

**BRYMORE ACADEMY**

**SEXUALISED BEHAVIOURS POLICY AND PROCEDURES**

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# Introduction

When sexualised behaviour has been observed, or staff have been informed that such behaviour has taken place, then staff should inform the Designated Safeguarding Lead or the Deputy Safeguarding Lead who will clarify the exact behaviour which has taken place and make a considered assessment of its nature. They will then decide appropriate next steps. If the incident involves a member of staff, this should be reported directly to the Head Teacher.

Where there is a concern sexual exploitation has taken place the Somerset Local Safeguarding Children Boards “CSE Screening tool” will be completed. Where risk of exploitation has been identified (even if it does not meet the CSE threshold) this will be reported to Somerset Direct 0300 123 224.

# Assessment of Sexualised Behaviour

There are no officially agreed ways of describing sexualised behaviours which cause concern. If there is a concern raised about sexualised behaviour the safeguarding team will consider multiple sources and guidance before deciding how to respond. As evidenced in the “Child G” serious case review it is important not to dismiss behaviour as “appropriate” without a full understanding of context, frequency, home situation and family dynamic.

**The assessment should determine whether the incident is:**

* **age appropriate sexual exploration,**
* **inappropriate sexual behaviour which is not considered to be abusive,**
* **inappropriate sexual behaviour which when put together with other information might be an indication that the child is experiencing sexual abuse,**
* **Sexual behaviour which constitutes an offence.**

For guidance purposes the safeguarding team will also consider the following when attempting to assess whether a sexualised behaviour is of concern, deciding whether characteristics make it a healthy, concerning or harmful behaviour (Guidance taken from “Somerset Harmful Sexual Behaviour Protocol”):

## Key features in healthy/normal sexual behaviours are that the behaviours are:

• Mutual

• Consensual, participants feel they have a choice whether or not to engage in the behaviour

• Exploratory – age appropriate

• No intent to cause harm

• Fun, humorous

• No power differentials

## Key features of inappropriate sexual behaviours are:

• Displaying sexual behaviours that are not age appropriate. For example, a young child using sexual language or not having clear boundaries regarding personal spaces, therefore making others feel uncomfortable

• Some one-off incidents of low-key behaviours (e.g. touching over clothing)

• Incidents where there appears to be peer pressure to engage in the behaviour

• Behaviours are spontaneous rather than planned

• Behaviours may be self-directed (e.g. excessive masturbation)

• Disproportionate interest in or use of pornographic material

• There are other balancing factors for example, lack of intent to cause harm, or the level of understanding of the child/young person about the behaviours they are engaging in; or there is acceptance of responsibility for the behaviour and some remorse shown

• Other factors in their background such as parents/carers who are concerned about the behaviour and interested in working with the child/young person to change.

## Key features of harmful/abusive sexual behaviours are:

• Sexual behaviours that are not age appropriate

• Elements of planning, secrecy, force or coercion

• Power differentials between the children/young people involved e.g. age, size, status, strength

• The response of the children/young people targeted e.g. Negative feelings such as fear, anxiety, discomfort etc.

• Negative feelings such as fear, anger, aggression etc. expressed by the child/young person doing the behaviour

• The child/young person does not take responsible for their behaviour, blames others or feels a strong sense of grievance

• Incidents are frequent or increasing in frequency and the child/young person’s focus on them is disproportionate to other aspects of their life

• The child/young person is not easily distracted from the behaviour, and the behaviour appears compulsive and is persistent despite intervention

• Other concerning behaviours such as cruelty to animals, fire setting, violence, disproportionate interest in or use of pornographic material

## Further Guidance

In addition, guidance from multiple sources/documents should be considered before actions/conclusions should be drawn.

These documents include:

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| NSPCC Harmful Sexualised Behaviour  | <https://learning.nspcc.org.uk/research-resources/2019/harmful-sexual-behaviour-framework> |
| Somerset Harmful Sexual Behaviour Protocol  | <https://proceduresonline.com/trixcms1/media/5860/somerset-harmful-sexual-behaviour-protocol-may-2020.pdf> |
| CSE Risk assessment tool | <https://sscb.safeguardingsomerset.org.uk/cse-risk-assessment-tool/> |
| When to call the police | [https://www.npcc.police.uk/documents/whentocall](https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20the%20police%20guidance%20for%20schools%20and%20colleges.pdf) |
| Somerset Harmful Sexual Behaviour (HSB) Guidance | <https://www.supportservicesforeducation.co.uk/Article/57968>) |
| Guidance Indicators | [https://familyinformation.leeds.gov.uk/FIS\_Document\_Library/Checklist](https://familyinformation.leeds.gov.uk/FIS_Document_Library/Checklist%20of%20Sexual%20Behaviour%20in%20Nursery%20Primary%20Children.pdf) |
| Brooks Traffic Light Tool | <http://tools.brook.org.uk/traffic/pdf/Brook_Traffic_Light_Tool.pdf> |

Further guidance can also be taken using the Hackett Continuum:



Image extracted from <https://learning.nspcc.org.uk/research-resources/harmful-sexualbehaviour-framework>

# Outcomes of the Assessment and Initial Responses

After completing the Sexualised behaviour checklist and considering the further guidance available an outcome will be considered. This could be one of the following;

* Behaviour assessed as “normal” sexual exploration which is age appropriate then there should be no further action.
* Behaviour assessed as being inappropriate but not abusive (behaviour consensual, no marked power deferential, no indication of any coercion).
* A member of staff will discuss the behaviour with the parents and plan a management strategy to address the behaviour. Consideration might also be given to supporting parents/carer in making a referral to another agency.
* When assessing child to child behaviour the needs of both young people must be taken into consideration as both may be ‘children in need’ and a referral to Social Care, with consent of parents, for an assessment of need may be considered.
* Behaviour assessed as being inappropriate and as a possible indication that the child might be experiencing child sexual abuse. The Designated Safeguarding Lead or the Deputy Safeguarding Lead will discuss the incident with Social Services in order to determine next steps. This could result in the academy making a Child Protection referral to Social Care (Section 47) using the Common Request for Involvement or/referral to Children’s Services.
* Behaviour constitutes an offence – The Designated Safeguarding Lead will discuss with the parents/carers of the child alleging assault and support them if they wish to make a formal complaint to the police. Staff will need to decide if the incident is so serious that they need to inform the police and decide when to speak with the parents/carer of the young person who instigated the behaviour.

# Summary

* If a member of staff becomes aware that a child is displaying inappropriate sexualised behaviour, an assessment will be made as to whether the behaviour is healthy, inappropriate, harmful or abusive.
* **If the behaviour is healthy and age appropriate** the child will be supported through the behaviour policy. Parents will be contacted and a plan will be developed to support the child’s additional needs.
* **If the behaviour is inappropriate but not thought to be abusive**, a member of staff will speak to the parent or carer to devise a consistent strategy to manage the behaviours, eliminate any medical reasons underpinning the behaviours, and consider a possible referral to other agencies (e.g. CAMHS, Educational Psychologist, Behaviour Improvement Team, CSC)
* **If the behaviour is thought to be abusive and harmful**, a discussion will take place with Children’s Social Care Contact and Referral Team to determine next steps – e.g. informing parents, investigation, and police involvement

# Managing Sexually Inappropriate and Abusive Behaviour at Brymore

Where inappropriate sexualised behaviour is identified it may not always be appropriate to make a referral to another agency. Even in cases where pupils have been convicted of an offence, they still have to be educated and managed in a school, unless the assessed risk they present to others in the education establishment is too high and other arrangements have to be made.

When devising a management package for the instigator of the inappropriate behaviour the wishes and feelings of any child who has been involved in or affected by this sexualised behaviour will be taken into account especially if both pupils are attending the same academy.

**Consideration should be given to:**

* Information exchange within the academy.
* The physical structure of the academy, any vulnerable areas identified e.g. toilets, playground.
* Travel arrangements to and from academy, especially if academy transport is used.
* Supervision – during “out of class” time e.g. lunch time, school clubs and more vulnerable situations such as swimming, school trips and work experience.
* Identifying a mentor/safe place for the complainant.
* Identifying a mentor for the young person displaying sexualised behaviour.
* Establishing a monitoring and recording system to evaluate whether management strategies are effective.
* Establish communication with parents/carers, other agencies to ensure effective interagency working.
* Sex and relationship education.
* Training in managing sexualised behaviour for staff.
* If the case is due to go to court, the academy should liaise with the Youth Offending Team and ensure a risk assessment is undertaken to assess the risk the individual presents to the academy community and identify any particular needs of the individual/s making the complaint.

**Guidance on the issues of exclusion**

Any sexual offence or sexually inappropriate behaviour will be dealt with in line with Brymore’s behaviour policy. Where a pupil’s behaviour results in a serious breach of this policy, or the pupil is persistently breaching the policy by repeating this behaviour, the academy may decide to exclude the pupil, either on a fixed term or permanent basis. A permanent exclusion should only take place where behaviour is sufficiently serious and allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the academy.

There may be circumstances in which sexually inappropriate behaviour is not sufficiently serious to justify permanent exclusion, however there are potential welfare risks to the perpetrator and/or the victim if they remain in the same school. In such circumstances a member of staff will put in place necessary control measures to protect the welfare of both perpetrator and victim. Offsite education or transfer to another school as part of a “managed transfer” may be possible options, however this will need the consent of the pupil’s parents.

# Appendix 1 - Flow Chart of Procedures on the Assessment and Management of Sexualised Behaviour in Children and Young People

Behaviour Observed

Identification of sexual behaviour/Assessment by the safeguarding team. Was the behaviour sexualised, context considered?

Child/parent makes an allegation of abusive behaviour

**Assessment of behaviour** using the tools/resource including:

NSPCC Harmful Sexualised Behaviour

Somerset Harmful Sexual Behaviour Protocol

CSE Risk assessment tool

When To Call the Police

Somerset Harmful Sexual Behaviour (HSB)

Behaviour assessed as being inappropriate/problematic

(Normal) Behaviour assessed as appropriate

Behaviour assessed as being abusive/violent

No further action

Are there strong suspicions that the child has been abused?

Stop the investigation and Refer to CSC/Police

Referral CSC/Police/Section 47

Development support strategy

(YELLOW FLAG)

Inappropriate/problematic behaviour

Speak to parents/Guardians

Assessment of risk to young person and community

Development support strategy/Care plan

Development support strategy

All concerns that are identified as being sexualised in nature will be recorded and assessed using the sexualised behaviour checklist (SBC)

# Appendix 2 - Additional guidance and protocol for managing sexualised behaviour concerns:

