Fair Ways Schools
Managing allegations and sexual violence between children Policy

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Fair Ways Vision, Mission and Values

Our vision
To build a community that changes lives, makes a difference to society and leaves a legacy greater than us and our contributions.

Our mission
To grow a compassionate, resilient, and trauma-informed community, that embraces learning, so that we improve the lives and outcomes of individuals.

Our values
Our values form the heart of the work we do, defined by Fair Ways people, for Fair Ways people. These are the values by which we operate, by which we are governed, and to which we are held accountable.

We therefore expect every individual within Fair Ways to *play their part*:

PROFESSIONAL	**A**CCEPTING	**R**EFLECTIVE	**T**RANSPARENT
· We do what we say we will. · We approach challenges with optimism and enthusiasm. · We don't judge, we notice. · We put the needs of the service before our own personal gains.	· We don't give up on people. · We value all individuals and are willing to challenge them. · We embrace each other's differences as much as our similarities. · We accept responsibility for our actions.	· We give feedback, we invite feedback, we listen to feedback. · We look inward before we look outward. · We learn as much from our mistakes as from our successes. · We listen to each other, learn from each other and grow together.	· We are always willing to explain why. · We have the courage to be open and honest. · We earn trust through our transparency. · We live by our values even when no-one is watching.

1 Introduction

1.1 Keeping Children Safe in Education 2026 (KCSIE 2026) sets out the statutory safeguarding expectations and legal duties that schools and colleges in England must follow to safeguard and promote the welfare of children and young people under the age of 18.

1.2 Governing bodies, proprietors and school leaders must ensure that effective safeguarding policies, procedures and systems are in place to identify, prevent and respond to child-on-child abuse. This includes harmful sexual behaviour, sexual harassment, sexual violence, abuse in intimate personal relationships, exploitation, coercion and abuse occurring online or through digital technology.

1.3 This policy should be read alongside Fair Ways Education's Child Protection and Safeguarding Policy, Behaviour Policy, Online Safety Policy, Anti-Bullying Policy, Relationships and Sex Education arrangements and relevant risk assessments.

1.4 The policy will be implemented in accordance with KCSIE 2026, Working Together to Safeguard Children 2026, the Children Act 1989, the Children Act 2004, the Sexual Offences Act 2003, the Voyeurism (Offences) Act 2019 and other relevant legislation and statutory guidance.

1.5 When referring to sexual violence, this policy refers to conduct which may constitute a sexual offence under the Sexual Offences Act 2003 or other applicable legislation.

1.5 Children can abuse other children. Child-on-child abuse can take many forms, including:

- bullying, including cyberbullying and discriminatory or prejudice-based bullying;
- abuse in intimate personal relationships between children, including teenage relationship abuse;
- physical abuse, including assault or threats of physical harm;
- harmful sexual behaviour;
- sexual violence;
- sexual harassment;
- causing someone to engage in sexual activity without consent;
- coercive or controlling behaviour;

- consensual and non-consensual sharing of nude or semi-nude images or videos;
- self-generated intimate images or videos, including digitally altered or AI-generated material;
- upskirting;
- initiation/hazing-type violence or rituals;
- sexual exploitation;
- abuse involving technology, social media, messaging platforms or other online environments; and
- conduct motivated or influenced by misogynistic or other discriminatory attitudes.

1.6 Safeguarding concerns may overlap. An incident may involve more than one form of abuse, harm or exploitation.

1.7 In many instances, behaviour between students will also fall within the scope of the school's Behaviour Policy. However, some incidents may be sufficiently serious to constitute a safeguarding concern and may require referral to children's social care, the police or other safeguarding partners.

1.8 Staff must not assume that an incident is merely a behavioural matter because it involves children of a similar age or because the conduct occurred between peers.

1.9 Incidents may involve older students behaving towards younger students, students who are vulnerable, or students who have additional needs or circumstances which may increase their vulnerability.

1.10 Sexual violence and sexual harassment can occur between children of any age or gender. They may occur between two individuals or involve a group of children targeting an individual or group.

1.11 Sexual violence and sexual harassment may occur in person, online or through a combination of online and offline behaviour.

1.12 Fair Ways Education will respond to all reports and concerns of child-on-child sexual violence, sexual harassment and harmful sexual behaviour. This includes incidents occurring on school premises, during school activities or educational visits, online, outside school, involving children from different schools or settings, or where the

behaviour may affect the safety, wellbeing or education of children within the school community.

1.13 Children who experience sexual violence, sexual harassment or other forms of child-on-child abuse may experience significant emotional, psychological, social and educational consequences. Fair Ways Education will provide appropriate support and protection to victims and will consider the impact of incidents on the victim's attendance, education, relationships, emotional wellbeing and sense of safety.

1.14 Sexual violence, sexual harassment and harmful sexual behaviour exist on a continuum and may overlap. They can occur online and offline and can involve physical, verbal, written or digital behaviour. They are never acceptable. All reports and concerns will be taken seriously.

1.15 Members of staff should be aware of:

- the importance of making clear that sexual violence, sexual harassment and harmful sexual behaviour are not acceptable and will not be tolerated;
- recognising that such behaviour is not an inevitable part of growing up;
- challenging sexualised, misogynistic, degrading or discriminatory language and behaviour;
- not dismissing harmful behaviour as 'banter', 'just having a laugh' or 'boys being boys';
- recognising behaviour such as grabbing or touching intimate areas, interfering with clothing, lifting skirts, sexualised comments, unwanted touching or coercive sexual behaviour as potential safeguarding concerns;
- recognising that online behaviour can be equally harmful to behaviour occurring in person; and
- recognising that early intervention in harmful or inappropriate behaviour can help prevent escalation.

2 What is Sexual Violence, Sexual Harassment and Harmful Sexual Behaviour?

2.1 **Sexual violence**

Sexual violence includes conduct which may constitute a sexual offence.

2.1.1 Relevant offences under the Sexual Offences Act 2003 include, amongst others:

Rape

Section 1 of the Sexual Offences Act 2003 concerns intentional penetration of the vagina, anus or mouth of another person with a penis, without consent and without a reasonable belief in consent.

Assault by penetration

Section 2 concerns intentional sexual penetration of the vagina or anus of another person with a body part or anything else, without consent and without a reasonable belief in consent.

Sexual assault

Section 3 concerns intentional sexual touching where the touching is sexual, the other person does not consent, and the person does not reasonably believe that the other person consents.

2..1.2 Other sexual offences may also be relevant depending on the circumstances, including offences specifically concerning children under 13.

2.1.3 Staff should not attempt to determine the precise criminal offence themselves. Where conduct may constitute a criminal offence, the DSL will consider whether a referral to the police and/or children's social care is required.

2.2 Consent

2.2.1 Consent is about:

- having the freedom and capacity to choose;
- can be withdrawn at any time;
- must relate to the particular sexual activity taking place;
- cannot be assumed from previous sexual activity;
- cannot be assumed from being in a relationship;
- cannot be assumed from silence or lack of resistance; and
- may be affected where there is coercion, intimidation, exploitation, a significant power imbalance or lack of capacity.

2.2.3 A child under the age of 13 cannot legally consent to any form of sexual activity. The Sexual Offences Act 2003 contains specific offences concerning sexual activity involving children under 13.

2.2.4 The legal position must not be used to minimise safeguarding concerns or to suggest that sexual activity involving children is automatically safe because the children appear to have agreed to it.

2.3 Sexual harassment

2.3.1 Sexual harassment means unwanted conduct of a sexual nature. It can occur online and offline and may violate a child's dignity, make a child feel intimidated, degraded or humiliated, or create a hostile, offensive or sexualised environment. It includes this not exhaustive list:

- sexual comments;
- sexualised remarks about clothing or appearance;
- sexualised names;
- telling sexual stories;
- sexual jokes or taunting;
- unwanted sexual comments or messages;
- deliberately brushing against someone;
- interfering with someone's clothes;
- displaying sexual images, photographs or drawings;
- sexualised online bullying;
- sending or requesting sexual images;
- non-consensual sharing of sexual images or videos;
- sexualised communications through social media or messaging services; and
- unwanted sexualised comments or interactions in online gaming or other digital environments.

2.4 Harmful sexual behaviour

2.4.1 Harmful sexual behaviour (HSB) is sexual behaviour expressed by children and young people which is developmentally inappropriate, potentially harmful or abusive.

2.4.2 HSB may range from inappropriate sexualised language and behaviour through to serious sexual assault. Includes:

- inappropriate sexualised language;
- sexualised touching;
- coercion;
- sexual harassment;
- sharing or requesting intimate images;
- sexualised online behaviour;
- sexual assault;
- sexually harmful behaviour towards another child; or
- behaviour influenced by misogyny or other harmful ideologies.

2.3.3 Fair Ways Education recognises that children displaying harmful sexual behaviour may themselves have experienced abuse, trauma or other forms of vulnerability. Appropriate safeguarding assessment, support and intervention will therefore be considered for the child displaying the behaviour as well as for the child who has experienced harm. This does not remove or reduce the need to protect other children.

2.5 Misogyny and discriminatory sexualised behaviour

2.5.1 Fair Ways Education recognises that misogynistic attitudes and behaviour may intersect with harmful sexual behaviour, sexual harassment, sexual violence and exploitation. Includes:

- sexualised and degrading comments about girls or women;
- objectification;
- derogatory comments based on sex or gender;
- online misogynistic content;
- sexually aggressive or coercive attitudes;
- normalisation of sexual violence or harassment; and
- group behaviour that encourages or reinforces misogynistic attitudes.

2.5.2 Concerns will be addressed through safeguarding, behaviour, education and support measures as appropriate.

2.6 Self-generated intimate images and videos

2.6.1 Children may create, request, possess, receive or share nude or semi-nude images or videos of themselves or other children. Such material may be created and shared consensually or non-consensually. This includes:

- listen calmly;
- avoid blaming or shaming the child;
- reassure the child that they have done the right thing by reporting;
- avoid viewing or forwarding the image unless specifically required as part of an appropriate safeguarding or law-enforcement process;
- report the concern immediately to the DSL or deputy; and
- preserve relevant information and evidence in accordance with safeguarding and information-management procedures.

2.6.2 The school will consider whether the incident indicates coercion, exploitation, abuse, harassment, sexual violence, peer pressure or other safeguarding risks.

2.7 Upskirting

Upskirting is a criminal offence under the Voyeurism (Offences) Act 2019. It generally involves taking a photograph or recording beneath another person's clothing without their consent or knowledge, with the relevant criminal intent. Anyone can be a victim. Any report of upskirting must be treated as a safeguarding concern and reported to the DSL or deputy without delay.

3 Response to Reports of Sexual Violence, Sexual Harassment or Harmful Sexual Behaviour

3.1 The initial response to a report from a child is critical. Staff must:

- take the report seriously;
- listen carefully;
- remain calm and non-judgemental;
- reassure the child that they have done the right thing by reporting;
- avoid promising confidentiality;
- avoid asking unnecessary or leading questions;
- establish only enough information to identify immediate safeguarding needs;
- consider immediate safety;
- record the concern factually; and
- report the concern to the DSL or deputy without delay.

3.2 A child must never be made to feel that they have caused a problem by reporting abuse.

3.3 The DSL will assess the information and determine the appropriate safeguarding response, taking account of:

- the nature and seriousness of the alleged behaviour;
- the age and developmental stage of the children;
- whether there is a power imbalance;
- whether there is an ongoing risk;
- whether coercion or threats are alleged;
- whether there are concerns about sexual exploitation;
- whether the behaviour may constitute a criminal offence;
- whether there are concerns about harmful sexual behaviour;
- whether other children may be at risk;
- whether the incident forms part of a wider pattern;
- the impact on the victim;
- the needs of children with SEND or other vulnerabilities; and
- relevant contextual safeguarding factors.

3.4 Where a child is in immediate danger, or where an emergency response is required, the police and/or emergency services will be contacted as appropriate.

3.5 Where the threshold for children's social care involvement may be met, the DSL will make a referral in accordance with local safeguarding arrangements. The school will work with children's social care, the police and other relevant agencies as required.

3.6 The school will not attempt to conduct a detailed investigation whereby doing so could interfere with a police or children's social care investigation.

3.7 Fair Ways Education recognises that safeguarding and disciplinary processes are separate. A school may need to take immediate action under its Behaviour Policy while a safeguarding assessment or external investigation is taking place. The school will not allow disciplinary considerations to prevent or delay appropriate safeguarding action.

4 Safeguarding Implications of Sexual Activity Between Students

4.1 Sexual activity involving children requires careful consideration of the circumstances and the children's welfare. Considerations include:

- a child under 13 cannot legally consent to sexual activity;
- the age of consent to sexual activity is 16;
- sexual activity without consent may constitute a criminal offence;
- sexual activity involving coercion, exploitation or abuse requires safeguarding consideration; and
- apparent consent does not remove the need for safeguarding assessment where there is a significant power imbalance or other vulnerability.

4.2 Where sexual activity between students is reported or identified, the school will consider whether the circumstances indicate:

- consensual sexual behaviour between children of a similar age and developmental stage;
- harmful sexual behaviour;
- sexual abuse;
- sexual violence;
- coercion;
- exploitation;
- grooming;
- a significant power imbalance;
- abuse in an intimate personal relationship;
- online exploitation or image sharing;
- trafficking or other forms of exploitation; or
- wider contextual safeguarding concerns.

4.3 Decisions will be made on a case-by-case basis, focusing on the best interests, safety and welfare of the children involved. Including:

- age and developmental stage;
- maturity and understanding;
- disability or additional needs;
- social and family circumstances;
- previous safeguarding concerns;
- evidence of harm;
- evidence of pressure or coercion;
- evidence of exploitation;
- differences in age, maturity, status or power;
- sexualised or controlling behaviour;
- the child's wishes and feelings; and
- any wider contextual safeguarding risks.

4.4 Gender, sexuality, race, disability, social status, sexual knowledge and other characteristics may affect power dynamics and vulnerability. The school will avoid stereotypes and will assess each situation on its individual circumstances. A perpetrator or person displaying harmful behaviour may be of any gender, and a victim may be of any gender.

5 Policy

5.1 At Fair Ways Education, we believe that every child has the right to attend and learn in a safe environment. Children should be protected from harm caused by adults and from harm caused by other children.

5.2 Fair Ways Education recognises that children may display behaviour which negatively affects the learning, wellbeing or safety of other children. Such behaviour may be dealt with under the Behaviour Policy, but where safeguarding concerns are present the Child Protection and Safeguarding Policy and this policy will also apply.

5.3 Fair Ways Education will take a child-centred approach and will consider the safety and welfare of all children involved, including both victims and children displaying harmful behaviour.

6 Prevention

6.1 Fair Ways Education will seek to prevent child-on-child abuse by:

- providing a developmentally appropriate curriculum addressing relationships, respect, consent, sexual harassment, online safety, healthy relationships and keeping safe;
- teaching children how to recognise inappropriate and harmful behaviour;
- ensuring children know how and where to report concerns;
- providing trusted adults and accessible reporting routes;
- taking reports seriously;
- challenging sexualised, misogynistic, discriminatory and abusive language;
- identifying patterns and emerging safeguarding risks;
- using appropriate risk assessments and safety plans;
- providing targeted intervention where children are at increased risk;
- providing appropriate support to children displaying harmful sexual behaviour;
- considering contextual safeguarding risks;
- monitoring online and offline behaviour appropriately;
- working with parents/carers and external agencies where appropriate; and
- reviewing incidents to identify lessons and prevent recurrence.

6.2 Staff training will include awareness of child-on-child abuse, harmful sexual behaviour, sexual violence, sexual harassment, online abuse, self-generated intimate images, coercion, exploitation and relevant contextual safeguarding risks.

7 Allegations Against Other Students Which Raise Safeguarding Concerns

7.1 An allegation against another student may constitute a safeguarding concern where it:

- involves serious physical, emotional or sexual abuse;
- involves sexual violence or sexual harassment;
- involves harmful sexual behaviour;
- involves coercion or exploitation;
- involves an older child and a younger or particularly vulnerable child;

- indicates a power imbalance;
- may constitute a criminal offence;
- raises concerns about risk to other children;
- indicates that other children may have been affected;
- indicates that children outside the school may be at risk; or
- forms part of a wider pattern of concerning behaviour.

7.2 Examples may include:

Physical abuse

- violence;
- planned or repeated physical assault;
- threats of serious physical harm;
- forcing another child to consume drugs, alcohol or other substances.

Emotional or psychological abuse

- blackmail;
- extortion;
- threats;
- intimidation;
- coercive or controlling behaviour;
- serious or sustained humiliation;
- exploitation of another child's vulnerabilities.

Sexual abuse and harmful sexual behaviour

- sexual assault;
- sexual violence;
- unwanted sexual touching;
- serious sexual harassment;
- indecent exposure;
- causing another child to view sexual material;
- pressuring or coercing another child to engage in sexual activity;
- pressuring or coercing another child to create or share nude or semi-nude images;
- non-consensual sharing of intimate images;
- sexualised online abuse; and

- upskirting.

Sexual exploitation

- coercing or encouraging another child into sexual activity;
- grooming;
- sexual exploitation;
- photographing or recording another child for sexual purposes;
- using sexual images to threaten or blackmail another child;
- arranging sexual activity in exchange for money, goods, status or other benefits; o
- or links to adults or groups who may be exploiting children.

8 Procedure

8.1 When an allegation is made by a student against another student, the member of staff receiving the concern must consider whether there may be a safeguarding concern. Where there is any safeguarding concern, the DSL or Deputy DSL must be informed without delay.

8.2 The Designated Safeguarding Leads are:

- Victoria Adams – Executive Head of Education / DSL
- Charlotte Leech – Head of School, Swanwick
- Emma Moore – Headteacher, Glade
- Thomas Backaller – Head of School, Fort Wallington

8.3 All members of the Senior Leadership Team at each education site have received appropriate safeguarding training and may act as Deputy Designated Safeguarding Leads in accordance with Fair Ways Education's safeguarding arrangements.

8.4 The member of staff receiving the concern should make a factual and contemporaneous record. The member of staff should not undertake their own investigation. Records should distinguish clearly between what the child has said, what the member of staff has observed, information provided by other people, and professional judgement or actions taken.

8.5 The DSL will consider whether referral to children's social care, the police or another safeguarding agency is required. Where the information indicates that a child may be suffering, or may be likely to suffer, significant harm, the DSL will act in accordance with local safeguarding arrangements and the statutory framework under Working Together to Safeguard Children 2026.

8.6 Where the alleged behaviour may constitute a criminal offence, the DSL will consider referral to the police. The school will cooperate with the police and children's social care and will avoid taking investigative steps which could compromise an external investigation.

8.7 Parents/carers will normally be informed where appropriate. However, the school will not automatically inform the parents/carers of either child before taking safeguarding advice. Taking into consideration the following :

- place the child at greater risk;
- compromise a police or children's social care investigation;
- increase the risk of intimidation, retaliation or further harm;
- affect the child's willingness to disclose information; or
- otherwise, be contrary to the child's best interests.

8.8 The DSL will liaise with children's social care and/or the police where appropriate before sharing information with parents/carers.

8.9 Fair Ways Education will comply with applicable information-sharing requirements. From September 2026, the Children's Wellbeing and Schools Act 2026 introduces a statutory information-sharing duty for relevant persons. Where the statutory conditions apply, relevant information must be disclosed where it may facilitate the recipient's safeguarding or child-welfare functions, unless disclosure would be more detrimental to the child than not disclosing it.

8.10 Staff should therefore not assume that consent is always required before safeguarding information can be shared. Information should be shared lawfully, proportionately, accurately and for a legitimate safeguarding purpose, in accordance with the statutory information-sharing guidance and Fair Ways Education's safeguarding and data-protection procedures.

8.11 The DSL will maintain an appropriate safeguarding record of:

- the original concern;
- information received;
- decisions made;
- advice sought;
- referrals made;
- information shared;
- actions taken;
- risk assessments;
- safety plans;
- support provided; and
- outcomes and follow-up actions.

8.12 Records will be stored securely within the school's safeguarding recording system.

8.13 The school will consider whether immediate protective measures are required. These may include increased supervision, changes to timetables or routines, separate arrangements, safe spaces, additional staff support, changes to transport or activities, individual risk assessments, safety plans, pastoral support, counselling or other appropriate intervention, and liaison with external agencies. Any measures will be proportionate and regularly reviewed.

8.14 Where appropriate, disciplinary action may be taken under the Behaviour Policy. Any disciplinary action will take account of the safeguarding circumstances and will not replace appropriate safeguarding intervention. Suspension or other sanctions may be considered where permitted by the relevant statutory guidance and school procedures.

8.15 Where children's social care or the police do not take further action, this does not necessarily mean that the school has no safeguarding responsibility. The school will consider whether further internal safeguarding assessment, risk management, pastoral support, behaviour intervention or other action is required.

8.16 Where a safeguarding risk remains, the school will prepare and implement an appropriate risk assessment and/or safety plan. Including:

- the risks;
- the children affected;
- protective measures;
- staff responsibilities;
- supervision arrangements;
- support required;
- information-sharing arrangements;
- review dates; and
- escalation arrangements if the risk increases.

8.17 Risk assessments and safety plans will be reviewed following significant incidents, changes in circumstances and at agreed review dates.

8.18 Where a child's placement or continued attendance presents a significant safeguarding risk, Fair Ways Education may take action in accordance with the terms of the child's placement, relevant legislation, statutory guidance, contractual arrangements and its own policies. Any decision relating to a child's placement will be made on an individual basis, with appropriate safeguarding, educational and legal considerations taken into account. The school will liaise with the placing authority and other relevant agencies where required.

9 Support for Children

9.1 Fair Ways Education recognises that both children who experience harm and children who display harmful behaviour may require support by:

- a trusted adult;
- pastoral support;
- counselling or therapeutic support where appropriate;
- safeguarding interventions;
- education concerning healthy relationships and consent;

- support with online safety;
- safety planning;
- additional supervision;
- specialist external services; and
- referral to children's social care or other agencies where appropriate.

9.2 The school will seek to prevent retaliation, victimisation or further harassment. The wishes and feelings of the child who has experienced harm will be considered throughout the safeguarding process, while recognising that the school may need to take action to protect the child or others even where this differs from the child's preferred course of action.

9.3 Children displaying harmful sexual behaviour will also be assessed for safeguarding needs and appropriate intervention. This may include consideration of whether they have themselves experienced abuse, neglect, exploitation, trauma or other vulnerabilities. Providing support to a child displaying harmful behaviour does not diminish the school's responsibility to protect other children.

10 Monitoring and Review

10.1 Fair Ways Education will monitor incidents of child-on-child abuse, sexual violence, sexual harassment and harmful sexual behaviour to identify:

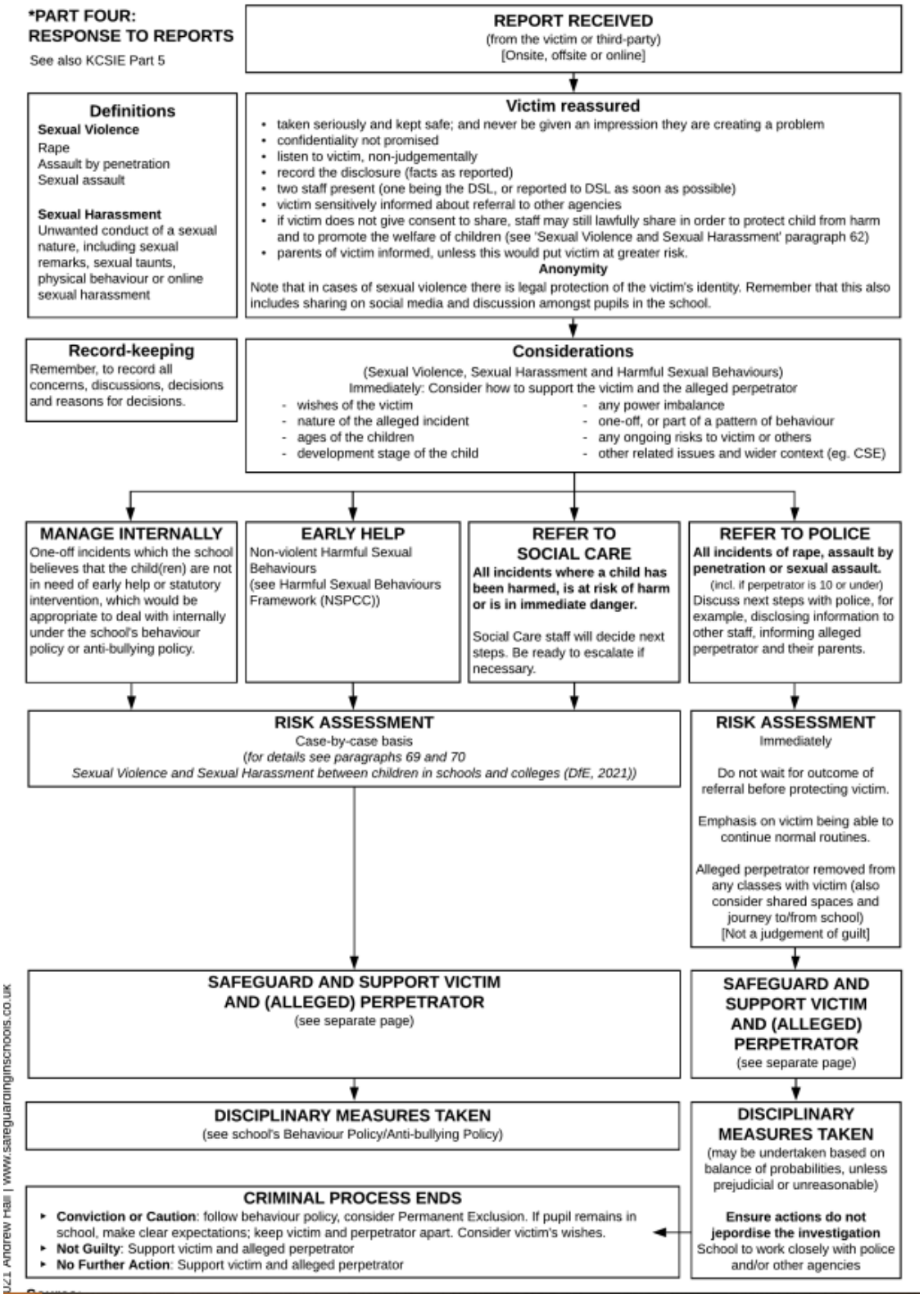
- recurring patterns;
- locations where risks are increased;
- online or digital trends;
- groups of children who may be particularly vulnerable;
- discriminatory or misogynistic patterns;
- repeat behaviour;
- emerging contextual safeguarding risks; and
- opportunities for preventative education or changes to practice.

10.2 Safeguarding leaders will review the effectiveness of this policy following significant incidents, changes to legislation or statutory guidance and as part of the school's normal policy-review cycle.

11. Associated Documentation and Legislation

- Keeping Children Safe in Education 2026, Department for Education;
- Working Together to Safeguard Children 2026, Department for Education;
- Information Sharing to Safeguard Children and Young People, Department for Education, 2026;
- Children's Wellbeing and Schools Act 2026;
- Children Act 1989;
- Children Act 2004;
- Sexual Offences Act 2003;
- Voyeurism (Offences) Act 2019;
- relevant local safeguarding partnership procedures;
- Fair Ways Education Child Protection and Safeguarding Policy;
- Fair Ways Education Behaviour Policy;
- Fair Ways Education Anti-Bullying Policy;
- Fair Ways Education Online Safety Policy; and
- Fair Ways Education data protection and information-sharing procedure

Appendix A: Process for reporting



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