

## Women and Equalities Commission Report into Sexual Harassment and Sexual Violence in Schools

### Summary of report recommendations and a summary of the government's responses

This information paper provides a summary of the **Women and Equalities Commission (WEC)** report into sexual harassment and sexual violence in schools, published 13 September 2016, together with a summary of the government's responses.

The recommendations in their report are followed by a summary of the **government's responses**, as published 9 November 2016.

### Summary of WEC findings

Sexual harassment and sexual violence in schools is a significant issue which affects a large number of children and young people. The majority of perpetrators are boys, and the majority of victims are girls. However, it is widely believed that the numbers of boys experiencing abuse is heavily underreported. The report makes clear that it is essential that the negative impact on both genders is recognised and addressed. Disabled, SEN and LGBT children and young people are at particular risk. Black Asian and ethnic minority (BAME) children can experience sexual harassment in different ways and Muslim girls may also be at particular risk in the wake of national, high profile child sexual exploitation (CSE) cases.

There is no centralised data collection of sexual harassment and sexual violence in schools; under reporting and lack of consistency in how and when schools report makes it hard to establish a definitive picture of levels of sexual violence in schools. There is insufficient data to conclusively demonstrate that sexual harassment and sexual violence in schools is a growing problem and such behaviour has occurred in schools for many years, as in wider society. However, significant qualitative evidence suggests that increasing access to pornography and technological advances, including online platforms, can facilitate harassment and violence and thus exacerbate the problem.

This is a widespread, regular and common problem that begins in primary school. Surveys consistently find girls and women reporting high levels of sexual harassment and sexual violence in school. Examples listed:

- 59% of girls and women aged 13 to 21 said they had faced some form of sexual harassment at school or college in the past year.
- 22% of 7 to 12 year-old girls have experienced jokes of a sexual nature from boys.
- 29% of 16 to 18 year-old girls say they have experienced unwanted sexual touching at school.

- 71% of 16 to 18 year-olds (boys and girls) say they hear sexual name-calling (for example, 'slut', 'slag') used towards girls on a daily basis or a few times a week.
- 28% say they have seen sexual pictures on mobile phones at school a few times a month or more.
- 41% of UK girls aged 14 to 17 in an intimate relationship experienced some form of sexual violence from their partner.

These findings are corroborated by qualitative evidence, including teachers reporting pupils taking naked photos or filming themselves masturbating, and regular incidents of girls sending these images to their boyfriends who then forward the images on to their friends.

Young people who gave evidence noted the ubiquity of sexual harassment in school, reporting that it occurs "multiple times a day." One girl told the inquiry, "I guess the thing that people would say they see the most, and we see as well, is slapping of bums and flicking [lifting up] of skirts. That is a common thing that people see in schools. There is also derogative term-calling - calling women bitches and stuff like that - which is also a common thing that you see in school, on a daily basis really."

There is a normalisation of sexual harassment and sexual violence in schools which is often dismissed as 'just teasing' by a 'boys will be boys' culture, often positioned as 'a joke', and therefore not reported. This normalisation is also described by academics working in this area.

Many schools are currently failing to adequately respond to and prevent incidents of sexual harassment and sexual violence in the school environment, and failing to support students experiencing these issues outside of school.

Schools lack clear guidance, training and structures to deal with incidents of sexual harassment and sexual violence, and, according to the report, incidents are often not taken sufficiently seriously by school leaders.

Sexual harassment and sexual violence incidents have serious implications for the mental health and well being of children and young people, and on school life. It can impact on both genders, including reduced self-esteem, confidence and ability to concentrate in class or to speak out, reduced levels of empathy in perpetrators and the normalising and acceptance of a range of violent behaviours.

75% of girls aged 11 to 21 say anxiety about experiencing sexual harassment negatively affects their lives in some way<sup>1</sup>. 25% of 11 to 16 year old girls say that concerns over potential sexual harassment make them consider whether or not to speak out in class<sup>2</sup>. Other impacts identified were:

- post-traumatic stress disorder
- self-harm
- isolation and withdrawal
- substance use
- depression and anxiety
- non-attendance at school
- physical and emotional harm, including teenage pregnancy and STDs

1 The Girlguiding UK's 2015 survey

2 UK Feminista

## WEC recommendations: a whole school approach

**Recommendation 1:** *The government and schools must make tackling sexual harassment and sexual violence an immediate policy priority (paragraph 48).*

### Government response

**No plans for additional duty on whole school approach.** The legal framework is already strong<sup>3</sup> and <sup>4</sup>, but government supports whole school approach in primary and secondary schools.

**Recommendation 4:** *The Department for Education (DfE) should develop, publish and publicise national guidance on adopting a whole school approach to reducing and preventing sexual harassment and sexual violence in all primary and secondary schools. This guidance should be published so schools can implement it in September 2017 (paragraph 92).*

### Government response

**Propose a holistic school-based approach** to support schools to tackle this issue through three new areas of work:

- Support for schools to produce their own new codes of practice.
- Building the evidence base.
- Set up advisory group to review Keeping children safe in education (KCSIE) and DfE's Bullying and Behaviour guidance.

**Recommendation 5:** *The government should create a statutory obligation in the forthcoming Education Bill for all schools, primary and secondary, to develop a whole school approach to preventing and tackling sexual harassment and sexual violence. We also recommend that the DfE remind all school governors of their legal obligations to address sexual harassment and sexual violence in school. Guidance and support on how to achieve this most effectively should be provided to governing bodies (paragraph 94).*

**Recommendation 9:** *The obligation on schools to prevent and address sexual harassment and sexual violence that we called for in paragraph 94 must include independent schools (paragraph 124).*

### Government response

**Supporting schools to produce their own new codes of practice:** these codes will be optional and will need to be designed to respond to the needs of each particular school.

Government will invite educational experts, unions, head teachers, sexual harassment and sexual violence sector specialists, the PSHE Association, safeguarding specialists, and other sector specific experts such as LGBT, race and bullying experts to join them in "working through the framework of support for schools". Government will also consult with young people, through sector organisations, to capture and explore their views on sexual harassment and violence in schools, and around tolerance and inclusion generally.

### Building the evidence base

Accepts evidence is limited. Plans to undertake research to better understand the scale and scope of the problem as well as providing best practice examples of effective ways to promote gender equality and prevent and respond to incidents of sexual harassment and sexual violence.

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3 Equality Act, 2010, Public Sector Equality Duty, Keeping Children Safe in Education (KCSIE) guidance peer on peer abuse, delivery of Sex and Relationship Education (SRE) in maintained schools, requirement to have behaviour and bullying policies.

4 Note apparent rise in other forms of harassment; cyber bullying and hate crime and cultural context in schools where intolerance feels more prevalent.

NFER Teacher Voice survey and DfE surveys of post-16 institutions and of pupils and parents and carers to include specific questions on sexist and racist bullying. Findings to be available in February or March 2017.

The Government Equalities Office (GEO) is developing a work programme aimed at identifying and disseminating research evidence and best practice on engaging men and boys with gender equality, with a particular focus on effective engagement with boys in school around healthy gender relationships.

Proposal to establish qualitative research into the attitudes and behaviours of young people to better understand the underlying drivers of inequality and harassment among young people and provide more in-depth information about so-called 'low-level' behaviours and intolerance.

Set up advisory group to review *KCSIE* and DfE's **Bullying and Behaviour guidance** with sector specialists at the earliest opportunity as priority. Consider what further guidance schools need. Current bullying guidance does not currently cover incidents of sexist bullying - ensure updated guidance directly references sexist bullying and signposts to further sources of support.

Tom Bennett Review on Behaviour Management focus on leadership, culture and systems used to tackle disruptive pupil behaviour to consider WEC recommendations and report in the autumn.

### **On governors**

A whole school approach to tackling sexual harassment and sexual violence needs to involve all staff as well as governors. The next iteration of the **Governor's Handbook** will remind all school governors about their legal obligations and how they relate to addressing sexual harassment and sexual violence in schools.

### **On independent schools**

The WEC makes a specific recommendation about addressing sexual harassment and sexual violence in independent school settings through inspectorates checking the extent to which schools monitor, record and take action on such behaviour. Inspectorates already do this in relation to all safeguarding incidents, under frameworks agreed with government, as part of their checking school's compliance with the independent school standard. The standard requires the school to make arrangements to safeguard and promote the welfare of pupils, and to take account of the requirements of statutory guidance, including *KCSIE*.

### **WEC recommendations: clear definitions, and recording and monitoring incidents**

**Recommendation 7:** *as part of the whole school approach guidance we have recommended, the government should ensure all schools receive clear definitions of what constitutes sexual harassment and sexual violence. Schools also need information on how to record, monitor and respond to incidents, including when to report them to the police. All schools should collect this data. It should be collated nationally and published annually (paragraph 111).*

### **Government response**

We will work with sector experts to provide more clarity on what constitutes 'low level' sexual harassment that might not meet the threshold for criminal behaviour, as part of work supporting schools to develop a code of practice for a whole school approach to inclusion and tolerance. This work will be informed by planned qualitative research with children and young people into their attitudes and behaviours, and by consultation with children and young people on the development of the school code of practice.

We do not propose to require all schools to collect data for national collation and comparison. We would prefer that schools base their recording and monitoring of incidents on their own professional judgement, rather than a set of prescribed criteria that can be misinterpreted and misrepresented, and will necessarily always exclude some incidents which are nonetheless serious. Ofsted consider schools' records as part of their inspections.

## WEC recommendations: guidance and monitoring

**Recommendation 2:** *we recommend that KCSIE should directly reference sexual harassment and sexual violence. It should refer schools to a whole school approach as the most effective means of tackling this problem. Specialists working in the field of sexual harassment and violence against women and girls should be consulted on the best ways to draft these revisions to KCSIE (paragraph 73).*

**Recommendation 3:** *Ofsted and government guidance on bullying should be amended immediately to include direct reference to sexual harassment and resources for how to deal with it (paragraph 80).*

### Government response

KCSIE is a living document that is regularly updated to reflect current safeguarding issues, and has recently been updated to reflect gender-based violence and different gender issues when dealing with peer on peer abuse, including girls being sexually assaulted. As outlined above, in response to the committee's recommendations we will be setting up an advisory group of specialists from the sexual harassment and sexual violence sector to review KCSIE as well as looking at DfE's behaviour and bullying guidance.

**Recommendation 8:** *in order for Ofsted to successfully monitor schools' progress in this area, it must update its training and guidance by September 2017 so all schools are inspected on how effectively they are preventing and dealing with sexual harassment and sexual violence (paragraph 119).*

### Ofsted response

Ofsted has amended its **School inspection handbook**, which applies to section 5 inspections from September 2016, so that this matter is covered explicitly. As part of the inspection, Ofsted inspectors will request that the following information is available at the start of the inspection: "... records and analysis of bullying, discriminatory and prejudicial behaviour, either directly or indirectly, including racist, sexist, disability and homophobic bullying, use of derogatory language and racist incidents." Ofsted does not publish guidance on bullying. It will, however, have regard to any guidance to schools issued by the government when conducting inspections.

As part of Ofsted inspections, inspectors will expect to see schools promoting clear messages about the impact of bullying and prejudiced behaviour, in all its forms, and pupils working with the school to tackle and prevent occurrences of bullying. They will expect schools to adopt an open culture which actively promotes all aspects of pupils' welfare, and for pupils to understand how to keep themselves and others safe in different situations and settings.

Ofsted provides extensive training for inspectors on safeguarding, which includes gender-based violence and domestic violence. Inspectors also receive training on LGB&T which includes sexual harassment. In addition to the standard training, inspectors also attend Ofsted conferences which include sessions on key issues, such as safeguarding. For example, the most recent conference in September included a session on child exploitation, which featured a case study of sexual harassment of a 14 year-old girl. There are no plans for additional specific training on sexual harassment and violence, but Ofsted will continue to review its training regularly and adapt it as appropriate in the future. Ofsted will also ensure that all inspectors are sighted on the committee's report and findings.

## WEC recommendation: PSHE and SRE

**Recommendation 10:** *we recommend that personal, social, health and economic education (PSHE) and sex and relationship education (SRE) are made statutory subjects as part of the new Education Bill (paragraph 151).*

**Recommendation 14:** *the government should immediately update its guidance on SRE to include teaching about pornography. The new guidance should offer advice to schools about how to approach this topic in an age-appropriate way. It should also include suggestions of how schools can work in partnership with parents to address the impact of pornography on children's perceptions of sex, relationships and consent (paragraph 213).*

### Government response

We will look at how what is taught in PSHE and SRE can fit into a whole school approach and reflected in codes of practice. We are conscious that the existing SRE guidance was last updated in 2000 and the case for further action on PSHE and SRE delivery is actively under review, with particular consideration to improving quality and accessibility.

Government published guidance in 2013 on PSHE education confirming PSHE is an “important and necessary part of all pupils’ education. All schools should teach PSHE, drawing on good practice, and this expectation is outlined in the introduction to the national curriculum.”

So, PSHE should be taught as part of the national curriculum, and academies are encouraged to teach it as part of a broad and balanced curriculum.

SRE is compulsory in maintained secondary schools and many academies and free schools choose to teach it as part of their statutory duty to provide a broad and balanced curriculum. Where schools teach SRE they must have regard to statutory guidance.

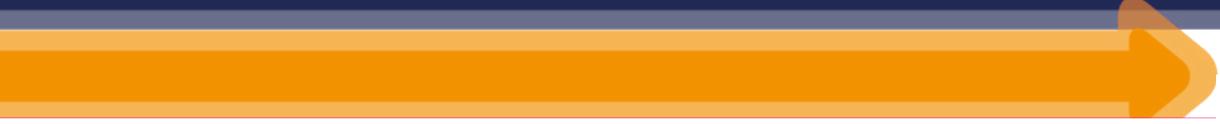
The PSHE Association has produced a suggested programme of study as guidance for teachers, and continues to provide wider support by highlighting other sources of expertise. They also provide a quality assurance service for other providers of resources, further strengthening the confidence of teachers when selecting appropriate materials.

## WEC recommendation: data

**Recommendation 6:** *we recommend that police data record the incidence of sexual harassment and sexual violence in schools specifically. This would allow for better analysis of the prevalence and increase/decrease of this problem (paragraph 107).*

### Government response

The government is committed to tackling sexual violence and expects every report to be treated seriously from the point of disclosure, every victim to be treated with dignity and every investigation and every prosecution to be conducted thoroughly and professionally. The Home Office continues to work with the police to look at ways to improve police investigations and prosecutions of rape. The Home Office expects local police to be engaging with schools, and other local services, on a range of issues affecting communities, including child sexual abuse (CSA) and child sexual exploitation (CSE), sexual harassment and other forms of sexual violence and recording crimes accordingly. The Home Office rules have been updated to make clear that all sexual offences in schools, including those which amount to pupils sending indecent images, must be recorded. The Home Office has worked with police forces to record more detailed information relating to individual crimes, including better identifying the place crimes are committed (for example, in schools).



From April this year, two mandatory collections were added to the Annual Data Requirement (ADR) to record the number of notifiable offences involving child sexual abuse (CSA) and child sexual exploitation (CSE) against victims. This is to improve our understanding of the scale and nature of CSA and CSE reported to the police. From April 2017 it will become mandatory for forces to record the number of incidents involving CSE. The Home Office has supported the publication of data on rape for every police force in the country as a basis for improving recording and investigations of rape.

### **WEC recommendation: teacher training**

**Recommendation 11:** *as part of its ongoing review of Initial Teacher Training, we recommend that the government assess the most effective ways to ensure all school staff are well trained to deal with and prevent sexual harassment and sexual violence. The government should report back to us with their findings and plan of action by March 2017 (paragraph 161).*

### **Government response**

All Initial Teacher Training (ITT) courses must ensure that trainee teachers can meet the Teachers' Standards, which includes managing behaviour effectively to ensure a good and safe learning environment. Teachers must also have regard for the need to safeguard pupils' well-being, in accordance with statutory provisions, and show tolerance of and respect for the rights of others.

On 12 July 2016, the Department published a new framework of core content for ITT, developed by an independent group of experts chaired by Stephen Munday CBE. The aim is to improve the consistency and quality of ITT courses by supporting teacher trainers and trainees to have a better understanding of the essential elements of good ITT content. It specifies content on behaviour management and emphasises that providers should instruct trainees on the legal responsibility they have as teachers with regard to safeguarding, including how to refer safeguarding concerns within a school.

In addition, behaviour expert Tom Bennett chaired a separate expert group that has developed core content on behaviour management for initial teacher training which is included in the broader framework of the core content that was developed by the Munday group.

The updates to ITT, however, will only impact on those new to teaching, and not our existing and experienced teachers. The evidence is clear that most successful education systems in the world are characterised by strong systems of professional development, high levels of lesson observation and ongoing performance management. Decisions relating to teachers' professional development rightly rest with schools, head teachers and teachers themselves, as they are in the best position to judge their own requirements.

An expert group of teachers, headteachers and academics developed a new Standard for Teachers' Professional Development published on 12 July 2016. This should be used by anyone working in, and with, schools.

### **WEC recommendation: research into boys and young men**

**Recommendation 12:** *we welcome the government's interest in supporting boys and young men to be part of the solution to the problem of sexual harassment and sexual violence. We recommend that the government fund research to establish the most effective ways to achieve this (paragraph 170).*

### **Government Response**

Prevailing stereotypes about traditional gender roles - where men are expected to be powerful and sexually assertive, while women are judged on their physical appearance and sexual availability to men - form the basis of unhealthy and disrespectful relationships. In a school environment, where young people often seek

social status through the assertion of more 'adult' identities, where peer pressure and group norms can be felt intensely, and where many have yet to develop maturity and resilience, this can result in groups norms and individual behaviours that are disrespectful at best and abusive at worst.

The successful Disrespect NoBody campaign, launched earlier this year, was the second phase of the acclaimed teen relationship abuse campaign This is Abuse. The campaign challenges young people's understanding of what constitutes abuse within a relationship, including newer issues facing young people like sexting. It uses a range of digital and audio adverts which address many different forms of relationship abuse and situations including in same sex relationships. Some contained gender-neutral messaging, others depicted male victims and female perpetrators.

To support the campaign, the PSHE Association produced a new resource for teachers, support workers and other professionals working with young people. The guide uses the campaign adverts to help professionals facilitate discussions with teenagers on what constitutes abuse in all types of relationships – including relationships involving lesbian, gay, bi and transgender (LGB&T) young people. The resource can be downloaded for free by teachers and schools to prompt discussions about abuse or harassment among teenagers.

Government is also planning to carry out qualitative research with children and young people to look at their attitudes and behaviours to further inform this work.

### **WEC recommendation: facilitating specialist sector expertise**

**Recommendation 13:** *the government should create a fund to support specialist sector organisations to use their expertise to help schools tackle sexual harassment and sexual violence (paragraph 190).*

### **Government response**

We are not planning a specific sexual harassment and sexual violence sector fund, however, as part of the work to support schools develop codes of practice, we will look at the sort of external support and training schools might seek to draw on and how to access it.

There are already a number of funding streams that specialist sector organisations are able to bid for to deliver support to schools to tackle disadvantage or discrimination. £4.4m goes directly to sector organisations from two anti-bullying grants programmes run through both the DfE and GEO. These address bullying across a number of areas including working with schools on hate-related bullying, and homophobic, biphobic and transphobic (HBT) bullying with a particular expectation to understand the influences and similarities with gender-based bullying.

## Further information

DfE, *KCSIE*

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

DfE, Bullying and behaviour

<https://www.gov.uk/government/publications/preventing-and-tackling-bullying>

DfE, School inspection handbook

<https://www.gov.uk/government/publications/school-inspection-handbook-from-september-2015>

DfE, Standard for teachers' professional development

<https://www.gov.uk/government/publications/standard-for-teachers-professional-development>

DfE, Governors' Handbook

<https://www.gov.uk/government/publications/governance-handbook>

Disrespect NoBody campaign

<https://www.disrespectnobody.co.uk/>

PSHE Association

<https://www.pshe-association.org.uk/>