



Southport
Education
Group

Sexual Violence and Sexual Harassment Policy & Procedure (Students)

2024/2025

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1. Key Personnel

1.1 Senior Managers and Governors

- Principal: Michelle Brabner

- Designated Senior Safeguarding Lead: Stephen Musa Assistant Principal Student Experience and Welfare

- Deputy Designated Safeguarding Lead: Liz Jones, Head of Student Services and Karen Marsh, Senior Mental Health Lead

- Designated Governor for Safeguarding: Katy Robinson

1.2 Designated Safeguarding Officers

- Liz Jones – ext. 2759 (01704 392759)
- Karen Marsh – ext. 2758 (01704 392758)
- Anne Marie O’Donovan – ext. 2713 (01704 392713)
- Jodie Marcucci (Area of focus lead for SV&SH) - ext. 2886 (01704 392886)
- Rebecca Rothwell – ext. 2774 (01704 530601)
- Safeguarding Helpline – ext. 2821 (01704 392821) / safeguarding@southport.ac.uk

2. Purpose of the Policy

2.1 This policy is to provide a clear set of guidelines for a zero-tolerance approach for staff to prevent and respond to incidents of sexual violence and sexual harassment.

3. Introduction

3.1 As part of KCSIE 2024, Part Five, Child-on-Child sexual violence and sexual harassment statutory guidance has been devised to direct schools and colleges as to how they should respond to all signs, reports and concerns of child-on-child sexual violence and sexual harassment. Including those that have happened outside of the education setting and /or line. All staff working with children are advised to maintain an attitude “it could happen here” and this is especially important when considering child on child abuse.

4. Context and Definitions

4.1 It is important to consider sexual harassment in the broader terms, sexual harassment creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence. There are different ways to describe children and adults who have been subjected to sexual violence and or sexual harassment and the alleged perpetrators of this abuse. We use the term ‘victim’ as it is a widely recognised and understood term. Not everyone who has been subjected to sexual violence and sexual harassment will consider themselves a victim, we should remain conscious of this when managing any incident or allegation. We use the term ‘alleged perpetrator’ and it should be noted that they should also receive support.

4.2 Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers. Additional barriers can sometimes exist when recognising abuse in SEND children which can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration;
- the potential for children with SEND being disproportionately impacted by behaviours such as bullying and harassment without showing obvious signs and
- communication barriers and difficulties overcoming these barriers.

4.3 Children who are lesbian, gay, bi or trans (LGBT) can be targeted by their peers. In some cases, a child who is perceived by their peers to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.

4.4 The evidence shows that girls are more likely to be subject to sexual violence and sexual harassment than boys; boys are more likely to perpetrate such violence and harassment.

4.5 Children can also abuse their peers online. This can take the form of abusive, harassing, misogynistic messages, the non-consensual sharing of indecent images and pornography and to those who do not want to receive such content (unsolicited image sharing).

4.6 **Sexual Harassment**

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school/college. 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: deliberately brushing against someone, interfering with someone's clothes.

Schools and colleges should be considering when any of this crosses a line into sexual violence – it is important to talk to and consider the experience of the victim.

- displaying pictures, photos or drawings of a sexual nature
- upskirting (this is a criminal offence 140), and
- online sexual harassment.

This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include: consensual and non-consensual sharing of nude and semi-nude images and/or videos. Taking and sharing nude photographs of U18s is a criminal offence. UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people provides detailed advice for schools and colleges. Sharing of unwanted explicit content, sexualised online bullying unwanted sexual comments and messages, including, on social media, sexual exploitation; coercion and threats, and coercing others into sharing images of themselves or performing acts they're not comfortable with online.

4.4 On line sexual harassment

Schools and colleges should recognise that sexual violence and sexual harassment occurring online (either in isolation or in connection with face-to-face incidents) can introduce a number of complex factors. Amongst other things, this can include widespread abuse or harm across a number of social media platforms that leads to repeat victimisation. (See Useful contacts).

4.4 Sexual Violence

Under the Sexual Offences Act 2003 Sexual Violence is described 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; she/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.

- Causing someone to engage in sexual activity without consent – A person (A) commits an offence if (she/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. Note – this could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with the third party.

4.5 Harmful Sexual Behaviour

Children's sexual behaviour exists on a wide continuum, from and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is 'harmful sexual behaviour'. This term has been widely adopted in child protection and is used in this advice. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context. Children who display harmful sexual behaviour have often experienced their own abuse and trauma. It is important that they are offered appropriate support.

5. Consent

5.1 Consent is about having the capacity and freedom to choose. Consent of sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. 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 she/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

- 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

6. Responding to reports of Sexual Violence and Sexual Harassment

- 6.1 Reports of sexual violence and sexual harassment are likely to be complex, requiring difficult professional decisions to be made, often quickly and under pressure. Pre-planning, effective training and effective policies will provide schools and Colleges with the foundation for a calm, considered and appropriate response to any report. Colleges are not alone in dealing with sexual violence and sexual harassment, statutory partners such as Children's Social Care and the Police may need to become involved in some cases.
- 6.2 Sexual Violence and Sexual Harassment can happen to a single child or a group of children, staff should be aware that girls are more commonly the victims and boys the perpetrators.
- 6.3 Incidents will be considered both on and off site, and online, our responsibilities will extend to safeguarding students when travelling to and from College.
- 6.4 It is essential that all victims are reassured they are taken seriously. They should not feel that they are creating a problem in reporting an incident.

- 6.5 Staff taking a report should never promise confidentiality as it is likely that in the best interests of the victim, advice and guidance from others/appropriate agencies will be sought.
- 6.6 Not all victims will find it easy to tell staff about their abuse verbally, they may show signs or act in a way which they hope staff will notice and react to, for example: a member of staff may overhear a conversation that suggests a victim has been harmed
- 6.7 All concerns, discussions and decisions made, and the reason for those decisions, should be recorded on Pro Monitor under confidential comments at the appropriate level. Records should include; a clear and comprehensive summary of the concern, details of how the concern was followed up and resolved, a note of any action taken, decisions reached and the outcome. If in doubt about recording requirements, staff should discuss with the DSL or DDSL.
- 6.8 If a child is at risk of harm, is in immediate danger or has been harmed, Safeguarding should be informed immediately where a referral should be made to Children's Social Care and or the Police by a member of the Safeguarding Team.
- 6.9 When a report of rape, assault by penetration or sexual assault is made, safeguarding should be informed immediately, and this should be referred to the Police by safeguarding. The designated safeguarding lead (or a deputy) will balance the victim's wishes against their duty to protect the victim and other children.
- 6.10 Where consent is not given, staff will consider whether they should lawfully share the information, if it can be justified to be in the public interest, for example to protect children/adults from significant harm or where a criminal offense has taken place. Consent would also be broken where there are potential risks that could cause an immediate/danger to others.
- 6.11 Sanctions may be given under our Maintaining Student Responsibility Policy where there is a finding of sexual violence or harassment, and to minimise any possible risks alleged perpetrator(s) may be suspended whilst an investigation takes place.
- 6.12 Whilst the College establishes the facts of the allegation and the process of engaging with Children's Social Care and the Police, the alleged perpetrator(s) will be removed from any classes that they share with the victim.
- 6.13 Where it is believed the alleged perpetrator(s) may pose a further risk to the College community a risk assessment will be put in place by the Safeguarding Officer. Where there are grounds to believe potential risks are serious and unmanageable a Fitness to Study panel will convene to review the case. A risk assessment should also be in place for the victim, to minimise any risk of further harm. Consideration will be given to how the students involved travel to and from College, any cross over in the College setting, and any contact on social media as well as any other relevant information. The risk assessment will consider how the victim can be protected and supported, whether there may have been additional victims and transferable risk, which will protect them from future harm.

- 6.14 Where a report is going to be made to children’s social care and/or the Police, the College will speak to the relevant agency and discuss how the alleged perpetrator(s) will be informed of the allegations.
- 6.15 All staff involved should carefully consider the potential impact of the abuse on both the alleged perpetrator/s and the victim/s.
- 6.16 Parents/carers will normally be informed where the student is under the age of 18 or is a vulnerable adult, unless this could place the individual at greater risk of harm.
- 6.17 If the event of reports of the children attending different schools or College, the Colleges duties to safeguard and promote the welfare of learners remain the same. In such circumstances, appropriate information sharing and effective multi-agency working will be imperative.
- 6.18 Where a student has a conviction for a sexual offence then the Criminal Convictions procedure should be followed.
- 6.19 Any reports of abuse involving children with SEND will result in close liaison between the Safeguarding Team and the Head of Learning Support and Inclusion.
- 6.20 The four likely scenario options when managing a report;
- Manage internally; in some cases of sexual harassment for example, one-off incidents such as name calling.
 - Early help; providing early help is effective in promoting the welfare of children rather than reacting later. For example, addressing non-violent HSB.
 - Referrals to Children’s Social Care; where a child has been harmed, is at risk of harm or is in immediate danger. For example, allegation of rape or sexual assault.
 - Reporting to the Police; any report to the Police will generally be in parallel with a referral to Children’s Social Care.
- 6.21 Where cases are classified as “no further action” by the Police or CPS or where there is a not guilty verdict, the school or College will continue to offer support to the victim and alleged perpetrator(s). If an allegation cannot be substantiated or was withdrawn does not necessarily mean it was unfounded; the appropriate support will continue to be offered.
- 6.22 Disciplinary action can be instigated whilst Police and/or Children’s Social Care investigations are taken place. Other investigations will not prevent College from investigating and imposing an appropriate sanctions on the balance of probability. Liaison with the Police/Children’s Social Care will determine if a College action would prejudice Police investigation and/or any subsequent prosecution.

7. Preventing and Addressing Sexual Violence and Harassment

- 7.1 The Senior Leadership Team and Governing Body have a visible and ongoing commitment to preventing and responding to all forms of sexual harassment and sexual violence. Any incidents disclosed are reported through the termly safeguarding reports for review.
- 7.2 College expectations are included in induction talks and proactively communicated to students, including the 'Maintaining Student Responsibility Procedures' (MSR). Ensuring a clear and consistent message is delivered.
- 7.3 The College have a planned programme of evidence based content delivered through progress sessions. Our preventative education programme is developed to be age and stage development appropriate, and tackles such issues as:
- Consent and Healthy Relationships
 - Sexual Harassment and appropriate behaviour
 - Sexual Health - Consent and Contraception
 - Safety and exploitation (including online safety)
 - LGBTQ+ awareness
 - Stereotyping, prejudiced behaviour and equality (including awareness of protected characteristics)
- 7.4 Robust links have been established with external agencies such as Merseyside Police, RASA (rape and sexual abuse centre), Children's Social Care and Early Help and Adult Social Care to allow the Safeguarding Team to make timely referrals and seek professional support and advice.
- 7.5 Students and staff are provided with clear information on how to report any incidents of sexual harassment or sexual violence and how the College can support them. The Policy is available to them on the website.
- 7.6 Training will be delivered to all staff as part of the annual safeguarding training to raise awareness of sexual harassment and sexual violence, supporting staff to respond effectively to disclosures and prevent incidents. Staff can contact the Safeguarding Team for further information or guidance if required.

8. Liaison with parents and carers

The College will:

- Ensure that parents/carers know who to contact if they are worried about Sexual Violence and Sexual Harassment.
- Ensure that parents/carers know about the complaints procedure and how to use it.
- Ensure that parents/carers know where to access independent advice about Sexual Violence and Sexual Harassment.
- Work with parents/carers and the local community to address issues beyond the College environment that give rise to Sexual Violence and Sexual Harassment.

9. Monitoring and Review, Policy into Practice

The Corporation will review this Policy annually, as well as if incidents occur that suggest the need for a review.

10. Responsibilities

This Policy will only work if it ensures that the whole College community understands that sexual violence and sexual harassment is not tolerated and understands the steps that will be taken to both prevent and respond to it.

It is the responsibility of:

- all staff and governors to be aware of this policy and implement it accordingly
- the Head of HR to direct all new starters to the policy
- the Assistant Principal – Student Experience and Welfare to communicate the policy to the College community
- the Head of Studies to deliver a comprehensive programme via tutorials of preventative education
- students to abide by the policy

11. Data and Confidentiality

1. Instances of sexual violence and sexual harassment allegations will be recorded in a central record on ProMonitor.
2. All personal and sensitive information will be managed in accordance with the General Data Protection Regulation (GDPR) 2018 and the Common Law Duty of Confidentiality.
3. There may be occasion where the College is obliged to disclose information, notwithstanding that the learner has refused consent:
 - Where the learner's behaviour threatens their safety or safeguarding, and that of others.
 - Or where the College would be liable to civil or criminal liability for failure to disclose.

12. Other Relevant Documents

This Policy links with a number of other College policies, practices and action plans including:

- Safeguarding Policy and Procedures
- Maintaining Student Responsibility
- Mental Health Policy
- Comments, Compliments and Complaints Procedure
- Health and Safety Policy
- Online-Safety Policy
- ID Badge Policy
- Anti-Bullying and Harassment Policy (staff)
- Data Protection Policy
- Equality and Diversity Policy
- Freedom of Speech Policy
- Information for Students (booklet)
- Information for Students with learning difficulties and/or disabilities (booklet)
- College Charter Code of Conduct

- Missing from Education Policy

This document and the above documents can be found on the College website, and via the Student Hub (Southport College) or Main Reception (KGV Sixth Form)

13. Useful contacts

Safeguarding Team 01704 392821

Student Information Desk (Southport) 01704 392704

Student Information Desk (KGV Sixth Form) 01704 530601

Progress Tutors (16-18) 01704 392811