

# Sexual Violence, Sexual Abuse and Sexual Harassment Policy

This policy is available on-line at: [www.tynecoast.ac.uk](http://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

<b>Approved by:</b>	<b>Version:</b>	<b>Issue Date:</b>	<b>Review Date:</b>	<b>Contact Person:</b>
CMT	V1	April 2023	April 2026	Halls of Residence, General Manger

## Equal Opportunities:

**Impact Assessed**

**Review: 3 Year**

**POLICY NUMBER: 110**

## Sexual Violence, Sexual abuse and Sexual Harassment Policy

**Rationale:** Tyne Coast College, is committed to providing a safe and respectful environment where the whole community is able to learn and thrive free from sexual violence, abuse and sexual harassment. The College takes any incidents of sexual violence or sexual harassment very seriously and is committed to handling all reports sensitively, effectively and in a timely manner.

We are clear that sexual violence, abuse and sexual harassment are not acceptable, will never be tolerated and we accept that they are not an inevitable part of growing up. We will always challenge behaviour or language that seeks to normalise sexual harassment, sexual abuse or sexual violence in the College.

### What is meant by sexual violence, abuse and sexual harassment between learners?

- Sexual violence and sexual harassment can occur between two learners of any sex. Additionally, sexual violence, abuse and sexual harassment can occur through a group of students sexually assaulting or sexually harassing a single student or group of students.
- Students who are victims of sexual violence and sexual harassment will likely find the experience distressing. This will, in all likelihood, adversely affect their educational attainment. Tyne Coast College will aim to support these students to access their education and get the correct specialist support, working in partnership with the Police, local authority and parents.

### What is the definition of sexual violence?

For the purpose of this policy, when referring to sexual violence we are referring 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 the 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.

**What is consent?** Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex,

or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs.

**What is sexual harassment?** When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. 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, catcalling, wold whistling, and leering.
- sexual "jokes" or taunting
- physical behaviour, such as deliberately brushing against someone or interfering with someone's clothes
- displaying pictures, photos or drawings of a sexual nature.
- online sexual harassment, which might include non-consensual sharing of sexual images and videos and sharing sexual images and videos (both often referred to as youth produced sexual imagery (nudes /sexting), inappropriate sexual comments on social media, exploitation, coercion and threats.
- online sexual harassment may be standalone or part of a wider pattern of sexual harassment and/or sexual violence.

Sexual harassment creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

### **Special Educational Needs and Disabilities (SEND)**

Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers. Additional barriers can sometimes exist when recognising abuse in SEND learners. These can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- The potential for children with SEND being disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs
- Communication barriers and difficulties overcoming these barriers.

**Protected Characteristics**

Students who are lesbian, gay, bi, or trans (LGBTQ+) can be targeted by their peers. In some cases, a child who is perceived by their peers to be LGBTQ+ (whether they are or not) can be just as vulnerable as children who identify as LGBTQ+.

**Harmful Sexual Behaviour**

Students sexual behaviour exists on a wide continuum, from the perceived normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is “harmful sexual behaviour”. The term has been widely adopted in child protection and is used in this Policy.