carers.
- Whatever the response, it should be under-pinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated.
- All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

3. Referrals to children's social care

- Where a child has been harmed, is at risk of harm, or is in immediate danger, Bilbrough Country Classroom will make a referral to local children's social care.
- At the referral to children's social care stage, Bilbrough Country Classroom will inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child at additional risk). Any such decision should be made with the support of children's social care.
- If a referral is made, children's social care will then make enquiries to determine whether any of the children involved are in need of protection or other services.
- Where statutory assessments are appropriate, the Head Teacher of Bilbrough Country Classroom will be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package

of coordinated support is implemented for the reporting student and, where appropriate, the alleged perpetrator and any other children that require support.

- Bilbrough Country Classroom will not wait for the outcome (or even the start) of a children's social care investigation before protecting the reporting student and other children in the school. The designated safeguarding lead will work closely with children's social care (and other agencies as required).

- In some cases, children's social care will review the evidence and decide a statutory intervention is not appropriate. The head teacher will be prepared to refer again if they believe the child remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the head teacher will consider other support mechanisms such as early help, specialist support and pastoral support.

- Whatever the response, it will be under-pinned by the head teacher that sexual violence and sexual harassment is never acceptable and will not be tolerated.

- All concerns, discussions, decisions and reasons for decisions will be recorded (written or electronic).

4. Reporting to the Police

- Any report to the police will be in parallel with a referral to children's social care (as above).

- The designated safeguarding lead (and their deputies) are clear about the local process for referrals and follow that process.

- Where a report of rape, assault by penetration or sexual assault is made, the starting point is this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach.

- At this stage, Bilbrough Country Classroom will inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a child at additional risk. In circumstances where parents or carers have not been informed, it is especially important that Bilbrough Country Classroom is supporting the child in any decision they take. This will be with the support of children's social care and any appropriate specialist agencies.

- Where a report has been made to the police, Bilbrough Country Classroom will consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator and their parents or carers. We will also discuss the best way to protect the reporting student and their anonymity.

- In some cases, it may become clear very quickly, that the police (for whatever reason) will not take further action. In such circumstances, it is important that Bilbrough Country Classroom continue to engage with specialist support for the reporting student as required.
- Whatever the response, it will be under-pinned that sexual violence and sexual harassment is never acceptable and will not be tolerated.