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Zero tolerance to sexual harm in schools – from broken rules to broken systems*

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ABSTRACT

In 2020, student disclosure of sexual harm through the website "Everyone's Invited" reignited discussions of sexual harm in schools with many calling for "zero tolerance" approaches to sexual harm. This article considers the impact of zero tolerance policies drawing upon school policies and practices, coupled with students experiences. The article draws upon findings from a mixed-methods study conducted from 2018–2020 within four local authority areas in England: focus groups with staff and students, surveys with students and parents, case review, observations, and school self-assessments. Analysis evidenced that where schools drew on punitive and sanctions-based approaches these impacted student disclosure, limited staff decision making, and were not seen to be effective by students. Rather than zero tolerance policies, the findings evidence the need to: tackle environments where sexual harm is tolerated; consider systemic barriers to disclosure, and expand what justice means for responses to sexual harm in schools.

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Contextual safeguarding; harmful sexual behaviour; peer-on-peer abuse; sexual harm; schools; zero tolerance

Practice impact statement

The findings of this study into sexual harm in schools are relevant for policy makers and schools in light of recent evidence of the prevalence of these behaviours in schools. The findings consider the impact of school policies on sexual harm, specifically zero-tolerance and offer suggestions for effective responses.

Introduction

In 2020, Soma Sara started posting about her experiences of sexual harm at school in England on social media. From this, the movement *Everyone's Invited* was born, leading to thousands of testimonies in the UK and internationally about student – and girls and women in particular – experiences of sexual harm, such as sexual harassment, unwanted touching, online abuse, sexual assault and rape, in schools and universities. While students, researchers and campaigners have been raising the profile of sexual harm in schools, and between students outside of schools, over recent years (Girlguiding, 2017; House of Commons, 2016; UK Feminista & National Education Union, 2017) *Everyone's Invited* has drawn this debate into the public spotlight. Discussions about the extent of sexual harm in and beyond schools and what educators and policymakers need to do keep young people safe are being revisited. Following this, England's schools regulator Ofsted completed a review into sexual

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*This research was undertaken at the University of Bedfordshire.

abuse in schools and colleges and found that "the issue is so widespread that it needs addressing for all children and young people" (Ofsted, 2021, p. Online).

Faced with mounting evidence of the prevalence of sexual harm in schools and growing public pressure in the era of *Everyone's Invited,* many campaigners are promoting a "zero tolerance" approach to sexual harassment and violence in schools. On their website, *Everyone's Invited* provide guidance for schools to "Develop and adopt a zero tolerance policy in consultation with staff and students" (Everyone's Invited, 2021, p. Online). A number of high profile campaigners also called for zero tolerance approaches including Universities UK (Universities UK, 2016), the Association of Colleges (Association of Colleges, 2021), the National Association of Head Teachers, National Education Union, UK Feminista and Girlguiding (Adams, 2016; UK Feminista & National Education Union, 2017).

Sexual harm in schools is systemic and cultural, requiring more than a two-word policy. Few organisations specifically outline what, in practice, is meant by a zero tolerance approach to sexual harm in schools (Adams, 2016; Everyone's Invited, 2021). There is limited evidence into the use and impact of zero tolerance in response to sexual harm specifically. This article attends to this evidence gap by presenting findings from research in four schools on the relationship between the policy position of those schools and the impact this had on staff responses and student disclosure. In the context of mounting pressure for schools to respond to sexual harm and with the increasing profile of zero tolerance, we argue that instead of zero tolerance, responses to sexual harm must first challenge the harmful cultures where sexual harm *is* tolerated that prevents students and staff from identifying and disclosing harm. In this paper, we use harmful sexual behaviours (HSB) to describe behaviours displayed by young people that are considered developmentally inappropriate, violent or abusive (Hackett, 2014). We use sexual harm as a broader term to encompass HSBs and the wider social and cultural impacts these can have.

Sexual harm in schools

In the UK and internationally student experiences of sexual harm within and outside of schools has been increasingly documented in research and reports (Firmin et al., 2019; Jones et al., 2008; Ofsted, 2021; UK Feminista & National Education Union, 2017; Waters et al., 2021; Young et al., 2009). While this points towards the extent of HSB in schools, there continues to be calls for further research that highlights school-specific challenges to identifying and responding to HSB, and the need for more adequate processes and responses in schools (Clements et al., 2017). Historically, concerns and responses to child sexual abuse in schools have centred on adult-to-child abuse or teacher perpetrated abuse (Firmin, 2017). Consequently responses to peer-on-peer HSB have been left undeveloped, or responded to in ways that reflect adult-perpetrated harm involving criminal justice (Masson, 1997). Research with teachers has evidenced that they feel unequipped to respond to HSB (BBC, 2021) and require greater information, training and procedures (Draugedalen, 2020; Waters et al., 2021).

A number of factors make peer-to-peer forms of harm, including HSB, particularly difficult to address. While recognising that behaviours fall across a continuum can help identify the level and types of support required for young people (Hackett, 2014), understanding factors such as "consent", "developmental appropriateness", "power" and "coercion" can be extremely complex without support and training, and within a context where abusive forms of HSB have been normalised (Draugedalen, 2020; McNeish & Scott, 2018; Ringrose et al., 2021). Secondly, while policy guidance is developing, schools face challenges in identifying what constitutes harm that requires external referral or can be "managed internally" and how to do so (Department for Education, 2017; Lloyd, 2019). Thirdly, child protection systems designed to address abuse, such as sexual harm, were developed with the aim of responding to adult perpetrated harm and particularly that related to parents or lack of parental control - not harm by other children (Lloyd & Firmin, 2020). Relying on systems designed for adult perpetrators can create a binary between victim/perpetrator and obscure the idea of who has harmed and who is in need of support (Allardyce & Yates,

2018). In addition to these complexities are the shame, guilt and barriers to disclosure which can limit victims and instigators seeking help and obscure the ability of adults to address harm (Finkelhor, 2009).

Despite the prevalence of sexual harm in schools, students are not facilitated to talk about their experiences. Research highlights the institutional, relational and social barriers to disclosing sexual harm (Alaggia et al., 2019; Allnock et al., 2019; Brown et al., 2020; RCIR, 2017). Within schools, powerful norms and values shape the "rules" that influence young people's likeliness to report sexual harm (Alaggia et al., 2019; Allnock & Miller, 2013; Firmin, 2020). These include school environments, where heterosexual cisgender values are promoted above all else, and where males are often rewarded for acting in ways that reproduce toxic masculinity (Harvey & Ringrose, 2015). These social conditions not only constrain students' ability to disclose issues (due to adverse social repercussions for the discloser or reporter) (Firmin, 2020), but also normalise harm to the point where young people accept this as a part of school life (Lloyd, 2020). Schools exist as part of wider heteronormative patriarchal contexts whereby violence against women and girls is normalised and tolerated. The wider literature base beyond schools suggests that disclosure may be inhibited by fears of negative reaction from peers and others (Easton et al., 2014; Münzer et al., 2016; RCIR, 2017), oppressive norms associated with masculinity, such as being called "gay" (Easton et al., 2014), fears of not being taken seriously or believed (Schönbucher et al., 2012); as well as the way in which system responses to disability, ethnicity, gender, and/or sexual orientation create additional barriers (Collin-Vézina et al., 2015; Halvorsen et al., 2020; Sawrikar & Katz, 2017).

Schools can be protective, safe and supportive contexts for young people, but they can also be contexts where young people can experience harm through problematic school cultures that go unchallenged or unchanged (Firmin et al., 2019; Sulkowski, 2011; Thapa et al., 2013). The Royal Commission into Institutional Responses to Child Sexual Abuse (RCIR, 2017) identified numerous problems in the way that schools responded to CSA, which reflects research from elsewhere (Brown et al., 2020; Lichty & Campbell, 2011; Lloyd, Walker, & Bradbury, 2020; McNeish & Scott, 2018). Factors included: failures of schools to act on disclosures (Easton et al., 2014; Lloyd, Walker, & Bradbury, 2020; Ofsted, 2021), cultures that prioritised protecting the school's reputation over the safety of students, poor leadership or governance meaning that young people lack trusted people to talk to (Schönbucher et al., 2012; Sulkowski, 2011), inadequate recordkeeping and information sharing, poor quality sex education, limited engagement with families and communities providing little avenue for open communication, inadequate school policies (Draugedalen, 2020), lack of skill and confidence in responding to sexual harm (Brown et al., 2020; Clements et al., 2017), insufficient consideration of diversity where schools are not alert to the unique needs and vulnerabilities (Priebe & Svedin, 2008), and physical features of the school combined with limited supervision (Brown et al., 2020).

While the emphasis has overwhelmingly been on barriers to disclosure, Brennan and McElvaney (2020) emphasise the importance of understanding the enablers to disclosure including: trust, the impact of emotional distress, wanting action, understanding that HSB is harmful, being asked and being believed, needing to tell, and having opportunities to do so. As such, organisations have raised the need for whole-school approaches that facilitate safe disclosure options for students, as well as prevention, response, and systemic change (AVA, 2018; Morrison, 2007).

What the literature points towards, is a combination of institutional, contextual and cultural factors that limit or enable school responses to sexual harm, and the consequent difficulties staff have in identifying abuse, and young people have in disclosing. What does this mean in the context of zero tolerance as a response to sexual harm?

Zero tolerance policies and exclusionary approaches

Zero tolerance refers to "policies that punish offenses severely, no matter how minor" (Skiba & Peterson, 1999, p. 373). Despite being frequently referenced as an approach needed to tackle sexual harm (Everyone's Invited, 2021) there is limited evidence of their effectiveness for doing so in schools

specifically. Zero tolerance emerged from United States' drugs enforcement, and soon became applied to schools for a range of "misdemeanours" following the signing of the Gun Free Schools Act in 1994 (Skiba & Knesting, 2002). Throughout the 1990s and 2000s zero tolerance policies were quickly implemented in schools across the US, United Kingdom and Canada (Robinson et al., 2012). According to Welch and Payne (2018), correlated with the rapid uptake of zero tolerance in the UK, student expulsions from UK schools increased from 2,910 in 1990–1991 to 12,700 in 1996–1997. Welch and Payne (2018) suggest that it was not an increase in offences that lead to this rise, but rather the rapid and extensive use of zero tolerance policies. Yet despite their widespread use, research into zero tolerance policies over the last two decades does not evidence their effectiveness or appropriateness for being applied to sexual harm in schools (White & Young, 2020).

In relation to sexual harm, there is limited research into the effectiveness of zero tolerance policies specifically (see Stein, 2001). Yet evidence into zero tolerance in schools for other behaviours, coupled with research into responses to child sexual abuse, paint a concerning picture of what the use of zero tolerance for sexual harm could be. The lack of guidance on the limits of zero tolerance mean that such responses are often based on subjective decisions and individual discretion. Skiba and Knesting (2002) highlighted how in one "zero tolerance" school, two-thirds of all disciplinary referrals came from only a quarter of the teachers. This is particularly concerning when bias and discrimination, due to deep-rooted institutional and systemic racism and discrimination, can influence safeguarding responses (Davis, 2019; Epstein et al., 2017; Goff et al., 2014; Morrison, 2007).

The universal nature of zero tolerance policies, that fail to grapple with the complex nature of sexual harm through an intersectional and equitable lens, may exacerbate existing inequalities. There is evidence that zero tolerance disproportionately affects students of colour (Giroux, 2003; Watts & Erevelles, 2004), students with educational needs and disabilities (Losen et al., 2014), and students with substantiated experiences of intra-familial abuse and neglect (Skiba & Knesting, 2002). Marginalised young people may be disproportionately punished by zero tolerance policies such as LGBTQ+ students (Anderson et al., 2021; Snapp & Russell, 2016), Black young boys who already experience excessive exclusionary discipline (Davis & Marsh, 2020), Muslim students, Gypsy, Roma and Traveller students, and young girls (Connelly et al., 2020); for whom surveillance is an everyday reality. On the other hand, zero tolerance policies may miss others, such as Black young girls who, due to systemic racism, may be perceived as being less innocent and more resilient to sexual harm (Davis, 2019; Epstein et al., 2017).

Despite seeking to create safer school environments, research suggests the converse may be true. These policies reflect the underlying colonial narrative that equates punishment to justice (Meiners, 2011). Stein (2003, p. 791) highlights how "zero tolerance is predicated on removing children, not reforming children". Not only does this individualise the response to harm, but it also applies ideas built on adult criminal justice as a framework that should work for adolescence (Gordon, 2001). In treating all infringements with severe consequences, teachers are forced to adopt a binary approach to harm that does not recognise the context and nuances of behaviour. The impact of this is that teachers and staff may be too scared to respond because they know that students will be excluded or even criminalised (Connelly et al., 2020; Joseph-Salisbury, 2020) and students may be worried about disclosure because of the possible criminalising response to their peers. Such influence has already been seen in the response to sexual image sharing in schools (Setty, 2020).

Beyond schools, zero tolerance approaches have been applied to tackle sexual harm in different contexts. In the 1990s Women's Aid, a domestic violence charity, started a Zero Tolerance campaign of violence against women and children in Edinburgh. The aim of this campaign was to move gendered violence up the political agenda and increase women's participation, power and access to changing politics (Mackay, 1996). Alongside the aims of increasing awareness and services, was the desire to promote a criminalisation strategy (Kitzinger & Hunt, 1993). Evaluations of this campaign found it to have been positively received by the public (Kitzinger & Hunt, 1993) and a successful means of raising the issue of gendered violence within local government (Mackay, 1996). Since

then this campaign has been credited with highlighting the need for programme's which address male violence and supporting funding of domestic violence organisations (Dobash et al., 2000).

In 2003 the United Nations (UN) instituted a zero tolerance ban of sexual activities between peacekeeping personnel and "local people". Yet studies found that they failed to address the broader structures of poverty and gender-inequality underlying the need for "survival sex" in these contexts, instead protecting the conservative interests of institutions (Kanetake, 2010; Otto, 2007). There are stark differences between the two approaches. Women's Aid took steps to raise women's involvement in informing and shaping policies, while zero tolerance approaches employed by the UN were "top-down". What this suggests is that zero-tolerance, to be successful, requires policies which seek to tackle tolerance of sexual harm, are lead and designed by those that are affected by these issues – such as women and girls – and are flexible in their approach and aims. At the same time, it is worth noting that Women's Aid aimed to progress a criminalisation strategy. While it is not clear if this was successful it is important to consider its relevance to young people and restorative approaches to justice.

Building on the research into zero tolerance with literature on systemic and cultural barriers to disclosure, this article explores the implications of policy approaches to HSB for students in four schools in England as detailed below.

Methodology

This article presents findings from a two-year mixed-methods study undertaken from June 2018 to May 2020. This study (study two) is an extension of an original research project (Study One), entitled "Beyond Referrals" (Firmin et al., 2019). The findings of Study One formed the basis of a self-assessment audit toolkit for schools to audit their responses to HSB (Contextual Safeguarding Network, 2021). Study Two aimed to: "Test and implement the self-assessment toolkit" and "identify themes and trends related to how schools address HSB". For Study Two, 16 schools across England were recruited, which included four schools where the research team conducted the assessment, and 12 where the school completed the assessment themselves.

The subsequent methodology and findings presented in this paper focus on a subset of this total data: data captured within the four schools where the research team conducted the assessment. Research conducted in these four schools sought to answer the following research questions:

1. To what extent are school responses to HSB framed in policy and practice as a behavioural and/or safeguarding issue?
2. In what ways does the schools' framing of HSB in policy and practice impact staff responses and student disclosure to HSB?

School recruitment

The four schools were geographically located across four Local Authorities (LA) (an authority responsible for local services in a particular area). Schools were recruited via responses to an expression of interest. Shortlisting was based on a range of criteria including ensuring a range of types of schools, secondary age students, and geographical variation and spread.

The four schools in this study included:

- A1 – school for children with special educational needs and disabilities in a rural northern area (Special Educational Needs or Disabilities (SEND) provision).
- B1 – faith-based academy school in an urban south-east city (faith-based academy).
- C1 – all-boys school in south-east England (all-boys).
- D1 – local authority maintained high-school in a coastal area (mixed high school).

Methods and sample size

To answer the research questions a range of methods were used to facilitate data collection. Table 1 provides an overview of the methods. Methods used in A1 were adapted for children with complex learning needs: surveys used images, and staff were always present to support students. Table 1 provides an overview of the methods used:

Participant demographics

Staff and students were recruited via the designated safeguarding lead (DSL – a person that holds safeguarding responsibility in the school). The research team requested that students came from a range of backgrounds in terms of attainment and demographics. In total 160 students were engaged in the research. Participating students were asked to complete a background information form (completed anonymously). Of the 154 students that completed this, students ranged from ages 12–18, 66.2% male, 45% female and 5.8% did not complete. The majority of students considered themselves to be "Asian or Asian British" (37.6%), "White British" (29.8%), "any other white background" (10.3%), "Black African Caribbean" (7.1%) or "mixed/multiple ethnic background" (7.1%). 66.8% considered themselves to be heterosexual, 2.5% bisexual, 1.2% gay or lesbian and 23.3% provided no answer.

Analysis

Thematic analysis of the data across the four schools was analysed at a number of stages. Findings were informally discussed with the DSLs, staff leadership, and students within the schools to sense-check findings. From the data several themes emerged related to responses to HSB including: variations in policy, whether HSB was treated as a behavioural or safeguarding concern, zero tolerance and student perceptions, and experiences of responses. Furthermore, the policy and research context evidenced particular interest in effective responses and gaps in relation to research within this. Data were analysed using emerging themes drawn and from the literature review in Nvivo 12. These findings were then reported to a range of expert stakeholders for sense-checking including researchers, educators, policymakers, and community organisations. While the analysis undertaken in this paper surfaced prior to *Everyone's Invited*, it was written up for publication after this time with reference to these events.

Ethics and limitations

The study gained ethical approval through the University of Bedfordshire. In addition, approval to participate was gained via the LA and the Head Teachers of all participating schools. Ethics was an ongoing consideration; ethical discussions were raised within the research centre and with the Independent Research Advisory Group formed as part of the research. Consent was sought by students, staff, and parents (where appropriate) for all individual elements of the research.

Several limitations are important to note. It was not the aim of this research to explore if zero tolerance "works". As such, the approach to sexual harm was triangulated between policies, student

Table 1. Overview of methods.

Method	Number	Total participants	Recording
Focus group with students	9 focus groups	45	Written notes and audio
Focus group with staff	9 focus groups	47	Audio recording
Survey sessions with students	8 survey sessions	115	Paper surveys entered into Qualtrics
Surveys with parents	2 schools	80	Online surveys using Qualtrics
Interviews with staff	137 interviews	17	Audio recording
Designated Safeguarding Lead	4		Audio recording
Tour and observations of school	4 school tours	N/A	Observation template
Review of behaviour and/or safeguarding logs	4 schools	N/A	Case recording template
Reviews of policies and procedures	4 schools	19 documents	Policy review template
Interviews with multi-agency contact	2	2	Audio recording

and staff experiences, and reviews of safeguarding and behaviour logs. In this sense, the research does not draw conclusions about zero tolerance itself but rather the underlying principles and approaches taken to sexual harm in schools. Secondly, responses to sexual harm were not linked to individual cases or demographic factors and in this sense are not able to explore how systemic factors may influence decision making. Thirdly, the findings in this article are taken from four schools. It is not the intention to suggest these findings are true for all schools.

Findings

Students and staff in all schools spoke about daily occurrences of sexual harm. Yet evidence across schools paints a picture of varying responses by schools and the impact this has on students. The findings are presented in two parts: firstly, we outline the policy and practice responses of schools; secondly, we consider the impact of policies on staff decision making and student disclosure.

Policy and practice responses to HSB

Across the four schools the approach taken to HSB conceptually, as either a behavioural and/or safeguarding concern, varied. This variation was evident within policies as summarised below:

- A1 – explicitly welfare approach (SEND provision).
- B1 – explicitly zero tolerance approach (faith-based academy).
- C1 – zero tolerance approach to bullying but welfare approach to sexual harm (all-boys).
- D1 – unclear (mixed high school).

Where A1 suggested that for those displaying harmful behaviour "It may be that the young person is experiencing their own difficulties" in B1 forms of sexual harm was a "behaviour likely to result in permanent exclusion". In C1 sexual violence was cited in the safeguarding policy but there was "a zero tolerance approach to bullying" (Safeguarding Policy, C1). In D1 the only reference to HSB appeared to be "bullying" in the behaviour policy, with no reference to peer-on-peer sexual harm in any polices.

Regardless of the policy position taken across the four schools, focus groups and surveys with students provided multi-faceted accounts of responses to HSB within their schools. A common theme across B1, C1 and D1 was that schools do "nothing" in response to sexual harm (B1 and C1 student survey, and D1 mixed student focus group 2). At the same time, students stated that they felt their teachers "overreacted" when incidents occurred:

> Student: "The school jump to conclusions so much and they take it so over the top." (D1, mixed student focus group 1, mixed high school)
> Student: "They always make it seem worse than it actually is. Like they touched someone on the shoulder, then they'll make it so much bigger." (D1, mixed student focus group 2, mixed high school)

Students in A1 did not suggest whether they felt responses were appropriate or not but there was a general suggestion that the police are likely to be involved in cases of HSB:

> Teacher: So if someone sends you a naughty picture, a rude picture?
> Student: No what happens is you will call the police.
> Student: And they will arrest them. (A1, mixed student focus group, SEND provision)

While students across all schools often enthusiastically emphasised the exclusionary forms of punishment used within their schools, triangulation of data evidenced a relationship between the schools' policy stance and the experiences of students. For example, in A1 both students and staff emphasised the safeguarding and welfare first approach:

Student: I'd tell.
Researcher: *In school who would I go to?*
Staff: You would go to one of the staff.
Student: Yes when there's been something naughty, we phoned the Internet people and sorted it all out. (A1, mixed student focus group 1, SEND provision)

Whereas in B1students emphasised the behavioural and sanctions approach to HSB:

Student: It's about the way the school go about it, cos I feel like it's just about punishment and that's why it sort of scares you [to tell] because he'll get punished. (B1, girl's focus group, faith-based academy)

This approach was mirrored by teachers within B1 when discussing their response to sharing sexual imagery:

Teacher: it would be dealt with severely, they'd probably have a day in the isolation room or the [name] which is a level up, it's like internal exclusion or even a few days' exclusion. (B1, staff Focus Group 1, faith-based academy)

In C1, which was an all-boys school, both staff and students appeared to share assumptions that sexual harm did not occur as frequently between same-sex students:

Teacher: part of that is maybe a certain amount of naivety around the single gender context we're in. […] I think the one area of concern for me is whether we're aware of whether it's happening and whether we've got that open dialogue enough for students to be able to come forward (C1, staff focus group, all-boys)

In C1 this was echoed by students who made comments in the survey such as "Its an all boys school so it won't happen" (Survey C1), "because it's a boys only school no girls or sexual harm is ever questioned" (Survey C1).

For D1, which was the only school that did not reference HSB in any policy documents, students and staff discussed varied responses to HSB that were neither strictly sanctions-based nor welfare based. School staff discussed the importance of looking after all young people involved:

Teacher: Because they're children, it was really clear from the start that the perpetrator needed to be treated as a victim as well because of the nature of the, and he was very young. (D1, staff focus group 2, mixed high school)

At the same time school staff discussed how a victim of sexual assault was later excluded:

Teacher: She was counselled up. Absolutely, we threw everything at her. I would also then say that subsequently to that, because she did experience an awful lot in the aftermath of that, […] It culminated in, unfortunately, her receiving an exclusion for having a fight with someone because they had just pushed her buttons too much over a six, seven-week period. (D1, staff focus group 1, mixed high-school)

In short, where HSB was positioned within policies on child welfare, students discussed more positive experiences (A1, SEND provision). Where the school's policy position was an overtly zero tolerance approach – as in B1(faith-based academy) and to a lesser extent C1(all-boys) – this was mirrored by staff and student experiences of responses. Where the policy approach was unclear – as in D1 (mixed high school) – staff discussed the lack of clarity in response. For example, in D1, following a recent rape allegation, staff discussed having to develop their own policy during the case.

Impact of policy and practice on sexual harm and student disclosure

Findings evidenced that regardless of the policy position of the school, HSB did occur, both within school and between students outside of school at parties and social occasions. This included: sexist or homophobic name calling and bullying (online and offline); rumours about other students' sexual activity; controlling behaviour in relationships; rating students on attractiveness, but also

"promiscuity"; sexual bullying, harassment and pressure (including pressure to send sexual photos by another student, pressure to perform sexual acts, and sexual imagery shared on social media without consent); inappropriate or unwanted touching or groping in corridors; self-harm (as a result of sexual pictures being shared) and rape (Lloyd, Walker, & Bradbury, 2020). Yet in focus groups, students reported varying frequencies of events. When asked to "scale" the frequency of incidents of HSB in school from "never" to "all the time", students in C1 suggested incidents were less frequent, with A1 and D1 in the middle, students in B1 scaled most incidents as occurring "all the time". While the types of HSB occurring within schools was similar across the schools, varying policy responses appeared to impact staff responses and student disclosure, as detailed below.

Staff responses

When sexual harm occurred, was identified, and staff felt a response was required, the schools drew on a range of options: from restorative conversations between students facilitated by the safeguarding lead (D1), counselling and support (A1, C1, D1), referrals to children's social care and/or the police (all schools), temporary and permanent exclusions (B1, C1, D1) and public assemblies (all schools). For school staff there appeared to be slight variations in how and when schools responded. All schools in the study had, and made use off, internal and external referral routes. This generally included a process of informing the DSL who would make the decision on how and if to escalate concerns externally (to the police or social care). In school B1 staff discussed how they found the process straightforward:

> Teacher: If we are relatively convinced that it is an image of that kind [sexual imagery], then the police are informed straightaway. I mean immediately, within the hour. That's what is going to happen because it's illegal to send indecent images of a minor, so that's it. […]
> Teacher: But that is not us, that's [name] as DSL, so we wouldn't make.
> Teacher: Yeah. That's nothing to do with us at all.
> Teacher: So, we just inform [DSL] and she decides. (B1, staff focus group 1, faith-based academy)

Whereas in site D1, while staff noted they are trained to "just pass it on", staff discussed the challenges of responding to HSB and the lack of clear policy guidance for an incident of rape:

> Teacher: [The] decision about whether or not we needed to have the young person [in school] who was the alleged perpetrator, that decision took about two days to make because of all of the different bodies that we had to go to, to get some advice, before someone would categorically tell us what we should do. (D1, staff focus group 1, mixed high school)

Staff across all schools acknowledged that incidents of HSB were often extremely complicated to respond to. For example, managing separation of instigator(s) and victim(s), retaliation and victim intimidation, working with multiple agencies, the requirements and slowness of police investigations and the need to protect all students within the school while balancing legal and policy requirements. While teachers across all schools did highlight the need for a welfare approach to HSB this was not the perception held by students across schools, which in-turn appeared to impact disclosure rates.

Student disclosure

Findings from surveys evidenced variation in disclosure. When students were asked in the survey if they would "tell a teacher or member of school staff if they had any concerns about sexual harm" there were variations across schools B1, C1 and D1. In B1, 51% would not tell a teacher (24% saying they would and 24% saying they didn't know), in C1 29% said they would not (whilst 42% said they would, and 28% said they didn't know), in D1, 33% said they would not (whilst 17% said they would, and 50% said they didn't know). In A1, 100% of students said "yes" to telling a teacher if they felt unsafe.

When asked in focus groups if they or another student would disclose HSB, students discussed a range of barriers to disclosure. Firstly, students felt that there was little point in informing staff because they suggested staff would be ineffective or disinterested: "they don't care" (B1 and C1

student surveys), "students tend not to get staff involved, if they did they wouldn't support the victim" (D1 student survey), "teachers don't hear or see it or choose not to recognise it" (C1 student survey). Secondly, that responses focused on sanctions:

> I think they're uncomfortable as well. It's harder to speak about something that's uncomfortable. If they find it uncomfortable then they might not want to almost get the person in trouble. (C1, boy's focus group 1, all-boys)

> [The police] come in, start interviewing you, bring your parents in, get Social Services involved, bring the people who were involved who spread the pictures and then suddenly it all ends up as a massive (D1, focus group 1, mixed high school)

> Student: Well the boy will get punished by the school but the girl gets punished even worse by the students and everything.
> Student: By friends.
> Student: What ends up happening to the girl, I think it's really unfair because the boy may get punished but the girl has to live with the fact that they've done that and that everybody knows that they've done that and they'll start to feel disgusting and not clean. It's not nice. (B1, girl's focus group, faith-based academy)

Thirdly, a significant barrier appeared to be a culture (in B1, C1 and D1) of not "snitching" whereby disclosure is discouraged through social isolation:

> Student: Yeah. Even though you know it's not right and they shouldn't be doing that, you know the school is going to take it so much more serious than it should be. We've had people get permanently excluded and no one is going to say, "Ah, the boy did something wrong," the girl's going to be known as a snitch and exaggerator. (B1, girl's focus group, faith-based academy)

In this extract there appears to be a relationship between the decision to disclose and the response by other students. In B1, students suggested that by knowing what the response would be (an exclusion) they were dissuaded from disclosing, as they would be seen to have directly influenced this decision.

Triangulation of findings suggest that the policy position of the school, not only informed how staff and students reflected on known responses to harm, but how they felt HSB *should* be responded to. In responses to the survey question "what the school does well in response to sexual harm", and the question "is there anything else your school could do", students answered "punish the student" (a theme that came up in B1, C1), or "expel the child or kick them out permanently" (C1). In B1, the same girls that lamented the focus on "punishment" also discussed the need for permanent exclusions and punishment:

> Student: I think the boy, if they're a repeat offender and they keep doing it to the same girl or to different girls, I think they definitely do deserve to be permanently excluded, but I think if it was just a one-time occasion, then no, or if they were in a relationship then I don't think that they should get permanently excluded. I think if the girl is really traumatised by what's happened and the boy generally does deserve to get …
> Student: Punished.
> Student: … karma, then I think they do deserve to get punished. (B1, girl's focus group, faith-based academy)

Findings suggest that students often reflect the values and approaches taken to harm in their schools, even though few found such exclusionary approaches as successful or effective interventions. However, while both students and teachers often initially suggested that the response to sexual harm required a behavioural approach, further discussions evidenced that while sanctions may be required, students and staff also felt several principles needed to be evident in the response. For example, "support[ing] the child and those affected" (D1 student survey), "get parents involved" (B1 student survey), ensuring that teachers listened to all young people involved (victims and those that may have instigated harm), ensuring that instigators of harm learn from their behaviour and that staff respond sensitively:

> I think instead of the boy getting permanently excluded, I think they should have teachers that would speak to the boy and explain that it's not right and that you can't do that. […] Yeah, like I said, it's just about sensitivity. (B1, Girl's focus group, faith-based academy)

Discussion

How schools conceptualise HSB within policy matters. The findings reveal that within the four schools in this study, how sexual harm was understood within school policy impacted how it was viewed and responded to by staff and students. Where schools took an explicitly zero tolerance approach to sexual harm, these appeared to be predominately interpreted as punitive and sanctions based. Yet at the same time, where schools did not explicitly use zero tolerance, responses still overwhelmingly reflected similar exclusionary and sanctions-based approaches. The exception to this was school A1 who took an explicitly welfare approach. Furthermore, the findings reveal that across all schools sexual harm *was* tolerated by students and staff. Students and staff in this study drew strong links between how school policies and responses prevented them from responding or speaking up. Seven key findings are discussed, four in relation to systemic barriers to HSB responses and three related to cultural barriers to disclosure followed by implications for practice.

Systemic barriers

Firstly, the findings highlight a mirroring between policy, practice and student experiences. Where HSB was positioned as a welfare issue, students in these schools spoke more positively about the type of response they could expect. While this may include sanctions, students in A1 and C1 discussed the support offered by staff. Where responses were positioned in behaviour policies, students anticipated sanctions approaches. However, where HSB was viewed as a behavioural issue, it was not only that schools took a sanctions approach, but that they were often *exclusionary* in nature. These findings suggest that in B1 and C1 "zero tolerance" was interpreted to mean exclusionary and sanctions-based approaches. However, there is little to suggest from the findings that responses that relied on more punitive and exclusionary methods created safer environments. In fact, the converse may be true. In school B1 students discussed the most frequent occurrences of incidents of HSB across all schools. To be clear, they spoke about pressure to perform sexual acts, sexual images shared on social media without consent, unwanted touching and groping, and unsolicited sexual imagery happening "all the time" and "daily". Young people displaying or affected by HSB have complex needs and vulnerabilities (Anderson & Parkinson, 2018) and merely excluding, or sanctioning a young person does little to recognise these needs, and may in fact exacerbate the negative outcomes for young people (RCIR, 2017).

Secondly, zero tolerance was rarely enacted in its purest sense. While the sentiment of zero tolerance was that sexual harm "will not be tolerated at all" and to "eliminate" such harm from happening (B1), in B1 and C1, staff and students discussed incidents being ignored or requiring varying levels of response. This echoes the sentiment of researchers in this area who have highlighted the discriminatory use of zero tolerance policies that target minoritised groups (Giroux, 2003; White & Young, 2020) and often come from a minority of teachers (Skiba & Knesting, 2002). While it was not the intention of the study to examine the makeup and demographics of students who experienced a sanction, and the staff that used them, this would provide a further area for research in relation to HSB.

Thirdly, zero tolerance appeared to limit options for students and staff. These approaches left little space to be reflective or challenging of the underlying systemic causes of harm. Responses continued to centre on individual young people and fell to individual staff members, rather than the whole-school community, to create cultures of safety. While for some staff zero tolerance policy appeared straightforward, with a perception of their role ending at the point of referral onwards, for others, staff expressed the pressure of decision-making when the only option was an exclusionary response

(Connelly et al., 2020; Joseph-Salisbury, 2020). Lack of clarity and approach (as in D1) severely impacted staff confidence in how to respond. Staff in D1 lamented the challenge of gaps in national and their own school policies when responding to incidents. This echoes findings where teachers felt they lacked training in how to respond to students displaying HSB (BBC, 2021; Draugedalen, 2020; Waters et al., 2021).

Fourthly, while for staff in B1 the rigidness of policies provided staff with clarity on how to respond to HSB, the burden of decision-making in this school appeared to fall upon victims. Victims of sexual harm therefore had to decide between the perceived benefit of disclosing HSB to a teacher, against the perceived or real backlash and punishment from the student body (Allnock & Atkinson, 2019; Firmin, 2020). Speaking up was therefore seen as a decision between saying nothing or choosing an exclusion for the instigator (who may be a friend), a consequence that appeared inevitable to students in this school. While the challenges of this were most notable in B1, these were present in C1 and D1. The implications of this policy appear heavily intertwined with cultural barriers, as evidenced below.

Cultural barriers

Student perspectives on responses to HSB were at times paradoxical. On one hand, there was an accepted sense in all schools that even if students acknowledge it as harmful, there was no point in disclosing harm, as HSB is normalised to the extent that staff do not respond (Ofsted, 2021). On the other hand, students drew upon experiences and perceptions that schools respond disproportionately, are "over the top" and only "about punishment". If students view responses as disproportionate several options are possible: that sexual harm has been normalised to the extent that they do not recognise harmful sexual incidents as abusive and requiring a response; and/or that they feel that punitive responses are not appropriate – they seem unfair, do not recognise the context of behaviours, limit the capacity for reforming, and act to punish victims. Echoing findings from Allnock and Atkinson (2019) students applied their own "hierarchy of harm" for constituting what forms of HSB were significant enough to require a response from the school. This included the nature of the relationship between victim and "offender", the social status of the instigators and victims, the perception that victims, and girls in particular, "lie" about incidents of HSB, the level of harm or "trauma" caused and if it is targeted and repeated. Furthermore, as noted by Allnock and Atkinson (2019) schools strongly enforced a culture of not "snitching" (disclosing to teachers or adults).

In these schools, where sexual harm was tolerated, exclusionary and sanctions-based responses appeared to push behaviours underground through cultures that limited disclosure and punished those that "transgressed" the apparent code of not "snitching". Yet the findings evidenced that some young people did speak about experiences of harm. While this may be associated to an informal hierarchy of harm (Allnock & Atkinson, 2019), it also suggests that some young people are facilitated to speak whereas others are not (Connelly et al., 2020). It appears that across schools, the safety of disclosure routes varied for those disclosing as did the response by schools to those that had harmed. Following from Firmin (2020), the findings evidence the power that students and staff have in creating environments conducive to, or hostile to, this harm.

Finally, the response by schools impacted how students perceived sexual harm and what constituted an appropriate and fair response. For example, whether students also framed sexual harm through victim-blaming and punitive language, or the need to support students. While sexual harm in schools is often complex and challenging there is growing evidence of successful interventions into harm. Studies into restorative approaches to sexual harm consider young people's experiences through the lens of their needs and rights (Riley, 2018), with responses that are proportionate, trauma-informed, systemic, and contextual (Archer et al., 2020; McMahon et al., 2019; Meiners, 2011). The following section outlines some practice implications of this work.

Implications for practice

The findings suggest that zero tolerance approaches are ineffective if they are brought into environments where sexual harm *is* tolerated by students and staff. If schools seek to eliminate HSB they must first tackle the normalisation and tolerance that staff and students show to sexual harm before initiating zero tolerance approaches to it. The success of Women's Aid's zero tolerance campaign provides an example of this (Mackay, 1996).

Norms and values can shape whether the school context is harmful or safe (Firmin, 2020). Therefore, the heart of preventive, restorative approaches to sexual harm should include active student participation in promoting school ethos and culture. Whether that be through bystander approaches (Banyard et al., 2007; Coker et al., 2011); youth-led trauma-informed work; creative practice to address (sexual) harm (Christensen, 2014; Harden et al., 2015); or active student participation in informing school policy (Frias-Armentia et al., 2018; Joseph-Salisbury, 2020). Such responses consider the needs of all young people involved, while addressing the issue holistically by improving the school environment (Baskin, 2002; McGlynn et al., 2012; Rye et al., 2018). At an intervention level, researchers and practitioners have shown how restorative practices offer a welfare-based approach to responding to sexual harm to meet the needs of both victim and perpetrator (Gal, 2011; Henniker & Mercer, 2007). Anderson and Parkinson (2018) suggest that family group conferences (FGC) can be an effective space for addressing the welfare needs of young people displaying or experiencing HSB. As a restorative platform, FGCs can address power dynamics, empower young people and their "communities of care" (Anderston and Parkinson, 2018, p. 13), and discuss and challenge the social conditions of abuse (Barn & Das, 2016; Macfarlane & Anglem, 2014).

We suggest three options for creating safer school environments:

- Schools should assess the safety of disclosure routes and the extent to which sanctions may disproportionately impact minoritised groups. Schools must therefore ask themselves, is it safe for all young people to speak up? Do schools replicate systemic harms that act as a barrier to some groups speaking? Furthermore, if responses disproportionately impact particular groups of children – Black children, those with additional physical and learning needs, children with social care involvement – how does this impact decisions to disclose and listen?
- Responding to specific incidents of sexual harm can be met with restorative practice that seek to rehabilitate, rather than punish. Such an approach asks: Who was harmed? How can we facilitate healing? How can we create and nurture safe and healthy communities and prevent further harm in the future? (cited in Howe 2018, p. 10).
- Sexual harm was occurring not just within schools but between students outside of school. The findings signal a need for connecting with multi-agencies responses to HSB outside of schools. Developing Contextual Safeguarding approaches provides opportunities to connect schools to wider partners (Firmin, 2017). This might include providing avenues to refer contexts rather than just individuals (Lloyd, Walker, & Firmin, 2020), to assess and intervene with schools themselves and consider the relationship students have to places beyond the school gates.

Sexual harm is complex and requires responses that are about more than just responding to broken rules. When students feel that responses are unjust they seek their own forms of response – be that social exclusion, working with, or against, the school or police, or normalising/challenging cultures of harm. At the same time, schools do not exist in a vacuum – patriarchal, capitalist and heteronormative discourses normalise sexual harm of girls and women in particular within and beyond schools. Addressing the fundamental power structures that often lead to harm (e.g. race, age, sexual orientation, gender, class, etc.) requires contextual and proportionate responses that go beyond standardised, blanket zero tolerance approaches. It calls for a re-imagination of what justice looks like in our punitive culture, and to be more ambitious in school community responses to harm.

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