

Harmful Sexual Behaviours & Harassment Policy

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Associated Policy:	LEA32 Safeguarding Policy CUR15 Student Regulations

1. Aim or Objective

- 1.1 This policy is designed to protect all students from any form of harmful sexual behaviour (defined in Section 4). Throughout this policy the term 'student' is used to define any person enrolled onto a course or programme of study at CRC including Apprenticeships and Higher Education programmes.
- 1.2 Any reports of harmful sexual behaviour will be investigated and any students found to be behaving contrary to this policy will be managed through the college's Student Regulations.
- 1.3 Cambridge Regional College does not tolerate any form of harmful sexual behaviour and expects all members of the College community, to treat each other with respect, courtesy and consideration at all times
- 1.4 The College is committed to fostering an inclusive culture which promotes equality, values, diversity, and maintains a working, learning and social environment in which the rights and dignity of all members of the College community are respected.
- 1.5 All staff within the College have formal responsibilities under this policy and are expected to familiarise themselves with relevant procedures.
- 1.6 The aims of the College as reflected in this policy are to:
 - Create a culture of 'it could happen here'
 - Make it clear that harmful sexual behaviour is unacceptable and that all members of the College have a role to play in creating a safe environment
 - Create an environment where students feel safe to disclose
 - Ensure systems are in place, well promoted, easily understood and accessible, to enable students to report concerns confidentially
 - Provide a framework of support for students who feel they have been subject to harmful sexual behaviour
 - Provide a framework of support for the alleged perpetrator during an investigation and where appropriate post investigation
 - Supply guidance for staff to identify and deal with events or investigations involving harmful sexual behaviour
 - Provide a mechanism by which incidents can, wherever possible, be addressed in a timely way.

2. Scope

- 2.1 This policy regarding harmful sexual behaviour applies to all students and apprentices enrolled onto a CRC provision.
- 2.2 This policy should be read in conjunction with the College's overarching Safeguarding Policy and Student Regulations.

3. Roles and Responsibilities

- 3.1 This policy is the responsibility of the College's Designated Safeguarding Lead and wider Safeguarding Management Team.
- 3.2 The College has a dedicated Domestic Abuse and Sexual Violence Lead who is a Safeguarding Support Officer with expertise within the DASV field.

- 3.3 All staff have a responsibility to identify, respond to and report any incidences of harmful sexual behaviour (HSB).

4. Recognising Harmful Sexual Behaviours

- 4.1 Harmful sexual behaviour is a term used to describe sexual actions that may be harmful or abusive to individuals or others. This is the overarching term used by CRC for sexual harassment and sexual violence.
- 4.2 **Sexual Harassment** relates to any unwanted conduct and unacceptable behaviour of a sexual nature.
- 4.3 **Sexual Violence** when referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 including Rape, Assault by Penetration and Sexual Assault.
- 4.4 Examples of behaviour which may amount to harmful sexual behaviour in this policy include (but are not limited to) the following:
- 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.
 - Displaying pictures, photos or drawings of a sexual nature.
 - Sharing of nudes and semi-nude images and or videos, also known as sexting or youth produced sexual imagery.
 - Upskirting or downblousing where the intention is to obtain sexual gratification, or cause the victim humiliation, distress, or alarm.
 - Online sexual harassment. This may be standalone, or part of a wider pattern of harassment, sexual harassment and/or sexual violence. It may include:
 - consensual and non-consensual sharing of nude and semi-nude images and/or videos. Taking and sharing nude photographs of U18s is a criminal offence.
 - sharing of unwanted explicit content
 - sexualised online bullying
 - unwanted sexual comments and messages, including, on social media
 - sexual exploitation; coercion and threats, and
 - coercing others into sharing images of themselves or performing acts they're not comfortable with online.
 - Any form of sexual violence as outlined in 4.3 including threatening or encouraging sexual violence including activities that involve harassment, abuse and/or humiliation.
- 4.5 It is vital that staff can distinguish between usual and unacceptable sexual behaviours. Staff are advised to use the Sexual Behaviours Continuum Model, advocated by the [NSPCC Harmful, Sexual Behaviours Framework](#) when investigating and finalising an outcome. (Annex A)

5. Reporting

- 5.1 Any incidents of harmful sexual behaviour should be dealt with *via* the Student Regulations as Gross Misconduct.
- 5.2 Students will be made aware during their induction and with reminders during the year that any form of abuse both inside and outside of the College, including online, is unacceptable and that action will be taken. All reports will be taken seriously and investigated by staff including personal tutors, managers and designated Safeguarding Officers.
- 5.3 Any student whose gross misconduct relates to an act of child-on-child abuse, peer-on-peer abuse, or harmful sexual behaviour must be recorded on MyConcern and updated once an outcome has been determined. All incidents of child-on-child or peer-on-peer abuse including bullying and or/ harmful sexual behaviour must be recorded against both the victim(s) and perpetrator(s), labelled appropriately, and linked.
- 5.4 Any concerns around sexual harassment will be discussed in a timely and concise team around the student meeting (TAS), to determine next steps. The Head of Department or a designated deputy (e.g. Assistant Head), along with the Student Support and Safeguarding Manager and where appropriate a Student Advice & Safeguarding Officer, Care Experienced Coordinator or member of the EHCP team, will attend. Where necessary the Director of Student Services, Designated Safeguarding Lead and/or a member of the Senior Management Team may also attend.
- 5.5 The meeting should take place within 48 hours of the concern being reported, will be chaired by the Student Support and Safeguarding Manager or Student Advice & Safeguarding Team Leader and all relevant parties will be added to the team on MyConcern around the specific concern.
- 5.6 Prior to the TAS meeting, where possible, members of the wider Student Support & Safeguarding Team will gather the student statements.
- 5.7 Parents of both the alleged victim and alleged perpetrator will be contacted by an appropriate person, unless there is good reason not to.
- 5.8 The agenda for the meeting will include details of the concern including statements, voice of the student, any EHCP considerations, any relevant background information and next steps.
- 5.9 The TAS meeting will consider the best way to create distance between the alleged victim and alleged perpetrator where appropriate. These actions are in the best interests of both students and should not be perceived to be a judgment on the guilt of the alleged perpetrator.
- 5.10 The College will consider the wishes of the alleged victim in terms of how they want to proceed and will enable them to have as much control as is reasonably possible over decisions regarding how any investigation will be progressed, and any support that they will be offered. This will however be balanced by the College's duty and responsibilities to protect other students. Those present should consider:
 - The wishes of the alleged victim
 - Nature of the alleged incident
 - Ages of students involved
 - Development stages of students involved

Any power imbalance between the students
Whether this is a one off, or sustained pattern of behaviour
Any ongoing risks to other students or staff

Any potential links to sexual abuse or exploitation Any alleged act of sexual violence must be reported immediately to safeguarding and no further action taken by the curriculum team until advised by the Student Support & Safeguarding Manager.

- 5.11 Where an incident is in relation to sexual violence or where a potential criminal offence has taken place, the Student Advice & Safeguarding Team will share information with the appropriate services and agencies and advise the Head of Department on whether an investigation can take place or if this might impede a police investigation.
- 5.12 Any decision not to exclude a student whose gross misconduct relates to child-on-child/peer-on-peer abuse or harmful sexual behaviour must be proposed by the HOD and sanctioned by either the Principal, Deputy Principal or Assistant Principal & DSL.

6. How to safeguard and support the alleged perpetrator

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the alleged perpetrator:

- 6.1 Consider the age and the developmental stage of the alleged perpetrator and nature of the allegations. Any student will likely experience stress because of being the subject of allegations and/or negative reactions by their peers to the allegations against them.
- 6.2 Consider the proportionality of the response. Support (and sanctions) should be considered on a case-by-case basis e.g. does the student have an EHCP, are their other safeguarding concerns. Advice and clarification should always be sought from relevant staff e.g. EHCP lead, Pastoral Support Advisor or Student Advice & Safeguarding Officer.
- 6.3 It is important that if the alleged perpetrator does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs and where appropriate, potential risks to other children and staff. This will be undertaken by the Safeguarding Team.

Document history

Date	Issue number	Change/Comments	Date Approved	Approved by
20/10/2021	1	Document creation	20/10/2021	SMT
10/08/2022	2	Process amendments, KCSiE changes and changing to terminology.	14/09/2022	SMT
05/07/2023	3	Updates based on KCSiE changes and additional contexts.	30/08/2023	SMT
31/07/2024	4	Updated to reflect current titles and structures, KCSiE and OFS guidelines	31/07/2024	SMT

Annex A – NSPCC / Hackett Continuum of Sexual Harassment

Normal	Inappropriate	Problematic	Abusive	Violent
• Developmentally expected • Socially acceptable • Consensual, mutual, reciprocal • Shared decision making	• Single instances of inappropriate sexual behaviour • Socially acceptable behaviour within peer group • Context for behaviour may be inappropriate • Generally consensual and reciprocal	• Problematic and concerning behaviours • Developmentally unusual and socially unexpected • No overt elements of victimisation • Consent issues may be unclear • May lack reciprocity or equal power • May include levels of compulsivity	• Victimising intent or outcome • Includes misuse of power • Coercion and force to ensure victim compliance • Intrusive • Informed consent lacking, or not able to be freely given by victim • May include elements of expressive violence	• Physically violent sexual abuse • Highly intrusive • Instrumental violence which is physiologically and/or sexually arousing to the perpetrator • Sadism

Source: Harmful Sexual Behaviour Framework (NSPCC, 2019)

