

Sexual Violence, Sexual Abuse and Sexual Harassment Procedure

This policy is available on-line at: www.tynecoast.ac.uk

- We will consider any request for this policy to be made available in an alternative format or language. Please note the College may charge for this. Please contact: Principal
- We review our policies regularly to update them and to ensure that they are accessible and fair to all. We welcome suggestions for improving the accessibility or fairness of this policy.
- All our policies are subject to equality impact assessments*. We are always keen to hear from anyone who wishes to contribute to these impact assessments. Please contact: Halls of Residence, General Manager

Approved by:	Version:	Issue Date:	Review Date:	Contact Person:
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Equal Opportunities:

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Sexual Violence, Sexual abuse and Sexual Harassment Procedure

How to report an incident of sexual violence, sexual abuse and sexual harassment

All staff undergo safeguarding training and will deal with any complaint/concern of this nature efficiently and effectively. We have a dedicated safeguarding lead that is experienced in dealing with such concerns and they will manage any incidents related to sexual violence abuse or harassment.

There are multiple options to report an incident if you have been a victim of an incident and these options are not just exclusive to victims, if you know someone who has been or is currently a victim of sexual harassment, sexual violence or sexual abuse, we would urge you to use one the reporting avenues below.

- Speak to a member any member of staff you feel comfortable speaking to.
- Ask any member of staff to speak to a safeguarding officer or Safeguarding lead.
- Email or phone a safeguarding lead or officer, posters around the college display photos and contact details.
- Directly contact the designated safeguarding lead for sexual harassment, sexual abuse and sexual violence – Eamonn.Murphy@tynecoast.ac.uk Tel: 0191-427-3522
- Email sos@tynecoast.ac.uk – a dedicated email address that is monitored by all Safeguarding leads within the college.

How do we respond to reports of sexual violence, sexual abuse and sexual harassment?

Reports of sexual violence and sexual harassment are likely to be complex and, therefore, require difficult professional decisions to be made, often quickly and under pressure. Guidance from the DfE is clear that it does not attempt to provide (nor would it be possible to provide) detailed advice on what we should do in any or every particular case; it provides effective safeguarding practice and principles for us to consider in our decision making process. Ultimately, all decisions at Tyne Coast College will be made on a case-by-case basis. We will assign a specific Safeguarding lead, who has undertaken specific training to be able to deal with such cases.

The immediate response to a report – managing the disclosure:

We will always do our utmost to ensure that victims are reassured that they are being taken seriously and that they will be supported, kept safe. In some cases, the victim may not make a direct report or disclosure. For example, a friend may make a report, or a staff member may overhear a conversation that suggests a child has been harmed. This discussion will be handled sensitively and with the support of children's social care if required.

Confidentiality

Staff taking a disclosure will never promise confidentiality as it is very likely that it will be in the best interests of the victim to seek advice and guidance from others in order to provide the necessary support and engage appropriate agencies.

The victim may ask us not to tell anyone about the sexual violence or sexual harassment. There are no easy or definitive answers when a victim makes this request. If the victim does not give consent to share information, staff may still lawfully share it, if it can be justified to be in the public / individual's interest; for example, to protect the student from harm and to promote the welfare of student.

Anonymity

Where we are aware that an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, we will be mindful of anonymity, witness support and the criminal process in general so that we can offer support and act appropriately. In addition, we will endeavour to do all we can to reasonably protect the anonymity of any student involved in any report of sexual violence or sexual harassment. We will carefully consider which staff in our College should know about the report and any support that will be in place for the student involved.

Risk Assessment:

When there has been a report of sexual violence, the appointed Safeguarding lead will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk assessment will consider – the victim-the alleged perpetrator & other students at college (and, if relevant, staff).

At all times, we will actively consider & review the risks posed to all our students and put adequate measures in place to protect them and keep them safe during college hours.

The safeguarding lead will liaise with any external agencies' involvement (such as Police, Child Services, Victim Support) and ensure a collaborative approach to the risk assessment.

Action following a report of sexual violence and/or sexual harassment

We will carefully consider any report of sexual violence and/or sexual harassment. Important considerations will include:

The wishes of the alleged victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered.

- The nature of the alleged incident(s).
- The ages of the students involved.
- The developmental stages of the students involved as indicated by the Traffic Light Tool.

- Any power imbalance between the students (for example, is the alleged perpetrator significantly older?).
- If the alleged incident is a one off or a sustained pattern of abuse (where this may be known).
- Whether there are any ongoing risks.
- Other related issues and wider context.

Where incidents and/or behaviours are associated with factors outside the College or occur between student outside the College, we will consider contextual safeguarding. This simply means assessments of student in such cases should consider whether wider environmental factors are present in a student's life that is a threat to their safety and/or welfare.

Options to manage the report

We will consider every report on a case-by-case basis. When to inform the alleged perpetrator will be a decision that will be carefully considered. Where a report is going to be made to Children's Social Care and/or the Police, then, as a general rule, we will speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of the allegations.

There are four likely scenarios we will need to consider when managing any reports of sexual violence and/or sexual harassment.

1. **Manage internally** In some cases of sexual harassment (for example, one-off incidents) the College may take the view that the students concerned are not in need of Early Help or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising our Behaviour and Anti-Bullying Policies and by providing pastoral support.
2. **Early Help**
In line with the above, we may decide that the students involved do not require statutory interventions but may benefit from Early Help. Early Help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.
3. **Referral to Children's Social Care**
Where a student under the age of 18 has been harmed, is at risk of harm or is in immediate danger, a likely course of action will be that we make a referral to local children's social care.
4. **Reporting to the Police.**
 - Where a report of rape, assault by penetration or sexual assault is made, the starting point is this should be passed on to the Police.
 - Reporting to the Police will generally be in parallel with referrals to Children's Social or other external agencies.
 - At this stage, the College will generally inform parents of a student that is u18, unless there are compelling reasons not to do so (for example, if informing a parent is likely to put a child at additional risk). In circumstances where parents have not been informed, it will be especially important that the College supports the student in any decision they take. This should be in conjunction with the support of Children's Social Care or other external agencies.

Ongoing Considerations: victim and alleged perpetrator sharing classes

- Where a report has been made to the Police, the College will consult the Police and agree what information can be disclosed to staff and others; in particular, the alleged perpetrator and their parents. We will also discuss the best way to protect the victim and their anonymity.
- We will consider the scenario where the victim and alleged perpetrator are sharing classes and sharing space at College. This will inevitably involve complex and difficult professional decisions, including considering our duty to safeguard students and our duty to educate them. It is important each report is considered on a case-by-case basis and risk assessments are updated as appropriate.
- Where there is a criminal investigation, the alleged perpetrator should be removed from any classes they share with the victim. We will consider how best to keep the victim and alleged perpetrator a reasonable distance apart on College premises and if we feel necessary, we may choose to insist the alleged perpetrator does not physically attend site but is moved to online lessons during the investigation process. These decisions will be taken on a case by case basis and we will always act in the best interests of both students and should not be perceived to be a judgement on the guilt of the alleged perpetrator; close liaison with the police is essential.