**Appendix D: Contacting other agencies, including statutory agencies**

*“Schools and colleges should not feel that they are alone in dealing with sexual violence and sexual harassment”* [Keeping children safe in education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) (DfE, 2024)

When dealing with incidents of Harmful Sexual Behaviour, schools and settings will often need to contact outside agencies to access specialist advice and services. Local authority Children’s Social Care and the police will be important partners where a crime might have been committed or there are safeguarding concerns for a CYP.

This guidance brings together statutory and non-statutory guidance on when schools should consider contacting other agencies in their response to harmful sexual behaviour incidents and child-on-child abuse.

No guidance can give definitive step-by-step advice for every case. Each case will need to be handled according to its own unique circumstances and decisions made on a case-by-case basis.

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# When to contact the Police

This guidance draws upon several statutory and non-statutory documents. The Designated Safeguarding Lead (DSL) and Deputy DSLs should read the below documents in their entirety and be familiar with them.

|  |  |  |
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| **Document** | **Summary in relation to HSB** | **Specific pages of interest for Police contact advice** |
| [When to call the police - guidance for schools and colleges](https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/2020/when-to-call-the-police--guidance-for-schools-and-colleges.pdf) (National Police Chiefs’ Council, 2020) | This document contains information on when settings should contact the police. Regarding Sexual Offences, it advises settings to defer to the documents below. It advises that if the crimes of rape or a serious sexual assault are involved, the police should be called immediately. | Pages 2 to 8 – set out the general principles on when settings should contact the police and how to handle this alongside the setting’s processes and policies  Page 13 – Harassment flow chart. Sexual harassment is included  Page 14 – Sexual offences flow chart |
| [Keeping children safe in education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) (DfE, 2024) | Statutory guidance for schools and colleges on safeguarding CYP, including information on how to handle cases of harmful sexual behaviour. | Pages 111 – 142 - Part five: Child-on-child sexual violence and sexual harassment. Reporting to Police and the on-going management of cases is covered in this section. We advise being familiar with the whole section  Pages 127 – 130 – Contains the information on initially reporting to Police |
| [Working together to safeguard children](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2) (DfE, 2023) | A guide to inter-agency working to safeguard and promote the welfare of CYP. In many incidents of harmful sexual behaviour, it will be important to engage other agencies and this document provides the framework for doing so. | The whole document is relevant |
| [Sharing nudes and semi-nudes: advice for education settings working with children and young people](https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people) (Department for Science, Innovation and Technology and UK Council for Internet Safety, 2024) | A guidance document providing advice for education settings dealing with incidents involving CYP sharing nudes and semi-nudes. | The whole document is relevant |

**Do you need to consider contacting the police?**

If a crime has or may have been committed, the setting needs to consider contacting the police. [When to call the police - guidance for schools and colleges](https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/2020/when-to-call-the-police--guidance-for-schools-and-colleges.pdf) contains a list of factors you will need to consider within this decision. These include:

* the seriousness of the incident – some crimes MUST be reported to the police (see the table below for further information)
* the level of harm caused
* the circumstances leading to the incident
* aggravating factors which contribute to making the incident and level of harm more serious. Aggravating factors increase the level of risk, or highlight the need for a wider investigation and the need for the involvement of a range of agencies as well as the police
* whether the young people involved have any vulnerabilities
* whether this could be part of a pattern of behaviour also occurring in the community, in which case the police will want to be involved
* the age of the CYP who has displayed the harmful sexual behaviour. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the principle of referring to the police remains. The police will take a welfare, rather than a criminal justice approach, in these cases. This should be in parallel with contacting Children’s Social Care
* the wishes of the victim and how they wish to proceed must be important considerations within the setting’s response to a report. They should have as much control as is reasonably possible over decisions regarding the support provided to them and the progression of the investigation, however this must be balanced carefully with the setting’s duty and responsibility to protect CYP

The table below organises the guidance on reporting to the Police by crime. Definitions of Sexual Offences can be found under the [Sexual Offences Act 2003](https://www.legislation.gov.uk/ukpga/2003/42/contents). The setting must be familiar with these definitions to enable accurate decision making.

| **Crime** | **Guidance on involving the Police** | **Factors to consider in your decision** |
| --- | --- | --- |
| **Rape**  **Assault by Penetration**  **Sexual assault** | [When to call the police - guidance for schools and colleges](https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/2020/when-to-call-the-police--guidance-for-schools-and-colleges.pdf) - call the Police immediately if a rape or serious sexual assault is reported.  [Keeping children safe in education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) (DfE, 2024) - rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. | * Any report to the police will generally be in parallel with a referral to Children’s Social Care |
| **Sexual harassment, sexual bullying and online sexual harassment** | [When to call the police - guidance for schools and colleges](https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/2020/when-to-call-the-police--guidance-for-schools-and-colleges.pdf) - a sexual element within harassment is an aggravating factor and requires consideration of a referral to police.  [Keeping children safe in education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) (DfE, 2024) – depending on the circumstances of the incident/s and the presence of aggravating factors, the response to a report of sexual harassment can vary from handling the incident internally to reporting to statutory partners such as the police. | * What is the nature of the harassment? What behaviours have constituted the harassment? Are any of them crimes? * What are the victim’s wishes? Do they want to report to the police? * What level of harm has been caused by the harassment? * Is this a one-off incident of harassment or an on-going campaign? * How many victims of the harassment are there? Is it in the interests of the school/wider community to report to police? |
| **Causing someone to engage in sexual activity without consent** | [Sexual Offences Act 2003](https://www.legislation.gov.uk/ukpga/2003/42/part/1/crossheading/causing-sexual-activity-without-consent) - Causing someone to engage in sexual activity without consent is a crime. | * Any report to the police will generally be in parallel with a referral to Children’s Social Care |
| **Upskirting** | [Keeping children safe in education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) (DfE, 2024) – lists upskirting as a behaviour that can be included within sexual harassment but acknowledges that it is a criminal offence. | * Any report to the police will generally be in parallel with a referral to Children’s Social Care |
| **Youth produced sexual images / sexting / nudes** | [Sharing nudes and semi-nudes: advice for education settings working with children and young people](https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people) (Department for Science, Innovation and Technology and UK Council for Internet Safety, 2024)  Making, possessing, and distributing any imagery of someone under 18 which is ‘indecent’ is illegal, including self-produced imagery. However, the NPCC has made it clear that incidents involving sharing nudes and semi-nudes should have an immediate focus on safeguarding CYP.  In many cases, education settings may respond to incidents without involving the police, for example where an incident can be defined as ‘experimental’ and there is no evidence of abusive or aggravating elements.  The police may need to be involved in some cases where there are abusive and/or aggravating factors. A referral should be made to the police if a CYP has been pressured or coerced into sharing an image, images have been shared without consent and with malicious intent, if there was a deliberate intent to cause harm by sharing the nudes and semi-nudes or if they have been used to bully or blackmail a CYP.  If the incident involves an adult (age 18 or over), the Police must be informed. | * Can the incident be defined as aggravated or experimental? See [Sharing nudes and semi-nudes: advice for education settings working with children and young people](https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people) (Department for Science, Innovation and Technology and UK Council for Internet Safety, 2024) 1.6(a) for support with defining incidents. * Is there an immediate risk to the CYP? For example, are they presenting as suicidal or self-harming as a result? * What are the victim’s wishes? Do they want to report to the Police? * Would contacting the police be a proportionate response? * What was the motivation behind the incident? * How appropriate was the CYP’s behaviour? * How widely has the image been shared? Was it shared without the consent of the CYP who produced the image? * Is there reason to believe that the CYP has been coerced, blackmailed, or groomed, or there are concerns about their capacity to consent (for example, owing to special educational needs)? * Does what you know about the images or videos suggest the content depicts sexual acts which are unusual for the young person’s developmental stage, or are violent? * Do the images involve sexual acts and the pupil in the images or videos is under 13? * Has the nude or semi-nude been shared beyond its intended recipient? * See ANNEX B of [Sharing nudes and semi-nudes: advice for education settings working with children and young people](https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people) (Department for Science, Innovation and Technology and UK Council for Internet Safety, 2024) for a comprehensive list of questions to support the assessment of the incident |

If an incident is reported to the police, a referral to local authority Children’s Social Care will also generally be made.

In the initial response to an incident, whilst considering whether to report the crime to the police, the setting should:

* make the decision to report to police or manage internally at an early stage, stopping any internal school/setting investigation immediately once the decision to report to police has been made. The setting should only ask questions to establish the basic facts of the incident before making the decision
* fully document the setting’s initial enquires to establish the basic facts, as they may be required if the matter goes to court. This includes recording questions asked to young people and their replies
* record the rationale for involving the Police. This will include advice received from other agencies such as the police or Children’s Social Care
* make every effort to preserve any relevant evidence
* assign a single point of contact between the setting and police – this will usually be the Headteacher or Designated Safeguarding Lead

For further information on how to proceed within the setting once a report has been made to police, please see [Keeping children safe in education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) (DfE, 2024). Pages 3 and 4 of [When to call the police - guidance for schools and colleges](https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/2020/when-to-call-the-police--guidance-for-schools-and-colleges.pdf) provide information and advice for settings who are reporting a crime to the police.

**How to contact the Police in Essex**

* 999 – for an emergency. If there is: a danger to life; a risk of injury; or a serious crime is in progress or about the happen
* 101 or [online](https://www.essex.police.uk/) – to report non-emergency crimes
* Your local Children and Young Persons (CYP) Officer or the Youth Justice Police Team (YJT) ([Youth.justice.team@essex.police.uk](mailto:Youth.justice.team@essex.police.uk)) - for advice and guidance. The CYP Officers work alongside the Youth Justice Police Team so if you do not know your CYP Officer or your Officer is not on shift, this is a good alternative contact. *The YJT may be able to offer general advice but if the CYP’s details are shared with them, it is likely they will be duty bound by National Crime Recording Standards to record the crime. This does not criminalise a CYP but will amount to sharing information with the police. Be clear on whether you are seeking ‘general guidance’ or ‘specific information sharing about an incident’.*

**Dealing with an incident internally**

If a setting decides to deal with an incident internally without reporting it to the police, the setting should:

* record the rationale for not involving the Police if there has been a crime or potential crime reported. This will include advice received from other agencies such as the Police or Children’s Social Care
* investigate the incident in line with the setting’s behaviour policy and any other relevant polices
* record the outcome of the investigation and how the incident has been resolved

Please note that if a referral to the Children and Families Hub is deemed necessary, this may result in a referral to the Police.

# When to contact Children’s Social Care

Children’s Social Care is the main point of contact for settings if there are safeguarding concerns about a CYP. ***If a CYP is suffering significant harm, or is at immediate risk of significant harm, a request for support to Children’s Social Care must be made immediately via the Priority Line.***

[Effective Support for Children and Families in Essex](https://www.escb.co.uk/7813) (ESCB, 2021) contains the information settings need to decide whether Children’s Social Care should be contacted about an incident of harmful sexual behaviour or child on child abuse. The ‘indicators of possible need’ (pages 23 – 29) are a helpful resource for settings looking for an indication of the likely level of need for the CYP.

The 4 Levels of need in Essex, set out on pages 8-11 in the Effective Support Document, are:

* Universal – Level 1
* Additional – Level 2
* Intensive – Level 3
* Specialist – Level 4

In many cases of harmful sexual behaviour or child on child abuse, Children’s Social Care should be consulted. A request for support may be needed, depending on the level of need the CYP is presenting.

The Consultation Line at the Children and Families Hub offers professionals in Essex the opportunity to discuss with a social worker their concerns about a CYP. This can support settings in deciding whether a request for support is needed (Levels 3 and 4) or if Early Help procedures should be initiated (Levels 2 and 3). Further details of this service can be found on page 21 of [Effective Support for Children and Families in Essex](https://www.escb.co.uk/7813) (ESCB, 2021).

**How to contact Children’s Social Care in Essex:**

* Request for Support: Requests for support are made online via an [Online Form](https://www.essex.gov.uk/request-support-from-us/level-4-specialist-intervention). Details of how to make a good referral are included on the website
* Consultation Line: Settings can contact the Children & Families Hub on 0345 603 7627 and ask for the Consultation line
* Priority Referral: For emergencies that require a rapid social care response only. Telephone the Children and Families Hub on 0345 6037627 and ask for the Priority Line. Requests for Support made through the Priority Line must be followed up with a [written Request for Support](https://www.essex.gov.uk/request-support-from-us/level-4-specialist-intervention) within the given timeframe

# When to consider Early Help procedures

This guidance draws upon several statutory and non-statutory documents. The Designated Safeguarding Lead (DSL) and Deputy DSL (DDSL) should read the below documents in their entirety and be familiar with them.

|  |  |  |
| --- | --- | --- |
| **Document** | **Summary in relation to HSB** | **Specific pages of interest for Early Help advice** |
| [Effective Support for Children and Families in Essex](https://www.escb.co.uk/7813) (ESCB, 2021) | Guidance for all practitioners in working together with CYPs and families to provide early help, targeted and specialist support. | Early Help is discussed on pages 8 – 13, 20 – 22, 24 - 25 |
| [Keeping children safe in education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) (DfE, 2024) | Statutory guidance for schools and colleges on safeguarding CYPs, including information on how to handle cases of harmful sexual behaviour. | Part 1 of the guidance, as well as page 126 for the use of Early Help in HSB cases |
| [[Working together to safeguard children](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2) (DfE, 2023)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942454/Working_together_to_safeguard_children_inter_agency_guidance.pdf) | A guide to inter-agency working to safeguard and promote the welfare of CYP. In many incidents of harmful sexual behaviour, it will be important to engage other agencies and this document provides the framework for doing so. | Chapter 3, Section 1 covers Early Help |

[Effective Support for Children and Families in Essex](https://www.escb.co.uk/7813) (ESCB, 2021) sets out the indicators of need for Level 2: accessing additional support and early help. Early Help is appropriate where the threshold for referral to a statutory agency (Police and Children’s Social Care) is not met, but the CYP requires support from other services, whilst the setting manages the incident internally. [Keeping children safe in education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) (DfE, 2024) recognises that Early Help may be useful for non-violent HSB and for preventing sexual violence from escalating.

The Children & Families Hub may be contacted about an incident of harmful sexual behaviour or child on child abuse, as part of the setting’s response to an incident. The Children and Families Hub can provide advice and signpost to other services, to support the Early Help process. The Consultation Line at the Children & Families Hub can be contacted on 0345 603 7627.

**How to contact Early Help providers in Essex**

* [Early Help Drop-in sessions](https://www.essex.gov.uk/children-young-people-and-families/report-concern-about-child/im-professional-or-volunteer/level-2) are available in each quadrant for advice and guidance to settings
* A selection of Early Help resources, including Early Help Plan templates, can be found on the [ECC 'Resources for Practitioners' page](https://www.essex.gov.uk/resources-for-practitioners/early-help-resources)
* Team Around the Family Support Officers (TAFSOs) can be contacted via [TAFSO@essex.gov.uk](mailto:TAFSO@essex.gov.uk)
* The Essex [Directory of services](https://www.essex.gov.uk/directory-of-services) has the details for a vast number of services that can support CYP and families.
* The [Level 2: getting some additional support and early help page](https://www.essex.gov.uk/request-support-from-us/level-2-getting-some-additional-support-and-early-help) provides up to date information on Early Help options in Essex

# When to involve Health agencies

Settings should consider whether the CYP involved in an incident of harmful sexual behaviour / child on child abuse have any presenting health needs and whether they would benefit from a referral to a specialist health service. This may be for either the victim or alleged perpetrator for their physical, sexual, or mental health.

**Support for victims and survivors of sexual assault and abuse**

There are several specialist services who can support CYP who have experienced sexual violence. Settings should signpost CYP to these services following an incident and support with referrals if requested. Referrals will often be in parallel with referrals to police and social care. Settings should be aware that CYP who have been abused may not be ready to access help instantly and therefore should ensure that CYP are aware of the services so they can access them when/if they feel comfortable.

**Sexual Assault Referral Centre (SARC) -** CYP that have a health need arising from sexual assault or abuse can access specialist NHS support from a Sexual Assault Referral Centre (SARC). SARCs offer confidential and non-judgemental support to victims and survivors of sexual assault and abuse. They provide medical, practical, and emotional care and advice to all CYP and adults, regardless of when the incident occurred. Details of local SARCs can be found on the [NHS website](https://www.nhs.uk/live-well/sexual-health/help-after-rape-and-sexual-assault/).

**Independent Sexual Violence Advisors (ISVAs) -** Children and Young People’s Independent Sexual Violence Advisors (ChISVAs) provide emotional and practical support for victims of sexual violence. They are based within the specialist sexual violence sector and will help the victim understand what their options are and how the criminal justice process works if they have reported or are considering reporting to the police. ChISVAs will work in partnership with schools and colleges to ensure the best possible outcomes for the victim. In Essex, ChISAVs can be accessed via [Synergy Essex](https://synergyessex.org.uk/), a partnership of rape and sexual abuse centres in Essex (CARA and SERRIC). They deliver specialist community-based services in Essex for victims and survivors of all forms of sexual violence and abuse, sexual domestic violence, sexual harassment, and child sexual abuse.

Appendix G signposts to agencies and resources to support CYP who have experienced harmful sexual behaviour.

**Support for CYP displaying harmful sexual behaviours**

Settings should be aware that CYP who display harmful sexual behaviour have often experienced abuse and trauma themselves and this should be acknowledged within the response. It should also be acknowledged that displaying harmful sexual behaviour is often due to the CYP having an unmet need themselves.

Appendix G signposts to agencies and resources to support CYP who have displayed harmful sexual behaviour.

# When to contact the ECC Education Access Team

The Education Access Team has responsibility for commissioning suitable education for pupils who are unable to attend school, including permanent exclusion, suspensions, alternative education, and commissioned placements at Pupil Referral Units (PRUs).

If a permanent exclusion or suspension is being considered following an incident of HSB, the ECC Education Access Team can be contacted for advice and guidance using the contact details on the [Essex Schools InfoLink Education Access page](https://schools.essex.gov.uk/pupils/Education_Access/Pages/default.aspx). A commissioned placement at a PRU may be a more positive option and can be explored by making a [Request for support](https://schools.essex.gov.uk/pupils/Education_Access/Pages/Exclusion-and-Positive-Referral.aspx) to the Education Access Team. If a permanent exclusion is issued, the Education Access Team must be notified via a Permanent Exclusion Notification which can be found on the [Education Access Permanent exclusion page](https://schools.essex.gov.uk/pupils/Education_Access/Pages/Permanent-Exclusion.aspx). If a suspension is issued, the local authority must be informed without delay, regardless of the length of the suspension, by forwarding a copy of the suspension letter issued to parents to [suspensions@essex.gov.uk](mailto:suspensions@essex.gov.uk).