



THE  
**TRAFFORD**  
**COLLEGE**  
GROUP

# **Sexual Violence, Harassment and Abuse Policy**

<b>Author:</b>	<b>Assistant Principal: Student Experience and Support</b>
<b>Consultation:</b>	<b>TCG Leadership Team</b>
<b>Approval:</b>	<b>TCG Board of the Corporation</b>
<b>Version Date:</b>	<b>September 2021</b>
<b>Approved Date:</b>	<b>September 2021</b>
<b>Next Review:</b>	<b>September 2022</b>

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## 1. Purpose

The purpose of this Policy is to provide all employees, volunteers, partners, and other stakeholders (incl. contractors) with a clear understanding about the Trafford College Groups approach to dealing with sexual harassment and abuse claims. TCG is committed to providing a positive work and study experience for all our employees and students which includes a zero-tolerance approach to sexual harassment or abuse.

This Policy sets out the Trafford College Groups expectations of behaviour by our employees and students and provides approaches for dealing with complaints of sexual harassment or abuse. It intends to protect students and employees from inappropriate sexual behaviour which may include, but is not limited to, violence, grooming, misconduct, and harassment.

TCG is committed to creating a culture of vigilance where students' welfare is promoted and where timely and appropriate safeguarding action is taken for students who need extra help or who may be suffering or likely to suffer harm because of sexual harassment or abuse.

## 2. Definition and Scope

This Policy details how employees and students should respond to all reports and concerns of peer on peer, sexual violence and sexual harassment, including those that have happened outside of the school or college premises, and or online.

In respect of children, the Policy is informed by the statutory guidance outlined in the Department for Education publication, 'Keeping Children Safe in Education' (September 2021) the statutory guidance 'Working Together to Safeguard Children'. The departmental advice What to do if you are worried a child is being abused – Advice for practitioners and the departmental advice Sexual Violence and Sexual Harassment Between Children in Schools and Colleges. The review by Ofsted into Sexual abuse in Schools and Colleges carried out in 2021 in response to the everyone's invited movement.

Sexual violence and sexual harassment can occur between two children of any age and sex, from primary through to secondary stage and into colleges. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable.

### 2.1 What is Sexual Violence?

Sexual violence refers to sexual 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. (Schools 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.)

## 2.2 What is Sexual Harassment?

Behaviour characterised by the making of unwelcome and inappropriate sexual remarks or physical advances in a workplace, educational setting or other professional or social situation.

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 school/college. 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 (schools and colleges 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:
  - Consensual and non-consensual sharing of nude and semi-nude images and/or videos<sup>19</sup>. As set out in UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people (which provides detailed advice for schools and colleges) taking and sharing nude photographs of U18s is a criminal offence
  - Sharing of unwanted explicit content
  - Up-skirting (is a criminal offence<sup>20</sup>); o sexualised online bullying
  - Unwanted sexual comments and messages, including, on social media; o sexual exploitation; coercion and threats.

Although anyone can experience sexual harassment and violence, research indicates that girls are disproportionately affected. For example, 90% of recorded offences of rape in 2018–19 of 13- to 15-year-olds were committed against girls - Ofsted Review into Sexual abuse in schools and colleges June 2021)

Ofsted reported that on their visits, girls told them that sexual harassment and online sexual abuse, such as being sent unsolicited explicit sexual material and being pressured to send nude pictures ('nudes'), are much more prevalent than adults realise. For example, nearly 90% of girls, and nearly 50% of boys, said being sent explicit pictures or videos of things they did not want to see happens a lot or sometimes to them or their peers.

However it is important to consider that there will be under reporting by males and it can happen to both female and male students and between female, male and non-binary young people.

## 2.3 What is Peer on Peer Abuse?

Peer on peer abuse is most likely to include, but may not be limited to:

- Bullying (including cyberbullying, prejudice-based and discriminatory bullying)
- Abuse in intimate personal relationships between peers
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse)
- Sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence)
- Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse
- Consensual and non-consensual sharing of nudes and semi nudes images and or videos (also known as sexting or youth produced sexual imagery)
- Up-skirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm

- Initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

## **2.4 Online Abuse**

Sexual harassment and online sexual abuse, such as being sent unsolicited explicit sexual material and being pressured to send nude pictures ('nudes'), are much more prevalent than adults realise. For example, nearly 90% of girls, and nearly 50% of boys, said being sent explicit pictures or videos of things they did not want to see happens a lot or sometimes to them or their peers.

Young people can also abuse their peers online, this can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography, to those who do not want to receive such content.

Addressing inappropriate behaviour (even if it appears to be relatively innocuous) is an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. Children who are victims of sexual violence and sexual harassment wherever it happens, will likely find the experience stressful and distressing. This will, likely, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school or college.

Colleagues should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college, including intimate personal relationships.

Whilst any report of sexual violence or sexual harassment should be taken seriously, staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys, it is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

## **3. Expectations of all Employees, Students and Visitors**

### **3.1 Do not Perpetrate Sexual Violence, Harassment and/or Misconduct**

Perpetrating sexual violence, sexual harassment, stalking, domestic violence and/or sexual misconduct as outlined in the definitions section of this policy is never acceptable under any circumstances and may constitute a criminal offence. Perpetrating this behaviour is harmful to others' health and wellbeing.

The behaviour listed in this policy can be perpetrated in person or online. Members of the College Community are expected to adhere to this Policy while using social media and any other form of online interaction including email communication.

All reports of sexual violence, sexual harassment, stalking, domestic violence and/or sexual misconduct will be taken seriously. Members of the College Community found to be behaving in this way will be dealt with under the appropriate internal disciplinary procedures.

The Reporting Party, the Responding Party and any Witnesses will be treated fairly, with dignity and confidentiality throughout any process and may access relevant support services on campus.

### **3.2 Seek Consent**

All members of the College Community are expected to seek enthusiastic consent when interacting with others. Consent is agreeing by choice and having the freedom and capacity to make that choice. Consent is not limited to a verbal "yes" or "no" – it involves paying attention and checking in with physical cues as well.

Consent is not ongoing: it needs to be negotiated every time you have sex and also during sex as you start to do different activities. You must stop if you are not absolutely sure that you have someone's consent. Any prior sexual activity or relationship, does not, in and of itself, constitute consent regardless of any previous sexual activity that has taken place on that occasion or at any other time.

Consent may be withdrawn at any time (including during sex) and can never be implied, assumed or coerced. It is also important to note:

- A child under the age of 13 can never consent to any sexual activity
- The age of consent is 16 years
- Sexual intercourse without consent is rape.

### **3.3 Act Appropriately in the Work/Study Environment**

There are many possible power dynamics that people should be conscious of: gender, race, sexuality, gender identity, disability, age are some of the factors covered in the Equality Act 2010 that may intersect with how power is held by some people over others. Members of the College Community are expected to recognise this in their interpersonal work/study relationships. Other factors may include class and if a position of authority is held.

### **3.4 Be an Active Bystander**

The bystander effect is a social psychological phenomenon that occurs when the presence of others discourages an individual from intervening in a situation. This compounds people's experiences by normalising and accepting inappropriate behaviour. All members of the College Community have a responsibility to do or say something if they witness sexual violence, sexual harassment, stalking, domestic violence and/or sexual misconduct and it is safe to intervene.

### **3.5 Respond in a Thoughtful and Supportive Way to Disclosures**

It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe. Abuse that occurs online or outside of the school or college should not be downplayed and should be treated equally seriously. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report or their experience minimised. You can find out more information about the groups Support Services by visiting the Safeguarding tile on SharePoint.

### **3.6 Support**

The Trafford College Group is committed to providing support for those members of its community directly or indirectly affected by these issues. TCG will provide information on support resources available and offer interim measures as appropriate to the Reporting Party, Responding Party, Witnesses and those supporting any of the above.

Support resources are available to any member of TCG, regardless of their choice to proceed to a report either to the college or the Police. Support is available even if the perpetrator is not a member of the College Community. In cases where those involved are members of the College Community support for the Reporting Party and Responding Party will be separate; one member of staff will not provide support to both parties.

Information about TCG and external support services can be found on the Safeguarding tile on SharePoint.

## **4 Disclosures**

### **4.1 What to Do if You Have a Disclosure**

A disclosure is when someone informs another that they have experienced sexual violence, sexual harassment, stalking, domestic violence and/or sexual misconduct. This may be the only step a Reporting Party takes, and it may not be clear from the beginning of a conversation that a disclosure is about to occur.

- It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment.

- Do not promise confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the designated safeguarding lead or children's social care) to discuss next steps
- Listen carefully to the young person, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc.
- Ensure that everything is recorded including dates and times. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows you to devote your full attention to the young person and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, you should be conscious of the need to remain engaged with the young person and not appear distracted by the note taking. Either way, it is essential a written record is made.
- Only record the facts as the young person presents them. The notes should not reflect the personal opinion of the note taker. Be mindful that notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation.
- If the report includes an online element do not view or forward illegal images of a child. Do not ask the young person to delete the images. The highlighted advice provides more details on what to do when viewing an image is unavoidable [Sharing nudes and semi-nudes: how to respond to an incident \(publishing.service.gov.uk\)](#)
- Inform the Designated Safeguarding Lead (or Deputy), as soon as practically possible, if the Designated Safeguarding Lead (or Deputy) is not involved in the initial report.
- If you have taken notes, please ensure these are passed on to the Designated Safeguarding Lead or Deputy as soon as possible – These will then be uploaded on to our C-Poms Safeguarding recording system.

#### 4.2 How to Report

- Safeguarding Form – This can be found on the MYTCG Homepage on the Safeguarding Hub
- Recording – Record as advised
- Childline/NSPCC - Refer the young person to a relevant source of online support
- **Do not** refer to Everyone's Invited
- As detailed in Safeguarding Policy, an appropriately Designated Safeguarding Officer will review cases and decide the most appropriate course of action for the case.

#### 4.3 What You Can do if You Experience Sexual Violence, Harassment and/or Misconduct

- It is important to remember that what you have experienced is not your fault and what you do next is your choice.
- There are several internal and external support services for students and staff which you can find on the Safeguarding tile on SharePoint
- You can access support irrespective of whether you choose to report what has happened to you. You can report to Trafford College Group anonymously or with your contact details (so you get a response) online through the safeguarding email [safeguarding@tcg.ac.uk](mailto:safeguarding@tcg.ac.uk)
- You can decide if you would like to contact the Police or not. There is advice available on what that processes will involve should you choose to report to the Police: Safeguarding tile on SharePoint

## 5 Signposting and Support for Young People/Parents and Carers

NSPCC/Childline - [Sexual abuse | Childline](#) If it's happening to you, we can help. Call us on [0800 1111](tel:08001111), or talk online on our [1-2-1 counsellor chat](#).

Learner Services Hub - [Learner Services - Home \(sharepoint.com\)](#)  
[Sexual harassment | Childline](#)

Further reading/articles and useful resources

- [School sex abuse allegations: 'My school was named on Everyone's Invited' | Tes](#)
- <https://www.simpsonmillar.co.uk/media/school-abuse-has-rape-culture-become-normalised/>
- <https://www.google.co.uk/amp/s/www.independent.co.uk/news/education/education-news/everyones-invite-school-sexual-abuse-what-b1824332.html%3famp>
- [Sexual Harassment in Schools | TeacherToolkit](#)