

Ofsted review of sexual abuse in schools and colleges

On the 10th of June 2021 Ofsted published a review of sexual abuse in schools and colleges.¹¹

In conducting the review Ofsted spoke to approximately 900 children who reported significant levels of both contact and on-line abuse and harassment.

The review also highlights a difference in perception between staff and young people regarding the prevalence, with the review reporting: [In the focus groups,] many children and young people talked about teachers not 'knowing the reality' of their lives or being 'out of date'. In general, they reported much higher incidences of sexual harassment, online sexual abuse and bullying behaviours than teachers and leaders tended to be aware of.

The review also highlighted good practice where staff and leaders' perceptions aligned more closely with that of the pupils and appeared to be the case in schools where the topic has been – and continues to be – openly discussed and challenged, and where records of incidents are kept and analysed.

1.1 Recommendations from the Ofsted review for school and college leaders

School and college leaders should create a culture where sexual harassment and online sexual abuse are not tolerated, and where they identify issues and intervene early to better protect children and young people.

In order to do this, they should assume that sexual harassment and online sexual abuse are happening in their setting, even when there are no specific reports, and put in place a whole-school approach to address them.

This should include:

- *a carefully sequenced RSHE curriculum, based on the Department for Education's (DfE's) statutory guidance, that specifically includes sexual harassment and sexual violence, including online. This should include time for open discussion of topics that children and young people tell us they find particularly difficult, such as consent and the sending of 'nudes'¹²*
- *high-quality training for teachers delivering RSHE*
- *routine record-keeping and analysis of sexual harassment and sexual violence, including online, to identify patterns and intervene early to prevent abuse*
- *a behavioural approach, including sanctions when appropriate, to reinforce a culture where sexual harassment and online sexual abuse are not tolerated*
- *working closely with LSPs in the area where the school or college is located so they are aware of the range of support available to children and young people who are victims or who perpetrate harmful sexual behaviour*
- *support for designated safeguarding leads (DSLs), such as protected time in timetables to engage with LSPs and*
- *training to ensure that all staff (and governors, where relevant) are able to:*
 - i. *better understand the definitions of sexual harassment and sexual violence, including online sexual abuse*
 - ii. *identify early signs of child-on-child sexual abuse*
 - iii. *consistently uphold standards in their responses to sexual harassment and online sexual abuse*

1.2 Ongoing support

¹¹ <https://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges>

¹² Further guidance for RSHE curriculum please see section 5 below

You may be experienced in managing sexual abuse in your setting and have a clear view of where your setting is currently when considered against the recommendations above.

The Safeguarding in Education Team are available on 0330 222 4030 or email safeguarding.education@westsussex.gov.uk.

1.3 Training

The safeguarding in education resources pages on West Sussex Service for Schools holds further training material. In addition, the model safeguarding training generated for all schools, annually in September, will include reference to this briefing document.

Managing newly reported sexual assault and harassment disclosures, including sharing of images.

2.1 New Disclosures

All complaints / disclosures of sexual harm will be discussed with the young person and parents before referrals are made to the police / Integrated Front Door unless by doing so generates an immediate safeguarding risk or could hamper a police investigation.

Please take advice from the police or Integrated Front Door before speaking to any other young people who may be involved, especially any alleged perpetrator, or their parents / carers.

Where your setting receives a complaint from a young person regarding a rape or sexual assault, including assault by penetration, or 'upskirting', local guidance is that your setting must contact Sussex Police on 101 as soon as possible. Where there is information to suggest any person is in immediate danger or that there is a possibility that forensic evidence will be lost, then the local guidelines are to call Sussex Police immediately via 999.

2.2 Referral to the Integrated Front Door following a referral to police

Once the matter has been referred to the police, local guidance is that your setting must also refer the matter into the Integrated Front Door: Tel 01403 229900 | email: WSChildrenservices@westsussex.gov.uk

2.3 Third party reports

An example of this might be that your setting is made aware that a possible sexual assault has taken place, but you are unable to speak to the young people involved, for example, because they have not attended school that day, or they have declined to speak with you.

In such cases school should take advice from the police by contacting 101 or 999 if anyone is believed to be in immediate danger.

2.4 Young people under 16 who are engaging in sexual activity, but neither is making any allegations of sexual assault

The criminal justice system does not seek to criminalise young people who, although under 16, but older than 12, are willingly engaging in sexual activity. In such cases it is important to establish from the young people involved if any coercion or manipulation is occurring or whether there is a significant gap in age, maturity or learning ability. Where there is clear coercion or manipulation,

clear disparity in age or learning ability, then the school should contact the police on 101, or 999 if an emergency or where forensic evidence may be lost.

After obtaining information from the young people involved, if it is unclear if there is any coercion / manipulation or significant gap in age, maturity or learning ability, then the school should take advice from their local police neighbourhood youth officer as to how to proceed.

Irrespective of whether there is any coercion or manipulation, a referral should be made to the Integrated Front Door (IFD).

2.5 Children under 13

Any information regarding children under 13 engaging in sexual activity must be referred to the police and IFD as soon as possible.

2.6 Children under 10

Children under 10 cannot be charged with any crimes as they are regarded in law as being too young to understand the implications of their actions however in such circumstances a referral must be made to the Integrated Front Door.

2.7 Harmful Sexual Behaviour

Where children engage in sexual behaviours which may be harmful, schools and colleges should take guidance from the pan-Sussex Child Protection Procedures, part 8.13,

Schools and colleges must consider referring the matter for advice from the Integrated Front Door when they have a potential case of harmful sexual behavior.

2.8 Sharing nude and semi-nude images: advice for education settings

In December 2020 the Dept for Digital, Culture, Media and Sport and the UK Council for Internet Safety published guidance Sharing nudes and semi nudes: advice for education settings working with children and young people¹³.

This guidance separates incidents of those under 18 sharing nude or semi-nude images into two broad areas: 1 - aggravated and 2 - experimental.

Aggravated can be sub-categorised into the following areas:

- An adult is involved,
- Youth only and there is an intent to harm – for example used to threaten or exploitation, Youth only and reckless misuse – for example sharing images widely without consent but no intent to harm.

Experimental can be sub-categorised into

- Where images have been shared within a romantic context
- Where young people share images of themselves with others for sexual attention¹⁴
- Another reason

Response

Education settings should have a thorough understanding of the guidance and assess each case on its own merits. Where aggravating factors may be present, the matter should be referred to police on 101 and IFD.

Where there are no clear aggravating factors, settings should consider whether a safeguarding referral to IFD should still be made, taking advice from IFD where appropriate.

2.9 Consultation, Assessment and Treatment Service

¹³ <https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people>

¹⁴ The guidance identifies sexual attention seeking. The phrase 'sexual attention seeking' is taken directly from the typology however it is important to note that incidents within this category can be a part of normal childhood. A child or young person should not be blamed for taking and sharing their image.

The Consultation, Assessment and Treatment Service (CATS) is a multidisciplinary psychological service working with children and young people up to 18 years of age who have engaged in, or are alleged to have engaged in, harmful sexual behaviour (HSB). CATS is a Sussex Partnership NHS Trust service, commissioned by West Sussex Children's Social Care to undertake specialist assessments and therapeutic interventions with children and their families. CATS also work closely with, and provide consultation to, the professional network around the child and family, to ensure a robust multi-agency response to safeguarding, to facilitate an understanding of the child's HSB and to support the child to move forward safely.

When Harmful Sexual Behaviour has been identified a referral to CATS should be made by the allocated social worker following a discussion with the parents / carers. Whilst CATS are only able to accept referrals from social services telephone advice can be sought from the service by any professional by contacting the CATS' office on 01403 223200.

It is important to note that any safeguarding concern should be first reported to the police and the Integrated Front Door, as outlined above, before contacting CATs for advice.

Schools should not wait for the outcome (or even the start of) a police or social services investigation and should seek to implement immediate safeguarding measures to safeguard others, and prevent further allegations of HSB, please see the CATS school safety plan, at Appendix A, to support with this.

2.10 School Safety Plans for any harmful sexual behaviour, sexual violence or sexual harassment

CATS have generated a school safety plan, (Appendix A) which should be used as soon as possible to implement safeguarding measures to support all young people involved.

The safety plan should not wait until the outcome of any police or children services investigation, however there are specific considerations about what can and cannot be shared with the young person when there is a police investigation school. Please see the safety plan for more information.

National advice & guidance - including NSPCC helpline for those affected

To support your setting in responding to peer-on-peer sexual violence and harassment, you should be aware of the following guidance and resources:

- *Keeping Children Safe in Education 2024, especially part 5, child on child sexual assault and harassment*
- *Working Together to Safeguard Children, 2023¹⁵*
- *Sexual violence and sexual harassment between children in schools and colleges (sept 2021)*
- **New guidance regarding sexting** has been issued by the Dept for Digital, Media, Culture and Sport, in December 2020. This guidance is titled *Sharing nudes and semi-nudes: advice for education settings working with children and young people and identifies aggravated and*
- *experimental situations and provides guidance on how each should be dealt with. (See Sec 2.8 above.)*
- *Relationships Education, Relationships and Sex Education (RSE) and Health Education, Statutory Guidance¹⁶*
- *Pan Sussex Child Protection & Safeguarding Procedures, specifically part 8.10, Children who Harm Other Children¹⁷ and 8.40 Sexually Active Children*
- *NSPCC – Protecting children from child-on-child sexual abuse¹⁸ which shares information of recognizing, responding and prevention amongst other areas.*
- *NSPCC helpline for people who have experienced sexual abuse in an education setting which is available for young people and adults, and for anyone who works or volunteers in a school setting and needs support and guidance¹⁹ The Report Abuse in Education helpline can be reached on 0800 136 663, on Monday to Friday 8am - 10pm, or 9am - 6pm at weekends. It can also be contacted by email at help@nspcc.org.uk*

Child Protection & Safeguarding Policy / Training of staff

¹⁶

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/908013/Relationships_Education_Relationships_and_Sex_Education_RSE_and_Health_Education.pdf

¹⁷ <https://sussexchildprotection.procedures.org.uk/tkypix/children-in-specific-circumstances/children-who-harm-other-children>

¹⁸ <https://learning.nspcc.org.uk/child-abuse-and-neglect/peer-on-peer-sexual-abuse#heading-top>

¹⁹ <https://learning.nspcc.org.uk/news/2021/april/sexual-abuse-in-education-helpline-launched>

Policy

This briefing is for guidance for schools in West Sussex. Further statutory guidance within Keeping Children Safe in Education 2024 has been issued by the DfE. This statutory guidance should be incorporated into your child protection and safeguarding policy.

Policy on school website

It is recommended that any updated policy is made accessible to the public on your school's external webpages as soon as possible

Staff training

It is recommended that all your staff, including volunteers, receive regular safeguarding training throughout the year, which could include updates on this area. It is recommended that you can evidence the impact of any training for any subsequent Ofsted inspections.

[West Sussex Service for Schools](https://schools.westsussex.gov.uk/) hosts a DSL Digital Library and hosts short presentations on specific issues, for example, Online Sexual Harm Reduction Guides, Sexual Health Services in West Sussex amongst many others.

Review of previous incidents in your school / setting

1. Review previous allegations

It is recommended that you review any previous child on child sexual assault / harassment / bullying allegations involving children and young people still attending your setting. This is to ensure support has been, and where relevant, continues to be provided to all young people involved and that all safeguarding concerns have been considered and referrals made to the police and Children's Social Care where relevant.

It is also recommended that your review of previous matters considers incidents that may not be exclusively related to sexual assault / harassment / bullying but has potential elements of such behaviour. For example, criminal exploitation can frequently have significant elements of sexual assault and coercion to engage in sexual activity, often as part of initiation or hazing activities.

2. Those under investigation by the police

It is recommended for those matters which are still under investigation by the police, that you ensure there are regular updates recorded within the relevant children and young person's child protection files, especially where there is any change in risk and up to date risk assessments.

3. Safety plans

It is recommended that you use a safety plan to identify how your setting is supporting the young people involved and managing any on-going risk. An example safety plan is attached below at Appendix A and also located within the Safeguarding in Education, Specific Areas of Safeguarding section on West Sussex Service for Schools²⁰. It is recommended that any safety plan is regularly reviewed with the child, parents, and where appropriate, other relevant agencies.

4. File sharing

It is recommended that where a young person, who may pose a safeguarding risk to another person, has moved to another educational setting²¹ you review whether sufficient information has been shared with that new setting to enable them to manage any potential risk.

Maximising the opportunities to teach safeguarding to your children and young people

Statutory Status

The RSE & Health Education became statutory from September 2020, with schools starting to teach from it by at least the start of the summer term 2021, if not before. The DfE are clear that the development of the new curriculum should be an 'iterative process' where pupil need is at its heart during the academic years 20-21 and 21- 22.

²⁰ <https://schools.westsussex.gov.uk/>

²¹ Up to and including to year 13.

A fully considered and embedded RSHE curriculum tailored to the specific needs of your pupils is fundamental to children developing healthy relationships with their peers.

There is a lot of guidance available to schools, both from the DfE and other providers²².

WSSC Education for Safeguarding – E4S

Over the last two years, WSSC has developed Education for Safeguarding or E4S. E4S is a whole school approach to developing a needs based RSHE curriculum via an interactive platform. The approach is based on four cornerstones – Relationship / Sex Education, Digital & Media Literacy, Personal Health & Wellbeing and Emotional Health & Wellbeing. Using E4S will enable you to generate a bespoke curriculum for your specific setting and maximise the opportunities for you to teach your pupils about relationships and other aspects of the RSHE curriculum. E4S meets all the statutory elements of RSHE and ensures that all areas of the DfE guidance are fully met within your setting.

For further information about E4S please visit <https://www.e4swsscalpha.co.uk/learning>

Communications

With parents / carers and staff

The general issue of safeguarding is no doubt one that you will want to talk about regularly with your staff, pupils and parents/carers and engage them in the conversation about how to stay safe.

While your school retains responsibility for your communications, the WSSC Communications and Engagement Team is happy to offer advice on this and is available to review a letter on this topic, if that is helpful, using the below contact details.

It is important to stress that no child or young person should be identifiable in any communications, including where there is a risk they could be identified even without naming them. Depending on the circumstances, certain legal protections may also be in place to prevent identification in the media, but these do not always prevent information circulating on social media. If you are unsure, or would like further guidance, the WSSC Communications & Engagement Team is happy to offer advice. Please note that media representatives do not have the right to enter school grounds without permission.

Media Enquiries

While schools retain the responsibility for managing enquiries from the media, should you be contacted by a journalist, or if your setting is identified in any social media platform connected with or similar to Everyone's Invited, it is recommended that you make contact with WSSC's Communications & Engagement Team by emailing pressoffice@westsussex.gov.uk or calling [033 022 28090](tel:03302228090). Press officer staff are available to support you with how to respond appropriately.

If the enquiry relates to an active police investigation, then the police will take the lead in any press statements / content of any messages to parents. Once again, it is recommended that you contact WSSC Communications & Engagement Team who will liaise with their police counterpart before any press statements are given.

²² <https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education>



Assessment and
Treatment Service
1st Floor, New Park House
North Street, Horsham,

School Safety Plan: Assessment and Treatment Service (ATS)²³

The ATS is a specialist team in West Sussex working with young people who present with Harmful Sexual Behaviours (HSB). Hackett (2014) defines HSB as “*sexual behaviours expressed by children and young people under the age of 18 years old that are developmentally inappropriate, may be harmful towards others, or be abusive towards another child, young person or adult.*”

Any incident of HSB toward another child should be considered within a broader child protection context and schools should refer to the Keeping Safe in Education (DfE, 2018) guidance and follow local safeguarding policies, which will include a referral to IFD (Multi Agency Safeguarding Hub). However, schools should not wait for the outcome (or even the start of) a police or social services investigation and should seek to implement immediate safeguarding measures to safeguard others and prevent further allegations of HSB.

The ATS School Safety Plan is intended to support this initial safeguarding process and facilitate discussions around potential risk within the school setting, regardless of whether the HSB occurred within the home, school or community context. These initial safeguarding measures should be considered to be in the best interests of those involved and should not be perceived to be a judgement of guilt of the alleged but should be implemented regardless of whether the young person admits or denies.

Ideally, the young person should be provided with the opportunity to contribute to their own safety plan, and the steps that they can take to avoid any further allegations of HSB. If the **child is aged under 10** they are below the age of criminal responsibility and therefore the plan can be completed fully prior to the strategy meeting and should be shared with the child as soon as possible.

When the allegation of HSB is against **a young person 10 years and over** the Designated Safeguarding Lead (DSL) should complete and implement as much of the plan as possible without sharing it with the young person. The DSL will need to liaise with the police at the strategy meeting regarding any ongoing police investigations and what information can and cannot be shared with the young person and at what stage. Although a police investigation may prevent school staff in the short term from discussing the HSB directly with the young person, a School Safety Plan will still need to be put in place to ensure robust safeguarding of others which is of paramount importance.

The DSL may need to consider how to implement an interim plan that ensures the safety of others and the young person without the need to communicate the plan to the young person.

Careful consideration should be given to how to communicate the safety plan with the young people involved including the victim(s) and their parents. To facilitate this, please find a *Summary of the School Safety Plan* provided at the end. It will be important that the Safety Plan is reviewed regularly to ensure that it is effective and remains appropriate.

²³ © Dr J Willis, Dr J Holder, Dr D Pearse, Ms J Bull (Assessment and Treatment Service)

The ATS Safety Plan should also consider strengths alongside risk and building the young person's strengths and protective factors as they mitigate the level of risk. This will also be an important aspect of the plan moving forward.

School Safety Plan: Assessment and Treatment Service (ATS)

Name of young person:

Date of Birth:

School:

Designated Safeguarding Lead:

Date safety plan agreed:

Date of review:

School Safety Plan: Assessment and Treatment Service (ATS)

The following questions are not intended to be an exhaustive or definitive list. The level of supervision required is likely to vary and should be assessed on a case-by-case basis taking into account the context of the HSB and the educational setting.

Harmful Sexual Behaviour	
• What was the context of the HSB? Was it spontaneous or planned? Frequency, duration, severity? One or multiple victims? Where did the behaviour take place? Was there any force, threat, coercion? - o Where - o When - o What - o To whom • Has the young person been spoken to about their behaviour? What was their response? Are they able to think about ways in which they could keep themselves safe? What are their ideas? • Are staff aware of what to do in the event of further incidents of problematic or harmful sexual behaviour, how to record these incidents or concerns and who to seek support from?	3.
Adult support	
• Have key staff members been made aware of the HSB allegation and of the supervision plan? Does the young person know who is aware and who they can access support from? • How will you support the young person's emotional	5.

well-being? Is there a key adult in school who has built a relationship with the young person and could be an emotional confidant? 4. • Are there any times or circumstances when the young person seems more unhappy/distracted/upset/distressed? Can extra support be put in place around these times? •	
The classroom environment	
• Does a higher level of supervision need to be considered in the classroom? If so, who will take responsibility for this additional supervision, and what will it look like? • Are there any spaces within the classroom that are more difficult to supervise? Do any changes need to be made to the classroom layout, seating plans and/or daily routines to increase safety and ease of supervision? Hold in mind any other vulnerable young people, and how this dynamic might be managed. • Are there any times or circumstances when the young person leaves the classroom? Does additional supervision need to be put in place? 6. • If the alleged victim also attends the school; does there need to be any changes to the classes that the young person attends, changes to the timetable and/or consideration to any other activities?	7.
Outside the classroom/ unstructured times	
• Are there any spaces within the school that are more difficult to supervise? Consideration should be given as to whether additional planning is needed around this. Again, hold in mind any other vulnerable young people, and how this dynamic might be managed. ○ Use of toilets ○ Break time ○ Lunch time ○ PE / changing ○ Transitions between classes ○ Travel between home and school ○ After school / breakfast clubs ○ Are there any other spaces within the school which are more difficult to supervise? • Is there a protocol in place if the young person does not arrive on time or cannot be found?	8.

Technology	
• If the HSB includes use of technology, consideration may be given to the following: - o Mobile phones - o Computers - o Handheld devices • For further advice on how to manage illegal images, see UKCCIS and West Sussex guidelines	
Building Protective Factors	
• What are the young person's strengths? Are they continuing to access things that they previously enjoyed? Do they have interests outside of school, prosocial activities, after-school clubs? Opportunities to feel successful? How are they relating to their peers? • Can more be done to support and develop their strengths?	
Whole School Approach	
• Does the ethos and culture of the school promote healthy relationships? Is there opportunity to explore concepts such as respect, consent and healthy relationships as a whole class/year group? Are protective factors promoted, do the young people know how to keep themselves safe? • Are school staff aware of / accessed training around HSB and/or supporting children's healthy sexual development? Do staff feel confident in identifying and addressing inappropriate sexual behaviour?	
Review	
• Is the current safety plan working? Is the network satisfied that the plan is sufficient and appropriate? Have there been any further incidents or concerns? • Is the young person aware of the safety plan? How does the young person feel about the safety plan? Is the young person adhering to the safety plan? • Have any additional factors come to light which require adaption to ensure safe practice? What will these changes involve and who will be responsible for implementing these changes?	

• Are there any changes coming up e.g., a school trip that need to be discussed and planned for? What will these changes involve and who will be responsible for implementing these changes? • Is there a balance between risk management and building strength? What more could be done or need to be done?	
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Summary of School Safety Plan Assessment and Treatment Service (ATS)

Key changes made to the young person's school day, including any adaptations, timetable changes and areas for supervision:

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-
-
- **Please record who this Summary of School Safety needs to be shared with:**

Name:

Signed:

21 ANNEX TRANSFER OF RECORDS FORMS

PART 1 Transfer Record

To be completed by the establishment sending the files

Name of child:	
DOB:	
Establishment sending CP files:	
Address of establishment:	
Method of delivery:	BY HAND SECURE POST ELECTRONICALLY
Date sent/ delivered:	
Name of DSL at sending establishment:	
Name of staff member sending CP file:	
Name of staff member CP file being sent to:	
Name of DSL at receiving establishment:	
SIGNATURE of person sending:	

Transferring establishment:

- Please ensure that the child protection file is passed to the Designated Safeguarding Lead at the receiving school using a secure method of delivery with Part 1 of this form completed.
- ALL CP files should be sent securely and separately from all other files being transferred.
- If a CP file contains active concerns regarding the pupil a conversation between DSL's at the sending and receiving establishments should also take place.

PART 2: Receipt of CP file proforma

To be completed by receiving school or college

Name of establishment receiving file:	
Address:	
Date received:	
Name of member of staff receiving file:	
Signature of receipt of file:	

Date of confirmation of receipt sent to previous establishment:	
Signature of person sending confirmation of receipt:	

Receiving Establishment:

- Part 2 should be completed and returned to the Designated Safeguarding Lead at the sending establishment as named in Part 1.
- You are advised to keep a copy for your own reference.
- If a CP file contains active concerns regarding the pupil, a conversation between DSLs at the sending and receiving establishments should also take place.