



White Spire School

Sexual Violence and Sexual Harassment Policy



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1. KEY CONTACTS in school/setting

Name	Role	Contact details
Headteacher	Finlay Douglas	01908 373266
Chair of governing body	Neil Griffiths	01908 373266
Designated safeguarding lead (DSL)	Michelle Bartle	01908 373266
Out of hours contact for DSL	Michelle Bartle	safeguarding@whitespire.milton-keynes.sch.uk
Deputy DSL	Finlay Douglas	01908 373266
Other members of the safeguarding team (DSLs')	Sophie Lunnon Sally Seminerio Karen Richards Anton De Beer	01908 373266
Prevent lead	Michelle Bartle	01908 373266
Child sexual exploitation lead	Michelle Bartle	01908 373266
Looked after/previously lead	Michelle Bartle	01908 373266
Mental health lead	Michelle Bartle	01908 373266
Chair of governing body	Neil Griffiths	01908 373266
Designated governor for safeguarding	Tanya Stevens	01908 373266
Designated governor for mental health and well being	Tanya Stevens	01908 373266
Safer recruitment governor	Shanie Jamieson	01908 373266



2. Introduction and Ethos

Sexual violence and sexual harassment can occur between children of any age and sex of two or more children, individually or in a group. 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 (KCSIE 2024).

White Spire School has a zero-tolerance approach to sexual violence and sexual harassment.

The purpose the policy is to:

- Inform staff, parents, volunteers and governors about the school's responsibilities for protecting children. It is important that staff maintain an attitude of 'it could happen here'.
- Enable everyone to have a clear understanding of how these responsibilities should be carried out.
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3. Definitions

Sexual Violence (Sexual Offences Act 2003) can be described as:

- Rape
- Assault by Penetration
- Sexual Assault
- Causing someone to engage in sexual activity without consent

4. Consent

Consent is having the freedom and capacity to choose. Consent may be given to one sexual activity and not to the other. e.g vaginal but not anal penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during the sexual activity and each time the activity occurs.

- 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

5. Sexual Harassment

For the purpose of this policy, when referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. When we reference sexual harassment, we do so in the context of child on child sexual harassment. 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.

Whilst not intended to be an exhaustive list, 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: deliberating brushing against someone, interfering with someone's clothes and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment, which might include: non-consensual sharing of sexual images and videos and sharing sexual images (nudes/semi-nudes) and videos (both often referred to as sexting); inappropriate sexual comments on social media; exploitation; coercion and threats. Online sexual harassment may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

6. Reports of Sexual violence or harassment

All incidences are to be reported to the Designated Safeguarding Leads (DSL) and the schools Child Protection procedures are to be followed. The school will work closely with MASH and the police where a crime might have been committed.

7. The immediate response to a report

- Managing the disclosure

At White Spire School, We will always do our utmost to ensure that victims are reassured that they are being taken seriously and that they will be supported and kept safe. In some cases, the victim may not make a direct report or disclosure. For example, a friend may make a report or a member of our school may overhear a conversation that suggests a child has been harmed. As with all safeguarding concerns, our staff are trained to follow the schools safeguarding procedures and notify a member of the DSL team who will follow the schools Child Protection Policy.

All staff who are aware of an incident/concern should follow the Child Protection Policy and report to a DSL. No member of staff should assume that someone else is responding to the incident or concern.

8. Considering confidentiality and anonymity

Confidentiality

- Staff taking a disclosure will never promise confidentiality as it is very likely that it will be in the best interests of the victim to seek advice and guidance from others in order to provide support and engage appropriate agencies.
- The school will only engage staff and agencies who are required to support the child or who involved in the investigation.
- The victim may ask us 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 is in the public interest, for example, to protect children from harm and to promote the welfare of children.



- With this the DSLs will consider the following:
 - informing parents or carers (would this put the victim at greater risk?).
 - the basic safeguarding principle is: if a child is at risk of harm, is in immediate danger or has been harmed a referral should be made to children's social care; and
 - rape, assault by penetration and sexual assaults are crimes. The starting point is that reports should be passed to the police by the DSL.
- We at White Spire School have a duty of care and will have to balance the victim's wishes against our duty to protect the victim and other children within the school setting.
- If we do decide to make a referral to children's social care and/or a report to the police against the victim's wishes, this will be handled extremely carefully, the reasons will in most cases be explained to the victim and appropriate specialist support offered.

Anonymity

Where we are aware that an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, we will be mindful of anonymity, witness support and the criminal process in general so that we can offer support and act appropriately.

In addition we will endeavour to do all we can to reasonably protect the anonymity of any children involved in any report of sexual violence or sexual harassment. We will carefully consider which staff in our school should know about the report and any support that will be in place for the children involved.

We will also act in accordance with our Bullying policy when considering the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities.

9. Risk Assessment

When there has been a report of sexual violence, the DSL will make an immediate risk assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment should consider:

- the victim;
- whether there may have been other victims;
- the alleged perpetrator; and
- the other children (and, if appropriate, staff) at school;
- the time and location of the incident, and any action required to make the location safer.

The risk assessments will be and will be kept under regular review, reflecting any changes in circumstances. At all times, we will be actively considering the risks posed to all our pupils and put adequate measures in place to protect them and keep them safe during school hours. The DSLs will continue to liaise with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. Any such professional



assessments will be used to inform our approach to supporting and protecting the pupils and updating our own risk assessment.

10. Action following a report of sexual violence and/or sexual harassment

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

- 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;
- the nature of the alleged incident(s), including: might a crime have been committed and consideration of harmful sexual behaviour;
- the ages of the students involved;
- the developmental stages of the students involved;
- any power imbalance between the students (e.g. is the alleged perpetrator significantly older);
- if the alleged incident is a one off or a sustained pattern of abuse (where this may be known);
- are there ongoing risks; and
- other related issues and wider context

11. Options to manage the report

All reports will be case-by-case basis. When to inform the alleged perpetrator will be a decision that will be carefully considered. Where a report is going to be made to children's social care and/or the police, then, as a general rule, we 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 we will need to consider when managing any reports of sexual violence and/or sexual harassment.

- a) Manage internally
 - In some cases of sexual harassment, for example one-off incidents, the school may take the view that the students concerned are not in need of early help or statutory services and that it would be appropriate to handle the incident internally.
- b) Early help
 - In line with A) above, we may decide that the children involved do not require statutory services 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. This may include in house intervention or a referral to iCaSH.
- c) Referrals to children's social care
 - Where a child has been harmed, is at risk of harm, or is in immediate danger a likely course of action will be that we make a referral to local children's social care. We will follow the guidance and local procedures of Milton Keynes. In some cases, children's social care will review the evidence and decide a statutory intervention is not appropriate. White Spire School will refer again if we believe the child remains in immediate danger or at risk of harm.
- d) Reporting to the police



- 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. Reporting to the police will generally be in parallel with referrals to children's social care (as above). At this stage, schools will generally 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 will be especially important that the school is supporting the child in any decision they take. This should be with the support of children's social care. Where a report has been made to the police, the school will consult the police and agree what information can be disclosed to staff and others, in particular the alleged perpetrator and their parents

12. Considering bail conditions/ Delays to Criminal Process/End of Process

In the absence of bail conditions, when there is a criminal investigation, early engagement and joined up working between the school, children's social care and the police will be critical to support the victim, alleged perpetrator and other children involved. Where required, advice from the police will be sought in order to help support the school manage our safeguarding responsibilities.

Regardless of the set arrangements in place, White Spire School will consider what additional measures we need to put in place. The school will not wait for the outcome/start of investigation to protect all involved but will liaise with the police to ensure that any actions we may take will not jeopardise the police investigation.

If a child is convicted or receives a caution, we will revert to the schools risk assessment and behaviour policy. The school will endeavour to protect all involved and will follow the schools anti-bully policy. Where there is no further actions/ not guilty, the school will continue to offer support to all involved.

Reports of unsubstantiated, unfounded, false or malicious reports will all be recorded following the schools Child Protection Policy. We will continue to review reports to see if there are any set patterns and address these. If the report is unsubstantiated, unfounded, false or malicious, we will consider if the person who has made the allegation is in need of further help. This may be due to a cry for help due to being abused by someone else. If this is the case, we will follow the school set procedures and refer to MASH (Multi-agency safeguarding hub). If the report has deliberately invented or malicious, we will follow our behaviour policy and consider if any disciplinary actions need to take place against the person who has made the set report.

13. Ongoing response - Safeguarding and supporting the victim

White Spire School will:

- Consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse
- Make certain the needs and wishes of the victim are paramount (along with protecting the student) in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's daily



experience as normal as possible, so that their school is a safe space for them.

- make certain the victim is not made to feel they are the problem for making a report or made to feel ashamed for making a report.
- Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.
- It may be necessary for us to maintain arrangements to protect and support the victim for a long time. We will do our best to continue to support this need and will continue to work with children's social care and other agencies. We will seek extra support where needed.
- Aim to do all we can to reasonably protect the victim from bullying and harassment as a result of any report they have made in accordance with our Bullying Policy.
- Designate a trusted adult to the individual so that the dialogue is kept open and encourage.
- If the victim expresses a wish to withdraw from lessons, if required the school will provide a physical space for the victim to withdraw.
- Alternate provision may be sought if requested by the victim (following a discussion with their parents/carers).
- If the victim moves to another educational establishment, we at White Spire School will inform the new placement of the support needed and will transfer the Child Protection file (after a discussion with the victim and their parents or carers to discuss the most suitable way of doing this).

14. Ongoing Considerations: Victim and alleged perpetrator sharing classes

At White Spire School, after we have decided what the next steps will be in terms of progressing the report, we will consider again the question of the victim and alleged perpetrator sharing classes and sharing space at school. This will inevitably involve complex and difficult professional decisions, including considering our duty to safeguard children and our duty to educate them. It is important each report is considered on a case-by-case basis and risk assessments are updated as appropriate.

15. Safeguarding and supporting the alleged perpetrator

The school needs to consider the following:

- On the one hand to safeguard the victim (and the wider student body) and on the other hand providing the alleged perpetrator with an education, safeguarding support as appropriate and implementing any disciplinary sanctions.
- Consider the age and the developmental stage of the alleged perpetrator and nature of the allegations. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them.
- Consider the proportionality of the response. Support (and sanctions) should be considered on a case-by-case basis. Advice will be taken, as appropriate, from children's social care, specialist sexual violence services and the police.
- If it is the case that the alleged perpetrator is moved to another educational institution (for any reason), then we will ensure that the new educational institution is made aware of any ongoing support needs.



16. Discipline and the alleged perpetrator

With regard to the alleged perpetrator, we will act in accordance with our behaviour policy and discipline pupils whose conduct falls below the standard which could be reasonably expected of them. Disciplinary action can be taken whilst other investigations by the police and/or children's social care are ongoing. The fact that another body is investigating or has investigated an incident does not in itself prevent a school from coming to its own conclusion, on the balance of probabilities, about what happened, and imposing a penalty accordingly.

This is however, a matter for the school and we will carefully considered on a case-by-case basis. We will consider if, by taking any action, they would prejudice an investigation and/or any subsequent prosecution. Careful liaison with the police and/or children's social care should help us as a school make a determination. It is also important to consider whether there are circumstances that make it unreasonable or irrational for the school to reach their own view about what happened while an independent investigation is considering the same facts.

17. Discipline and support

White Spire School understand that taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time if necessary. On the one hand there is preventative or forward-looking action to safeguard the victim and/or the perpetrator, especially where there are concerns that the perpetrator themselves may have been a victim of abuse; and, on the other, there is disciplinary action to punish a perpetrator for their past conduct.

The school will be clear during the process as to which category any action we have taken falls or whether it is really both, and should ensure that the action complies with the law relating to each relevant category.

Working with parents and carers

The school will, in most instances, engage with both the victim's and the alleged perpetrator's parents or carers when there has been a report of sexual violence (this might not be necessary or proportional in the case of sexual harassment and should be considered on a case-by-case basis) unless there is a reason to believe informing a parent or carer will put a child at additional risk. We will carefully consider what information we provide to the respective parents or carers about the other child involved and when they do so. In some cases, children's social care and/or the police will have a very clear view and we will work with the relevant agencies to ensure a consistent approach is taken to information sharing.

We will meet the victim's parents or carers with the victim present to discuss what arrangements are being put in place to safeguard the victim and understand their wishes in terms of support they may need and how the report will be progressed. We will a meet with the alleged perpetrator's parents or carers to discuss any arrangements that are being put into place that impact the alleged perpetrator, such as, for example, moving them out of classes with the victim and what this means for their education. The reason behind any decisions will be



explained. Support for the alleged perpetrator will be discussed. Consideration to the attendance of other agencies will be considered on a case-by-case basis.

We understand that parents and carers may well struggle to cope with a report that their child has been the victim of an assault or is alleged to have assaulted another child. Details of organisations that support parents will be provided within the meeting.

18. Safeguarding other children

As a school we will follow our set policies and will support all children and adults involved. We will

- We will signpost agencies and support services available where need.
- The school will do all we can to ensure both the victim and alleged perpetrator, and any witnesses, are not being bullied or harassed.
- It is likely that social media will play a role and people will start to take sides. Any evidence we have of students using social media inappropriately will be sanctioned according to our Behaviour and Bullying policies.
- A risk assessment will take place for both the school and local authority transport.
- As a school we have a zero-tolerance approach to sexual violence and sexual harassment.

What we do in school to educate our children against harmful sexual behaviours

We have embedded in our PSHCE Curriculum and Assemblies the message of:

- healthy and respectful relationships, including information on consent;
- The law and that it is in place to protect rather than criminalise people
- 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.

We ensure DSLs have appropriate and regularly updated training and all staff are trained to recognise signs of safety and harmful sexual behaviours.

19. Policies

This policy is to be read in conjunction with:

- Child protection policy
- Keeping Children Safe in Education, Dfe, 2024
- Anti-Bullying Policy
- Exclusions Policy
- Positive Handling and Restraint Policy
- Equality and Diversity policy
- Behaviour policy

20. Useful Websites and Support

Rape Crisis- <http://rapecrisis.org.uk>



The Survivors Trust- <https://www.thesurvivorstrust.org>

NSPCC-<https://www.nspcc.org.uk>

Remove nude picture shared online- <https://www.childline.org.uk/info-advice/bullying-abuse-safety/online-mobile-safety/remove-nude-image-shared-online/>

Lucy Faithful Foundation - <https://www.lucyfaithfull.org.uk/>

Safer Internet Centre - <https://www.saferinternet.org.uk/>

Anti-Bullying Alliance - <https://anti-bullyingalliance.org.uk/>

Victim Support - <https://www.victimsupport.org.uk/>

Childline- <https://www.childline.org.uk/>

Everyones Invited- <https://www.everyonesinvited.uk/>

Childline/IWF: Report Remove is a free tool that allows children to report nude or sexual images and/or videos of themselves that they think might have been shared online <https://www.iwf.org.uk/our-technology/report-remove/>