

## Risk assessment for Child on Child abuse/ Harmful Sexual Behaviour

This Risk assessment is intended to be used by schools whereby an incident(s) of child on child abuse has occurred or is likely to occur and is deemed to meet level 3 and above in the Right Help Right time document. The Risk assessment will show considerations made for both/all pupils involved and will highlight the plan in place to keep all pupils safe. This will also take into consideration the rights, wishes and feelings of all children involved. Each section/question will be considered from the perspective of all pupils involved. Considerations will also be given for the impact on, and needs of, the wider school community. All concerns and proposed actions will be recorded. The school will work with the local multi-agency safeguarding hub (MASH- 014, the Education Safeguarding Lead and other agencies as necessary when completing this risk assessment. This document should be reviewed frequently to ensure it is fit for purpose. The terms victim and child alleged to have caused harm are used to identify the children involved. NB: there should be no assumption of guilt on the part of the child alleged to have caused harm, pending investigation.

### **Human Rights Act & The Equalities Act 2010.**

When completing this risk assessment, safeguarding staff must have absolute consideration for the HRA and Equalities Act. The victim and child alleged to have caused harm (including parents) must be made aware of these rights. These rights include:

- Article 3: the right to freedom from inhuman and degrading treatment (an absolute right);
- Article 8: the right to respect for private and family life (a qualified right) includes a duty to protect individuals' physical and psychological integrity;
- Article 14: requires that all of the rights and freedoms set out in the Act must be protected and applied without discrimination;
- Protocol 1, Article 2: protects the right to an effective education. Being subjected to sexual violence or sexual harassment may breach any or all of these rights, depending on the nature of the conduct and the circumstances.

### **Equality Duty**

Education settings are required to comply with relevant requirements as set out in the Equality Act 2010 (the Equality Act).

- According to the Equality Act, education settings must not unlawfully discriminate against pupils because of their sex, race, disability, religion or belief, gender reassignment, pregnancy or sexual orientation (protected characteristics).
- Whilst all of the above protections are important, in the context of this guidance [education settings should carefully consider how they are supporting their pupils](#)

with regard to their sex and sexuality

- Provisions within the Equality Act allow education settings to take positive action, where it can be shown that it is proportionate, to deal with particular disadvantages affecting one group. A school or college, could, for example, consider taking positive action to support girls if there was evidence they were being disproportionately subjected to sexual violence or sexual harassment.

A risk assessment should be completed for all cases relating to sexual violence or alleged sexual violence. Sexual violence is defined by the sexual offences act 2002 as “criminal acts: rape, assault by penetration and sexual assault”.

This risk assessment should be completed with reference to [Keeping Children Safe In Education, DFE Sexual Violence and Sexual Harassment in schools and colleges and the local West Midlands policy \(2.24\)](#)

Basic information	Details
Referrer Name and role	
Referrer Contact details (email address and phone number)	
Name of school(s) for victim(s)	
Name of school(s) for child/ren alleged to have caused harm	
Did incident occur on school premises? If not where did the incident occur?	

Considerations	Risk (consider victim, child alleged to have caused harm, other pupils and staff)	Risk level (high, medium or low)	Actions to reduce risk	Revised risk level (high, medium or low)
What is the incident?				
Who was involved?				
Where did it happen				

Considerations	Risk (consider victim, child alleged to have caused harm, other pupils and staff)	Risk level (high, medium or low)	Actions to reduce risk	Revised risk level (high, medium or low)
<p>Does this incident constitute a crime? Assault, sexual assault, rape, sharing of indecent images of children, etc etc. As such has this been referred to the police?</p>				
<p>Is it necessary to limit contact between the children involved? Refer to KCSiE and DFE guidance on sexual harassment and sexual violence in schools and colleges.</p>				
<p>Is there an actual or perceived threat from the child alleged to have caused harm to the victim and/or others?</p>				
<p>Is either the victim or the child alleged to have caused harm at risk of physical harm as a result of this incident (for example, bullying or 'retribution' by peers)?</p>				
<p>Do they share classes?</p>				

Considerations	Risk (consider victim, child alleged to have caused harm, other pupils and staff)	Risk level (high, medium or low)	Actions to reduce risk	Revised risk level (high, medium or low)
Do they share break times? Do they share peer/friendship groups?				
Do they share transport to/from school?				
Are they likely to come into contact with each other (or anyone else involved in/with knowledge of the incident) outside of school?				
How can such contact be limited?				
Is there a risk of harm from social media and gossip?				

**Further action taken by the school or college: Please complete for each child involved.**

Action	YES/NO	Date
Police informed		
Referral to MASH		
Referral to external support services		
Referral to internal support services		
Referral to CAMHS		
Referral to early help		
Other		

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Referral to external support services		
Referral to internal support services		
Referral to CAMHS		

Action	YES/NO	Date
Referral to early help		
Other		

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