

Appendix E:  
**RESPONSE TO REPORTS OF SEXUAL VIOLENCE/HARASSMENT**

See also KCSIE Part 5

**REPORT RECEIVED**  
 (from the victim or third-party)  
 [Onsite, offsite or online]

**Definitions**  
**Sexual Violence**  
 Rape  
 Assault by penetration  
 Sexual assault  
  
**Sexual Harassment**  
 Unwanted conduct of a sexual nature, including sexual remarks, sexual taunts, physical behaviour or online sexual harassment

**Victim reassured**

- taken seriously and kept safe; and never be given an impression they are creating a problem
- confidentiality not promised
- listen to victim, non-judgementally
- record the disclosure (facts as reported)
- two staff present (one being the DSL, or reported to DSL as soon as possible)
- victim sensitively informed about referral to other agencies
- if victim does not give consent to share, staff may still lawfully share in order to protect child from harm and to promote the welfare of children (see 'Sexual Violence and Sexual Harassment' paragraph 62)
- parents of victim informed, unless this would put victim at greater risk.

**Anonymity**  
 Note that in cases of sexual violence there is legal protection of the victim's identity. Remember that this also includes sharing on social media and discussion amongst pupils in the school.

**Record-keeping**  
 Remember, to record all concerns, discussions, decisions and reasons for decisions.

**Considerations**  
 (Sexual Violence, Sexual Harassment and Harmful Sexual Behaviours)  
 Immediately: Consider how to support the victim and the alleged perpetrator

wishes of the victim	- any power imbalance
nature of the alleged incident	- one-off, or part of a pattern of behaviour
ages of the children	- any ongoing risks to victim or others
development stage of the child	- other related issues and wider context (eg. CSE)

**MANAGE INTERNALLY**  
 One-off incidents which the school believes that the child(ren) are not in need of early help or statutory intervention, which would be appropriate to deal with internally under the school's behaviour policy or anti-bullying policy.

**EARLY HELP**  
 Non-violent Harmful Sexual Behaviours (see Harmful Sexual Behaviours Framework (NSPCC))

**REFER TO SOCIAL CARE**  
**All incidents where a child has been harmed, is at risk of harm or is in immediate danger.**  
 Social Care staff will decide next steps. Be ready to escalate if necessary.

**REFER TO POLICE**  
 All incidents of rape, assault by penetration or sexual assault. (incl. if perpetrator is 10 or under)  
 Discuss next steps with police, for example, disclosing information to other staff, informing alleged perpetrator and their parents.

**RISK ASSESSMENT**  
 Case-by-case basis  
 (for details see paragraphs 71 and 72  
*Sexual Violence and Sexual Harassment between children in schools and colleges (DfE, 2021)*)

**RISK ASSESSMENT**  
 Immediately  
 Do not wait for outcome of referral before protecting victim.  
 Emphasis on victim being able to continue normal routines.  
 Alleged perpetrator removed from any classes with victim (also consider shared spaces and journey to/from school)  
 [Not a judgement of guilt]

**SAFEGUARD AND SUPPORT VICTIM AND (ALLEGED) PERPETRATOR**

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**DISCIPLINARY MEASURES TAKEN**  
 (see school's Behaviour Policy/Anti-bullying Policy)

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 (may be undertaken based on balance of probabilities, unless prejudicial or unreasonable)

**CRIMINAL PROCESS ENDS**

- Conviction or Caution: follow behaviour policy, consider Permanent Exclusion. If pupil remains in school, make clear expectations; keep victim and perpetrator apart. Consider victim's wishes.
- Not Guilty: Support victim and alleged perpetrator

**No Further Action:** Support victim and alleged perpetrator

**Ensure actions do not jeopardise the investigation**  
 School to work closely with police and/or other agencies