**Sexual violence and sexual harassment flow-chart**

**\*Source – Sexual violence and sexual harassment between children in schools and colleges (DFE, 2021)**

Report Received

(from the Victim or 3rd Party – Onsite, offsite or Online)

Victim Reassured

(see further info)

Considerations

(see further info)

Early Help

(see further info)

Manage internally

(see further info)

Refer to i-ART

(see further info)

Report to Police

(see further info)

Risk Assessment - immediately

(see further info)

Risk Assessment –on an individual needs basis

(see further info)

Safeguard and Support Victim and (alleged) Perpetrator

(see further info)

Safeguard and Support Victim and (alleged) Perpetrator

(see further info)

Consider if disciplinary measures needed

(see further info)

Consider if disciplinary measures needed

(see further info)

Criminal process ends

(see further info)

**Further information**

**Victim reassured**

* Taken seriously and kept safe, 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 (if appropriate) – one being the DSL or reported to the 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.

If the victim is over 18, discuss how they want to be supported and by whom, whether they want you to support to share with their parents, whether they want to report a crime and provide them with support agency contacts (e.g. RASASC, SARC) which you can support them to contact. Again, can be 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)

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

**Supporting the (alleged) Perpetrator**

* Inform parents of alleged perpetrator – advise of any referrals that need to be made
* If appropriate, ask alleged perpetrator about the incident
* Remove alleged perpetrator from any shared lessons with victim (this is a neutral act, not an assumption of guilt).
* Ensure they have a trusted adult in your setting to provide support.

**Considerations**

(Sexual Violence, Sexual Harassment and Harmful Sexual Behaviours)

Immediately: consider how to support the victim and the alleged perpetrator.

* Wishes of the victim and parents/carers
* Nature of the alleged incident
* Are external support services required e.g. SARC, RASAC
* Ages of the children
* Development stage of the children
* Any power imbalance
* One off, or part of a pattern of behaviour
* Any on-going risks to victim, alleged perpetrator and others
* Other related issues and wider context (e.g. Exploitation, contextual safeguarding)

**Manage internally**

One-off incidents which the school/college believes that the young people are not in need of early help or statutory intervention, which would be appropriate for the setting to manage internally under the behaviour and/or anti-bullying policy.

**Early Help**

Non-violent harmful sexual behaviours (see Harmful Sexual Behaviours Framework, (NSPCC)) or refer to Brook Traffic Light Tool if trained. Also consider if a TAF is needed to identify unmet needs and support the young people involved.

**Refer to i-ART**

All incidents where a child or young person has been harmed, is at risk of harm or is in immediate danger. Children’s social care will support with next steps.

NB - Where a victim is 18 or over, consideration needs to be given as to whether they would be considered a vulnerable adult and therefore a referral to Adult services would be appropriate.

**Report to Police**

**All** incidents of rape, assault by penetration or sexual assault (including if alleged 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**

1. **Immediately** (when reported to police) – Do not wait for the outcome of the report to police before protecting victim. Emphasis should be on victim being able to continue normal routine.

Alleged perpetrator to be removed from any classes with the victim (also consider shared spaces and journey to/from school. NB - this is not a judgement of guilt and safeguards should be considered as above, for the alleged perpetrator.

1. **Individual needs basis** – (see paragraphs 69 and 70 – Sexual Violence and Sexual Harassment between children in schools or colleges, (DFE 2021)).

All risk assessments should be completed as a multi-agency, where possible, (consider which agencies are currently working with either victim or alleged perpetrator) and shared with parents and victim or alleged perpetrator to ensure they are adhered to. You should not delay putting together a risk assessment if other agencies are not initially available in order to safeguard all involved and the school community, but this should be reviewed as a multi-agency as soon as possible.

Risk assessments should be regularly reviewed and adjusted as appropriate.

**Safeguard and support Victim and alleged perpetrator**

Identify and signpost to relevant support agencies e.g. RASASC

**Disciplinary measures taken**

Refer to setting’s own behaviour and/or anti-bullying policy.

If reported to police, disciplinary measures may be undertaken based on balance of probabilities, unless prejudicial or unreasonable. Ensure actions do not jeopardise the investigation. Setting to work closely with police and/or other agencies.

**Criminal process ends**

**Conviction or caution** - follow your setting’s behaviour policy. If the pupil remains in school, make clear your 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.

**Supporting Guidance**

[Sexual violence and sexual harassment between children in schools and colleges - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges)

[Statutory guidance overview: Keeping children safe in education - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2)