

# Oarsome Chance

## Safeguarding Policy and Procedures



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## Safeguarding Policy

### 1. Introduction

Safeguarding is the action that is taken to promote the welfare of children and protect them from harm. keep children safe and protect them from harm in all aspects of their educational life.

Safeguarding and promoting the welfare of children is defined in Keeping Children Safe in Education (DfE, September 2021) as:

- Protecting children from abuse and maltreatment.
- Preventing impairment of children's mental and physical health or development.
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all children to have the best outcomes.

At Oarsome Chance, we are committed to safeguarding and promoting the welfare of all our students.

Staff should refer to our Child Protection policy and procedures for what they should do if they have concerns about a child.

### 2. Definitions and abbreviations

- **Child protection** is an aspect of safeguarding but is focused on how we respond to children who have been significantly harmed or are at risk of significant harm.
- The term **Staff** applies to all those working for or on behalf of Oarsome Chance, full time, or part time, in either a paid or voluntary capacity. This also includes trustees.
- **Child / student** refers to anyone under the age of 18.
- **Parent** refers to birth parents and other adults in a parenting role for example adoptive parents, step-parents, guardians, and foster carers.
- **Abuse** could mean neglect, physical, emotional, or sexual abuse or any combination of these. Parents, carers, and other people can harm children either by direct acts and/or failure to provide proper care. More guidance on abuse is detailed in our Child Protection policy and procedures (appendix 7).
- **DfE – Department for Education**
- **DSL – Designated Safeguarding Lead**
- **DDSL – Deputy Designated Safeguarding Lead (currently no DDSL's at OC)**
- **KCSiE - Keeping Children Safe in Education**
- **OC – Oarsome Chance**

### 3. Aims

- To provide staff with the framework to promote and safeguard the wellbeing of children and in so doing ensure they meet their statutory responsibilities.
- To ensure consistent good practice across the school.
- To demonstrate our commitment to protecting children.

### 4. Principles and Values

- Safeguarding is everyone's responsibility. As such it does not rest solely with the Designated Safeguarding Lead (DSL) and their deputies to take a lead responsibility in all the areas covered within this policy.
- Some areas, such as Health and Safety, are a specialist area and is led by a competent, trained health and safety lead.
- Safeguarding processes are intended to put in place measures that minimise harm to children. There may be situations where gaps or deficiencies in the policies and procedures we have in place will be highlighted. In these situations, a review will be carried out in order to identify learning and inform the policy, practice and culture of OC.
- All students at the OC are able to talk to any member of staff about situations or to share concerns which are causing them worries. The staff will listen to the student, take their worries seriously and share the information with the safeguarding lead.
- In addition, we provide students with information on who they can talk to outside of OC, both within the community and with local or national organisations that can provide support or help.

### 5. Staff safeguarding requirements

All staff should:

- Be aware of the systems at OC which support safeguarding. These will be explained to them as part of staff induction. Part 1 of KCSiE, our Child Protection policy and procedures and our Safeguarding policy and procedures will be shared with staff at induction.
- Receive appropriate safeguarding and child protection training (including online safety) which is regularly updated. In addition, all staff will receive safeguarding and child protection updates (including online safety) (for example, via emails, and staff meetings), as required, and at least annually, to provide them with the skills and knowledge to safeguard children effectively.
- Know the identity of the designated safeguarding lead (and any deputies) and how to contact them.
- Know what to do if a child tells them they are being abused or neglected, as detailed in our Child Protection policy and procedures (appendix 3).
- Be aware of safeguarding issues that can put children at risk of harm.
- Know what to do if they have safeguarding concerns about another staff member.
- Know what to do if they have concerns about safeguarding practices within OC.

### 6. Policy review

At OC, we review this policy at least annually in line with legal requirements and other relevant statutory guidance. This policy will be updated during the year to reflect any changes brought about by new guidance.

## Safeguarding Issues and Procedures

This section contains important information about specific forms of abuse and safeguarding issues as detailed in KCSiE (DfE, September 2021).

**If staff have any concerns about a child's welfare, they should act on them immediately.** They should follow OC Child Protection policy and procedures and speak to the DSL's

**Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and if appropriate the police) is made immediately.**

### Contextual Safeguarding

All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside OC and/or can occur between children outside of OC. All staff, but especially the DSL's should consider whether children are at risk of abuse or exploitation in situations outside their families.

Risk and harm outside of the family can take a variety of different forms and children can be vulnerable to sexual exploitation, criminal exploitation, and serious youth violence in addition to other risks.

For us at OC, we will consider the various factors that have an interplay with the life of any student about whom we have concerns within OC and the level of influence that these factors have on their ability to be protected and remain free from harm particularly when it comes to child exploitation or criminal activity.

What life is like for a child outside the school gates, within the home, within the family and within the community are key considerations when the DSL is looking at any concerns.

### Child abduction and community safety incidents

Child abduction is the unauthorised removal or retention of a minor from a parent or anyone with legal responsibility for the child. Child abduction can be committed by parents or other family members; by people known but not related to the victim (such as neighbours, friends and acquaintances); and by strangers.

Other community safety incidents in the vicinity of OC can raise concerns amongst children and parents, for example, people loitering nearby or unknown adults engaging children in conversation.

As children get older and are granted more independence, it is important they are given practical advice on how to keep themselves safe.

- **Action against abduction** <http://www.actionagainstabduction.org>.

### Children and the court system

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. For students of the OC there is an age appropriate guides to support children 12-17 year olds <https://www.gov.uk/government/publications/young-witness-booklet-for-12-to-17-year-olds>.

The guide explains each step of the process, support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

On occasion OC maybe requested to be the appointed adult for a student within a court proceeding. This is rare and needs to be agreed with the Leadership team prior to any commitment of OC staff.

### Children missing from education

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and can also be a sign of child criminal exploitation including involvement in county lines. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation, 'honour'-based abuse or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of OC's unauthorised absence and children missing from education procedures.

Should a child be missing from a funded day at OC the team will try to contact the young person direct, the family or next of kin. Should they be unable to make contact this should be escalated to the DSL who will contact the school and the Police taking note of any reference number. OC should log all relevant conversations regarding any missing scenarios.

- **GOV UK – Children missing education**  
<https://www.gov.uk/government/publications/children-missing-education>
- **GOV UK – Children who run away or go missing from home or care**  
<https://www.gov.uk/government/publications/children-who-run-away-or-go-missing-from-home-or-care>

### Children with family members in prison

Approximately 200,000 children in England and Wales have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. The National Information Centre on Children of Offenders, NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

Students that have family members within the prison system that are attending OC are offered safe spaces to discuss any situations that could impact them while at OC. Should concerns arise within this aspect staff should contact the DSL.

**National Information Centre on Children of Offenders** <https://www.nicco.org.uk/>

### Child Criminal Exploitation (CCE) and Child Sexual Exploitation (CSE)

We know that different forms of harm often overlap, and that perpetrators may subject children and young people to multiple forms of abuse, such as criminal exploitation (including county lines) and sexual exploitation.

In some cases the exploitation or abuse will be in exchange for something the victim needs or wants (for example, money, gifts or affection), and/or will be to the financial benefit or other advantage, such as increased status, of the perpetrator or facilitator.

Children can be exploited by adult males or females, as individuals or in groups. They may also be exploited by other children, who themselves may be experiencing exploitation – where this is the case, it is important that the child perpetrator is also recognised as a victim.

Whilst the age of the child may be a contributing factor for an imbalance of power, there are a range of other factors that could make a child more vulnerable to exploitation, including gender, sexual identity, cognitive ability, learning difficulties, communication ability, physical strength, status, and access to economic or other resources.

Some of the following can be indicators of both child criminal and sexual exploitation where children:

- appear with unexplained gifts, money or new possessions;
- associate with other children involved in exploitation;

- suffer from changes in emotional well-being;
- misuse drugs and alcohol;
- go missing for periods of time or regularly come home late; and
- regularly miss school or education or do not take part in education.

Children who have been exploited will need additional support to help maintain them in education.

CSE can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence.

Some additional specific indicators that may be present in CSE are children who:

- have older boyfriends or girlfriends; and
- suffer from sexually transmitted infections, display sexual behaviours beyond expected sexual development or become pregnant.

Further information on signs of a child's involvement in sexual exploitation is available:

- **GOV UK - Child sexual exploitation: guide for practitioners**  
<https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>
- **GOV UK - Safeguarding children who may have been trafficked**  
<https://www.gov.uk/government/publications/safeguarding-children-who-may-have-been-trafficked-practice-guidance>

### County lines

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs using dedicated mobile phone lines or other form of "deal line".

This activity can happen locally as well as across the UK - no specified distance of travel is required. Children and vulnerable adults are exploited to move, store and sell drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims.

Children can be targeted and recruited into county lines in a number of locations including schools (mainstream and special), further and higher educational institutions, pupil referral units, children's homes and care homes.

Children are also increasingly being targeted and recruited online using social media. Children can easily become trapped by this type of exploitation as county lines gangs can manufacture drug debts which need to be worked off or threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

A number of the indicators for CSE and CCE as detailed above may be applicable to where children are involved in county lines. Some additional specific indicators that may be present where a child is criminally exploited through involvement in county lines are children who:

- go missing and are subsequently found in areas away from their home;
- have been the victim or perpetrator of serious violence (e.g. knife crime);
- are involved in receiving requests for drugs via a phone line, moving drugs, handing over and collecting money for drugs;
- are exposed to techniques such as 'plugging', where drugs are concealed internally to avoid detection;



- are found in accommodation that they have no connection with, often called a 'trap house or cuckooing' or hotel room where there is drug activity;
- owe a 'debt bond' to their exploiters;
- have their bank accounts used to facilitate drug dealing.

Further information on the signs of a child's involvement in county lines is available:

- **GOV UK - Criminal exploitation of children and vulnerable adults: county lines**  
<https://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines>.
- **Talk to Frank – Information and advice on drugs** <https://www.talktofrank.com/>

### Modern Slavery and the National Referral Mechanism

Modern slavery encompasses human trafficking and slavery, servitude and forced or compulsory labour. Exploitation can take many forms, including sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs. Further information on the signs that someone may be a victim of modern slavery, the support available to victims and how to refer them to the NRM is available in the Modern Slavery Statutory Guidance.

- **GOV UK - Modern slavery: how to identify and support victims**  
<https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims>

### Cybercrime

Cybercrime is criminal activity committed using computers and/or the internet. It is broadly categorised as either 'cyber-enabled' (crimes that can happen off-line but are enabled at scale and at speed on-line) or 'cyber dependent' (crimes that can be committed only by using a computer). Cyber-dependent crimes include;

- unauthorised access to computers (illegal 'hacking'), for example accessing a school's computer network to look for test paper answers or change grades awarded;
- denial of Service (Dos or DDoS) attacks or 'booting'. These are attempts to make a computer, network or website unavailable by overwhelming it with internet traffic from multiple sources; and,
- making, supplying or obtaining malware (malicious software) such as viruses, spyware, ransomware, botnets and Remote Access Trojans with the intent to commit further offence, including those above.

Children with particular skill and interest in computing and technology may inadvertently or deliberately stray into cyber-dependent crime.

If there are concerns about a child in this area, the designated safeguarding lead (or a deputy), should consider referring into the Cyber Choices programme. This is a nationwide police programme supported by the Home Office and led by the National Crime Agency, working with regional and local policing. It aims to intervene where young people are at risk of committing, or being drawn into, low level cyber-dependent offences and divert them to a more positive use of their skills and interests.

Note that Cyber Choices does not currently cover 'cyber-enabled' crime such as fraud, purchasing of illegal drugs on-line and child sexual abuse and exploitation, nor other areas of concern such as on-line bullying or general on-line safety.

Additional advice can be found at:



- **Cyber Choices** <https://nationalcrimeagency.gov.uk/what-we-do/crime-threats/cyber-crime/cyberchoices>
- **National Cyber Security Centre** <https://www.ncsc.gov.uk/>.

### Domestic abuse

The Domestic Abuse Act 2021 received Royal Assent on 29 April 2021. The Act introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse. The statutory definition of domestic abuse, based on the previous cross-government definition, ensures that different types of relationships are captured, including ex-partners and family members. The definition captures a range of different abusive behaviours, including physical, emotional and economic abuse and coercive and controlling behaviour. Both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be “personally connected” (as defined in section 2 of the 2021 Act).

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child/adolescent to parent violence and abuse. Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socioeconomic status, sexuality or background and domestic abuse can take place inside or outside of the home.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Experiencing domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Young people can also experience domestic abuse within their own intimate relationships. This form of peer on peer abuse is sometimes referred to as ‘teenage relationship abuse’. Depending on the age of the young people, this may not be recognised in law under the statutory definition of ‘domestic abuse’ (if one or both parties are under 16). However, as with any child under 18, where there are concerns about safety or welfare, child safeguarding procedures should be followed and both young victims and young perpetrators should be offered support.

Additional advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

- **GOV UK - Domestic abuse: how to get help** <https://www.gov.uk/guidance/domestic-abuse-how-to-get-help>
- **NSPCC** <https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/domestic-abuse/>
- **Refuge** <https://www.refuge.org.uk/get-help-now/support-for-women/what-about-my-children/>
- **Safelives** <https://safelives.org.uk/knowledge-hub/spotlights/spotlight-3-young-people-and-domestic-abuse>

### Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child’s welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and/or discussion with the Local Housing Authority should be progressed as appropriate, and in accordance with local procedures, this does not, and should not, replace a referral into children’s social care where a child has been harmed or is at risk of harm.

In the OC, staff will be considering homelessness in the context of children who live with their families and students who may be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's social care will be the lead agency for these children and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances.

Further information

- **GOV UK - Homelessness Reduction Act: policy factsheets**  
<https://www.gov.uk/government/publications/homelessness-reduction-bill-policy-factsheets>

### Honour Based Abuse

#### (including Female Genital Mutilation and Forced Marriage)

So-called 'honour'-based abuse (HBA) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving 'honour' often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBA are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBA, or already having suffered HBA.

If staff have a concern regarding a child who might be at risk of HBA or who has suffered from HBA, they should speak to the DSL (or DDSL). As appropriate, the DSL (or DDSL) will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care.

### Female Genital Mutilation (FGM)

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

Further information:

- **GOV UK – Female genital mutilation: information and resources**  
<https://www.gov.uk/government/collections/female-genital-mutilation>
- **GOV UK - Multi-agency statutory guidance on female genital mutilation**  
<https://www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation>
- **GOV UK - Female genital mutilation resource pack**  
<https://www.gov.uk/government/publications/female-genital-mutilation-resource-pack>

### Forced Marriage

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage.

- **GOV UK - Forced Marriage** <https://www.gov.uk/guidance/forced-marriage>

- **Multi-agency practice guidelines: handling cases of forced marriage**  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/322307/HMG\\_MULTI\\_AGENCY\\_PRACTICE\\_GUIDELINES\\_v1\\_180614\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/322307/HMG_MULTI_AGENCY_PRACTICE_GUIDELINES_v1_180614_FINAL.pdf)
- **Multi-agency statutory guidance for dealing with forced marriage**  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/322310/HMG\\_Statutory\\_Guidance\\_publication\\_180614\\_Final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/322310/HMG_Statutory_Guidance_publication_180614_Final.pdf)

### Preventing radicalisation

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk is part of OC's safeguarding approach.

- **Extremism** (as defined in the Government's Counter Extremism Strategy) is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- **Radicalisation** (as defined in the Revised Prevent Duty Guidance for England and Wales) refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- **Terrorism** (as defined in the Terrorism Act 2000) is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media or the internet) and settings (such as within the home).

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection.

Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the DSL making a Prevent referral. The OC's DSL (and DDSLs) are aware of local procedures for making a Prevent referral.

### The Prevent Duty

All schools and colleges (and other provisions) are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism. This duty is known as the Prevent Duty.

The Prevent duty should be seen as part of our wider safeguarding obligations. DSLs and other senior leaders should familiarise themselves with the revised Prevent duty guidance: for England and Wales.

- **GOV UK - Prevent Duty guidance** <https://www.gov.uk/government/publications/prevent-duty-guidance>

### Channel

Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Prevent referrals may be passed to a multi-agency Channel panel, which will discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required. A representative from the school or college may be asked to attend the Channel panel to help with this assessment. An individual's engagement with the programme is entirely voluntary at all stages.

Statutory guidance is available at:

- **GOV UK - Channel guidance** <https://www.gov.uk/government/publications/channel-and-prevent-multi-agency-panel-pmap-guidance>

Additional Prevent guidance and signposts to other sources of advice and support:

- **GOV UK - Protecting children from radicalisation: the prevent duty** <https://www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty>
- **Home Office** has developed three e-learning modules:
  - **Prevent awareness e-learning** offers an introduction to the Prevent duty. This will be completed by all OC staff upon induction, and annually at the start of an academic year thereafter. <https://www.elearning.prevent.homeoffice.gov.uk/edu/screen1.html>
  - **Prevent referrals e-learning** supports staff to make Prevent referrals that are robust, informed and with good intention. This will be completed by the DSL and DDSLs upon starting their role, and annually at the start of an academic year thereafter. [https://www.elearning.prevent.homeoffice.gov.uk/prevent\\_referrals/01-welcome.html](https://www.elearning.prevent.homeoffice.gov.uk/prevent_referrals/01-welcome.html)
  - **Channel awareness e-learning** is aimed at staff who may be asked to contribute to or sit on a multi-agency Channel panel. This will be completed by the DSL and DDSLs upon starting their role, and annually at the start of an academic year thereafter. [https://www.elearning.prevent.homeoffice.gov.uk/channel\\_awareness/01-welcome.html](https://www.elearning.prevent.homeoffice.gov.uk/channel_awareness/01-welcome.html)
- **Educate Against Hate** is a government website designed to support leaders to help them safeguard their students from radicalisation and extremism. The platform provides free information and resources to help staff identify and address the risks, as well as build resilience to radicalisation. <https://educateagainsthate.com/>
- **Education and Training Foundation (ETF)** for advice specific to further education. This hosts a range of free, sector specific resources to support further education settings comply with the Prevent duty. This includes the Prevent Awareness e-learning, which offers an introduction to the duty, and the Prevent Referral e-learning, which is designed to support staff to make robust, informed and proportionate referrals. The ETF Online Learning environment provides online training modules for practitioners, leaders and managers, support staff and trustees, outlining their roles and responsibilities under the duty. <https://preventforfeandtraining.org.uk/>

### Peer on peer/ child on child abuse

Children can abuse other children (often referred to as peer on peer abuse) and it can take many forms. It can happen both inside and outside of the OC and online. It is important that all staff recognise the indicators and signs of peer on peer abuse and know how to identify it and respond to reports. This can include (but is not limited to): bullying (including cyberbullying, prejudice-based and discriminatory bullying); abuse within intimate partner relationships; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexual violence and sexual harassment; consensual and non-consensual sharing of nudes and semi-nudes images

and/or videos; causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party; upskirting and initiation/hazing type violence and rituals. Addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

Staff should refer to our Child Protection policy and procedures - appendix 5 for our Peer on Peer Abuse policy and procedures.

### Sexual Violence

It is important that staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way and that it can happen both inside and outside of the OC. When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003 as described below:

**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: s/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. (Staff should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)

**Causing someone to engage in sexual activity without consent:** A person (A) commits an offence if: s/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. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

**What is consent?** Consent is about having the freedom and capacity to choose. Consent to 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 s/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.

It is important to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion, or exploitation. Due to their additional training, the DSL (or DDSL) will lead the OC's response – as detailed in our Peer on Peer Abuse policy (OC Child Protection policy and procedures – appendix 5).

Further information can be found here:

- **Disrespect Nobody** <https://www.disrespectnobody.co.uk/consent/what-is-consent/>
- **Rape Crisis England & Wales** <https://rapecrisis.org.uk/get-informed/about-sexual-violence/sexual-consent/>.



### 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 the OC. 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 (the DSL 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) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - sharing of unwanted explicit content;
  - upskirting (is a criminal offence);
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media;
  - sexual exploitation; coercion and threats.
  - consensual and non-consensual sharing of nudes and semi-nudes images and/or videos. Taking and sharing nude photographs of under 18s is a criminal offence.

Consensual image sharing, especially between older children of the same age, may require a different response. It might not be abusive – but children still need to know it is illegal - whilst non-consensual is illegal and abusive.

- **GOV UK - Sharing nudes and semi-nudes: advice for education settings working with children and young people** <https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people>
- **GOV UK - Sexual violence and sexual harassment between children in schools and colleges** <https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges>
- **Childnet -Step Up, Speak Up** a practical campaign toolkit that addresses the issue of online sexual harassment amongst young people aged 13-17 years old. <https://www.childnet.com/resources/step-up-speak-up>
- **NSPCC – Harmful sexual behaviour framework** <https://learning.nspcc.org.uk/research-resources/2019/harmful-sexual-behaviour-framework>

### Upskirting

The Voyeurism (Offences) Act 2019, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any sex, can be a victim.