

Everybody's affected

Peer on peer sexual harassment among learners

July 2022



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Peer on peer sexual harassment among learners

July 2022



About the Committee

The Committee was established on 23 June 2021. Its remit can be found at:
www.senedd.wales/SeneddChildren

Current Committee membership:



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Welsh Labour



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Welsh Conservatives



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Chair's foreword

On November 2021 I met with police representatives to discuss their work with children and young people. The police representatives told me that they were particularly concerned about peer on peer sexual harassment, which was becoming increasingly prevalent, especially online.

At the same time, Estyn was preparing to report on its investigation into peer on peer harassment among secondary school pupils. The report, published on 8 December 2021, laid bare the enormity of the problem. It is so commonplace in schools that it has become normalised. Young people don't feel like they can talk to school staff about it, and schools are struggling to respond when they do. Harassment continues after school hours, permeating young people's lives online as well as their lives in school.

This is our first policy inquiry of the Sixth Senedd. We prioritised it because we believed that it was urgent, that it couldn't wait. As seriously as we took the issue then, as I look back 6 months later, it is clear to me that we underestimated the scale of the problem.

Estyn found that 61% of female pupils and 29% of male pupils have experienced sexual harassment. Our inquiry told us that those figures are probably a significant underestimate. Estyn didn't consider sexual harassment in primary schools or colleges. Our inquiry told us that sexual harassment is probably common in both. Estyn found that LGBTQ+ pupils are particularly at risk of sexual harassment. We heard the same, and that so are learners with additional learning needs. Whilst we don't have robust data yet, we heard that other groups of learners are likely to be at a high risk too.

We heard that the impact of sexual harassment on some learners is so severe that not only does it affect their learning, but it affects their relationships, mental health, life prospects and can – in the most serious of cases – lead to self-harm and suicide.

As this report sets out, the causes of peer on peer sexual harassment are complicated. They include deep-rooted societal attitudes amplified by pornography, social media, and, in recent years, the COVID-19 pandemic. These are embedded, cultural matters that stretch beyond the remit of this Committee and the scope of our inquiry.

We have made 24 recommendations in this report. They cover a range of issues, some broad and some specific. They have all been made constructively, and we hope that the Welsh Government, Estyn and other bodies affected receive them as such.

Our recommendations can be collated into two broad themes.

The first is that young people themselves must be front and centre of the Welsh Government's response to peer on peer sexual harassment. We as a Committee have committed to putting children and young people first, to prioritise their voices, their experiences and to focus on what makes a difference to them. With this issue, as with many others, we simply won't be able to address it effectively unless young people play a leading role in the response.

The second is that the Welsh Government must do whatever it takes, as quickly as is can, to reduce the scale and impact of peer on peer sexual harassment. The problem is too severe, and too many young people are affected, for this to be anything other than a priority. We have asked a lot of the Welsh Government in this report; nothing less than our young people deserve.

Ultimately, schools cannot be held entirely responsible for peer on peer sexual harassment among learners. We all have to take responsibility for it, and we all have a role to play in reducing it. This is a society-wide problem. The Welsh Government, the Senedd, local authorities, schools, charities, parents and families – all of us – need to act collectively to denormalise harmful behaviours.

Everybody's affected.

A handwritten signature in black ink that reads "Jayne Bryant". The script is cursive and fluid, with the first name "Jayne" and the surname "Bryant" clearly legible.

Jayne Bryant MS

Chair of the Children, Young People and Education Committee

Recommendations

Recommendation 1. The Welsh Government and Estyn must adopt/continue to use the definition of sexual harassment used by Estyn in its 2021 report 'We Don't Tell our Teachers', including the specific examples of peer on peer sexual harassment Estyn used in its work with pupils. Page 24

Recommendation 2. The Welsh Government must create a Young People's Advisory Board, made up of a representative sample of young people across Wales, to co-design the Welsh Government's response to peer on peer sexual harassment. Page 25

Recommendation 3. The Welsh Government must carry out an awareness-raising campaign, co-designed with the Young People's Advisory Board (see Recommendation 2), targeted at learners across Wales, to improve understanding of what constitutes sexual harassment. Page 25

Recommendation 4. The Welsh Government must commission a review into peer on peer sexual harassment among primary school-aged children, drawing on the expertise and guidance of children's charities, academics and the Children's Commissioner for Wales as appropriate. Page 37

Recommendation 5. The Welsh Government must update its statutory guidance to ensure that local authorities collect data from schools on sexual harassment specifically on a monthly basis, analyse that data to identify trends and patterns, and report on their findings at least annually. The data should:

- be collected on the basis of the definition of sexual harassment adopted by Estyn in its 2021 report; and
- be broken down by the nine protected characteristics of the Equality Act 2010 to support schools, local authorities and the Welsh Government to discharge their duties under the Public Sector Equality Duty. Page 47

Recommendation 6. Estyn must include within its inspection framework for routine school inspections, no later than January 2023, consideration of schools' approaches to keeping records of incidents of peer on peer sexual harassment specifically, how schools interrogate that data to identify trends and patterns, and the extent to which that data informs the development of school-based interventions. Such an approach must not penalise or reflect badly on schools

simply because they have cases of sexual harassment, but focus on how well schools collect and data and act on that data. Page 47

Recommendation 7. The Welsh Government must ensure that any reviews into peer on peer sexual harassment in Further Education and primary schools consider how effectively schools and colleges collect, categorise and analyse sexual harassment data to identify trends and develop school-/college-based interventions..... Page 48

Recommendation 8. The Welsh Government must ensure that pupils are taught about the underlying causes of peer on peer sexual harassment – such as unhealthy depictions of sexual relationships and behaviours across society amplified by pornography, social media, online gaming platforms and others - as part of current Personal and Social Education and future Relationships and Sexuality Education curricula. Page 56

Recommendation 9. The Welsh Government must treat peer on peer sexual harassment as an Adverse Childhood Experience and ensure that it prioritises, and allocates resources to its response to peer on peer sexual harassment accordingly. Page 62

Recommendation 10. The Welsh Government must, alongside the Young People's Advisory Board (see Recommendation 2), carry out a review into the support provided to young people who have experienced peer on peer sexual harassment, with a view to making recommendations to schools, local authorities and others as required to improve the quality and timeliness of that support. Page 62

Recommendation 11. The Welsh Government must ensure that schools and colleges create a culture in which sexual harassment is unacceptable, reports of sexual harassment are taken seriously and responded to promptly and consistently. Page 93

Recommendation 12. Estyn must include within its inspection framework for routine school inspections specific consideration of how schools and colleges respond to and support learners who have reported and/or experienced sexual harassment, and to address the behaviour of individuals who have perpetrated it. Such an approach must not penalise or reflect badly on schools simply because they have cases of sexual harassment but focus on how well schools deal with cases and support pupils..... Page 94

Recommendation 13. The Welsh Government must make ring-fenced funding available to schools for all school staff to undertake training on identifying, responding to, and reporting peer on peer sexual harassment. That funding should include provision for schools to provide cover for teachers who are taken out of class, if necessary. Page 94

Recommendation 14. The Welsh Government must work alongside Estyn, relevant academics, and the Young People's Advisory Board (see Recommendation 2) to gather and collate examples of sex and relationships education that learners consider to be effective in addressing peer on peer sexual harassment, with a view to creating a bank of resources for schools and colleges to facilitate the sharing of good practice across Wales. These, alongside the RSE Code where appropriate and possible, must inform the provision of sex and relationships education to older learners whose year groups are not covered by the Curriculum for Wales. Page 95

Recommendation 15. The Welsh Government must write to local authorities and/or schools to ensure that schools have clear policies on acceptable mobile phone use by learners throughout the school day, those policies are well-communicated to learners, staff and parents, and are consistently enforced by school staff. Page 96

Recommendation 16. The Welsh Government must publish the findings of the 2019 review that was carried out into the Wales police schools programme. Page 96

Recommendation 17. The Welsh Government must work with local authorities to create and maintain databases of third sector organisations that provide support services for schools and colleges that could assist them in their response to peer on peer sexual harassment. Page 97

Recommendation 18. As part of its wider work on raising awareness of peer on peer sexual harassment in schools, the Welsh Government, alongside the Young People's Advisory Board (see Recommendation 2), must carry out an awareness raising campaign targeted at parents and families to:

- raise awareness of peer on peer sexual harassment, including how and when it is perpetrated and the impact of sexual harassment on young people;
- help parents and families talk to and support their children, including to address their children's inappropriate behaviour, if necessary; and
- improve understanding of the risks of young people accessing inappropriate online content/platforms, the age restrictions associated with those platforms, and what steps parents can take to limit their children's online access. Page 98

Recommendation 19. The Welsh Government must publish its statutory national trans guidance for schools and local authorities no later than January 2023. Page 98

Recommendation 20. The Welsh Government must amend its Violence Against Women, Domestic Abuse and Sexual Violence strategy to acknowledge the impact of peer on peer sexual harassment on the safety and wellbeing of female learners, and that tackling peer on peer sexual harassment in and around educational settings must be included in any future workstream arising from that strategy. Page 98

Recommendation 21. The Welsh Government must publish the LGBTQ+ action plan no later than autumn 2022. The action plan must acknowledge the scale and impact of sexual harassment on LGBTQ+ learners, and set out how the Welsh Government will support schools and others to address it. Page 99

Recommendation 22. The Welsh Government must proceed with pace on its work to publish a multi-agency action plan to tackle the problem of peer on peer sexual harassment, informed by Estyn's report and in synergy with other relevant work in progress across government. Page 99

Recommendation 23. The Welsh Government must provide the Committee with an update in September 2022, and then at 6 month intervals thereafter, on the numbers and proportions of local authorities and schools with RSE leads in place. Page 111

Recommendation 24. The UK Government and the Welsh Government should ensure that there is sufficient time given to the Senedd for scrutiny of any future Legislative Consent Memoranda relating to the Online Safety Bill, if amendments are made to that Bill that require the legislative consent of the Senedd. Page 112

1. Introduction

Background

- 1.** We knew before we started this inquiry that many young people are sexually harassed by their peers. In fact, for some of us, the work has triggered memories of sexual harassment that we experienced or witnessed during our own childhoods. Some of us are also aware of peer on peer sexual harassment through children in our own families, children of friends, or children with whom we work. In short – this is not a new problem.
- 2.** What will be less apparent to many, despite the decades of research on the topic, is the sheer scale of peer on peer sexual harassment and the extent to which it has been normalised across schools and colleges. However, over recent years public awareness and understanding of peer on peer sexual harassment and its impact on young people has grown, thanks in no small part to the Everyone's Invited movement.
- 3.** The Everyone's Invited movement aims "to expose and eradicate rape culture through empathy, compassion, and understanding." It was founded by Soma Sara, a survivor of sexual harassment, who created a website as "an anonymous space for survivors to share their stories" following an overwhelming public response to stories of her own experiences that she shared on Instagram in June 2020. At the time of writing, June 2022, the Everyone's Invited website has published over 50,000 testimonials.¹
- 4.** In April 2021, in light of the testimonials on the Everyone's Invited website, the UK Government asked Ofsted to undertake a review into sexual abuse in schools and colleges in England.² Ofsted reported their findings in June 2021. They engaged with approximately 900 children and young people in focus groups and surveyed just over 800 children and young people aged 13 and above about their perceptions of sexual harassment and sexual violence. Ofsted concluded that incidents of sexual harassment and online sexual abuse are so commonplace that some children "see no point in reporting them" and that sexual harassment and online sexual abuse amongst children and young people is much more common than adults realise.³
- 5.** In June 2021, the Welsh Minister for Education and Welsh Language, Jeremy Miles MS, asked Estyn to review the culture and processes in maintained and independent secondary

¹ Everyone's Invited, 'About'

² Gov.uk, 'Ofsted review into sexual abuse in schools: terms of reference', April 2021

³ Gov.uk, 'Review of sexual abuse in schools and colleges', 10 June 2021

schools in Wales to protect and support young people from peer on peer sexual harassment. Unlike Ofsted's review, Estyn's review did not consider peer on peer sexual harassment in colleges. Neither Estyn's review nor Ofsted's review considered peer on peer sexual harassment in primary schools or Higher Education.

6. Estyn's report on the experiences of peer on peer sexual harassment among secondary school pupils in Wales - *"We don't tell our teachers"* - was published in December 2021. Estyn gathered information from secondary school-age pupils across 35 schools, including at least one school from every local authority in Wales. Estyn held focus groups and carried out a survey, which was completed by around 1,250 pupils. The school visits also involved discussions with senior leaders, safeguarding leads, teachers and teaching support staff.⁴

7. Estyn's report found that around half of all pupils say they have personal experience of peer on peer sexual harassment. Around three quarters of all pupils report seeing other pupils experiencing it. The most common forms of peer on peer sexual harassment during the school day are pupils catcalling and making hurtful comments, but peer on peer sexual harassment is actually more prevalent online and outside school than in school. Generally, pupils do not tell their teachers about sexual harassment because it happens so regularly, and because teachers often dismiss or ignore their concerns. Pupils across the whole age range told Estyn that they have not had enough sex and relationships education, despite valuing lessons from external speakers and experts about sex education and healthy relationships.⁵

8. In March 2022, as public awareness of the scale of peer on peer sexual harassment grew, the BBC released the documentary 'Uncovering Rape Culture', presented by reality TV star and model Zara McDermott. The documentary draws on the findings of the Ofsted report and the Everyone's Invited testimonials to explore rape culture in schools. It considers young women and girls' experiences of sexual harassment and abuse, and reflects on the impact of pornography and social media in promoting harmful and unhealthy sexual attitudes among boys and young men.⁶

Our inquiry

9. On 15 November 2021, our Chair Jayne Bryant MS met with police representatives to discuss their priorities and concerns as they relate to children, young people and education in

⁴ Estyn, *"We don't tell our teachers"*, December 2021, pages 7-8

⁵ Estyn, *"We don't tell our teachers"*, December 2021, pages 7-8

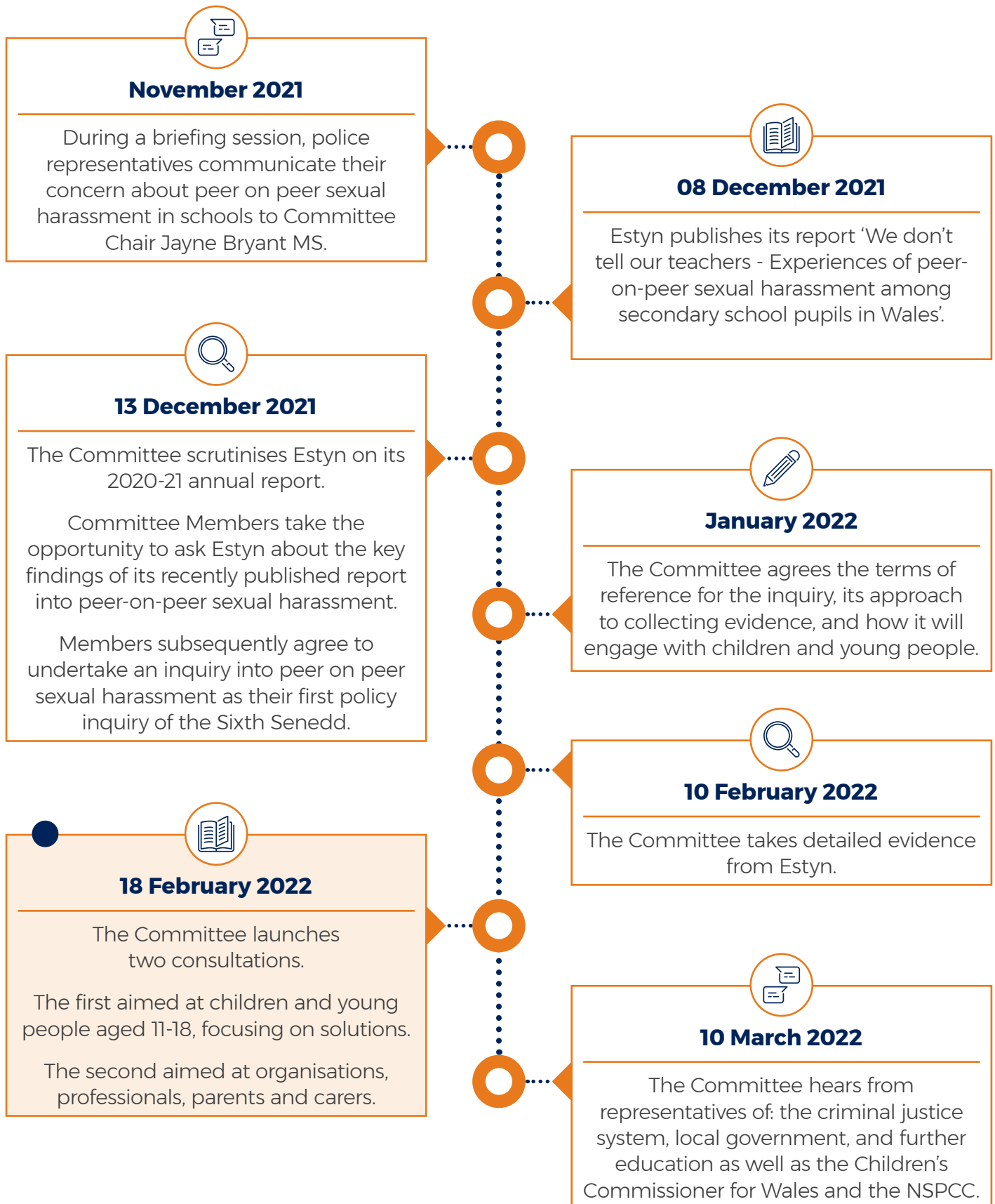
⁶ BBC iPlayer, 'Uncovering Rape Culture'

Wales. The police representatives specifically highlighted their concerns about the scale and severity of peer on peer sexual harassment in schools.

10. We considered the police's concerns against the backdrop of the evidence from the Everyone's Invited website about the scale of sexual harassment in Welsh schools and the findings of Ofsted's and Estyn's reports. We subsequently agreed that our first policy inquiry of the Sixth Senedd would consider peer on peer sexual harassment among learners. The Committee agreed that the inquiry should include some learners who fell outside the scope of Estyn's review: primary school-aged pupils and college students.

Inquiry timeline:

The timeline below sets out how we conducted our inquiry.





24 March 2022

The Committee hears from representatives of: school leader trade unions, teachers' trade unions, parents' organisations, and youth services, as well as equality experts and Professor EJ Renold.



April 2022

An 'editorial board' made up of a group of young people, supported by Senedd officials, considers the consultation responses the Committee received from 11-18 year olds and create a video to summarise it.



04 May 2022

The Committee takes joint evidence from the Minister for Education and Welsh Language and the Minister for Social Justice.



July 2022

The Committee publishes two outputs:

1. A traditional Committee report, targeted at the Welsh Government.
2. A video, targeted at children and young people, communicating the key findings of the inquiry and signposting to sources of support where appropriate.



01 April 2022

The consultations close.



27 April 2022

The editorial board's video is presented to the Committee.

A summary of written consultation responses is presented to the Committee.



June 2022

Some Committee members are briefed by Prof G.J. Melendez-Torres and Dr Honor Young on the findings of their large, international study into the effectiveness of school-based interventions to address dating and relationship violence and gender-based violence.



Engagement activities with children and young people aged between 11 and 18

Navigating this report

Explainers

To keep this report as accessible as possible, we have tried to avoid jargon, acronyms and other potentially confusing terms and phrases.

Where we need to use a term or phrase that may not be widely understood (such as the name of a Welsh Government policy or specific legal terminology), we have included short 'explainers' that we hope will help readers.

These explainers appear in boxes next to where the term or phrase first appears in our report, like this.

The meaning of key words and phrases

Some words and phrases often mean different things to different people. Unless we say otherwise, throughout this report:

"Learners" means any child or young person who is at school, in a sixth form, or in Further Education. It also means children who are educated otherwise than at school. In this report, it does not mean anyone in Higher Education or in nursery, because they are outside the scope of this inquiry.

"Schools" means any institution that provides education to children, such as: local authority mainstream and special schools; independent mainstream and special schools; faith schools. For the purposes of this report, we also mean Pupil Referral Units. It does not mean nurseries, colleges, sixth forms or universities.

"Young people" or **"a young person"** means anyone who is of school or college age (usually up to around 18 years old).

"Parents" means anyone who has parental responsibility for a child, i.e., anyone who has the right to make decisions about a child's care and upbringing, whether or not they are the child's biological parents.

2. What is sexual harassment?

Different organisations, academics and individuals have different interpretations of what sexual harassment is, and the law relating to sexual harassment between learners is complicated. We heard that this has created confusion, most importantly among young people themselves, about what is and is not appropriate sexual behaviour.

How do Estyn and others define sexual harassment?

12. In its 2021 report, Estyn defines sexual harassment as when “a person engages in unwanted conduct of a sexual nature that has the purpose or effect of: violating someone’s dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment for them”. In their work with pupils, they defined sexual harassment more specifically:

- *“making sexual comments, remarks, jokes either face-to face or online*
- *lifting up skirts or taking a picture under a person’s clothing without them knowing*
- *making nasty comments about someone’s body, gender, sexuality or looks to cause them humiliation, distress or alarm*
- *image-based abuse, such as sharing a nude/semi-nude photo or video without the consent of the person pictured*
- *sending unwanted sexual, explicit or pornographic photographs/videos to someone”⁷*

13. Ofsted’s review uses both the terms peer on peer sexual *abuse* and peer on peer sexual *harassment*. Ofsted’s definition of peer on peer sexual abuse is: sexual violence (such as rape, assault by penetration and sexual assault); sexual harassment (which it defines as sexual comments, remarks, jokes, including online); upskirting (which typically involves taking a picture

⁷ Estyn, “*We don’t tell our teachers*”, December 2021, page 1

under a person's clothing without them knowing); and sexting (or 'youth-produced sexual imagery').⁸

14. The Welsh Government, meanwhile, uses the UK Department for Education's definition of sexual harassment, which is "persistent unwanted conduct of a sexual nature by a child towards another child that can occur online and offline. 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."⁹

15. Other studies provide slightly different definitions of the same or similar terms. For example, in the context of image-based harassment and abuse, researchers Ringrose, Regehr and Milne define "sexual harassment" as unwanted sexual images (e.g. cyberflashing or unsolicited dick pics), and unwanted solicitation for sexual images. They define "abuse", on the other hand, as "non-consensual recording, distribution, and/or threat of distribution of nude or sexual images."¹⁰

16. The Welsh Local Government Association admitted to us that it is not always clear to them what does and does not constitute sexual harassment:

"I'd say that this is a very grey area and that it's inconsistent across Wales. I'd hold my hand up to say I wouldn't be fully aware of what classes as sexual harassment or not myself, because it's cultural things: is it somebody saying something to you, is it more than that?"¹¹

17. The then Children's Commissioner for Wales agreed that definitions could be clearer. She told us that she welcomes the Minister's commitment to strengthening the 2019 anti-bullying guidance, and "there could be more specific guidance and definitions around gender-based bullying and sexual harassment with definitions there."¹²

Is sexual harassment a type of bullying?

18. Despite the different definitions of sexual harassment, sexual abuse and other related terms, we heard consistently that bullying and sexual harassment are different things, and using the right terminology is important.

⁸ Gov.uk, 'Ofsted review into sexual abuse in schools: terms of reference', April 2021

⁹ Welsh Government, 'Guidance for education settings on peer sexual abuse, exploitation and harmful sexual behaviour', October 2020, page 6

¹⁰ Jessica Ringrose, Kaitlyn Regehr and Betsy Milne, 'Understanding and Combatting Youth Experiences of Image-Based Sexual Harassment and Abuse', December 2021

¹¹ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 186

¹² Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 388

19. For many, the use of 'bullying' belittles young people's experiences. The National Association of Head Teachers told us that:

*"where we are trying to highlight an issue that is so prevalent and can be so damaging, [I wonder] whether bullying is just not strong enough a word [...] We need to be upfront about what we're describing here, and it's abuse."*¹³

Prof Renold also welcomed the shift away from the label of 'sexual bullying'. Sexual harassment, they argued, better represents the multi-faceted nature of some young peoples' experiences:

*"The individualising logic of 'bullying', with its psychological categories of victim, perpetrator and bystander, struggle to address the social and cultural power relations that children are caught up in and negotiate on a daily basis. 'Harassment' can better capture the textual, verbal, physical, material, emotional and psychological sexual and gendered abuses of power in children's everyday peer cultures, relationships and social and cultural worlds more widely, including the routine and normalised everyday sexism and rape culture circulating across their 'online' and 'offline' worlds and in wider media representations."*¹⁴

20. They told us that "we need some clear guidance [about the difference between bullying and harassment], a one-pager from Welsh Government, just saying what the difference is".¹⁵

21. We heard that the labels we use have direct consequences for reporting and responding to young people's experiences. The NSPCC explained that:

*"if we define incidents as bullying, it can, for some young people who experience harassment and abuse, make them feel as though it's not being taken as seriously as it should."*¹⁶

This has implications for incident reporting, Prof Renold argued, because "the ways in which both learners and schools understand what constitutes sexual harassment and/or sexual bullying informs what is reported."¹⁷ Platform stressed that sexual harassment "is a form of sexual violence and as a result should be regarded as an [adverse] childhood experience". This would

¹³ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 88

¹⁴ Written evidence, PPSH06 – Prof EJ Renold

¹⁵ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 344

¹⁶ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 387

¹⁷ Written evidence, PPSH06 – Prof EJ Renold

help to ensure that any long-term impacts on the young person are connected to their experience of sexual harassment.¹⁸

22. We asked the Welsh Government whether the difference between sexual harassment and wider bullying behaviour was well enough understood. The Minister for Education and Welsh Language agreed that there was a difference between the two terms, and added that:

"the Estyn report itself contains a definition of sexual harassment, and the multi-agency action plan [...] works to the same definition as the Estyn definition."

He went on to acknowledge that:

*"in the work that we are currently doing around improving our guidance, our professional learning, in the space of sexual harassment, there is definitely scope for making sure that definition is what it needs to be and that it's well understood through all parts of the system."*¹⁹

What does 'sexual harassment' mean to learners?

23. 'Sexual harassment', 'sexual abuse', and 'sexual bullying' are all terms that have been created by adults. And even then, many adults struggle to understand what they mean. We wondered whether young people understood what Estyn and others mean by sexual harassment.

24. Estyn assured us that "most boys and girls have a clear understanding of what sexual harassment is, even at the age of year 8 and year 9."²⁰ However, in its work, Estyn used specific examples to translate its more abstract definition into language that would mean something to young people. Prof Renold explained why being clear about what you mean when you use terms like 'sexual harassment' is so important:

"They look at the phenomena, not, 'Young people, are you bullied?' They don't necessarily use the concepts of bullying and harassment. I mean, even in [the Children, Young People and Education Committee's] survey, asking young people to respond, I had a quick look, and you used the language that young people tend not to use to know that they're experiencing that. You

¹⁸ Written evidence, PPSH09 - Platform

¹⁹ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 16

²⁰ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 13

have to actually go to, 'Did this happen?', if you want to do it in that way.

*'Has someone looked at you?' Or you go for very specific things.'*²¹

25. A key finding of that survey with young people was that they wanted more education about what sexual harassment is. One young person recommended "Educating young people on what peer on peer sexual harassment is and state that this is not acceptable behaviour." Another agreed, advising "starting within [the] education system could combat the problem in and outside of a learning environment [...] raising awareness about what peer on peer sexual harassment is would benefit the solution."²²

26. We asked a group of students from Coleg Cambria to consider the findings of our survey with young people and use them to produce a video report. In their video, the students made four recommendations, one of which was about improving education about sexual harassment:

Recommendation 1: We think there needs to be more education in schools and colleges on what constitutes sexual harassment.²³

27. When they presented their video to us and discussed their findings in more detail, the students explained that sexual harassment is so commonplace in schools and colleges that many young people do not realise that it is not acceptable behaviour. They suggested to us that something as simple as a poster, setting out clearly what behaviour constitutes sexual harassment, on display across school and college sites, could be an effective way of raising awareness among learners. The posters could be part of a national awareness-raising campaign.

28. The Minister for Education and Welsh Language was receptive to the students' suggestion:

"I think it's a good idea and I think it's the kind of thing we'd want to look at as part of that broader communications strategy."

He went on:

"[...] in some ways, we've had to look very creatively at new ways of doing things, but I think, also, there are easier solutions that can be impactful as well around this, so I think it's really important to look at all that range. So, anything that learners are saying to you about what they would appreciate, I

²¹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 342

²² Children, Young People and Education Committee, 'Peer on peer sexual harassment among learners: Engagement findings', April 2022, page 4

²³ Children, Young People and Education Committee, 'Peer on peer sexual harassment among learners: Engagement findings', April 2022, page 10

*think Jane [the Minister for Social Justice] and I would be very keen to hear on that specifically."*²⁴

Sexual harassment and the law

29. Estyn's report states that sexual harassment is unlawful under the Equality Act 2010.²⁵ However, although the Equality Act protects learners from discrimination from a school or a college, it does not protect someone from sexual harassment from their peers.

What does the law say about sexual harassment?

The Equality Act 2010 provides a definition of "sexual harassment" but this is not in the context of criminal law. Sexual harassment is not a criminal offence in its own right, but various criminal offences may apply. Some offences protect children under 13 specifically, whereas the victim being a child in other cases is an aggravating feature. A person under the age of 16 cannot consent to sexual activity, and sexual activity involving a child under 13 is an offence regardless of how old the offender is.

In England and Wales, the age of criminal responsibility is 10, but children under this age can be given other punishments and in the case of repeat offenders, parents may be held responsible in a limited manner. Under the Government of Wales Act 2006, a provision of an Act of the Senedd cannot modify or create (or confer power to do so) sexual offences, nor can such an Act modify the law on criminal responsibility or capacity.

Causing or inciting a child under 13 to engage in sexual activity can be committed without a victim. For example, writing graffiti saying "girl 8-13 wanted for sex" was held to be an offence.

Sexting can be a criminal offence. If the victim is 13, 14 or 15, it will be a defence if the defendant reasonably believed that the victim was 16 or over. This defence does not apply if the victim is under 13. It is an offence to make, circulate or possess indecent photographs of anyone under the age of 18, regardless of the age of the offender. Sending unsolicited sexual images or messages with sexual content can also be an offence, as is "up-skirting".

The Protection from Harassment Act 1997 ("PHA") does not contain an offence of

²⁴ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraphs 51 and 57.

²⁵ Estyn, "We don't tell our teachers", December 2021, page 1

sexual harassment, although it does contain offences of causing alarm or distress and of putting people in fear of violence. It also prohibits stalking. Harassment under the PHA can occur when a person posts and threatens to post private and confidential information about a person on the internet or sends threatening communications via the internet.

The UK Government's Online Safety Bill will contain new regulatory powers aimed at dealing with online content which is harmful to children and online child sexual exploitation and abuse.

30. Estyn's report sets out that some behaviour that is common in secondary schools can be a criminal act:

*"In terms of sexting, sexualisation of peers and sending nude photographs, nearly all pupils from Year 10 onwards identify common issues. However, many do not realise that this is a criminal act and the impact of a criminal record on their future career or aspirations following prosecution."*²⁶

31. We asked representatives of the criminal justice system to explain to us the law relating to peer on peer sexual harassment. The Deputy Chief Constable and Child Centred Policing Lead explained that "there is quite a lot of legislation that covers all of the different permutations that we may see in relation to this type of activity and its complexities". She highlighted legislation such as "the Malicious Communications Act 1988, which covers sending messages that are grossly offensive, and the Protection of Children Act 1978 [which] covers the taking, possessing or sharing of sexualised images of a person under the age of 18."²⁷

32. Police representatives stressed to us that the police service avoids criminalising young people wherever possible. However, the "legislation framework in relation to dealing with a wide and diverse variety of offending type [...] is probably there."²⁸

33. The Minister for Social Justice agreed, telling us that "there is some legislative opportunity", for example in that the Police, Crime, Sentencing and Courts Act 2022 now includes sexual violence as part of its definition of serious violence. However, she also stressed that the Welsh Government's priority is:

²⁶ Estyn, "~~We don't tell our teachers~~", December 2021, page 18

²⁷ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraphs 28 to 30

²⁸ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraphs 38 and 105

"to educate our young people and empower them to have those healthy, safe relationships, so that they don't want to act in an abusive way towards each other. And I think this is about not necessarily thinking about specific criminal offences in that context, but actually very much about the way in which the culture and all the changes that are going to come forward as a result of this work are going to be important."²⁹

Our view

34. The different definitions of sexual harassment used by organisations and individuals have contributed to uncertainty about what constitutes unacceptable sexual behaviour. Without a clear definition of sexual harassment, young people rely on the value judgements of their school, college, peers or even of individual educators. This has direct implications for whether a young person chooses to report instances of unwanted sexual behaviour, and the level of support they receive if they do.

35. It is clear to us that sexual harassment is not a type of bullying. Bullying in itself is difficult to define, but we agree with the evidence that we received: the word "bullying" does not seem to adequately describe sexual harassment.

36. We also agree with Estyn's approach, supported by others such as Prof Renold, which includes clear examples of specific behaviours that constitute sexual harassment in any definition of peer on peer sexual harassment used in research, government documentation, guidelines for schools and other public bodies and, most importantly, work with young people. It provides clarity for learners, educators and policy-makers. We believe that Estyn's definition as set out in its 2021 report, with associated specific examples of harassment, is appropriate. We recommend that the Welsh Government and Estyn continue to use that definition of sexual harassment in future. Doing so will ensure continuity from Estyn's thematic review, and will enable other thematic reviews carried out in future to collect comparable data, supporting analysis of long-term trends to inform policy decisions.

Recommendation 1. The Welsh Government and Estyn must adopt/continue to use the definition of sexual harassment used by Estyn in its 2021 report 'We Don't Tell our Teachers', including the specific examples of peer on peer sexual harassment Estyn used in its work with pupils.

37. We are persuaded by the findings of our engagement work with young people and the work of the editorial board of Coleg Cambria students, which advocated a focussed awareness-

²⁹ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraphs 16-17

raising campaign across schools and colleges targeted at learners to improve understanding of what constitutes sexual harassment. Naturally, we urge the Welsh Government to use Estyn's definition and associated examples as recommended above in that body of work.

38. We were also convinced by the arguments of the editorial board that an awareness raising campaign targeted at learners should be simple and direct. They advocated listing Estyn's examples of inappropriate behaviour on a poster to put on display across schools and colleges. However, we heard time and time again throughout this inquiry that young people themselves should be at the centre of a national response to peer on peer sexual harassment. We therefore recommend that the Welsh Government establishes a dedicated advisory board made up of a representative sample of young people across Wales to co-design the Welsh Government's response to peer on peer sexual harassment.

Recommendation 2. The Welsh Government must create a Young People's Advisory Board, made up of a representative sample of young people across Wales, to co-design the Welsh Government's response to peer on peer sexual harassment.

Recommendation 3. The Welsh Government must carry out an awareness-raising campaign, co-designed with the Young People's Advisory Board (see Recommendation 2), targeted at learners across Wales, to improve understanding of what constitutes sexual harassment.

39. We agree that, wherever possible, the police should avoid criminalising young people. On the basis of what we heard from police representatives, the Minister for Social Justice and others, we are satisfied that the statutory framework is sufficient to take legal action against perpetrators where absolutely necessary.

3. The scale and nature of the problem

There is clear evidence indicating that peer on peer sexual harassment is shockingly commonplace across secondary schools. There is some evidence that it is common in colleges, and some evidence that it happens among primary school pupils too. Most sexual harassment happens online and outside school hours, but permeates into day-to-day school life too. Girls, LGBTQ+ learners and learners with other non-normative characteristics and identities are particularly at risk.

Secondary schools

The overall picture

40. Peer on peer sexual harassment is commonplace in secondary schools. The National Education Union summed up what we heard time and time again from almost everyone who contributed to our inquiry:

*"I think it's something that is very insidious. It's become normalised, and it is accepted as a part of everyday life, really, within schools and within society."*³⁰

41. Prof Renold explained that:

*"if you want to choose the language of 'victim', the victims of these experiences are increasingly girls, gender and sexual nonconforming young people, and LGBTQ+ young people."*³¹

The statistics below indicate the scale of problem as highlighted to us in various written and oral contributions to our inquiry.

³⁰ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 138

³¹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 329

Estyn's report tells us that:

- 61% of female pupils and 29% of male pupils have personal experience of peer on peer sexual harassment. 82% of female pupils and 71% of male pupils have seen others experience it.³²

DECIPHer at Cardiff University told us that:

- 11% of students in years 7-11 have sent a sexually explicit image **and** had it shared to someone else without their consent.
- Up to 50% of students reported having been called sexually offensive names at school in the last year by boys, and over a third by girls.
- A total of 13% of boys and 14% of girls reported being unwantedly touched or kissed at school by boys. This number rose to 41% for "gender minority youth". A total of 15% of boys and 6% of girls reported being unwantedly touched or kissed in school by girls. This rose to 34% for "gender minority youth".³³

Plan UK told us that a recent poll with girls found that over 50% had experienced sexual harassment in the learning environment, including: unwanted sexual comments, cat-calling, wolf-whistling, unwanted touching, grabbing, or groping.³⁴

The **NSPCC** told us that between April 2021 and January 2022, Childline delivered 522 counselling sessions about peer sexual abuse. This figure is higher than the whole of 2020-21.³⁵

Public Health Wales cited research in their written evidence to us that indicated that over half of experiences of sexual violence occur in the context of a dating or intimate relationship.³⁶

Parentkind told us that sexual harassment was a concern for 32% of parents. 9% of parents said that their child had experienced sexual harassment (that's without considering that many victims of the harassment also reported that they wouldn't go as far as telling a teacher or a parent).³⁷

³² Estyn, "We don't tell our teachers", December 2021, page 7

³³ Written evidence, PPSH 21 - Centre for Development, Evaluation, Complexity and Implementation in Public Health Improvement (DECIPHer), Cardiff University.

³⁴ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraphs 415-416

³⁵ Written evidence, PPSH 14 - NSPCC

³⁶ Written evidence, PPSH15 - Public Health Wales

³⁷ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraphs 365-366

Stonewall Cymru cited research which found that over half of young people who identify as LGBT have experienced bullying on the basis of their sexual identity or their LGBTQ+ identity more widely. Almost one in every five of LGBTQ+ children had experienced some kind of sexual violence as compared to one in ten cis people.³⁸

42. We heard that these statistics probably underestimate the scale of the problem. The National Association of Head Teachers told us that they “have no reason to contend the issues that Estyn raise”, although added that their findings “probably underestimates the fact that most people within schools will have experience of, or at least witnessed, or can describe, an incident where they’ve felt uncomfortable or saw those issues.”³⁹ Undeb Cenedlaethol Athrawon Cymru agreed:

“[...] I’m exceptionally pleased that Estyn had undertaken this piece of work that starts to look in greater detail at this particular issue. I’m concerned that this is only scratching the surface, even though some of the findings are so powerful, so it is very important that we do all accept that it is a problem in every school in Wales.”⁴⁰

The balance of online and face-to-face sexual harassment

43. We heard that even if peer on peer sexual harassment takes place between school pupils, most of it happens online. Plattform told us that most of the disclosures of sexual harassment that they have received “have started in the school environment but continue outside of school, predominantly through the use of social media and digital devices.”⁴¹ Prof Renold identified the same pattern, whereby “Verbal and non-contact sexual harassment between young people is widespread and increasingly normalised” and is “increasingly prevalent online.”⁴²

44. Estyn’s research also found that most sexual harassment takes place online. Their work with young people indicated that “the experience of harassment by their peers is [mostly] via the mobile phone, through social media and gaming sites in particular”.⁴³ Within the online space, sharing sexually explicit images is particularly widespread. Estyn told us that:

“The NSPCC as well has found that the most common form of technology assisted harmful sexual behaviour is the sharing of nude images, and, in our

³⁸ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 217-218

³⁹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 14

⁴⁰ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 106

⁴¹ Written evidence, PPSH09 – Plattform

⁴² Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 303

⁴³ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 10

*work, we found that boys in particular were encouraging other boys to ask for nudes, ask for photographs, to show off. It's a sort of bravado thing. And also girls would complain that boys would make them feel guilty for not sharing—that they would be made to feel that they weren't loved or liked unless they shared."*⁴⁴

45. Time and time again, we heard that sharing sexually explicit images - often without consent - is commonplace. Fitzalan High School held focus groups to discuss peer on peer sexual harassment, and found that:

*"[...] pupils in lower years tend to be unwilling recipients of sexual imagery through their access to online gaming. More girls than boys say they have received unsolicited images. As pupils get older, girls say that this happens regularly [...] The issue largely occurs outside the formal education setting and often online."*⁴⁵

46. The Association of School and College Lecturers told us that many young people have become desensitised to image-based abuse as a consequence of the volume of sexually explicit imagery that young people receive. The problem is so extensive that female learners "don't see them any more to be problematic. They're concerned about talking about it, they're concerned about actually bringing it to anybody's attention, because it is part of normal life as they see it as a young person, which is really dreadfully sad".⁴⁶

47. Some organisations located online sexual harassment within the wider context of gendered violence and misogyny. The NSPCC asserted that:

*"The stories shared by Everyone's Invited have highlighted the role that intimate images play in the gendered abuse that girls experience at school and beyond, and their experiences of pressure, coercion and control facilitated through images shared non-consensually online. We must recognise this context of toxic masculinity. Any guidance for schools should make it clear sexual insults such as 'slut' or 'whore' amount to gendered harassment and should be treated appropriately."*⁴⁷

48. Troublingly, we heard that one of the consequences of harassment taking place online is that it is very difficult for young people to escape it. The Children's Commissioner for Wales

⁴⁴ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 62

⁴⁵ Written evidence, PPSH07 - Fitzalan High School

⁴⁶ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 30

⁴⁷ Written evidence, PPSH 14 - NSPCC

reflected that “the online nature of it has changed what’s a centuries-old problem [...] because it’s online as well as offline, of course, it spills way beyond the school gates and continues 24 hours a day”.⁴⁸ Brook Cymru agreed, stressing to us that “young people can’t escape from it, in the sense of it is there in their life all of the time.”⁴⁹

49. However, although most of the harassment appears to take place online, we heard that it happens during the school day too. Estyn told us that “in terms of during the school day, the most common forms of sexual harassment are catcalling; making hurtful comments; making homophobic comments—mainly towards boys, but not always; and also comments about appearances.”⁵⁰ The NSPCC reported to us that young people had contacted them about “issues ranging from looking up skirts to sharing indecent images without consent, all the way through to rape. But it was particularly apparent that for young women in secondary schools, this was viewed as a normal part of life at school.”⁵¹

50. The Welsh Government accepted Estyn’s findings, which it notes “provides valuable information on the incidence of peer on peer sexual harassment in schools”⁵², and that peer on peer sexual harassment is more prevalent online and outside school than in school.⁵³ The Minister for Education and Welsh Language told us that:

“the work Estyn has done, and others are doing, is helping us understand that scale, but since reporting is one of the key challenges, I don’t think we can say that we understand the full scale of it. [...] what we already know is very disturbing, so that is, in itself, obviously a sufficient spur to action, isn’t it? But I don’t think we could say that we understand the full scale.”⁵⁴

Further Education

51. Estyn’s review did not consider peer on peer sexual harassment in Further Education. However, we heard that sexual harassment does not stop when young people leave secondary schools.

The **National Union of Students** cited findings of a 2019 study into sexual violence in Further Education, which found that:

⁴⁸ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 337.

⁴⁹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 241.

⁵⁰ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 11.

⁵¹ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 345.

⁵² Written evidence, PPSH 26 - Welsh Government.

⁵³ Written evidence, PPSH 26 - Welsh Government.

⁵⁴ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraphs 11-12.

- 75% of respondents said they had experienced an unwanted sexual experience at least once. 28% had been pressured to establish an unwanted sexual or romantic relationship, 14% had experienced unwanted physical attempts at sexual intercourse, and 12% had experienced unwanted sexual intercourse.
- 48% of respondents had experienced unwanted sexual remarks on at least one occasion. 37% had received such comments via social media or text message, and 29 per cent had received unwanted genital exposure. 6% per cent had sexual photos / videos of themselves distributed to others without their permission.
- 33 per cent of incidents of sexual harassment experienced by further education students took place at their education institution.⁵⁵

DECIPHer at Cardiff University carried out an e-survey with students from six FE settings across England and Wales. They found that:

- 29% of students reported being called sexually offensive names by boys. 27% reported being called sexually offensive names at FE by girls.
- 13% of students reported that they had been unwantedly touched or kissed at their FE setting. 10% of students reported that they had seen unwanted pornographic content while at FE, and 6% of students reported that they had had a sexually explicit image shared without their consent.
- Only 44% of students believed staff took action when they heard students being called sexually offensive names by other students.⁵⁶

Public Health Wales cited research in their written evidence to us that indicated that 28% to 56% of women in colleges report at least one incident of sexual violence outside a dating relationship.⁵⁷

52. CollegesWales told us that colleges “are certainly seeing things around stalking, unwanted attention, inappropriate touch, online bullying and harassment, and we’re seeing relationship issues between young people. We’re also seeing historic reports and concerns being raised, and then the transition issues that come from school into colleges. [...] Colleges are taking the matter

⁵⁵ Written evidence, PPSH 18 - National Union of Students Wales (NUS Wales).

⁵⁶ Written evidence, PPSH 21 - Centre for Development, Evaluation, Complexity and Implementation in Public Health Improvement (DECIPHer), Cardiff University.

⁵⁷ Written evidence, PPSH 15 - Public Health Wales.

really, really seriously.”⁵⁸ However, colleges reported to CollegesWales that “it is very difficult to quantify the scale of this issue in post 16 education because they often only tend to become involved when learners report issues to the college to which they then respond.”⁵⁹

53. The Welsh Government acknowledged that not enough is known about the prevalence or nature of peer on peer sexual harassment in Further Education institutions. While our inquiry was underway, the Welsh Government confirmed that they would commission Estyn to carry out a further review into peer on peer sexual harassment in Further Education in 2022-23.⁶⁰ This was subsequently included in the Welsh Government’s remit letter issued to Estyn for 2022-23.⁶¹ CollegesWales acknowledged that a further review into peer on peer sexual harassment in FE would be “a very useful piece of work.”⁶²

Primary schools

54. We heard that very little research has been carried out into peer on peer sexual harassment in schools, so the extent of the problem is unclear. Prof Renold explained to us why that might be:

“There is less research in this area, mainly because of the difficulty in designing affirmative methods that allow children to talk about some of the most sensitive experiences at that age. A lot of ethnographic research often captures this; this isn't survey data, it's being with children over a period of time allows you to see what's happening in those classrooms and in playgrounds and so on, and building that trust that they can talk to you about maybe what's happening.”⁶³

55. However, there are some strong indications that sexual harassment is prevalent amongst primary-age children. The NEU quoted 2018 research with UK Feminista that found that 45% of primary school teachers are aware of sexist language being used at least on a termly basis, and 15% on a weekly basis. Estyn told us that, in their work with secondary school pupils, “there was quite a substantial proportion of young people that said they’d first experienced some of this in primary school”.⁶⁴

⁵⁸ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 252

⁵⁹ Written evidence, PPSH 20 - Colleges Wales

⁶⁰ Written evidence, PPSH 26 - Welsh Government

⁶¹ Welsh Government, ‘Estyn annual remit letter 2022-23’, 22 March 2022

⁶² Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 266

⁶³ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 304

⁶⁴ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 52

56. Many others added to that impression. Prof Renold told us that this “does happen in the everyday lives of pre-teen children. We’re talking slightly older [primary school children], maybe year 4, 5 and 6.”⁶⁵ Undeb Cenedlaethol Athrawon Cymru and the National Union of Head Teachers both agreed, suggesting that sexual harassment takes place in years 5 and 6 particularly, when many pupils have mobile phones and access to online platform just like their older peers.⁶⁶ Barnardo’s told us that their Better Futures service, which provides assessment and longer term therapeutic intervention services for children and young people with sexualised histories across Wales, receives many calls raising concerns about children who are as young as eight or nine years old.⁶⁷

57. Ultimately, we heard that more research needed to be carried out with urgency to ascertain the scale of the problem in primary schools.⁶⁸

Are some learners more at risk than others?

Girls

58. As the statistics and evidence above illustrate, peer on peer sexually harassment is far more likely to affect girls than boys. Estyn’s review found that 61% of female pupils have personal experience of peer to peer sexual harassment compared to 29% of male pupils. Prof Renold confirmed to us that the wider research evidence reinforces Estyn’s findings.⁶⁹

59. We heard from the NEU that sexual harassment overwhelmingly involves boys targeting girls⁷⁰ and many respondents placed it in a context of societal-wide misogyny. For example, the Equality and Human Rights Commission cited evidence indicating a major increase in sexist comments posted on social media since 2014⁷¹ and Public Health Wales argued that preventing sexual harassment requires an appreciation that it is part of a social pattern of predominantly male abuse towards women.⁷²

60. Alongside girls and young women, our inquiry highlighted that other groups of learners are also at a high risk of sexual harassment from their peers.

⁶⁵ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraphs 304-305

⁶⁶ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraphs 57 and 107

⁶⁷ Written evidence, PPSH 16 – Barnardo’s Cymru

⁶⁸ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 107 and 304-305

⁶⁹ Written evidence, PPSH06 – Prof. EJ Renold

⁷⁰ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 134

⁷¹ Written evidence, PPSH11 – Equality and Human Rights Commission

⁷² Written evidence, PPSH 15 – Public Health Wales

LGBTQ+ learners

61. One of the key findings of Estyn's report is that LGBTQ+ pupils "have substantial personal experiences of verbal homophobic harassment, with many saying that homophobic bullying is happening all the time."⁷³

62. The Children's Commissioner for Wales agreed, telling us that during her seven year term as Commissioner, young people have consistently told her that "identity-based bullying is prevalent and that this includes gender based bullying and bullying of LGBTQ+ children and young people [...]".⁷⁴ Prof Renold outlined the situation particularly clearly:

*"Research on gender and sexual harassment has conclusively demonstrated that girls/young women, LGBTQ+ young people and those young people who are perceived not to conform to the normative categories of 'femininity', 'masculinity' and 'heterosexuality' are most at risk of discrimination, exclusion and abuse [...]."*⁷⁵

63. Stonewall Cymru set out to us the scale and severity of the harassment that LGBTQ+ pupils face particularly clearly. We heard that sexual harassment and bullying "is a huge problem for LGBTQ+ people here in Wales. The Stonewall Cymru schools report in 2017 notes that over half of young people who identify as LGBT have experienced bullying on the basis of their sexual identity or their LGBTQ+ identify more widely."⁷⁶

64. LGBTQ+ pupils are more likely to be affected by sexual violence than their cisgender, heterosexual peers. "According to METRO Charity back in 2016, almost one in every five of LGBTQ+ children had experienced some kind of sexual violence as compared to one in 10 of cis people—those who don't identify as being trans—or heterosexual. So, that's a percentage of 18 per cent as compared to 11 per cent."⁷⁷

65. The nature of the harassment is different, too. Stonewall Cymru went on to tell us that homophobia, biphobia or transphobia can be the driver for the abuse, rather than sexual attraction".⁷⁸ Platform agreed that harassment of LGBTQ+ pupils is often driven by identity-, gender- or sexuality-based discrimination; in broad terms, "not being fully understood".⁷⁹

⁷³ Estyn, "We don't tell our teachers", December 2021, page 7

⁷⁴ Written evidence, PPSH04 - Children's Commissioner for Wales, page 2

⁷⁵ Written evidence, PPSH06 - Prof EJ Renold

⁷⁶ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 217

⁷⁷ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 218

⁷⁸ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 257

⁷⁹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 429

Learners with additional needs

66. We heard that pupils with additional needs experience sexual harassment differently to their neurotypical peers, both as perpetrators and recipients of harassment. Either way, these children are particularly vulnerable. In their written evidence, Barnardo's set out that:

*"children and young people who have disabilities and special educational needs are at an increased risk of being abused compared with their non-disabled peers. Research shows that disabled children including those with learning difficulties, are three to four times more likely to experience abuse. To add to this, children with disabilities and special educational needs are much more likely to keep their abuse hidden and remain unidentified."*⁸⁰

67. We heard that children with additional needs are also at risk of displaying inappropriate behaviours themselves. Parents' Voices in Wales, which campaigns for improved mental health and neurodiversity services in Wales, told us that because of "their difficulty with their understanding of social rules, they possibly have a poor understanding of what is appropriate touch, whether that means that they interact or they instigate a physical contact or whether that is put onto them, and having that ability to recognise what is appropriate and what isn't appropriate."⁸¹ The Deputy Chief Constable and Policing in Wales Lead shared similar experiences, explaining that:

*"in terms of the offending patterns, we do see, on some occasions, children who have particular learning difficulties—. Sometimes, it's more of a challenge for them to be able to express themselves, and sometimes that can manifest itself in inappropriate ways, i.e. inappropriate texts, inappropriate messaging et cetera."*⁸²

68. CollegesWales identified a similar trend in some colleges:

*"The most significant finding is that over half of incidents reported involved learners with ALN as the alleged perpetrators. Further research is needed into this, although anecdotal evidence suggests that this could partly be a result of learners with ALN finding managing relationships difficult, combined with difficulties in reading social cues."*⁸³

⁸⁰ Written evidence, PPSH 16 - Barnardo's Cymru

⁸¹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 362

⁸² Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 93

⁸³ Written evidence, PPSH 20 - Colleges Wales, paragraph 14

69. Critically, we heard that for children with additional needs, there is a strong correlation between being sexually harassed and sexually harassing others. Barnardo's pointed us towards research suggesting that:

"Those with learning disabilities and autism also tend to be over-represented amongst young people who have displayed harmful sexual behaviour. Around half of young people who have displayed harmful sexual behaviour have experienced sexual abuse themselves".⁸⁴

Other characteristics (e.g. social class, ethnicity, religious belief, etc.)

70. We have taken valuable evidence about sexual harassment among girls, LGBTQ+ pupils, and some anecdotal evidence about the experiences of pupils with learning disabilities. However, we heard very little about whether other characteristics - such as ethnicity, social class, religious belief, etc. - shape learners' experiences of sexual harassment.

71. This gap in both Estyn's work and in the academic evidence was pointed out to us by Prof Renold:

"the victims of these experiences are increasingly girls, gender and sexual nonconforming young people, and LGBTQ+ young people. And then, what's missing, I think, from a lot of the data is the intersectional analysis on that—so, how does social class, ethnicity, race et cetera play into girl and gender? So, sometimes that's missing. It was missing from the Estyn research [...]"⁸⁵

72. Public Health Wales agreed. In their written submission, they explain that "sexuality, age, socioeconomic status, race and disability intersect with gender and create differences and inequalities in lived experience of sexual [harassment] and outcomes." They go on to suggest that certain groups of learners, such as women and girls who are from ethnic minority backgrounds, are migrants or refugees, are particularly vulnerable to harassment and abuse.⁸⁶ Others also highlighted the cumulative effect of sexual harassment, on top of other racial discrimination and marginalisation, which we discuss in chapter 6.

Our view

73. We are alarmed by the scale and severity of peer on peer sexual harassment among learners. Whilst it comes as no surprise to us that sexual harassment is common throughout the school day (a longstanding problem), we are shocked by the extent to which sexual harassment

⁸⁴ Written evidence, PPSH 16 - Barnardo's Cymru

⁸⁵ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 329

⁸⁶ Written evidence, PPSH 15 - Public Health Wales

continues outside school hours and online. We were particularly worried by the evidence we heard which suggested that many young people cannot escape the harassment they receive, that it permeates their entire lives, whether in school or out of it.

74. In order to take effective action to tackle sexual harassment we must understand how and where it is taking place. It is apparent to us that the scale of sexual harassment among secondary school pupils is well-established. However, this is not the case for the Further Education and primary sectors.

75. We welcome the Welsh Government's announcement that it has instructed Estyn to carry out a thematic review into peer on peer sexual harassment in colleges. We await the findings of that review with interest and concern.

76. However, much less is known about sexual harassment in the primary sector. We understand that carrying out research into the sexual behaviour of young children is difficult, and presents ethical and safeguarding challenges. However, our inquiry has indicated that many unhealthy sexual behaviours between learners first emerge at primary school. If that is the case, it is crucial to understand those behaviours so that they be addressed before they become normalised. We believe that, with the expert support and advice of children's charities, academics and bodies such as the office of the Children's Commissioner for Wales, the Welsh Government should commission research into inappropriate sexual behaviour across primary school pupils.

Recommendation 4. The Welsh Government must commission a review into peer on peer sexual harassment among primary school-aged children, drawing on the expertise and guidance of children's charities, academics and the Children's Commissioner for Wales as appropriate.

77. Estyn found that girls are the main victims of sexual harassment - 61% of secondary-school age girls have personal experience of it. However, we are also troubled by the evidence that we received that suggested that LGBTQ+ learners are also at a high risk of sexual harassment, and that, in many cases, the harassment they experience is fuelled by prejudice and phobia.

78. We are also concerned that comparatively little is known about how other learners with different identities and characteristics experience sexual harassment (e.g., learners across different socioeconomic backgrounds, with ethnic minority backgrounds, neurodiverse learners, or disabled learners). There is a clear need for more nuanced data about these young people's experiences, which we will return to in the next chapter.

4. Incident reporting and data collection

We heard that accurate and reliable data is an essential part of preventing sexual harassment among learners. There are two fundamental challenges to overcome to collecting high quality data: encouraging learners to report their experiences; and ensuring that schools and others consistently and accurately categorise, report and interrogate data to identify trends and patterns.

Do learners always report incidents of sexual harassment?

79. One of the key findings of Estyn's work - as the title of the report indicates - is that pupils don't systematically tell their teachers about peer on peer sexual harassment:

*"That was the message that we were receiving from all the pupils during our visits to schools [...] They either don't think the incident was serious enough, or they didn't think it was worth reporting. [...] Pupils don't tell their teachers, simply because they don't feel they can, that anything will be done, and they don't feel that, often, they're taken seriously. Quite often, teachers will dismiss the incidents as being trivial, or even encourage the pupils to ignore them."*⁸⁷

80. The National Union of Students shared data with us drawn from a UK-wide survey of more than 500 students in further education institutions. It suggests that non-reporting of incidents was not confined to secondary school pupils:

*"While respondents consistently reported high rates of awareness of the prevalence of unwanted sexual behaviours, just 14 per cent of students who had experienced this had reported it to anyone. For those who reported it, 47 per cent told the police, 22 per cent told their college, and one in seven told a friend."*⁸⁸

⁸⁷ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 108

⁸⁸ Written evidence, PPSH 18 - National Union of Students Wales

81. These findings are consistent with Ofsted's 2021 review of sexual abuse in schools and colleges⁸⁹ and the views of many others who contributed to our inquiry.

82. The Children's Commissioner for Wales told us that, even if they are reported, incidents of sexual harassment are not always taken as seriously as they should be.⁹⁰ In her written evidence, she set out that:

"school staff, school leaders and other adults do not always respond consistently to incidents of peer sexual harassment, and sometimes incidences can be dismissed entirely; - That whole school culture can be inconsistent with gender equity, with staff using gender stereotypes to describe behaviour or set expectations; - That such gender stereotypes are sometimes used by staff to dismiss peer-harassment, with messages such as, 'boys will be boys'".⁹¹

83. The Association of School and College Leaders had a different take on why pupils might not report sexual harassment at schools: concern that teachers might over-react to their allegations:

"some of the reasons for learners not reporting is that they're embarrassed, and I think we can probably see that ourselves empathetically. They're worried that teachers will overreact if there is mention of it in the school, and that, I think, would be a concern, if there was an overreaction. But that worries them, and that stops them from disclosing."

84. However, this was not borne out by the evidence we received from children and young people. 16% of all the responses we received to our survey with 11-18 year olds said that their school or college should take sexual harassment more seriously, not less. We heard that teachers "turn a blind eye to sexual harassment", "pass off situations like this as 'just messing around'", "are not aware of sexual harassment" and are even "ignoring some of the signs that something concerns might be going on". One young person urged teachers to take it as seriously as racism and to support girls to tackle sexual abusive behaviour and harassment.⁹²

85. The Association of School and College Leaders also suggested that that pupils may also resist reporting incidents because they are concerned that they might be targeted by the

⁸⁹ Gov.uk, 'Review of sexual abuse in schools and colleges', 10 June 2021

⁹⁰ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 391

⁹¹ Written evidence, PPSH04 - Children's Commissioner for Wales, page 2

⁹² Children, Young People and Education Committee, 'Peer on peer sexual harassment among learners: Engagement findings', April 2022, pages 5-6

alleged perpetrator, who are likely to be in their school and even in their class.⁹³ CollegesWales agreed, suggesting that "Disclosures can be challenging as learners may feel they won't be believed; they feel guilty/responsible for the abuse or feel it may cause more 'issues' with the alleged abuser."⁹⁴

86. Some LGBTQ+ pupils may face additional barriers when considering whether to report sexual harassment. Stonewall Cymru explained to us that:

*"during the years or age that we're talking about, some young people or a lot of young people might not actually identify as LGBTQ+ because they might not have questioned their sexuality or gender identity yet, which then leaves us in a position where we know of LGBTQ+ children and young people, or those who are questioning their identity, not being able to report in fear of outing themselves, in terms of outing themselves being then known as LGBTQ+ when, actually, they might not be."*⁹⁵

87. A Deputy Chief Constable and Policing in Wales Lead told us that, ultimately, building positive relationships with children is key to encouraging them to report incidents of sexual harassment:

*"the first step is building that trust and confidence. Very often, young people don't want to tell teachers, but what we are seeing is those children have come through the primary stream into secondary and have built relationships with our schools officers."*⁹⁶

88. Many young people who responded to our survey raised the importance of trust and advocated safe spaces for learners to report incidents of sexual harassment. One respondent urged us to make young people in the community "have a sense of trust for the adults who are supported to be taking care of them", while another suggested assigning members of staff who are trusted by students to a learner liaison role.⁹⁷

⁹³ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 54

⁹⁴ Written evidence, PPSH 20 - Colleges Wales, paragraph 3.6

⁹⁵ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 255

⁹⁶ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 42

⁹⁷ Children, Young People and Education Committee, 'Peer on peer sexual harassment among learners: Engagement findings', April 2022, page 7

Collecting and reporting on data

In schools and colleges

89. Throughout this inquiry, we heard that secondary schools are generally poor at recording, processing and analysing data about peer on peer sexual harassment.

90. Estyn told us that schools do not effectively “review what happens over a period of time and identify trends and patterns in children’s behaviour and do something about that.”⁹⁸ Most schools use a digital or online information management system to record incidents, but they “don’t use it well enough to identify any shortcomings or patterns of behaviour.” Estyn also expressed concern that, “in a few cases, the classification of bullying is too broad, and doesn’t enable the schools to record and evaluate incidents of homophobic, sexist or even racially motivated bullying.” They urged “more comprehensive use of these systems”⁹⁹ as the third recommendation of their report sets out.

“Secondary schools should [...] Improve the way they record, categorise and analyse incidences of harassment and bullying. Records should include details about the nature and type of incidences, the impact on the victim and appropriate actions in response to both perpetrators and victims. Leaders should ensure they review records regularly and evaluate the impact of their actions on pupils' wellbeing.”

Estyn, recommendation 3¹⁰⁰

91. One individual who responded to our consultation agreed with Estyn’s findings:

*“I do not believe schools or colleges seek to explore the issue well enough, and data collection is poor. Teachers do not take peer-on-peer sexual harassment seriously enough. [...] schools report few instances of bullying to local authorities and rarely report on peer-on-peer sexual harassment.”*¹⁰¹

92. We heard that one of the problems for schools is the concern that having robust data capturing and reporting procedures could lead to more cases of peer on peer sexual harassment being identified relative to other schools, which in turn could make it look as if they are struggling. The Association of School and College Leaders set out their concerns:

⁹⁸ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 23

⁹⁹ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 118

¹⁰⁰ Estyn, “We don’t tell our teachers”, December 2021, page 11

¹⁰¹ Written evidence, PPSH01 – Individual

"When the data collection begins to be gathered, what we don't want to see is that, when that volume comes through, there somehow is a punitive measure that is placed on schools for reporting honestly. Because there will be consequences, if you like, washing back into the system, where people will be afraid to report, they won't want to do anything with it. This has to be about intervention and prevention, not about, really, punishing schools for doing their best [...]"¹⁰²

93. A Deputy Chief Constable and Policing in Wales Lead told us that:

"there is sometimes that apprehension with schools, because when they do report it, is there going to be a feeling from their perspective that the school isn't coping and it's breeding the wrong culture et cetera?"¹⁰³

The Equality and Human Rights Commission agreed, highlighting that in their work on tackling identity-based bullying, many schools would not collect data "for fear it would be viewed negatively"¹⁰⁴ Brook argued that schools "need to be rewarded for identifying, responding to and reporting on the problem, recognising that it is a universal issue faced by all schools – rather than fear they will be penalised."¹⁰⁵

94. We asked Estyn to set out how it would respond to schools that had good systems for reporting and recording incidents of sexual harassment, and which were consequently reporting more incidents of sexual harassment than schools with poor systems for reporting and recording incidents. Estyn assured us that they "would not use good record keeping to penalise schools for having a number of recorded incidents, and may actually use it to report positively on how they use that feedback to inform PSE inputs, assemblies etc." Those records would be considered alongside pupil feedback, parental feedback, and behaviour they see during inspections to identify schools that do not respond well to bullying incidents.¹⁰⁶

95. CollegesWales's evidence suggested that colleges may have better data collection and reporting arrangements than schools. They spoke of "very strong mechanisms within the colleges", and that reporting is taking place on "a daily, weekly, monthly, termly, annual basis in those regards, and a number of the colleges are using MyConcern [software for reporting concerns], where people can come forward."¹⁰⁷ The University and College Union told us they

¹⁰² Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 79.

¹⁰³ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 38.

¹⁰⁴ Written evidence, PPSH11 – Equality and Human Rights Commission

¹⁰⁵ Written evidence, PPSH08 – Brook Cymru

¹⁰⁶ Estyn, 'Additional information from Estyn for inquiry into peer on peer sexual harassment among learners', June 2022

¹⁰⁷ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 270.

had heard very little from their members about peer on peer sexual harassment generally, but stressed that “their point of departure is that we need a national reporting mechanism”.¹⁰⁸

96. When we asked the Minister for Education and Welsh Language about data collection in schools and colleges, he told us that “there is a range of systems and a number of different bases on which that data is collected. So, it’s not a consistent picture on a school level and, therefore, obviously, not consistent on a Wales-wide level.”¹⁰⁹

The Schools Health Research Network

During our inquiry, we heard about the Schools Health Research Network (SHRN). Almost all maintained secondary schools in Wales take part in the survey, which is led by the Centre for the Development and Evaluation of Complex Interventions for Public Health Improvement (DECIPHer) at Cardiff University. Network schools complete a bilingual electronic Student Health and Wellbeing Survey every two years. The surveys collect data on areas such as mental health and wellbeing; youth smoking and vaping; family and social life; and substance use and gambling.¹¹⁰ Estyn’s report says that “Schools’ use of their local SHRN report to plan for provision and improvement is underdeveloped [...] In a few cases, leaders acknowledge shortcomings and patterns of behaviour around sexual issues in their SHRN report but make few changes to provision.”¹¹¹

The roles of local authorities and the Welsh Government

Local authorities

97. Estyn’s report explains that local authorities are required to ask schools for monthly reports on bullying incidents and advise schools on local trends.¹¹² However, Estyn told us that “We spoke to eight local authorities, and we know that that’s not done consistently well enough.”¹¹³ In its report, Estyn made a recommendation to local authorities about data collection and analysis:

“Local authorities should [...] Work with schools to collect and categorise and analyse all bullying and harassment data correctly and comprehensively. In addition, support

¹⁰⁸ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 255

¹⁰⁹ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 20

¹¹⁰ School Health Research Network, ‘Healthy Futures for Young People’

¹¹¹ Estyn, “We don’t tell our teachers”, December 2021, page 46

¹¹² Estyn, “We don’t tell our teachers”, December 2021, page 10

¹¹³ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 119

schools to analyse this information regularly to identify trends and put restorative arrangements in place."

Estyn, recommendation 5¹¹⁴

98. The Association of Directors of Education in Wales set out some of the practicalities of how the data collection process works in relation to peer on peer sexual harassment:

*"We collect data. We collect it, and I think most local authorities will collect data on at least a termly basis when you're looking at all instances of bullying. [...] Whether, as we said earlier, there is a specific identity for sexual harassment, hands up, we haven't got one. [...] There isn't a tick box, so we would have to look at the narrative to see what it is, but those are then analysed on a termly basis, and if you're finding that there's an issue in a particular school, it's a conversation with the headteacher or the team to put that pastoral work in; it's a conversation with social services or other services to see what support we need to put into the schools."*¹¹⁵

99. They also explained that different local authorities collect data in slightly different ways, "so if we want national data to show that any policy is making a difference, we need to make sure that we are collecting the same data at the same time."¹¹⁶ Swansea Council also admitted that they have no specific data collection approach for sexual harassment, and told us that capturing data across Swansea is a challenge."¹¹⁷

100. Other contributors to our inquiry painted a similar picture. Brook told us about reporting inconsistencies across Welsh local authorities¹¹⁸ and the National Education Union suggested that local authorities' data collection may not be capturing the full picture.¹¹⁹ Fitzalan High School told us that although the local authority has recently revised its method for collecting information, there "are concerns about how this will be used effectively."¹²⁰

The Welsh Government

101. As the paragraphs above set out, we heard that by the time that data about sexual harassment among learners reaches the Welsh Government, it is not reliable or accurate

¹¹⁴ Estyn, "We don't tell our teachers", December 2021, page 11

¹¹⁵ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 195

¹¹⁶ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 204

¹¹⁷ Written evidence, PPSH 22 - Swansea Council

¹¹⁸ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 277

¹¹⁹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 163

¹²⁰ Written evidence, PPSH07 - Fitzalan High School

enough to inform interventions at a national level. The evidence we heard on the Welsh Government's role in data collection related to ensuring that schools, colleges and local authorities improve their approaches to data collection, as Estyn's recommendation sets out:

"The Welsh Government should [...] Work with local authorities to improve the way they collect bullying and harassment information from schools and ensure that local authorities identify and respond to patterns and trends in behaviour. This is in order to plan suitable guidance, training and support for schools."

Estyn, recommendation 8¹²¹

102. Most stakeholders agreed. The National Union of Students told us that they support Estyn's recommendations around improving this data collection and reporting, and believe they should also apply to further education institutions.¹²² The University and College Union told us that they "are aware of no centrally organised data or standard reporting procedures around this issue. Consequently, it is almost impossible to judge the scale of the problem or identify patterns and trends."¹²³

103. We heard that the Public Sector Equality Duty provides a basis for gathering high quality data on sexual harassment, including on the basis of protected characteristics. The Equality and Human Rights Commission explained that the Welsh Government could use the data to develop equality objectives [...] to take action, evaluate and report progress on anti-harassment and bullying strategies."¹²⁴

104. The Minister for Education and Welsh Language acknowledged to us that the Welsh Government does not understand the full scale of peer on peer sexual harassment due to inconsistencies in reporting and data collection.¹²⁵ In their joint submission, the Ministers for Education and Welsh Language and for Social Justice went into more detail:

"[...] we do not currently collect this data at a national level. Most Welsh local authorities collect data on different forms of bullying and harassment, however it is very inconsistent and can vary from school to school [...] The Welsh Government is currently undertaking scoping work to ascertain how

¹²¹ Estyn, "~~We don't tell our teachers~~", December 2021, page 11

¹²² ~~Written evidence, PPSH.18 - National Union of Students Wales~~

¹²³ ~~Written evidence, PPSH.25 - University and College Union~~

¹²⁴ ~~Written evidence, PPSH11 - Equality and Human Rights Commission~~

¹²⁵ ~~Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 12~~

we can meet the need for more robust data in this space, which covers the different forms of bullying and harassment in our education settings.”¹²⁶

105. The Ministers’ paper goes on to state that that it is considering changes to its anti-bullying guidance in relation to racial harassment and bullying in schools, and will consider how that reviewed guidance can include “robust reporting, recording and data collection of peer on peer sexual harassment, and homophobic harassment and bullying.” The paper also acknowledged the obligations the Public Sector Equality Duty places on schools, colleges and local authorities to “ensure appropriate and effective action is taken to remove or minimise disadvantages encountered by learners due to their having protected characteristics, such as, sex, sexuality and gender assignment.”¹²⁷

106. The Minister for Education and Welsh Language told us that he hopes that what “we will see as a result of [the work on improving data collection] is increasing confidence in young people that their concerns are taken seriously”.¹²⁸

Our view

107. It is little wonder that the Welsh Government is unsure of the scale and nature of sexual harassment among learners when:

- many young people are (understandably) reluctant to report incidences of sexual harassment;
- generally speaking, schools are either unwilling or unable to collect high quality data;
- where data is collected by schools, it often does not distinguish between sexual harassment and bullying in a general sense;
- local authorities are inconsistent in how - and whether - they analyse bullying data from schools; and
- the definitions on which data is collected and the reporting systems that schools and local authorities use are inconsistent and incompatible.

108. We therefore welcome the Welsh Government’s commitment to improving reporting, recording and analysis of data on peer on peer sexual harassment. This is a critical body of work that must begin urgently, and continue at pace. For it to be truly effective at understanding the

¹²⁶ PPSH 26 - Welsh Government

¹²⁷ Written evidence, PPSH 26 - Welsh Government

¹²⁸ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraphs 5-7

real scale of sexual harassment across all children in schools in Wales, it must be collected consistently by schools, broken down by the nine protected characteristics of the Equality Act, and collated and analysed regularly by local authorities.

Recommendation 5. The Welsh Government must update its statutory guidance to ensure that local authorities collect data from schools on sexual harassment specifically on a monthly basis, analyse that data to identify trends and patterns, and report on their findings at least annually. The data should:

- be collected on the basis of the definition of sexual harassment adopted by Estyn in its 2021 report; and
- be broken down by the nine protected characteristics of the Equality Act 2010 to support schools, local authorities and the Welsh Government to discharge their duties under the Public Sector Equality Duty.

109. Schools are not doing enough to ensure that they collect timely and accurate data about sexual harassment among their learners. However, we acknowledge that there is an inherent conflict of interest for schools. Schools with robust approaches to data collection are likely to see many more incidents reported than institutions with weak and inconsistent data collection. This may, or may not, accurately reflect the relative prevalence of peer on peer sexual harassment in those schools.

110. We are reassured by the written evidence we received from Estyn, which stated that it would not penalise schools if good recording keeping led to a higher number of recorded incidents, and that it may be reported on positively by inspectors if that data informed school-based interventions. We therefore urge Estyn to focus specifically on how schools collect and report on incidents of peer on peer sexual harassment, within the context of our Recommendation 5 above. Given that accurate and reliable data reporting, collection and analysis is one of the first of many steps to responding effectively to peer on peer sexual harassment, this work must begin at pace.

Recommendation 6. Estyn must include within its inspection framework for routine school inspections, no later than January 2023, consideration of schools' approaches to keeping records of incidents of peer on peer sexual harassment specifically, how schools interrogate that data to identify trends and patterns, and the extent to which that data informs the development of school-based interventions. Such an approach must not penalise or reflect badly on schools simply because they have cases of sexual harassment, but focus on how well schools collect and data and act on that data.

111. However, underpinning all of this work is potentially the most difficult problem to address: ensuring that young people feel confident in reporting their concerns to school staff. There is a significant body of work that needs to be undertaken across schools and colleges to create a positive, nurturing learning environment in which young people feel confident that, if they report sexual harassment, they can do so with an adult they trust, they will be taken seriously, and action will be taken as a result. We discuss this further in chapter 7.

112. Estyn's review into peer on peer sexual harassment focussed on secondary schools, and we were unable to collect sufficient evidence about data reporting in primary schools or colleges. We are therefore unable to draw any conclusions about how robust their reporting arrangements are. The Welsh Government has confirmed that it has asked Estyn to carry out a review into peer on peer sexual harassment in Further Education. Earlier in this report we recommended that the Welsh Government do the same for primary schools. We hope that that the Welsh Government is minded to accept this recommendation, and urge it to ensure that any additional reviews include consideration of how well education institutions gather and analyse data about peer on peer sexual harassment.

Recommendation 7. The Welsh Government must ensure that any reviews into peer on peer sexual harassment in Further Education and primary schools consider how effectively schools and colleges collect, categorise and analyse sexual harassment data to identify trends and develop school-/college-based interventions.

5. The causes of sexual harassment among learners

The causes of peer on peer sexual harassment are deep-rooted societal attitudes amplified by pornography, social media, and, in recent years, the COVID-19 pandemic.

A reflection of society

113. Time and time again, we were told that young people's behaviour in schools is, at least in part, a reflection of trends that are already well-established across society. Many stakeholders placed the issue in the context of the wider violence against women agenda. The Children's Commissioner for Wales argued that:

*"this is not an issue that just affects children and young people, and we also need to be careful that we're not getting into a culture of blaming children and young people for owning this problem. This is a wider societal problem that we need to own as adults in particular, because children are replicating and perpetuating an intergenerational issue, and they're seeing behaviours by adults and cultures perpetuated by adults online, in the press and in the street, et cetera, that are then being replicated."*¹²⁹

114. Many stakeholders argued that schools are a microcosm of wider society. Estyn told us that their research has identified a tendency for young children to grow up too quickly, reflecting increasingly sexual and sexualised culture more widely.¹³⁰ Welsh Women's Aid agreed, suggesting that schools "are an environment where future generations learn and internalise societal norms and values. The implicit as well as explicit behaviours and attitudes of what is accepted and acceptable are the foundation, we offer our young people."¹³¹ Platform urged us to recognise that "you can't separate a child or young person from the context and the environment that they live in. So, they could be getting influences from family, from their peers, wider community, schools and that kind of thing."¹³²

115. We also heard that unhealthy or discriminatory attitudes across society seep into schools and colleges, instigating negative and unhealthy behaviours between pupils. Stonewall Cymru

¹²⁹ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 360.

¹³⁰ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 61.

¹³¹ Written evidence, PPSH 19 - Welsh Women's Aid

¹³² Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 411.

noted that there is an increase in anti-LGBTQ+ narratives and hate across the world, within social media and also within wider society, which "can then infiltrate our traditionally safe places, such as schools and educational settings".¹³³

116. In terms of gender violence, Prof Renold reflected that:

*"When you're talking to boys and young men, when you're with them on their own and you create a safe space, and they're telling you that they don't actually want to do this, that they feel pressured to do these things, everybody's affected in that sense. So, coercion and control from society is making some boys and young men do this as much as anything else."*¹³⁴

117. The Minister for Education and Welsh Language acknowledged to us that the causes of peer on peer sexual harassment can be found across society at large. He argued that parents, carers, guardians, and the wider community have a role in tackling harassment:

*"This is a set of challenges that is manifesting itself in this discussion, obviously, given the nature of it, and in the life of a school, but it isn't essentially caused by the life of a school; it's a much broader, more societal question than that. My own view is that it's pretty well established, and that has a significant contribution to make, really."*¹³⁵

Pornography and sexualised images

118. Estyn and others set out clearly in their research findings that sexual harassment between learners often involves sexualised images: pressuring peers into taking and sharing explicit photos or videos, either of themselves or of their peers. We wondered whether this phenomenon is linked to how easily young people can access pornography or the sexualised images across the media more generally.

119. In her 2021 documentary for the BBC, 'Uncovering Rape Culture', presenter Zara McDermott argues that pornography and sexualised images have an important role in promoting unhealthy perceptions of sex and sexual relationships. The documentary finds that pornography is easily and readily available to young people under the age of 18, and is often the first education that young people receive about sex. McDermott concludes that scripted, fake and sometimes violent videos created or shared by the pornography industry can set the standards for young people's impression of what constitutes a healthy sexual relationship. As

¹³³ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 261

¹³⁴ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 331

¹³⁵ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 78

part of the documentary, McDermott contacts MindGeek (a company that operates some of the most commonly accessed pornographic websites in the UK, including PornHub) to clarify its arrangements for protecting children and young people from pornographic material online. MindGeek responds to say that PornHub's age verification process is "fully compliant" and parents can use parental controls to prevent children accessing pornographic material.¹³⁶

120. Others are also lobbying the operators of pornography websites to take action to prevent children accessing explicit material. At the time of writing, Barnardo's is leading a campaign with children's and women's safety organisations to ask the five largest pornography sites accessed in the UK to implement measures to better protect children from harm. Barnardo's has campaigned for politicians in the Senedd and elsewhere, alongside members of the public more generally, to add their names to the list of signatories to the letter. The letter claims that at the very minimum, over the next three years children could access pornography over 50 million times. Barnardo's frontline services say children they support are watching pornography depicting illegal acts, violence and child sexual abuse, and this content harms children's mental health and can normalise aggressive, coercive and harmful sexual activity.¹³⁷

121. Many witnesses agreed that peer on peer sexual harassment is linked to how easily young people can access pornography or the sexualised images. The National Education Union told us that "in terms of what has influenced [young people], I think there is very easy access to unsuitable material, such as pornography, which is really worrying".¹³⁸ The NSPCC shared their concern, stating that "being exposed to pornography, violent and inappropriate content online shapes young people's perceptions of relationships and can have a negative impact on the way they interact with their peers online and offline."¹³⁹ The NSPCC told us that "it's really important that we don't forget that there's also a responsibility on online platforms to make sure that children and young people are not accessing content that is harmful to them. A lot of young people who contact us and talk to us about pornographic content, for instance, that they have accessed online report that they have accessed it by accident [...] These are things that are popping up when they are not looking for them, and they report feeling really ashamed, guilty and confused and don't really know what to do."¹⁴⁰

¹³⁶ BBC, 'Zara McDermott: Uncovering Rape Culture', first broadcast on BBC3 on 24/11/21

¹³⁷ Barnardo's, 'Ask pornography sites to do more to protect children'

¹³⁸ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 126

¹³⁹ Written evidence, PPSH 14 - NSPCC

¹⁴⁰ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 366

122. Brook told us that parents tend to underestimate the extent to which their children access pornography¹⁴¹, and that often schools are reluctant to talk about it with pupils. They argued that:

*"a lot of what gets missed from a lot of all of this is the voice of young people. Where's their voice in this? What education do they want? What are the issues that are affecting them? So, if we as adults don't want to acknowledge that this is an issue or that pornography or youth-produced sexual imagery isn't as high as it is, we're never going to be able to tackle it effectively. And I often say this to schools when I come in to do education and they'll have me to come in and talk about healthy relationships quite frequently, which is brilliant, but a lot of schools won't let me come in or won't want me to come in and talk about pornography."*¹⁴²

123. However, Brook also told us that although pornography is having a huge impact on young people, it can be difficult to determine how harmful it is. They acknowledged that "there are some elements of danger to it. What are they accessing? What age are they? How is it impacting on their life and their expectation of relationships?", and went on to discuss how what young people see in pornography can shape what they expect from sexual relationships with their peers.¹⁴³ However, Brook went on to add that:

*"pornography could also be very healthy for some young people in terms of exploring their sexuality and exploring who they are in a 'safe' way—and I use 'safe' in parentheses. So, we know that some young people who are part of the LGBT+ community say that pornography will allow for them to safely explore their sexual orientation in that way. But it's really, really hard to manage it."*¹⁴⁴

Prof Renold agreed, referring the Committee back to Brook's evidence as a "robust" response to the Committee's questions about pornography.¹⁴⁵

124. When we asked the Minister for Education and Welsh Language for the Welsh Government's views on the impact of pornography on sexualised images, he agreed that

¹⁴¹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 249.

¹⁴² Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 250.

¹⁴³ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 247.

¹⁴⁴ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 248.

¹⁴⁵ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 325.

pornography and online sexual content are contributing to unhealthy sexual attitudes among learners:

*"The problem is clearly the prevalence of access to online sexual content, including pornography of all sorts, really, and I think we've seen plenty of that talked about in the media this week, as well. Sometimes that's the way in which young people are learning about sex and sexual relationships, which is obviously unhealthy."*¹⁴⁶

Social media, online gaming, and other digital socialising platforms

125. Estyn indicated that social networking platforms create pressure for young people, either by encouraging young people to look or behave a certain way, or because they "there is a pressure to post popular comments regularly and to be 'liked' on social media."¹⁴⁷ We received evidence from others that supported these conclusions:

- Platform told us that social media can promote unrealistic ideals of beauty and sexualised images of young people.¹⁴⁸
- Parents' Voices in Wales reflected specifically on how, social media can transmit misogynistic societal attitudes through to our children.¹⁴⁹
- Parentkind pointed us towards data from 2018 and 2020 that indicates that the mean age for children to experience the pressure of constantly engaging on social media, according to parents is 11.¹⁵⁰

126. Estyn's report also reminded us that social networking platforms are a vehicle for peer on peer sexual harassment - i.e., some sexual harassment takes place on social networking platforms that may not occur otherwise.¹⁵¹ The National Education Union told us that the pandemic has led to a huge increase in activity on social media, "for instance, using cameras, uploading videos to TikTok."¹⁵² CollegesWales, the Welsh Local Government Association and the Association of Directors of Education in Wales¹⁵³ told us there had been a significant increase in the use of platforms such as TikTok and Snapchat during the lockdown, which has made sharing

¹⁴⁶ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 78

¹⁴⁷ Estyn, "~~We don't tell our teachers~~", December 2021, pages 15 and 17

¹⁴⁸ Written evidence, PPSH09 - Platform

¹⁴⁹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 362

¹⁵⁰ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 374

¹⁵¹ Estyn, "~~We don't tell our teachers~~", December 2021, page 18

¹⁵² Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 126

¹⁵³ Written evidence, PPSH 12 - Welsh Local Government Association (WLGA) and Association of Directors of Education in Wales (ADEW)

of sexual images easier. One college noted a number of incidences relating to harassment and bullying involving messaging apps such as Snapchat and WhatsApp. They added that when "speaking with learners who have sent such messages or images, it takes some time to explore with them the impact receiving such messages has on a person."¹⁵⁴

127. We heard that LGBTQ+ young people may be particularly at risk from sexual harassment on social networking and dating platforms. Stonewall Cymru explained to us that that LGBTQ+ children and young people in particular are at a higher risk of using apps and dating apps that are targeted at over 18-year-olds to "seek some sort of network or emotional support, which then opens them up to vulnerability of experiencing sexual abuse."¹⁵⁵

128. However, not everything we heard about social media was negative. Welsh Women's Aid told us that:

*"children and young people often utilise online spaces as sources of support and resilience. Our I trust them report suggests that young people use the internet and search online for support or advice. These findings are in-keeping with other studies, which suggest that young people increasingly engage with online communities, and often find it easier to communicate via text or chat than face-to-face."*¹⁵⁶

129. Prof Renold told us that young people are using social media to speak out about experiences of sexual harassment. They told us that young people have:

*"a culture now where there's an increasing vocabulary that young people have access to, to name what's happening to them [...] they're finding ways of describing the conducive culture that allows these experiences of sexual harassment to thrive. So, I've met children and young people who are talking about rape culture. They're using language that understands the ways in which this is happening, and this is the learning they're doing online."*¹⁵⁷

130. We also heard from the National Association of Head Teachers that social media platforms can be a tool for schools to engage with children, and to highlight campaigns. This approach, we heard, "can be quite effective and it raises those issues with pupils and allows us to have those discussions."¹⁵⁸

¹⁵⁴ Written evidence, PPSH 20 - Colleges Wales, paragraphs 2.2 - 2.3

¹⁵⁵ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 237

¹⁵⁶ Written evidence, PPSH 19 - Welsh Women's Aid

¹⁵⁷ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 324

¹⁵⁸ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 15

The pandemic

131. Unsurprisingly, we also heard that the pandemic has had direct implications for learners, not least by pushing learning online, thereby encouraging young people to spend more time on online platforms.

132. We heard that missing face-to-face time with their learners has been challenging for some schools and colleges. The National Association of Head Teachers told us that “we haven’t had the ability to sit down with young people face to face inside school. I think we have all suffered because of that”.¹⁵⁹ The Welsh Local Government Association and Association of Directors of Education in Wales set out that because the pandemic pushed a lot of activity online, staff needed to ensure that they understood online platforms, particularly TikTok, and that any incidents on those platforms could be dealt with effectively.¹⁶⁰

133. However, there have been some benefits to online learning. The National Association of Head Teachers also acknowledged how new approaches to staying in touch with parents has been helpful:

“one of the things that secondaries are now better at is that their conversations and relationships with parents have developed and deepened because, literally, we’ve been in their homes in terms of giving online lessons, and we’ve had to invest in procedures in schools to make sure that we were contacting parents, that we were identifying pupils who are vulnerable.”¹⁶¹

134. However, particularly worryingly, we heard that the pandemic has had an impact on learners’ maturity and mental health. CollegesWales told us that:

“Because of the way that education has been over the last two years, what we are seeing, in terms of our learners, is that we are seeing 16-year-olds who are really are 14-year-olds. Likewise, in higher education, you have got your 18-year-olds who are potentially 16-year-olds, and those issues that perhaps would have been resolved are not resolved and are coming forward.”¹⁶²

¹⁵⁹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 17

¹⁶⁰ Written evidence, PPSH 12 - Welsh Local Government Association (WLGA) and Association of Directors of Education in Wales (ADEW)

¹⁶¹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 17

¹⁶² Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 259

135. The Welsh Local Government Association told us that with the “lockdowns, COVID-19, the pandemic, and young people are more anxious, young people have been frustrated.”¹⁶³

Our view

136. We acknowledge the substantial evidence we received throughout this inquiry indicating that the causes of peer on peer sexual harassment are deep-rooted and society-wide. Clearly, sexual harassment does not begin and end in schools. It permeates into school culture because it is so endemic and widespread throughout culture more widely. We recognise that tackling sexual harassment will require an enormous collective effort by governments, schools and other public bodies, parents and even pupils themselves to denormalise harmful and unhealthy behaviours that are so engrained across society.

137. Nevertheless, schools are ideal places for the process of denormalisation to begin, and for interventions promoting healthy relationships to make a real difference to the lives of children and young people. We have heard that schools and colleges are mindful of the wider causes of peer on peer sexual harassment, and work hard to teach children about the risks and unhealthy behaviours associated with pornography, social media, online gaming platforms and across society more generally. We encourage them to continue to do so as part of Personal and Social Education within the current curriculum, Relationships and Sexuality Education within the new curriculum, and beyond.

Recommendation 8. The Welsh Government must ensure that pupils are taught about the underlying causes of peer on peer sexual harassment – such as unhealthy depictions of sexual relationships and behaviours across society amplified by pornography, social media, online gaming platforms and others – as part of current Personal and Social Education and future Relationships and Sexuality Education curricula.

¹⁶³ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 166

6. The impact of sexual harassment on learners

Experiencing sexual harassment can induce anxiety and depression. It can impact a learner's education and lead to withdrawal from school or college. In the more serious cases, the impacts on young people can have significant long-term consequences. Some witnesses told us that sexual harassment can constitute an Adverse Childhood Experience (ACE).

How sexual harassment affects learners

138. The evidence that we gathered over the course of this inquiry set out very clearly that sexual harassment takes a heavy toll on young people. It affects their mental health, self-confidence, relationships with others, and engagement in education. Those impacts may go on to affect children throughout their lives, particularly in the more serious cases.

The National Union of Students' submission drew on the findings of the NUS Women's Campaign's report 'Sexual Violence in Further Education', published in June 2019. They told us that:

- 42% of respondents reported feeling anxious as a result of unwanted sexual behaviour, while 34% said they had distanced themselves from others and 33% had avoided social events.
- A third of respondents said they experienced depression, and 13% felt unsafe at their college. The same proportion said they used drugs or alcohol excessively because of such experiences.
- Unwanted sexual behaviour caused 18% of respondents to miss classes, 17% to lower their academic performance, and 14% to consider dropping out of college altogether.
- 15% of students had considered suicide. 13 had considered self-harm. 7% had attempted suicide.¹⁶⁴

¹⁶⁴ Written evidence, PPSH 18 - National Union of Students Wales

139. Estyn told us that where young people have experienced bullying “they certainly tend to face barriers to learning, they’re more likely to miss school, they’re more likely to be excluded, they are more likely to develop mental health issues in terms of things such as depression or self-harm and have impaired well-being.”¹⁶⁵ The effect is magnified the more serious the harassment to which the child is subjected. The Children’s Commissioner for Wales told us that if young people feel inhibited or put off because of sexual harassment and abuse, they are less likely to want to take part in groups or to play a full part in education, thereby impacting on their ability to take up their rights.¹⁶⁶

140. We took evidence directly from schools and colleges about the impact that sexual harassment has on learners. Fitzalan High School explained to us that, one particular incident “of a serious nature has had significant impact in a group of older pupils in terms of the cohesive nature of the group, their general wellbeing and the academic attainment of those most closely involved.”¹⁶⁷

141. From a Further Education perspective, CollegesWales set out how family and peer relationships are also affected. There is “potentially an effect on learners’ attendance and behaviours. Situations can then arise that place learners in a disciplinary position. Many learners will keep things to themselves and only disclose when a situation has spiraled [sic].”¹⁶⁸

142. Plattform shared concerns with us about the impact of peer on peer sexual harassment on how young girls and women view themselves and their bodies:

*“in many cases see a potential link between experiencing sexual harassment and controlled eating. Young people we have spoken to said that controlling their eating or their desire to either lose weight or gain weight was a result of wanting to find a way to attract less attention from peers for the appearance of their body. Similarly young people have said that controlling their eating helps them feel more in control in situations where they feel powerless.”*¹⁶⁹

143. We heard evidence that the impacts of peer on peer sexual harassment can last well until adulthood. The Equality and Human Rights Commission cited the 2018 Is Wales Fairer report and a study involving British adults which found that “at age 50, those who had been bullied in childhood were more likely to have anxiety, depression and suicidal thoughts and be less

¹⁶⁵ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 90

¹⁶⁶ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 378

¹⁶⁷ Written evidence, PPSH07 - Fitzalan High School

¹⁶⁸ Written evidence, PPSH 20 - Colleges Wales, paragraph 3.2

¹⁶⁹ Written evidence, PPSH09 - Plattform

satisfied with their lives than those who had never been bullied".¹⁷⁰ The Deputy Police and Crime Commissioner for South Wales and Policing in Wales Lead told us that:

*"I think the ACEs evidence quite starkly illustrates for us what that could end up looking like for children and young people who've had exposure to such harmful behaviours, that this not only translates into—how can I put it—that socialisation and that education impact, but it equally does in terms of wider health implications and behaviours going forward—so, that substance misuse, potentially ending up in the criminal justice system."*¹⁷¹

144. The joint written evidence submitted to us by the Ministers for Education and Welsh Language and for Social Justice was consistent with the wider evidence we received about the impact of peer on peer sexual harassment on learners:

*"[Violence against Women, Domestic Abuse and Sexual Violence] can have a huge impact on children and young people. It can affect their wellbeing, their educational attainment, family and peer relationships, and their ability to enjoy healthy, happy, respectful relationships now and in the future."*¹⁷²

The impact of sexual harassment on specific groups of learners

145. We know from the research of Estyn and others that it is overwhelmingly girls who are affected by peer on peer sexual harassment. We also heard that learners' experiences of sexual harassment can be shaped by their gender, sexual, religious or cultural identities. So, the impact of harassment on groups of learners with specific identities or characteristics may also vary.

146. Plan UK told us that LGBT girls, black and minoritised girls and disabled girls are likely to experience sexual harassment, but may also experience different forms of harassment. For example, "black girls experience both racialised and sexualised forms of harassment, and that can really compound the harm for them."¹⁷³

147. Worryingly, Welsh Women's Aid shared evidence with us which indicated that black and minoritised young people are less likely to turn to education professionals for support. 86% of white British young people respondents identified 'education' (teachers, support staff, tutors,

¹⁷⁰ Written evidence, PPSH11 - Equality and Human Rights Commission

¹⁷¹ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 80

¹⁷² Written evidence, PPSH 26 - Welsh Government

¹⁷³ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 430.

lecturers, other staff) as a potential source of support for young people, only 66% of black and minoritised young people did.”¹⁷⁴

148. Spectacle Theatre Ltd. observed that LGBTQ+ young people in particular are “not supported”, and therefore “remain quiet and ‘hide’ until they can leave the educational setting.”¹⁷⁵ Similar evidence was submitted to us by the Welsh Local Government Association and Association of Directors of Education in Wales. They told us that their case work “has found significant impact on some LGBT pupils’ willingness to attend school, their well-being and learning clearly linked to sexual harassment and discriminatory bullying.”¹⁷⁶

149. Parents’ Voices in Wales spoke to us about the additional challenges that learners with additional needs face:

“With that extra layer, carrying that heavier load that they do compared to neurotypical learners, or what we would call non-vulnerable learners, they’re more at risk of school absence, so, if they’re not in school and they’re being targeted online for sexual harassment, what support strategies have schools got in place to make a dialogue or make disclosures accessible for that learner, especially if they aren’t disclosing to their parents that they are witnessing these things online?”¹⁷⁷

150. They told us learners with additional needs make up 70% of school exclusions, some of which will have been due to peer on peer sexual harassment. Therefore, they argued that “we’re looking at possibly the same learners who are perpetrators as they are victims, and I think that’s something that needs to be explored”.¹⁷⁸

Support for victims of sexual harassment

151. Our inquiry has focussed on understanding how common peer on peer sexual harassment is, its impact on young people, and how it can be stopped. The support available to victims of sexual harassment is an extremely important issue, but it falls outside the scope of this particular piece of work.

152. However, even though we didn’t ask young people about it directly, it is clear that the support that young people who have been sexually harassed receive - or don’t receive - is

¹⁷⁴ Written evidence, PPSH 19 - Welsh Women’s Aid

¹⁷⁵ Written evidence, PPSH02 - Spectacle Theatre Ltd

¹⁷⁶ Written evidence, PPSH 12 - Welsh Local Government Association (WLGA) and Association of Directors of Education in Wales (ADEW)

¹⁷⁷ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 385.

¹⁷⁸ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 365 - 370

critically important to many young people. In our engagement work with young people aged between 11 and 18, 16% of the 106 individuals who responded to our survey mentioned support services for victims of sexual harassment. They advocated a victim-centred approach, telling us that young people need to know where to go for confidential advice, whether that be online or with medical professionals. Young people told us that it was important to have trained adults in schools who young people can trust, confide in and to for advice. Respondents pushed for “a safe space for victims to talk about their experiences”. One respondent urged schools to make it “more evident that people are trying to help the victims and not protect the perpetrator/harasser”, while another pointed out that support for victims doesn’t have to mean taking further action:

“A lot of students can feel isolated when trying to speak to someone as they often think a teacher will push them to take further action/ write statements/ go to the police/ tell other teachers etc. Students need a place to talk about what has happened without feeling scared of any of these outcomes. We need more informal settings where people feel comfortable to do this. Isolation and not talking only leads to more serious consequences.”¹⁷⁹

153. The editorial board of college students who analysed our engagement findings agreed that support for victims of sexual harassment should be a priority for decision-makers. They made a recommendation to us about support for victims of sexual harassment:

Recommendation 4: We think there should be more support available for victims of sexual harassment.¹⁸⁰

Our view

The impact of peer on peer sexual harassment

154. Peer on peer sexual harassment has a substantial and lasting impact on the mental health, educational attainment, and life prospects of many young people. We were shocked by the links between sexual harassment and self-confidence; withdrawal from education and society; alcohol and drug abuse; self-harm; and even attempted suicide. We were also struck by the impact of sexual harassment on some of our most vulnerable learners - those with additional learning

¹⁷⁹ Children, Young People and Education Committee, ‘Peer on peer sexual harassment among learners: Engagement findings’, April 2022, pages 5-7

¹⁸⁰ Children, Young People and Education Committee, ‘Peer on peer sexual harassment among learners: Engagement findings’, April 2022, page 10

needs, for example - who are not only at a high risk of experiencing harassment and abuse, but may, as a result of those experiences, go on to harass and abuse others.

155. We agree with many of those who gave evidence to us that peer on peer sexual harassment constitutes an Adverse Childhood Experience. We urge the Welsh Government to treat it as such, and ensure that the resources it allocates to its response to peer on peer sexual harassment, and the urgency with which it responds, reflect the severity of its impact and how commonplace it has become.

Recommendation 9. The Welsh Government must treat peer on peer sexual harassment as an Adverse Childhood Experience and ensure that it prioritises, and allocates resources to its response to peer on peer sexual harassment accordingly.

Support for young people who have experienced peer on peer sexual harassment

156. The young people who responded to our survey and the editorial board of students from Coleg Cambria told us that young people who experience sexual harassment need high quality and timely support. They felt that, overall, they were not getting the support they needed.

157. Our inquiry did not consider the support provided to victims of sexual harassment in detail. The focus of our work was on understanding and preventing peer on peer sexual harassment among learners. However, supporting people who have experienced sexual harassment to help to minimise the impact of the harassment on their education, relationships and wellbeing is a critical part of an effective response to peer on peer sexual harassment. Based on what we heard about the impact that sexual harassment can have, this body of work is of critical importance.

158. We therefore urge the Welsh Government to work alongside local authorities, charities and others to review the support it provides to victims of sexual harassment, and to make recommendations about how that support can be improved. Young people should take a leading role in designing and carrying out that work.

Recommendation 10. The Welsh Government must, alongside the Young People's Advisory Board (see Recommendation 2), carry out a review into the support provided to young people who have experienced peer on peer sexual harassment, with a view to making recommendations to schools, local authorities and others as required to improve the quality and timeliness of that support.

7. Responding to the problem

We heard that schools are struggling to deal effectively with peer on peer sexual harassment and that sex and relationships education is generally poor. School staff and parents need more support to tackle inappropriate sexual behaviour and to keep up with changing technologies. Multi-agency working is effective when the resources are available, and a clear challenge for the Welsh Government is turning ambitious policy statements into real change on the ground.

Schools and colleges

How are schools and colleges responding?

159. Estyn's report explains that, by and large, schools have strong approaches to safeguarding. Most have safeguarding policies, and staff usually know what to do if they have any safeguarding concerns.¹⁸¹

160. However, the report also states that there "is significant polarisation between what pupils say about the prevalence of sexual harassment and what teachers believe is the case."¹⁸² Estyn told us that when schools do respond, they do so effectively. But most schools work reactively and are not proactive enough. They are "too reliant on waiting for pupils to approach the school staff with their complaints and concerns", they "don't talk about peer-on-peer sexual harassment openly, regularly enough, to enable pupils to speak up safely" and, in most schools, "staff are unable to describe any measures their schools have taken to proactively promote a culture where the staff and pupils refute harassment, stand up to it, and stand up to any negative attitudes towards sexuality or gender."¹⁸³

"Secondary schools should [...] Recognise that peer-on-peer sexual harassment is highly prevalent in the lives of young pupils and adopt a whole-school preventative

¹⁸¹ Estyn, "~~We don't tell our teachers~~", December 2021, pages 28-30

¹⁸² Estyn, "~~We don't tell our teachers~~", December 2021, page 31

¹⁸³ ~~Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 109~~

and proactive approach to dealing with it. This importantly includes providing pupils with assurance that school staff will take every incidence of peer-on-peer sexual harassment seriously and work in partnership with parents and external agencies."

Estyn, recommendation 1¹⁸⁴

161. Unfortunately, the evidence we heard from other individuals and organisations supported Estyn's findings.

162. We heard that schools' policies are largely inadequate to prevent sexual harassment, and that incidents are only acted upon after the event, often unsatisfactorily.¹⁸⁵ Brook told us that teachers struggle to deal with incidents, and schools' responses can include the victim of harassment having to continue spending time in the same classroom with the person/s responsible, or even the victim being moved out of that class themselves while the person/s responsible remains, which can feel like the victim is being punished for speaking up.¹⁸⁶

163. The experiences of many of the young people who responded to our survey chimed with Brook's evidence. 16% of the 106 young people who responded to our survey talked about discipline in their responses. One respondent told us that some schools "don't do anything, and the victims are forced to move schools or figure it out themselves." Another told us that "people in charge of sexual harassment reports need to do more to punish the offender", and one warned us that detentions or suspensions don't do anything "because they just come back and do it to another girl/individual."¹⁸⁷

164. Our editorial board of students from Coleg Cambria agreed that schools need to have clear discipline policies to respond to perpetrators of peer on peer sexual harassment:

Recommendation 3: We think there should be clearer guidance on discipline for those who sexually harass others.¹⁸⁸

165. In their written submission, Barnardo's cites research that indicates that schools give gendered responses when dealing with incidents of sexual harassment. Girls generally received

¹⁸⁴ Estyn, "[We don't tell our teachers](#)", December 2021, page 11

¹⁸⁵ [Written evidence, PPSH.10 - Parents Voices in Wales](#)

¹⁸⁶ [Written evidence, PPSH08 - Brook Cymru](#)

¹⁸⁷ Children, Young People and Education Committee, '[Peer on peer sexual harassment among learners: Engagement findings](#)', April 2022, pages 4-5

¹⁸⁸ Children, Young People and Education Committee, '[Peer on peer sexual harassment among learners: Engagement findings](#)', April 2022, page 10

a more nurturing response for displaying the same behaviours, whereas boys would be treated more punitively such as being sent out of class, excluded, etc. Barnardo's added that boys were also less likely to be asked about what was underpinning the behaviour in an effort to try to understand that young person's experiences.¹⁸⁹

166. The evidence we took from CollegesWales suggested that the picture in colleges was more positive:

*"[...] the services of the colleges are extending beyond that college day, so making sure that learners have got access to support 24/7. They know where to report their concerns, they know what to do out of hours, using things like Togetherall [a digital mental health support service] and so on. There are platforms and helpline numbers and safeguarding teams working with those out-of-hours contacts as well, and obviously multi-agency partnerships and arrangements. But it's very much not contained to the college day."*¹⁹⁰

167. However, DECIPHer were less confident, setting out that "Very limited high-quality evidence exists of interventions to addressing sexual health and gender-based violence in FE settings. Evidence is urgently needed as FE provides an optimal setting for health promotion."¹⁹¹

Where does the responsibility of schools and colleges end?

168. We heard from Estyn and others that most sexual harassment actually takes place outside school, mainly online. We wondered to what extent whether tackling sexual harassment beyond the school gates was still the responsibility of school staff.

169. The National Association of Head Teachers argued that "whilst schools have a huge responsibility in this area, and, indeed, a moral responsibility, as we all do, to support learners, children and young people who feel that they are victims of peer-to-peer sexual harassment, I think we need to look at this in the wider context of a societal issue."¹⁹²

170. The Welsh Local Government Association told us that it was a grey area, and that schools need a "clear pathway" to point young people towards the support of other services where schools are unable to act.¹⁹³ CollegesWales told us that, in colleges, recent Welsh Government funding for mental health support has meant that colleges' support services can extend beyond

¹⁸⁹ Written evidence, PPSH 16 – Barnardo's Cymru

¹⁹⁰ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 264

¹⁹¹ Written evidence, PPSH 21 – Centre for Development, Evaluation, Complexity and Implementation in Public Health Improvement (DECIPHer), Cardiff University

¹⁹² Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 10

¹⁹³ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 159

the college day, and that students know where to turn to report their concerns out of college hours.¹⁹⁴

171. Organisations representing schools and college leaders stressed to us that schools need the support of other services and organisations. The National Association of Head Teachers told us that there needs to be a “whole-community, societal approach to tackling the issues”, because what happens outside of school is very much reflected in school and vice versa”; the Association of School and College Leaders agreed.¹⁹⁵ The Association of Directors of Education in Wales told us that:

“although it's happening outside school, it's impacting their life in school, isn't it? So, it's that holistic approach. It's making it truly a community approach.”¹⁹⁶

172. However, unions representing teaching staff argued that schools have clear responsibilities to their students, even outside the school day. Undeb Cenedlaethol Athrawon Cymru told us that:

“schools can't be responsible for pupils' behaviour 24 hours of the day. But, having said that, that doesn't diminish the responsibility of schools to create a culture and ethos based on respect and equality and ensuring that that pervades through school's culture, but also in formal education as well. If anything, it increases that responsibility to try to have that influence on pupils while they are school pupils and beyond, of course, as they go out into the world afterwards.”¹⁹⁷

173. The National Education Union added that there are instances outside of school where the school could exert some influence, including on school buses and walking home from school. They summarised that if pupils are still in school uniform, then there is a case for dealing with that within school policies.¹⁹⁸

174. The evidence submitted by the Ministers for Education and Welsh Language and for Social Justice set out clearly that “All education settings in Wales have a legal duty to ensure that children have access to a safe learning environment; we expect these safeguarding responsibilities to be taken seriously.” It went on to praise the leadership of some schools:

¹⁹⁴ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 264

¹⁹⁵ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraphs 22 and 27

¹⁹⁶ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 162

¹⁹⁷ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 118

¹⁹⁸ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 119

*"It is positive that Estyn found that in the most effective schools, leaders promote a strong ethos of respect in all areas of their work, prioritise wellbeing and adopt a whole-school, proactive approach to promoting and celebrating diversity; with policies, procedures and guidance for staff and pupils which links clearly to aims and objectives which ensure that wellbeing is at the forefront of the school's work."*¹⁹⁹

175. We asked the Minister for Education and Welsh language for his views on the extent to which schools should intervene in sexual harassment between pupils that takes place outside school hours. He told us that:

*"[...] where there is a link between what's happening not solely on the school premises, where there is a link between that and good behaviour and discipline in the school itself, obviously that does provide the head with discretion to act, and I trust heads to be making informed and balanced judgments, based on the guidance that we are providing."*²⁰⁰

Sex and relationships education in the current curriculum

176. Sex and relationships education is currently a compulsory part of the basic curriculum in secondary schools under the Education Act 2002. Primary schools have the opportunity to teach it, but are not obliged to. A 2017 review of sex and relationships education in Wales found that:

- the current law and guidance on sex and relationships education is outdated;
- sex and relationships education is often too biological, too negative, and not enough focus is placed on rights, equity, emotions and relationships;
- there is a gap between children and young people's lived experiences and the content of sex and relationships education; and
- sex and relationships education is rarely inclusive and too heteronormative.²⁰¹

177. Sex and relationships education will change under the new curriculum. It will be replaced by Relationships and Sexuality Education, which will be mandatory in all primary and secondary schools. We discuss the new curriculum further in chapter 8.

¹⁹⁹ Written evidence, PPSH.26 - Welsh Government

²⁰⁰ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 61

²⁰¹ Welsh Government, 'Recommendations of the Sex and Relationships Education Expert Panel: The Future of the Sex and Relationships Education Curriculum in Wales', December 2017, pages 5 to 8

178. Estyn's work with young people found that pupils value high quality education about sex and relationships, and want more time with school staff to talk about healthy sexual relationships, respect and diversity.²⁰² Estyn's second recommendation focuses on sex and relationships education:

Provide sufficient, cumulative and beneficial learning opportunities for pupils across the whole age range about healthy relationships, sex and sexuality education. This includes providing a safe, enabling and supportive environment for open and honest discussions.

Estyn, recommendation 2²⁰³

179. Estyn told us that sex and relationships education is "not done well enough at the moment. We've been saying that for a few years."²⁰⁴ The Children's Commissioner for Wales agreed, calling the sex and relationships education under the current curriculum "insufficient", "poor quality", and "sometimes completely absent".²⁰⁵ Both she and the National Association of Head Teachers stressed the importance of age and developmentally appropriate conversations with children of all ages, including children in primary schools.²⁰⁶

180. Stonewall Cymru told us that the current curriculum also does not meet the needs of LGBTQ+ learners. They told us that "schools [are] not actually delivering safe LGBTQ+ inclusive education, that then leaves pupils and children in a position where they have to look for information in other places and that can often be at a higher risk of it being unsafe."²⁰⁷

181. We heard that fit-for-purpose sex and relationships education programmes would also address image-based sexual harassment. The Association of School and College Leaders stressed that:

"image-based abuse and harassment media platforms that I think, also, are part of the issue that needs to be addressed in schools. We need to look at media literacy, we need to unpick what is right, what is wrong, what is

²⁰² Estyn, "We don't tell our teachers", December 2021, page 27

²⁰³ Estyn, "We don't tell our teachers", December 2021, page 11

²⁰⁴ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 71

²⁰⁵ Written evidence, PPSH04 - Children's Commissioner for Wales, page 2

²⁰⁶ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 408 and Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 57

²⁰⁷ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 254

correct, what is normal within a healthy sexual relationship and what is not acceptable within a healthy sexual relationship."²⁰⁸

They went on to argue that young people themselves are in the best position to design that education, particularly in relation to online media.²⁰⁹

182. Other contributors to our inquiry agreed that young people themselves need to be part of the development of sex and relationships education. Prof Renold argued that:

*"Children and Young People's own understandings and experiences must be prioritized in the design and delivery of resources, strategies and prevention programmes in order to be relevant, responsive and developmentally appropriate. They must be affirmative in their approach, and mitigate against potential binary victim-blaming or perpetrator-shaming and in ways that are inclusive of all gender and sexual identity and expression."*²¹⁰

183. They told us that when working with young people:

*"[...] you find out from them maybe what might be useful and beneficial, what's a safe space in a school, why might they not report, schools can actually then start to create a culture and environment where they feel safe enough to talk about these things or even to report them."*²¹¹

"Training, training, training"

184. We heard time and time again that high quality training for all school staff was essential to responding effectively to peer on peer sexual harassment. Estyn's report states that:

*"All schools say they need more training and support to deliver relationships and sexuality education. This includes whole-school professional learning in how to proactively engage in conversations with pupils about gender issues and sexual harassment. They also require training on LGBTQ+ issues, for example on how to support transitioning or transgender pupils, including through the appropriate use of language or personal pronouns by which they prefer to be addressed."*²¹²

²⁰⁸ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 19

²⁰⁹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 42

²¹⁰ Written evidence, PPSH06 - Prof EJ Renold

²¹¹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 344

²¹² Estyn, "We don't tell our teachers", December 2021, page 10

185. It went on to set out that although wellbeing support staff and pastoral leads receive specific training on issues such as sexual harassment, professional learning opportunities for the whole staffing body are less common.²¹³ When they gave evidence to us, Estyn told us that the teachers were “telling us that this was a common thread, that they felt that it was the responsibility of the schools to be part of the culture. But what they were telling us was that they didn’t feel prepared, they didn’t feel that they had the right skills, in order to do that properly.”²¹⁴

186. Estyn made two recommendations on training for school staff:

“Secondary schools should [...] Ensure all school staff receive regular and purposeful professional learning opportunities on personal and social education matters, including relationships, sexuality, diversity and gender transitioning. This is so that they are able to provide an affirmative, proactive approach to supporting pupils as they grow and develop into young adults.”

“Local authorities should [...] Provide school staff with the necessary professional learning to adopt a proactive approach to peer-on-peer sexual harassment, including homophobic, biphobic and transphobic bullying and harassment.”

Estyn, recommendations 4 and 7²¹⁵

187. The Association of Directors of Education in Wales agreed with Estyn’s findings that training for school staff is critically important. They told us that peer on peer sexual harassment “is the next big training issue that we need for our teaching staff and our staff who are working with young people.”²¹⁶

188. Brook told us that challenging some teachers’ values should be a central part of training for staff:

“We do a value-based activity just for professionals to think objectively about how their values could impact on the way that they deal with disclosures and how they generally think of different topics. Around the value of ‘Sexual banter amongst boys is normal and should just be left to be so’, I had one teacher really argue the point that they believed that actually, sexual banter is healthy and we should be allowing it. It’s the way that that is enshrined in

²¹³ Estyn, “~~We don’t tell our teachers~~”, December 2021, page 33

²¹⁴ ~~Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 122~~

²¹⁵ Estyn, “~~We don’t tell our teachers~~”, December 2021, page 11

²¹⁶ ~~Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 147~~

*people in society that we should just allow it, when we shouldn't; we should be addressing it, we should be unpicking it, we should be taking the time to do it."*²¹⁷

189. Some young people who responded to our online survey agreed that teachers were not able to respond appropriately to accusations of sexual harassment. We heard that teachers are too quick to excuse the behaviour, pass off situations as "messaging around" and that teachers should be "more alert at identifying harassment and addressing it". One respondent suggested that a barrier to addressing peer on peer sexual harassment is that teachers "could be uncomfortable talking about relationships. Training could resolve this issue." Some respondents acknowledged that training, resources and support would cost money and take time. However, we heard that "it's a problem that money needs to be spent on" and "it should be a priority considering the importance and severity". The editorial board of college students agreed. They made the following recommendation to us:

Recommendation 2: We think there should be more guidance for teachers on how to tackle accusations of sexual harassment.²¹⁸

190. However, according to Prof Renold, taking the time to do it may be difficult. They stressed that "one of the biggest challenges facing schools is the time, resources and access to research informed professional learning and training."²¹⁹

191. The Minister for Education and Welsh Language spoke to us about the importance of the Designated Safeguarding Person, the DSP, in supporting and training the wider school workforce.

*"They should be getting training that enables them specifically to discharge their responsibilities in conjunction with those other agencies [...] it's a role that cascades into the broader teaching and other staff workforce, the training and awareness that the workforce more broadly needs, both on their own responsibilities, but also on how to ensure, through the existing structures in the school, that those external agencies are engaged properly when they need to be in responding."*²²⁰

²¹⁷ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 224.

²¹⁸ Children, Young People and Education Committee, 'Peer on peer sexual harassment among learners: Engagement findings', April 2022, page 10

²¹⁹ Witten evidence, PPSH06 - Prof EJ Renold

²²⁰ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 71

192. The Ministers' written evidence suggested to us that this may not always be happening:

*"Recent feedback to the Welsh Government from teachers, senior leaders and young people themselves, shows that there is a real lack of confidence among practitioners in having – sometimes difficult – discussions around homophobia, sexual harassment, gender and race. Anecdotal evidence shows that many practitioners are worried about the impact of having these types of discussions, and there is fear about possible repercussions – this is often illustrated via examples of discussions regarding gender identity and transphobia, for example."*²²¹

The whole-school approach

193. In March 2021, the then Welsh Government produced a framework setting out the overarching principles of the whole-school approach:

- The whole-school approach as central to the success of learning about health and well-being.
- Under the whole-school approach there is a responsibility for all school staff to take a whole-school approach to the promotion of good mental health and emotional well-being.
- A whole-school approach to emotional and mental well-being is achievable through effective leadership, positive culture and co-productive implementation in partnership with all school stakeholders.
- A whole-school approach puts the child at the centre of decisions made about them.²²²

194. The Welsh Government explained to us that the whole-school approach "seeks to support good emotional and mental well-being by promoting a positive cultural environment in schools, where children and young people form positive relationships with staff and other learners."²²³

²²¹ Written evidence, PPSH.26 - Welsh Government

²²² Welsh Government, 'Framework on embedding a whole-school approach to emotional and mental well-being', March 2021, page 22

²²³ Written evidence, PPSH.26 - Welsh Government

195. We heard widespread support across stakeholders and witnesses for the whole-school approach as a way to tackle peer on peer sexual harassment. The National Association of Head Teachers stressed to us that:

*"[...] everybody in the school environment has a role to play in this. It's not just about leaders and teachers; it's about support staff, it's about the lunchtime supervisors, who often have those important adult relationships with learners and are sometimes the people very much that these children turn to to have those conversations."*²²⁴

196. Welsh Women's Aid agreed, telling us that "a whole school approach which is consistent and robust in training and monitoring is needed to ensure the entire workforce within schools is aligned and confident. This must not be tokenistic and siloed to designated staff but embedded into the fabric of education settings."²²⁵ Plan UK's evidence told a similar story. Research they had carried out found that a lot of girls say that they wanted more information and support with regard to getting support for the sexual harassment they experience. In particular, they reported, girls "talked about really valuing the support they often had from one individual teacher, or not necessarily a classroom teacher, but a librarian or a certain member of support staff, any member of that pastoral team."²²⁶

197. The Association of School and College Leaders told us that a holistic approach to mental health and wellbeing is particularly important in secondary schools, where pupils don't stay with the same teacher for most of the week:

*"If you go into a secondary school, all of a sudden you're having all of these different teachers and you've got to have time to get to know the teacher that you're going to. So, in primary school, the primary teacher will know that holistic element, so I think it is almost easier to have that conversation in the primary school."*²²⁷

198. The Children's Commissioner for Wales agreed that safe spaces in schools, at homes and in the wider community are crucial for children "to actually discuss what a complex and difficult place the online world is."²²⁸

²²⁴ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 59

²²⁵ Written evidence, PPSH 19 - Welsh Women's Aid

²²⁶ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 431

²²⁷ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 233

²²⁸ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 370

199. Parents' Voices in Wales told us that the children should be given a voice in decisions that are made and which interventions are right for them. They argued that embedding the Children's Commissioner for Wales's 'The Right Way' approach into schools - a framework for working with children based on the application of the United Nations Convention of the Rights of the Child, which places children's rights at the core of planning, service delivery and into every aspect of decision-making, policy and practice - would give a voice to children and young people as a springboard to make interventions. They went on to argue in favour of "school communities based on that NEST model of nurturing, empowered, safe and trusted, co-production at school level, having parents involved in that process."²²⁹

What is the NEST model?

The NEST (nurturing, empowered, safe, trusted) Framework is a planning tool for Regional Partnership Boards and other public sector organisations, aiming to ensure a whole system approach for developing mental health, well-being and support services for babies, children, young people, parents, carers and their wider families across Wales.

The NEST Framework seeks to make a significant culture shift away from asking what is wrong with a child towards focusing on what a child's NEST is like in terms of their mental health and well-being and what they need to flourish. The term 'NEST' was chosen both for the concept of providing a solid base for well-being and the importance of the four core qualities which make up the anagram.

The aim is to broaden the focus from specialist services, to make expertise and advice quicker to access, with a 'no wrong door' approach so that families get the right help at the right time and in a way that is right for them.

Approaches to managing mobile phones in the classroom

200. We wondered whether young people were using mobile phones during school hours to sexually harass their peers, and whether schools had consistent policies on mobile phone use during the school day.

201. Estyn reminded us that sexual harassment is happening more after school than in school. They added that, during the pandemic, many schools have relied on pupils' ownership of a mobile phone to use it as a learning device, and that some schools allow bringing mobile

²²⁹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 393.

devices to school, whether that be a mobile phone or a tablet, etc. They urged us to “be mindful not to criticise or to make a judgment about policies around mobile phones.”²³⁰ They went on to emphasise that:

*“it’s not necessarily about the mobile phone, it’s not necessarily about the photos, it’s about the culture, and that’s what needs changing in the schools”.*²³¹

202. We asked unions representing school and college staff and leaders whether mobile phones in schools contribute to peer on peer sexual harassment, and what policies schools have - and should have - in place to monitor mobile phone use. We heard a range of views in response.

203. The National Association of Head Teachers told us that “mobiles phones have no place in the classroom”. They noted that “schools have policies in place that ban the use of mobile phones in class”, but that there are varying degrees of restrictions on use during break times. They wrote that Welsh Government guidance on mobile phones policies would be useful but ultimately it wouldn’t be enforceable. The biggest challenge for school leaders often arises in relation to social media in particular, for example when a child posts something about another child. But they concluded that “the biggest challenge for schools around mobile phones and social media is not what goes on in school or during school hours, it’s what happens outside schools”.²³²

204. Both the Association of School and College Leaders²³³ and Undeb Cenedlaethol Athrawon Cymru told us that they favoured flexibility for head teachers to develop their own policies. Undeb Cenedlaethol Athrawon Cymru was not in favour of a consistent national approach, arguing that there is “a definite danger of unintended consequences, or a counter-productive effect.” However, whatever the school’s agreed position, they advocated for “clear policies and consistent application of them within any school. These need to be seen in the context of broader ‘acceptable usage policies’ for technology in schools, with connections to anti-bullying and to disciplinary policies and procedures.”²³⁴

205. Both the National Education Union and the NASUWT pointed us towards guidance that they have produced for their members, including on mobile phone photography²³⁵ and social

²³⁰ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 75

²³¹ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 83

²³² Written evidence, Additional evidence from teaching unions regarding mobile phones in schools

²³³ Written evidence, Additional evidence from teaching unions regarding mobile phones in schools

²³⁴ Written evidence, Additional evidence from teaching unions regarding mobile phones in schools

²³⁵ NEU, ‘Mobile Phone Photography’

media and online abuse of teachers.²³⁶ Neither union advocates one specific approach to managing mobile phones in schools. The National Education Union notes that outright bans on all mobile phones can be difficult to enforce. Many parents encourage their child to have them for security purposes, and staff may not want to continually challenge pupils for breaking the rules. The NASUWT told us that “the modern mobile phone is a powerful resource that can be an excellent learning tool. Teachers already use this resource as part of their teaching. The issue is therefore not with the phone but in the abuse of the phone.”²³⁷

206. In a 2019 BBC news article, a spokesperson for the previous Welsh Government confirmed that the then Welsh Government did not issue guidance on the use of mobile phones, which it felt was a matter for individual schools. The spokesperson added that “Teachers already have the power to restrict the use of phones and we recognise that, where managed properly, phones can be used effectively in classrooms as learning too”.²³⁸

207. We asked the current Minister for Education and Welsh Language for his views on a Wales-wide approach to mobile phone policies in schools. He told us that:

*“Speaking to teachers when I visit schools, I think there's a range of views on this, isn't there? Sometimes it's perceived that, actually, trying to manage the presence or otherwise of phones is itself more disruptive, so I think there's a very fine set of judgments that need to be reached. But I do think that our role is to provide guidance for schools to make those judgments, based on their circumstances, really.”*²³⁹

‘Community schools’ and working with the police, local authorities, charities and others

208. In a 2020 thematic report, Estyn explains that the concept of community schools “has been part of Welsh education policy since the early years of devolution.” It states that community schools “are rooted in a wide community context and are “integral to community capacity building – providing a base for delivering, not just education and training but also a range of other services like family support, health and enterprise promotion”.²⁴⁰

²³⁶ NASUWT, ‘Social Media and Online Abuse of Teachers’

²³⁷ Written evidence, Additional evidence from teaching unions regarding mobile phones in schools

²³⁸ BBC, ‘Mobile phone ban in school relaxed to ‘ease friction’’, October 2019

²³⁹ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 63

²⁴⁰ Estyn, ‘Community schools: families and communities at the heart of school life’, July 2020

209. The Welsh Government has adopted the concept and term 'community focused school' for many years, dating back to guidance it issued in 2003.²⁴¹ Sections 27 and 28 of the Education Act 2002 give governing bodies powers to provide services to help meet the needs of their pupils, their families and the wider community. The Minister for Education and Welsh Language reiterated in March 2022 that the Welsh Government wants to see schools operate as community-focused schools, reaching out to parents and carers and engaging with the whole community, announcing funding for community-focused schools managers and family liaison officers.²⁴²

210. We heard throughout our inquiry that schools need the support of other agencies to tackle peer on peer sexual harassment effectively. That support could be from local authorities and regional consortia in the form of professional learning opportunities, from the police in the form of specialist lessons, or from charities that can deliver interventions and provide another space for children to discuss and report sexual harassment.

211. Estyn told us that:

*"the Welsh Government has identified the need to make every school a community school. And there's work starting to happen around that, and that provides, almost, the mindset to work with other agencies and to work with the local community and parents in improving the experience that young people have in a school, and once they leave and the time they spend beyond that school."*²⁴³

Its report recommended that:

"Local authorities should [...] Plan suitable intervention and support on gender issues at both school and local authority level, evaluating regularly their impact on pupil wellbeing..."

Estyn, recommendation 6²⁴⁴

212. The Ministers for Education and Welsh Language and for Social Justice stated clearly in their joint written submission that "a multi-agency approach is key to tackling the issue of peer

²⁴¹ Welsh Government, 'Community focused schools: guidance', 15 December 2003

²⁴² Plenary, 22/03/2022, Record of Proceedings, paragraphs 148-159

²⁴³ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 132

²⁴⁴ Estyn, "We don't tell our teachers", December 2021, page 11

on peer sexual harassment".²⁴⁵ For example, the Welsh Government sets out the role of the Education Welfare Service in managing safeguarding concerns:

- identifying welfare concerns and indicators of possible abuse or neglect of all pupils at an early stage and referring those concerns to the appropriate agency;
- providing advice and training; and
- in conjunction with the local authority, ensuring that all school staff are familiar with safeguarding procedures and understand their responsibilities.²⁴⁶

213. We gathered evidence on whether multi-agency working was happening in practice, and how effective it was. Estyn told us that it was, particularly in response to an incident, and that the support was valued by learners:

*"where there was an actual incident, those statutory services worked well together—the school took the appropriate actions and put the appropriate support in place. [...] Young people and staff we spoke to valued the input that some of those specialist agencies can bring, both in very specific incident cases [...] but also as part of that wider programme of relationship and sexuality education, and PSE as it has been."*²⁴⁷

214. CollegesWales reported that, in colleges, "there are really very strong and effective multi-agency partnership arrangements, both within the localities and then also through the regional safeguarding boards." They went on to say that the work of the safeguarding education group of Welsh Government, established in 2015, has been feeding through. They added that "multi-agency partnership working has grown tremendously. Everybody sees the value and importance of that."²⁴⁸ The Children's Commissioner for Wales agreed, telling us that safeguarding boards play a crucial role, "both by gathering data and also by sometimes looking at individual case studies to look at perhaps where children haven't been protected in this way."²⁴⁹

215. Undeb Cenedlaethol Athrawon Cymru reflected positively on the potential of community schools to tackle sexual harassment:

"The idea that is coming through of community schools is a very interesting one from this point of view, because ideally you would have a school with all

²⁴⁵ Written evidence, PPSH 26 - Welsh Government

²⁴⁶ Written evidence, PPSH 26 - Welsh Government

²⁴⁷ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 129

²⁴⁸ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 311

²⁴⁹ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 380

of the other agencies wrapping around that school, and there would be access for social workers, for counselling services and trauma counselling services, CAMHS services—mental health. That's the kind of model that we need, truth be told."²⁵⁰

216. Prof Renold agreed that "the interventions are top down, they're society-wide and they're whole school, which means working with external providers as well". They added that this is:

*"a big job of work. But we actually have the strategies and the systems in place to do this in Wales, but we're on the potential of that, if you like; we're not there yet, and there's lots and lots to do."*²⁵¹

217. We heard that schools face challenges when they try to embed a community approach. A representative of the Association of School and College leaders told us that, at their school, they have a school-based counsellor who attends school once a week, so she gets to see five students during the course of the day. That support "doesn't touch the sides."²⁵² A National Association of Head Teachers representative told us a similar story:

*"So, we're very, very lucky that we've been able to spend some money recently on pastoral support officers, as we describe them, who are non-teaching professionals with 100 per cent contact time during the school day, where they can take the time to sit down and speak to people about what they've been doing in school. So, I think those things are vital, that you provide those opportunities."*²⁵³

218. Estyn found that schools and pupils were appreciative of the support and collaboration of external agencies, but that limited specialist support for sex education has a negative impact on the wellbeing of many pupils.²⁵⁴ The Association of School and College Leaders agreed with their findings:

"there has to be a bit of a multi-agency approach to this particular problem. It's got to be about better resources. The diminution of resources over the last years, I think, has had an effect where you have got social workers who are thin on the ground, you've got ed psyches who are unavailable, school counsellors who are like hen's teeth, and you've got police liaison officers

²⁵⁰ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraphs 172-173

²⁵¹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 332

²⁵² Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 100

²⁵³ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 51

²⁵⁴ Estyn, "We don't tell our teachers", December 2021, page 10

who, again, are brilliantly effective, but it isn't always easy to get hold of a police liaison officer when you wish to have that."²⁵⁵

219. The National Association of Head Teachers agreed that although "there is some absolutely fantastic best practice out there, where multi-agency working is delivering for schools and learners [...] I would go as far as to say that that is not replicated across the whole of Wales." Funding is a major contributing barrier to improving consistency.²⁵⁶

220. Some stakeholders told us that using external or specialist agencies can result in inconsistencies in how sexual harassment is dealt with across schools. Fitzalan High School explained that not all agencies deal with the issues in the same way. Because so many agencies are involved, there are "too many voices with different perspectives". They told us that it can be hard to find appropriate support to address issues because some agencies only work with young people who have been referred through the justice system, whereas others will not work with others once an issue has emerged.²⁵⁷ Barnardo's shared similar evidence, whereby:

*"often, schools are looking for support but the threshold for a statutory intervention from the police or social services is not met [...] This means that there is reliance on a piecemeal approach to supporting schools to deal with these issues".*²⁵⁸

221. In their written submission, the Ministers for Education and Welsh Language and for Social Justice told us that they had met with representatives of the Offices of PCCs and Police Forces to address the findings of Estyn's report. They also noted that the Minister for Social Justice "meets regularly with the current chair of the All Wales Policing Group, PCC Dafydd Llywelyn, where a range of issues are discussed, including peer on peer sexual harassment and the wider issue of misogyny." The paper set out that:

- In the 2021-22 academic year, the police schools programme delivered 8,180 Crime Prevention lessons with 70% of schools in Wales.
- During the 2021-22 academic year there have been 289,029 pupil contacts (including Assemblies), 4,544 Supportive School Policing Activities (including 2,636 incidents dealt with in schools using the School Crime Beat Protocol).

²⁵⁵ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 27

²⁵⁶ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 1

²⁵⁷ Written evidence, PPSH07 - Fitzalan High School

²⁵⁸ Written evidence, PPSH 16 – Barnardo's Cymru

- As part of the Community Focussed Schools work, on 22 March the Welsh Government announced £3.84m of funding to support Family Engagement Officers in schools.²⁵⁹

222. A Deputy Chief Constable and Policing in Wales Lead told us that:

*"colleagues in Wales will be aware that we have a footprint in every school across Wales, which is a fantastic achievement, and, of course, supported very well by Welsh Government, and is the envy of some of our colleagues the other side of the bridge in some of our English forces."*²⁶⁰

The Violence Protection Unit for Wales told us that police officers in schools can be effective, but that there are other, wider programmes as well.²⁶¹ For example, to accelerate the scale and pace of change in relation to the new Welsh Government Violence Against Women, Domestic Violence and Sexual Violence strategy.²⁶²

223. Most of the evidence we heard across our inquiry, including from the Children's Commissioner for Wales²⁶³ and teaching leaders' unions,²⁶⁴ supported Estyn's findings that interventions from the school police are "highly beneficial" and highly valued by both schools and pupils.²⁶⁵

224. But not everything we heard about the Wales school police programme was positive. A Coleg Cambria student shared with us that a police officer had told them and their peers that boys could not be sexually harassed. Parents' Voices in Wales told us that:

*"parents may go to the police, and the police may then talk to the parents at home. They will contact the school, but they may then—this is what we have been told—in all good faith, educate the victim on online security, which is an aspect and a facet of the problem, but we're not looking at the root cause."*²⁶⁶

And when we asked representatives from teaching unions about their views of the programme, nobody was willing to answer the question.²⁶⁷

²⁵⁹ Written evidence, PPSH.26 - Welsh Government

²⁶⁰ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 36

²⁶¹ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 101

²⁶² Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 122

²⁶³ Written evidence, PPSH04 - Children's Commissioner for Wales, page 10

²⁶⁴ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraphs 91-92, 94 and 98

²⁶⁵ Estyn, "We don't tell our teachers", December 2021, page 23

²⁶⁶ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 363

²⁶⁷ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 178

225. We asked the Minister for Social Justice whether, in light of what we'd heard from the Coleg Cambria students, she was confident that the Wales police schools programme is actually helping to tackle peer on peer sexual harassment in schools. The Minister acknowledged that:

*"This is very important evidence [...] It is good to see that Estyn is positive in their report about the Wales police schools programme, which, actually, the Welsh Government funds [...] We need to feed back that grave concern of that evidence from that young person. I certainly will be raising that in my regular meetings. But I think also, just to reassure the committee that the police are implementing the recommendations from a review of the programme. It needed a review, the Wales police schools programme. It took place back in 2019, and I can give you some more information, if that would be helpful, about what came out of that review."*²⁶⁸

Parents and families

226. One key line of inquiry for us was the role of parents and families in preventing and responding to peer on peer sexual harassment. Estyn's remit, and therefore its report, focuses on schools, and agencies that work with schools, to deliver education and provide support for pupils. However, we asked witnesses what parents can do to change the culture of sexual harassment in schools.

227. The problem, we heard, is that parents are asked to do too much. A Deputy Chief Constable and Child Centred Policing Lead told us that:

*"[...] as a parent, you're expected to be a child psychologist, a social worker, a police officer and know and understand a huge framework that's out there in terms of legislation, child development, and so on and so forth, whilst, behind it all, social media is going at an alarming rate. Children keep up with that, but us as parents perhaps don't."*²⁶⁹

228. We heard that parents need to stay abreast of new technologies and social networking platforms to ensure that they can monitor and protect children from online harassment. For many, this is no mean feat. The Youth Offending Team admitted that:

"Children in this space are way ahead of all of us, whether we're professionals or parents, with regard to social media, and we need to get more savvy and we need to help parents to be more savvy around what children are

²⁶⁸ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 74

²⁶⁹ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 109

*accessing on the very dangerous phones that they're allowed to have these days."*²⁷⁰

229. Parentkind agreed, and argued that parents need education on how social media works. They suggested that schools can play a big part in helping parents understand what social media policies are within schools: "it really is about the home and the school working together within that."²⁷¹ The Welsh Local Government Association agreed, but cautioned that "I don't think it's just about school. School has a part to play, but I do think, as a community as well, then, we need to look wider at how we engage parents, and not just parents, but the community as well, to upskill everybody."²⁷²

230. Fitzalan High School told us that some parents let their children access social media platforms before they reach the minimum age limit. They suggested that a public awareness campaign could help to address that problem.²⁷³ A Deputy Chief Constable and Child Centred Policing Lead agreed that peer pressure pushes some parents to allow their children to access platforms and video games that their children are not old enough for.²⁷⁴

231. For others, the bigger issue is that some parents may not feel able to have difficult conversations with their children about sexual harassment. The NSPCC reflected that:

*"It's also, I suppose, supporting parents about how to have these conversations with their children. As parents of teenagers, we know that it's not something that they will necessarily come to us [...] So, yes, it's about the technical aspect of what's going on online, but it's also about, I suppose, the relationship and the conversational aspect of how to bring that up with children in a safe way."*²⁷⁵

The National Association of Head Teachers agreed, telling us that:

"they are some very difficult conversations for parents to have, and some people are just not equipped to have that. So, rather than demonising and pointing any fingers, let's look at actually what we can do to support them."

²⁷⁰ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 130

²⁷¹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 378

²⁷² Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 170

²⁷³ Written evidence, PPSH07 - Fitzalan High School

²⁷⁴ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 115

²⁷⁵ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 368

Ask them what do they need. Are they comfortable in having those conversations?"²⁷⁶

232. It is not only parents who may struggle to initiate those conversations. We heard that some LGBTQ+ children face additional barriers when considering turning to their parents and families for support. The NSPCC told us that:

"a lot of the time, sometimes if they haven't come out to their peers or their family and they experience sexual harassment or abuse, then not only do they have to find words to express what they are experiencing in terms of the harassment and abuse, but then they might have to come out to the family and peers when they're not necessarily ready to do that."²⁷⁷

233. We also heard that the negative behaviours that some children exhibit in school might come from what they observe at home. The Association of Directors of Education in Wales cautioned us that if parents come into school and are displaying behaviours themselves that are putting the child at risk, schools have got to balance engaging with parents with the safety of the young person, potentially by identifying that the parents themselves may need support."²⁷⁸ Swansea Council agreed, pointing out that a key role for schools is to support children to identify and break cycles of normalisation, especially where their home or culture is "feeding unsafe norms".²⁷⁹

234. We were urged to remember that learners who demonstrate unhealthy behaviour can often be victims themselves. The Association of School and College Leaders told us that:

"sometimes these behaviours that youngsters display in schools are trauma informed. They are because something horrible is going on at home. And if we're not dealing with that in terms of what it is that's going on at home that is causing those problems to wash back into school in a way that is actually looking at safeguarding in the home and family, then once again we're missing a trick and we're not actually doing a good enough service for our youngsters."²⁸⁰

235. The NSPCC stressed that we must treat children who may be displaying harmful behaviour as children first and foremost. Those children "must be provided with support to change their

²⁷⁶ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 35.

²⁷⁷ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 376.

²⁷⁸ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 193.

²⁷⁹ Written evidence, PPSH 22 - Swansea Council.

²⁸⁰ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 96.

behaviour and support around any abuse and harm that they may themselves have experienced, and education on why sexual harassment is harmful to others.”²⁸¹ The policing representatives also emphasised that approaches seek to avoid the unnecessary criminalisation of young people.²⁸²

236. In their written submission to us, the Ministers for Education and Welsh Language and for Social Justice set out that part of the Welsh Government’s work to develop Community Focussed Schools is to build positive relationships with parents and carers. It explained that “Community Focused Schools are better able to identify issues at an early stage and work with others on providing support.”²⁸³

237. The Minister for Education and Welsh Language told us that, off the back of one of Estyn’s recommendations, which was to strengthen the partnership work between schools and parents, the Welsh Government has “written to all the directors of education to alert them to that recommendation. Obviously, we look forward to supporting, as appropriate, them in that work. But, in the meantime, we’re looking at other opportunities for how we can support engagement with parents.”²⁸⁴

The Welsh Government

Guidance, support and resources for practitioners, young people and families

238. Estyn’s research focused on pupils’ experiences, schools’ responses, and the work of other agencies – such as local authorities and the police – to complement in-school provision. It did not examine in depth the Welsh Government’s response to peer on peer sexual harassment. However, Estyn did make two recommendations to the Welsh Government. The first, on data collection, is discussed earlier in this report. The second focused on guidance and support for schools:

“The Welsh Government should [...] Ensure schools receive regular and informative updates on best practice and suitable resources that are available to support them in the delivery of relationships and sexuality education.”

Estyn, recommendation 9²⁸⁵

²⁸¹ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 382

²⁸² Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraphs 37-38

²⁸³ Written evidence, PPSH 26 – Welsh Government

²⁸⁴ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 95

²⁸⁵ Estyn, “We don’t tell our teachers”, December 2021, page 11

239. The Minister for Education and Welsh Language acknowledged to us that Estyn's report highlighted that "There is much more for us to do". The Minister for Social Justice agreed:

*"for me, particularly as Minister for Social Justice of course, this is about ending violence against women and girls in Wales. And this is something we've laid out in our evidence paper; it's very much a cross-Government issue."*²⁸⁶

240. In the written evidence submitted to our inquiry, the Welsh Government set out the guidance, support and resources it has published to prevent and respond to peer on peer sexual harassment among learners:²⁸⁷

- Action plan to protect children and young people online.²⁸⁸
- Support²⁸⁹ and resources²⁹⁰ for practitioners to address sexual harassment with learners
- Advice for children and young people: online issues and worries²⁹¹
- Keeping Learners Safe, which includes a section on peer on peer abuse and harmful sexual behaviour.²⁹² The Welsh Government told us that it had developed a safeguarding audit tool to "ensure that there are effective systems in place to meeting their legal safeguarding obligations in line with the [Keeping Learners Safe] guidance."
- Wales Safeguarding Procedures²⁹³ for children and adults at risk of abuse and neglect, which "promote consistent, evidence based safeguarding practice across agencies and across Wales."
- National action plan for preventing and responding to child sexual abuse²⁹⁴, which "includes actions to prevent and respond to harmful sexual behaviour. This has included the development of a multi-agency open access online learning session,

²⁸⁶ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraphs 5-7

²⁸⁷ Written evidence, PPSH 26 - Welsh Government

²⁸⁸ Hwb, 'Enhancing digital resilience in education: An action plan to protect children and young people online', last updated September 2020

²⁸⁹ Hwb, 'Keeping safe online'

²⁹⁰ Hwb, 'Resources'

²⁹¹ Hwb, 'Advice for children and young people: online issues and worries'

²⁹² Welsh Government, 'Keeping learners safe', page 40

²⁹³ Welsh Government, Wales Safeguarding Procedures

²⁹⁴ Welsh Government, National Action Plan Preventing and Responding to Child Sexual Abuse, July 2019

advice for practitioners across agencies and advice for parent/carers of children and young people where there are concerns about harmful sexual behaviour."

241. The Children's Commissioner for Wales reflected positively on the Hwb resources specifically. She told us that:

*"there is some really good, high-quality bilingual materials on Hwb that have been developed by the Welsh Government's digital resilience team and that we in our office think are particularly strong. They are available for parents, and there's specific information for parents on there, and that covers everything from online privacy to online sexual harassment to sharing nudes and semi-nudes, and what happens with that, and sexting and online relationships. So, there are some really good-quality materials for parents."*²⁹⁵

242. The Minister for Education and Welsh Language told us that the Welsh Government has "developed quite a lot of online resources over a period of time, or we've been refreshing that. Some of it is actually for teaching staff on Hwb, and some of it's actually for learners themselves, and we've designed that with young people." However, he acknowledged that:

*"in terms of the training for staff, I do think there is the need for more of this. [...] But from a professional learning point of view, we invest vast amounts of funds in the development of professional learning [...] and we are looking at what resources and professional learning is required for staff, and what training modules are required for staff, to give them the confidence to be alert to issues of sexual harassment in school and to feel that they are using the right language, saying the right things and hearing what they're being told in the right way. It must be really challenging, I think, if, obviously, you want to do the right thing, but you haven't necessarily had familiarity with that."*²⁹⁶

Ensuring that Welsh Government policy is implemented effectively

243. Despite the range of resources available to parents, practitioners and others, it is clear from Estyn's report that peer on peer sexual harassment is still prevalent across secondary schools. The Equality and Human Rights Commission told us about its human rights tracker, which contains an assessment of the Welsh Government's progress on harassment and bullying in schools:

²⁹⁵ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 362

²⁹⁶ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 47

*"Currently the Commission has allocated a progress assessment of 'limited progress' meaning there have been legal or policy changes to improve human rights protections but very limited evidence of substantial improvements in the enjoyment of human rights on this issue."*²⁹⁷

244. The Children's Commissioner for Wales told us that enforcement was needed to ensure that children and young people feel they can raise concerns and be listened to and changes will be made as a result. "This culture of participation and listening", she noted, "should happen within settings, but it should also be part of inspection, and school improvement on a setting, regional and national level."²⁹⁸ She outlined her proposals to us:

*"[...] at a national level, we would recommend that the Government supports and develops an expert network that would include representatives from the consortia, Estyn, Public Health Wales and the voluntary sector, people who collect data, like the school health research network and the school police liaison officers' network, to really make sure that we are constantly giving schools high-quality advice, receiving feedback on how well guidance is working, and continuing to develop it, because this is a new and expanding area of work for schools."*²⁹⁹

245. For representatives of school leaders, a key implementation challenge is funding:

*"I think if we are—. If you're asking the question to NAHT members, 'What can Welsh Government do in this space?', I would say, fundamentally, we need to look at the issues of school funding and how schools are funded, the inequity across local authority areas, and we need to get under the skin of that."*³⁰⁰

Violence against Women, Domestic Abuse and Sexual Violence Strategy

246. In 2015, the Senedd passed the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. The aim of the Act is to improve the public sector response in Wales to gender-based violence, domestic abuse and sexual violence. Under the Act, the Welsh Ministers must prepare and publish a national strategy containing objectives to address violence against women, domestic abuse and sexual violence strategy.

²⁹⁷ Written evidence, PPSH11 - Equality and Human Rights Commission

²⁹⁸ Written evidence, PPSH04 - Children's Commissioner for Wales, page 7

²⁹⁹ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 401

³⁰⁰ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 92

247. The Minister for Social Justice explained to us that the Welsh Government was “already wanting, considering and planning to expand that strategy before the Estyn report, before Everyone’s Invited was launched. We recognised that we needed to look at the safety of women and girls outside the home, in the workplace, as well as inside the home.”³⁰¹ In their joint written submission, the Ministers for Education and Welsh Language and for Social Justice stated that:

“It is not for women and girls to modify their behaviour, it is for abusers to change theirs. That is why the Welsh Government Programme for Government commits to strengthening the Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) Strategy to include a focus on violence against women in the street and workplace as well as the home in order to make Wales the safest place in Europe to be a woman.”

The paper went on to note that the Cabinet has “confirmed their support for the Strategy and we will be adopting a cross-Government approach to ensuring its success.”³⁰²

248. Overall, we heard that the 2015 Act, and the work that flows from that Act, are positive in addressing sexual harassment among learners, which is largely gender-related: The National Education Union told us:

“So, we’ve got the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015, haven’t we? So, that specifically looks at the gendered nature of violence against women [...] A high number of these incidents are gender related, and we’ve got to look at that in schools, and I think if the Welsh Government is able to provide resources for that—. I’ve seen some resources from the Welsh Government on online sexual harassment, but I think it’s really important that it’s not all just online.”³⁰³

249. Police representatives set out the work that they carry out that relates to the Act, including work that is undertaken in partnership with agencies such as the youth service and unitary authorities.³⁰⁴ The Deputy Police and Crime Commissioner for South Wales and Policing in Wales Lead told us that “there’s a real opportunity, I think, here to accelerate the scale and pace of change in relation to this area, particularly through the new Welsh Government VAWDASV

³⁰¹ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 26

³⁰² Written evidence, PPSH 26 - Welsh Government

³⁰³ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 181

³⁰⁴ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 120

strategy. We're working very collaboratively with the Welsh Government on shaping the new strategy, particularly focusing on prevention".³⁰⁵

250. Despite the work being undertaken by the police and others, Estyn's report and the evidence that we've heard indicates that gender based sexual harassment is common across schools in Wales. We asked the Minister for Social Justice whether she felt that schools were safe places for girls and LGBTQ+ children and young people. The Minister replied:

*"I think, possibly, the responses to this inquiry will show our commitment as a Government to making that change, because at the moment, as a result of Everyone's Invited and the Estyn report, we know that violence against girls and harassment is far too common, and this is a problem for society,"*³⁰⁶

251. On 24 May 2022, shortly after our evidence session with the Ministers for Education and Welsh Language and for Social Justice, the Welsh Government launched its second Violence against Women, Domestic Abuse and Sexual Violence National Strategy. The revised strategy makes some limited references to peer on peer sexual harassment in schools and colleges. It acknowledges that violence against women can occur in educational institutions, and argues that education "through delivery of the new curriculum, will have a key part to play in communicating the concept of "healthy relationships." It describes the Welsh Government's ambitions as "long-term", and references the implementation of the new curriculum and, within it, the new Relationships and Sexuality Education code and guidance as measures to prevent violence against girls and women.³⁰⁷ (We consider the new curriculum and Relationships and Sexuality Education in the final chapter of this report.)

The LGBTQ+ Action Plan and other equality action plans

252. Earlier in this report, we noted the particular impact that peer on peer sexual harassment has on different groups of children. Alongside the Violence against Women, Domestic Abuse and Sexual Violence national strategies, the Welsh Government has particular focused plans to address racism and discrimination of the LGBTQ+ community and disabled people. The Minister for Social Justice told us that these plans are relevant to its work tackling sexual harassment among learners:

"at this point in time, we have our particular focused plans that we're taking forward in terms of the anti-racist plan, the draft LGBTQ+ action plan, the

³⁰⁵ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 122

³⁰⁶ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 41

³⁰⁷ Welsh Government, 'Violence against women, domestic abuse and sexual violence: strategy 2022 to 2026', 24 May 2022

disability rights action plan, and at every step of the way recognising the intersectionality issues there, and becoming more and more powerful and more acknowledged. And this is absolutely crucial in terms of how we take forward the new strategy for VAWDASV [...] I think we're positioned in the right place in terms of understanding how this all has to interact in terms of an intersectional approach to tackling inequalities in terms of those issues."³⁰⁸

253. The Welsh Government committed in July 2021 to providing statutory national trans guidance for schools and local authorities.³⁰⁹ That guidance has not been published. The Association of Directors of Education in Wales told us that they are still waiting for the LGBTQ+ guidance from Welsh Government. They argued that as "an all-Wales issue" it wouldn't be appropriate to produce the guidance on a regional basis.³¹⁰

254. We asked the Ministers when the guidance would be published. The Minister for Education and Welsh Language told us that:

*"It's obviously a very complex piece of work, and it raises a number of issues that need to be addressed sensitively as part of that whole-school approach in order for it to be effective. But it is definitely a gap that needs to be addressed as soon as possible, and I would be disappointed, I think, if it wasn't substantially complete by the end of this year."*³¹¹

255. The Minister for Social Justice added that the consultation took place for the LGBTQ+ action plan took place last year. She explained that the work was being led by the Deputy Minister for Social Partnership, Hannah Blythyn MS:

*"a huge amount of work [is] going on as a result of receiving the consultation responses. They're being actually analysed independently. But, as the Minister has said, this is about the commitments in that plan to provide comprehensive, strategic, and in terms of the professional learning and training, in designing a fully LGBTQ+ inclusive curriculum."*³¹²

³⁰⁸ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 29

³⁰⁹ Welsh Government, 'LGBTQ+ Action Plan for Wales', page 16

³¹⁰ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 180

³¹¹ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 34

³¹² Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 37

256. The Deputy Minister for Social Partnership provided an update in Plenary on 21 June 2022, when she said the Welsh Government aimed to publish the final version of the LGBTQ+ action plan this autumn.³¹³

³¹³ Plenary, 21/06/22, Record of Proceedings, paragraph 165

“Multi agency action plan” to address peer on peer sexual harassment

257. The Welsh Government told us it was using the findings of Estyn’s report to inform its “cross-government response” to the issue of peer on peer sexual harassment among learners. It said this will include a “multi-agency action plan” to set out current and proposed future actions against identified key themes, linked to other relevant Welsh Government action plans such as preventing child abuse, increasing digital resilience in education, and the violence against women strategy.³¹⁴ The Minister for Education and Welsh Language told us that the action plan would use the same definition of sexual harassment as Estyn’s report.³¹⁵

Our view

Improving schools’ and colleges’ response to peer on peer sexual harassment

258. Schools are clearly struggling to respond to sexual harassment among their pupils. Harassment is mainly taking place online and outside school hours, which evidently causes considerable challenges for school staff and leaders. They cannot be held responsible for young people’s behaviour every hour of every day.

259. However, it is clear to us that peer on peer sexual harassment, whenever and wherever it takes place, has a direct impact on the learning and wellbeing of learners during the school day. It permeates the culture of the school, affecting the lives of a significant majority of learners. It is not primarily the fault of schools that peer on peer sexual harassment is so prevalent. But we believe that young people have the right to attend schools that carry out effective and inclusive sex education that teaches young people about positive sexual relationships, effective policies in place to respond to sexual harassment when it occurs, and staff who respond to sexual harassment consistently and confidently in line with those policies.

260. We believe that a crucial early step that schools and colleges must take is to denormalise unhealthy sexual behaviour. It must be embedded in the culture of every school or college that sexual harassment, in all its forms, is unacceptable. Reports of sexual harassment from young people must always be taken seriously and responded to appropriately.

Recommendation 11. The Welsh Government must ensure that schools and colleges create a culture in which sexual harassment is unacceptable, reports of sexual harassment are taken seriously and responded to promptly and consistently.

³¹⁴ Written evidence, PPSH 26 - Welsh Government

³¹⁵ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 14

261. We urge Estyn to maintain schools' and colleges' long-term focus on addressing peer on peer sexual harassment. In addition to considering how schools record and analyse incidents of sexual harassment from a data perspective, as we discussed earlier in this report, Estyn should also include within their routine inspection framework a specific focus on how schools respond to and support pupils who report and/or experience sexual harassment and take action to address the behaviour of individuals who have perpetrated it.

Recommendation 12. Estyn must include within its inspection framework for routine school inspections specific consideration of how schools and colleges respond to and support learners who have reported and/or experienced sexual harassment, and to address the behaviour of individuals who have perpetrated it. Such an approach must not penalise or reflect badly on schools simply because they have cases of sexual harassment but focus on how well schools deal with cases and support pupils.

262. We acknowledge that many school staff do not feel that they have received adequate training to be able to respond to peer on peer sexual harassment confidently and effectively. We understand that it is not easy for staff to have conversations with young people about some of the unhealthy sexual behaviours that are so commonplace across schools. We also note the evidence we gathered from young people who told us that young people turn to staff members they trust and have a good relationship with to talk about sexual harassment. That person may or may not be someone with a designated pastoral role within that school. We therefore agree that all school staff, not just teachers and those with an identified pastoral role, need to be trained on how to identify and respond to incidents of sexual harassment among their learners.

263. In light of the evidence we heard about the financial impact of training and of providing cover for teachers who are undertaking training, we do not feel that it is reasonable to expect schools to pay for that training and cover out of their own budgets. To ensure that the school workforce is adequately trained, they need the support of the Welsh Government.

Recommendation 13. The Welsh Government must make ring-fenced funding available to schools for all school staff to undertake training on identifying, responding to, and reporting peer on peer sexual harassment. That funding should include provision for schools to provide cover for teachers who are taken out of class, if necessary.

264. We were struck by some of the evidence we received indicating that, although peer on peer sexual harassment is common in colleges, Further Education institutions are responding to it effectively and robustly. We hope that this is the case, and that the evidence we heard will be consistent with the findings of the upcoming review into peer on peer sexual harassment in colleges. However, given the scale of the challenges facing secondary schools, we fear that the

true scale and impact of peer on peer sexual harassment across colleges has also been underestimated.

265. We heard during this inquiry that sex and relationships education in schools is generally poor. We also heard – particularly from young people themselves – that teaching young people about consent and healthy sexual relationships is an important way to change school cultures for the better. Young people are crying out for high-quality sex and relationships education and for safe spaces to share their experiences and to get advice and support.

266. We have engaged with academics and professionals throughout this inquiry – such as Prof Renold, and Prof G.J. Melendez-Torres, Dr Honour Young and their colleagues³¹⁶ – whose analysis and expertise can improve sex and relationships education and interventions in Wales. We recognise that the Relationships and Sexuality Education Code has been developed with the input of relevant stakeholders and academics. However, we are concerned that, due to the phased roll out of the new curriculum, pupils currently in secondary school (2021/22 Year 7 cohort and above) will not benefit from the new, strengthened RSE provision.

267. We therefore urge the Welsh Government to work with academics alongside young people themselves, to build on and share good practice across Wales for the benefit of those pupils who will not be taught under the new curriculum.

Recommendation 14. The Welsh Government must work alongside Estyn, relevant academics, and the Young People's Advisory Board (see Recommendation 2) to gather and collate examples of sex and relationships education that learners consider to be effective in addressing peer on peer sexual harassment, with a view to creating a bank of resources for schools and colleges to facilitate the sharing of good practice across Wales. These, alongside the RSE Code where appropriate and possible, must inform the provision of sex and relationships education to older learners whose year groups are not covered by the Curriculum for Wales.

Schools' approaches to managing mobile phones

268. We note that there are different views on how schools should manage mobile phone use during the school day. We also acknowledge Estyn's finding that most sexual harassment takes

³¹⁶ A research team led by Professor G.J. Melendez-Torres will shortly be publishing their report into school-based interventions to prevent dating and relationship violence and gender-based violence. We are grateful to Prof Melendez-Torres and to Dr Young for their time in briefing us on the key findings of their research. See: National Institute for Health and Care Research, '[School-based interventions TO Prevent dating and relationship violence and gender-based violence \(STOP-DRV-GBV\): systematic review to understand characteristics, mechanisms, implementation and effectiveness](#)'.

place online and outside school hours, which is unaffected by schools' approaches to managing phones during the school day. Nevertheless, some sexual harassment *does* take place during the school day, and any steps that may reduce that harassment should be taken by schools. We therefore agree with the evidence we heard from trade unions that, whatever the nuances of each school's position on mobile phone use, schools should have clear, well-enforced policies that are widely understood by learners, parents and staff. We understand that is the case in most schools. Nevertheless, we ask the Welsh Government and local authorities to write to schools to ensure that it is.

Recommendation 15. The Welsh Government must write to local authorities and/or schools to ensure that schools have clear policies on acceptable mobile phone use by learners throughout the school day, those policies are well-communicated to learners, staff and parents, and are consistently enforced by school staff.

Community schools and working with the police, local authorities, charities and others

269. We were reassured by the evidence we heard from Estyn, some schools and young people who responded to our survey that the work of the police in schools across Wales is effective and supportive in responding to and preventing peer on peer sexual harassment.

270. However, our evidence gathering also gave us reason to believe that police forces' work in schools can be inconsistent. We urge police forces across Wales to ensure that officers working in schools are well-trained and adopt a consistent and coordinated approach with the Welsh Government, schools and others to their work both preventing, and responding to, peer on peer sexual harassment.

271. We welcome the Minister for Social Justice's commitment to share with us the findings of a 2019 review into the police in schools programme. All programmes benefit from regular evaluation, even successful ones, and we appreciate the Minister's commitment to open and honest self-evaluation. Unfortunately, at the time of writing, we have still not received that review. In the interests of transparency and in recognition of the benefits of self-evaluation, we urge the Welsh Government to publish the findings of that review, as the Minister committed on 4 May 2022.

Recommendation 16. The Welsh Government must publish the findings of the 2019 review that was carried out into the Wales police schools programme.

272. We were convinced of the benefits of schools and colleges working alongside local authorities, charities and other organisations to bring an extra dimension, and additional

expertise, to their ongoing dialogue with learners about peer on peer sexual harassment. However, we heard during this inquiry what we already know from work in our own constituencies and regions: third sector capacity is often stretched very thinly, and some charities struggle to reach all areas of Wales. We therefore urge the Welsh Government to work with local authorities to create and maintain a database of third sector support services that schools can access to support their response to peer on peer sexual harassment.

Recommendation 17. The Welsh Government must work with local authorities to create and maintain databases of third sector organisations that provide support services for schools and colleges that could assist them in their response to peer on peer sexual harassment.

Parents and families

273. Peer on peer sexual harassment is a particularly difficult topic for parents and families to talk to young people about. It relates to sexual relationships and sexual behaviour, which are not easy to talk about. It also relates to peer relationships, which many young people like to keep private. And it occurs mainly online, on social media and gaming platforms, which many parents do not use and or fully understand. So we have sympathy for parents, and we understand that playing their part in addressing peer on peer sexual harassment isn't easy.

274. However, parents have a crucial role in reducing the prevalence and impact of peer on peer sexual harassment. They need to be supported to have those difficult conversations with their children, and to take steps – where necessary – to reduce their children's exposure to inappropriate or potentially harmful online content. Parents need to understand the impact of sexual harassment on young people, and be willing to talk to their children about the consequences of their behaviour on others, if necessary. The Welsh Government must support parents with this, and work alongside young people to do so, so that parents are given the tools and information they need to address these crucial issues with their children.

Recommendation 18. As part of its wider work on raising awareness of peer on peer sexual harassment in schools, the Welsh Government, alongside the Young People's Advisory Board (see Recommendation 2), must carry out an awareness raising campaign targeted at parents and families to:

- raise awareness of peer on peer sexual harassment, including how and when it is perpetrated and the impact of sexual harassment on young people;
- help parents and families talk to and support their children, including to address their children's inappropriate behaviour, if necessary; and

- improve understanding of the risks of young people accessing inappropriate online content/platforms, the age restrictions associated with those platforms, and what steps parents can take to limit their children's online access.

The Welsh Government

275. We heard positive feedback about the resources that the Welsh Government has produced for schools, learners and parents in relation to sexual harassment among learners. We hope that people know where those resources are, that they are being widely used, and that they will be regularly reviewed and updated.

276. We are also reassured that the Minsters for Education and Welsh Language and for Social Justice engaged so fully with our inquiry. We are grateful for their comprehensive written evidence and for appearing jointly before us to discuss these important issues in more detail. We welcome that the Welsh Government has already taken the step to commission a review into peer on peer sexual harassment in colleges, which – as we discussed earlier in this report – we believe will be a valuable exercise. Overall, we are convinced that the Welsh Government is taking peer on peer sexual harassment seriously.

277. However, we were disappointed to hear that the statutory national trans guidance for schools and local authorities has not been published, despite being promised in July 2021. Local authorities and schools need that guidance to help them support trans pupils: the Welsh Government must publish that guidance urgently.

Recommendation 19. The Welsh Government must publish its statutory national trans guidance for schools and local authorities no later than January 2023.

278. We were also disappointed that the revised Violence Against Woman, Domestic Abuse and Sexual Violence strategy makes no mention of peer on peer sexual harassment in an educational context. As this report sets out, most victims of peer on peer sexual harassment are girls and young women. Given that schools are effective sites for early interventions to address problematic behaviour and a reflection of wider societal trends, we were surprised that the revised strategy does not recognise the impact of peer and peer sexual harassment on the safety of female learners or set out action to be taken in this context. We urge the Welsh Government to amend that oversight at the earliest opportunity.

Recommendation 20. The Welsh Government must amend its Violence Against Women, Domestic Abuse and Sexual Violence strategy to acknowledge the impact of peer on peer sexual harassment on the safety and wellbeing of female learners, and that tackling peer on

peer sexual harassment in and around educational settings must be included in any future workstream arising from that strategy.

279. We welcome the Minister for Social Justice's assurances that work to analyse the consultation responses for the LGBTQ+ action plan is currently underway. We also note the Welsh Government's intention to publish the action plan this autumn. We hope that the plan acknowledges that sexual harassment is experienced by many LGBTQ+ learners, often as a cover for homophobia and transphobia, and supports schools, local authorities and others to address that harassment.

Recommendation 21. The Welsh Government must publish the LGBTQ+ action plan no later than autumn 2022. The action plan must acknowledge the scale and impact of sexual harassment on LGBTQ+ learners, and set out how the Welsh Government will support schools and others to address it.

280. We were interested to hear that the Welsh Government is working on a multi-agency action plan to set out how it is tackling the problem of peer on peer harassment among learners, in connection with other relevant action plans. We look forward to seeing the action plan and urge the Welsh Government to proceed with this work at pace, ensuring a cross-government and multi-agency approach that takes into account existing work underway.

Recommendation 22. The Welsh Government must proceed with pace on its work to publish a multi-agency action plan to tackle the problem of peer on peer sexual harassment, informed by Estyn's report and in synergy with other relevant work in progress across government.

8. The wider context

We heard that the new Curriculum for Wales has the potential to significantly improve schools' responses to peer on peer sexual harassment, but the Welsh Government must support schools to overcome significant challenges if that potential is to be realised. At a UK-level, there was widespread support for the amended Online Safety Bill, which intends to make it more difficult for children to access inappropriate sexual content online.

The new curriculum

Opportunities to prevent peer on peer sexual harassment

281. The new Curriculum for Wales was established under the Curriculum and Assessment (Wales) Act 2021. Relationships and Sexuality Education (RSE) will be rolled out as part of the new curriculum, replacing the sex and relationships education that falls within the current curriculum. RSE will be a mandatory element of the new curriculum for children aged between 3 and 16. Through RSE, learners will learn about a broad concept of sexuality and what constitutes a healthy sexual relationship.

282. The Welsh Government explained in its written submission to us that:

*"The new curriculum from September 2022 will include a Health and Well-being Area of Learning and Experience which will enhance the new curriculum's focus on the health and wellbeing of learners. This is an innovative part of the new curriculum and aims to ensure that learning and support around issues such as physical, emotional and mental well-being are provided to all young people in Wales."*³¹⁷

283. The Minister for Education and Welsh Language explained that the new RSE will be taught very differently from the current sex and relationships education. Rather than having a relatively

³¹⁷ Written evidence, PPSH 26 - Welsh Government

bolted on sex education and personal and social education, as is the case at the moment, RSE is intended to be a holistic and integral part of the whole curriculum.³¹⁸

284. Parents will not be able to opt their children out of RSE under the new curriculum. It will be implemented in primary schools, maintained nursery schools, and non-maintained nursery settings from September 2022 and rolled out in secondary schools over the following years. The Welsh Government stated that: "Within the new RSE statutory guidance, it is clear that the approach to RSE should be positive, protective and preventative, considering how learners might need to be supported to 'have the knowledge to recognise all forms of discrimination, violence, abuse and neglect, including violence against women, domestic abuse and sexual violence and a link is included to a toolkit of resources to support schools and settings on this important issue".³¹⁹

285. The potential of the new curriculum to address peer on peer sexual harassment was raised regularly across the evidence we received.

286. Estyn told us of the importance of that age-appropriate understanding and knowledge:

"the kind of mandatory relationship and sex education that's in the new curriculum, and the increased focus on health and well-being generally".³²⁰

Prof Renold agreed, urging the Welsh Government to avoid having another isolated programme, "a piece of guidance that lands nowhere." They added that:

"the new RSE for Wales is absolutely the most conducive place to do this work. It's a whole-school approach; that's a fundamental principle. It's affirmative, it talks about positive prevention and change. That gets you thinking about not going in there through risk, but going in there through rights and empowering ways of learning in how to do this."³²¹

The National Education Union agreed, suggesting that there is now guidance and a map for us to "[move] away from this model of teaching about the mechanics of sex only to what the nature of a relationship should be, all of these issues related to sexuality too. So, we're on the threshold of a very exciting time in that regard, I think."³²²

³¹⁸ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 92.

³¹⁹ Written evidence, PPSH.26 - Welsh Government

³²⁰ Children, Young People and Education Committee, 10/02/22, Record of Proceedings, paragraph 71.

³²¹ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 346.

³²² Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraphs 184-185.

287. We also heard that RSE under the new curriculum has the potential to improve education about relationships and issues that are relevant to LGBTQ+ pupils. Stonewall Cymru told us that:

*"we can't underestimate the importance of the new curriculum to tackle this problem that we've talked about today. We are aware that legislation, decades ago, was introduced to prevent mention of LGBTQ+ identities in our schools. But this is the perfect opportunity to undo that damage."*³²³

288. The National Education Union advocated seeking opportunities within the new curriculum to ensure that those ideas of consent, sexism, sexual harassment are taught alongside intersectionality between gender or LGBTQ+ people, or any other protected characteristics.³²⁴

289. However, the rollout of the new curriculum means that no children who are in year 7 or above during the 2021-22 academic year will be taught under the new curriculum. The Curriculum for Wales is being introduced in primary schools in September 2022. Nearly half of secondary schools have opted to introduce it in Year 7 in September 2022 before it is statutory in Year 7 and 8 in September 2023. The new curriculum will then be rolled out to each additional year group until it reaches Year 11 in September 2026.

290. It was not lost on stakeholders that many children currently in secondary education would not benefit from the new curriculum. The University and College Union told us that although the developments in the school curriculum are welcome, "they are going to take a little while to feed through. So, whereas we can perhaps count upon positive changes down the line, I think we should still get on with developing that national school/college strategy in the meantime."³²⁵ The Children's Commissioner for Wales agreed, and urged us not to forget the children who won't benefit from the curriculum reforms.³²⁶ Parents' Voices in Wales argued that:

*"Although the new curriculum for Wales RSE will be an important part of this prevention, we need earlier action because children and young people's safety will be compromised during the time duration of the roll out of the CfW across the school years [...] A national campaign would be helpful in the meantime [...]"*³²⁷

291. CollegesWales noted that the new curriculum will not affect Further Education, so colleges will need to do their own work to teach learners about healthy sexual relationships:

³²³ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 285

³²⁴ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 159

³²⁵ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 318

³²⁶ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 411

³²⁷ Written evidence, PPSH10 - Ceri Reed, Director, Parents Voices in Wales CIC

*"Support strategies need to be focused towards friendship and relationship boundaries, robust education sexual health programmes and education, information and managed debate about what constitutes a healthy relationship. This needs to take place in post-16 settings rather than simply being seen in the context of the new Curriculum for Wales in compulsory education and waiting for more positive behaviours and attitudes to filter through."*³²⁸

292. In their written evidence to the Committee, the Ministers for Education and Welsh Language and for Social Justice set out that:

*"Our new Curriculum for Wales Framework, which comes into effect from September, has been developed to be inclusive of all learners and includes a mandatory RSE Code. The RSE Code has equality and inclusivity at its heart and has been designed to equip learners with skills for life which includes developmentally-appropriate understanding of behaviours, including all bullying, and LGBTQ+ based bullying, sexual violence and gender-based violence in a range of contexts, including online."*³²⁹

293. However, the Minister for Education and Welsh Language urged caution. He acknowledged that the curriculum "is going to take time to roll out",³³⁰ and stressed the importance of a positive overall whole-school environment:

*"I don't want to suggest the new curriculum is a solution to all of the challenges that we face here, obviously, although it's a very important contributor. [...] But, obviously, it's not enough for us to be teaching positive RSE, if you like, in the classroom, if the overall school environment isn't also reflective of those values, really. So, that whole-school approach, which we've touched on a little bit, I think is really important."*³³¹

Implementation challenges

294. Alongside the potential for the new curriculum to improve the teaching of sex and relationships education and, with it, work to prevent sexual harassment among peers, we also heard trepidation that the ambitious rollout of RSE will fail without proper investment and training. This chimes with concerns expressed about implementation of the new curriculum in

³²⁸ Written evidence, PPSH.20 – Colleges Wales, paragraph 6.6

³²⁹ Written evidence, PPSH.26 – Welsh Government

³³⁰ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraphs 85-86

³³¹ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 46

general, during our predecessor Committees scrutiny of the Curriculum and Assessment (Wales) Act 2021.³³²

295. The Children's Commissioner for Wales set out that:

*"Extensive and in-depth professional learning across the whole education sector is necessary to achieve the step-change required in setting-level curriculum design and pedagogy. Without this RSE cannot meet the needs of children and young people, and the aspirations reflected in the Curriculum and Assessment (Wales) Act 2021, and the Code and Guidance itself, will not be achieved."*³³³

296. Plan UK agreed. They told us that "this is a real opportunity to make sure that that provision is comprehensive, holistic, empowering and inclusive for all children and young people." However, they cautioned that:

*"[...] training is absolutely crucial to get this right, and when we're thinking about training, not just making sure that teachers understand the very complex and sensitive issues that are covered in the curriculum, but also the 'how'—so, the pedagogy, thinking about those skills-based approaches, participatory approaches that are really going to make this subject engaging and inclusive."*³³⁴

297. Brook made similar arguments, stressing that training was needed, and money had to be spent, because "You're not going to get anywhere if you're not providing targeted, specific training for professionals to be able to recognise and deal with this issue."³³⁵

298. The National Education Union pointed out that, as well as the cost of the training itself, an additional challenge is "finding the supply cover to backfill people who need to go on the training. So, it's a really difficult situation in schools at the moment. So, I think there's a lot of noise, and trying to make this the most important priority needs to come with the realistic idea that there is a lot going on in our schools."³³⁶ Brook agreed that more money needed to be invested to make sure that the transition to RSE was successful:

³³² Senedd Cymru, 'New 'Curriculum for Wales' must be delivered consistently across Wales', 4 December 2020

³³³ Written evidence, PPSH04 - Children's Commissioner for Wales, page 3

³³⁴ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 451

³³⁵ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 267

³³⁶ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 151

*"I speak to teachers on a regular basis, I'm in four comprehensive schools this week alone, and teachers are telling me that there isn't money being given to them for this kind of work—therefore it will fail."*³³⁷

299. We heard that RSE leads, who will drive delivery of RSE across their schools under the new curriculum, need to be in place by September 2022, when teaching of the new curriculum begins. The NSPCC told us that "there's a key role here as well for RSE leads, obviously, in schools and in local authorities [...] but we really feel that these should be in place by September 2022, because it really needs to be there in place to ensure that the curriculum can be rolled out successfully."³³⁸

300. We heard concerns that not all RSE leads will be in place across schools in time. The Children's Commissioner for Wales told us that she is "yet to be assured that the plans are in place to ensure lead practitioners are in place, and have engaged in professional learning by September 2022."³³⁹

301. We also heard that parents and carers need to be involved in the rollout of RSE. The Children's Commissioner for Wales told us that "as we move forward in Wales with a stronger emphasis on relationships and sexuality education, and hopefully a real whole-school approach to that, then it's important that we take parents and carers along with us as part of that, and that parents and carers are involved in that learning in school, know what their children are learning about, and also get specific advice and guidance as well on how to support their children in this way."³⁴⁰

302. In their joint written submission to the Committee, the Ministers for Education and Welsh Language and for Social Justice recognised the need for training to implement RSE:

*"We have commissioned training for school leaders to embed our anti-bullying guidance and to provide them with the tools to tackle all forms of bullying in schools, including homophobic bullying. We are making professional learning a key priority over the coming months to support schools and settings ahead of the implementation of RSE, and are currently working with practitioners and partners to develop a National Plan of Professional Learning for RSE."*³⁴¹

³³⁷ Children, Young People and Education Committee, 24/03/22, Record of Proceedings, paragraph 288

³³⁸ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 414

³³⁹ Written evidence, PPSH04 - Children's Commissioner for Wales, page 5

³⁴⁰ Children, Young People and Education Committee, 10/03/22, Record of Proceedings, paragraph 363

³⁴¹ Written evidence, PPSH 26 - Welsh Government

303. They went on to explain that a National Network has been established to “bring together teaching professionals, experts, stakeholders, policy makers and enabling partners to identify and address the barriers to, and opportunities for, the implementation of Curriculum for Wales.”³⁴²

304. We asked the Minister for Education and Welsh Language whether all secondary schools will have Relationships and Sexuality Education (RSE) leads in place by September 2022. He told us that there are two levels of RSE lead that need to be in place, one level with local authorities and one within each school. The Welsh Government has requested an update from local authorities on their current positions:

“We’ve received, I think, 16 responses so far from the 22 authorities. The responses with regard to the leads within the local authorities themselves are mixed at the moment in the secondary schools—. Well, in some areas, it’s only secondary schools that have them in place; in others, it’s more broadly in place. So, there’s a mixed picture at the moment, but we are working with authorities to make sure that the leads are in place in time, obviously.”³⁴³

305. We also asked the Minister for Education and Welsh Language about the role that regional consortia are playing in supporting schools with the rollout of RSE. The Minister told us that the consortia have a “very important role” :

“we’re drawing on what school improvement services are learning from their work in schools in terms of the gaps in provision, if you like, and the further needs that schools have, which they’re reporting through consortia. That’s then helping us shape the Wales-wide professional learning commissioning and offer.”³⁴⁴

The Online Safety Bill

306. The UK Government’s Online Safety Bill was introduced to the House of Commons on 17 March 2022. The Bill introduces new rules for firms that allow users to post their own content online or interact with each other, and for search engines. Under the Bill in its current form, platforms likely to be accessed by children will also have a duty to protect young people using their services from legal but harmful material such as self-harm or eating disorder content.

³⁴² Written evidence, PPSH 26 – Welsh Government

³⁴³ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 90

³⁴⁴ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 98

Providers that publish or place pornographic content on their servers will be required to prevent children from accessing that content.³⁴⁵

307. We heard broad support for the UK Government's efforts to provide additional safeguards for children in the Online Safety Bill. Brook outlined that the Bill currently going through Westminster "recognises that young people are particularly vulnerable online and need particular protection. It will introduce new powers for the regulator Ofcom to penalise tech companies which do not adequately protect young people, and aims to encourage tech companies to take action themselves to make their platforms, algorithms and search engines safer."³⁴⁶

308. Prof Renold gave their support for the Bill, with the caveat that it must be accompanied by high quality training for practitioners:

*"While new laws and legislation, such as the new offence of 'cyber-flashing' in the Online Safety bill are crucial and welcome, they must be accompanied with an educational response that both joins-up and goes beyond the existing policy focused guidance that is rarely accompanied by a fully resourced and evidence based robust professional learning framework."*³⁴⁷

309. Some stakeholders set out a role for the Welsh Government as part of wider UK efforts to regulate the online space for children. The Children's Commissioner for Wales argued that:

*"the Online Safety Bill will provide Ofcom with a regulatory role in relation to some online platforms. Welsh Government has a role here in ensuring that Ofcom's role is informed by children's rights, and there could also be work across the Governments of the UK to ensure that children and young people from each jurisdiction can participate in the work of Ofcom, for example through a young person's advisory group."*³⁴⁸

310. The NSPCC told us that, in England, the Children's Commissioner has been commissioned by UK Government departments "to look at the wider societal factors influencing sexual violence and rape culture in schools- in particular how attitudes are shaped by access to pornography and driven through online channels. We would like to see a similar exercise carried out for Wales."³⁴⁹

³⁴⁵ Gov.uk, 'Online Safety Bill: factsheet', updated 19 April 2022

³⁴⁶ Written evidence, PPSH08 - Brook Cymru

³⁴⁷ Written evidence, PPSH06 - Prof EJ Renold

³⁴⁸ Written evidence, PPSH04 - Children's Commissioner for Wales, page 12

³⁴⁹ Written evidence, PPSH 14 - NSPCC

311. We heard some concerns that the Online Safety Bill could have unintended consequences for young people seeking support and advice online. CollegesWales urged the Welsh Government to engage fully with the relevant Westminster legislation to ensure that the issue of peer on peer sexual harassment and online harm more generally is addressed appropriately. They expressed concern that some learners (and others) “may wish or need to access certain online services anonymously. They should not be prevented from seeking help and support by having to verify their identity or age, for example in cases of sexual abuse or even for issues such as eating disorders etc.”³⁵⁰ Brook agreed, and told us that they “hope there will be increased openness to hearing from young people themselves and those supporting young people about how to make changes which will make the internet safer without closing off vital online spaces and vital information for young people.”³⁵¹

312. On 22 April 2022, we wrote to the Minister for Education and Welsh Language and to the Deputy Minister for Climate Change to ask for information about the Online Safety Bill. We wanted to know what the Welsh Government thought about the principal clauses of the Bill, and the extent to which the Welsh Government had engaged with the UK Government about the Bill, amongst other things.³⁵²

313. In their joint response, the Ministers welcomed the UK Government’s intention of the Online Safety Bill to make the UK the safest place in the world to be online, and that the Bill recognises the need for enhanced protection for children and young people to harmful online content. The letter went on to confirm that Welsh Government officials have had regular engagement with UK Government counterparts and Ofcom officials throughout the development and passage of the Bill through Westminster.³⁵³

314. When we asked the Minister for Social Justice for her views on the Bill, she stated that:

“I was very pleased, because there were concerns that it didn't go far enough. [...] I'm glad that the committee that actually looked at this, the joint select committee, actually did their response to it, which was to strengthen the Bill—that the Department for Digital, Culture, Media and Sport actually did agree to some of the recommendations [...] the role of legislation is crucial,

³⁵⁰ Written evidence, PPSH 20 - Colleges Wales, paragraph 9.2

³⁵¹ Written evidence, PPSH08 - Brook Cymru

³⁵² Senedd Cymru, ‘Letter from the Chair of the Children, Young People and Education Committee to the Minister for Education and Welsh Language and the Deputy Minister for Climate Change’, 22 April 2022

³⁵³ Welsh Government, ‘Joint letter from the Minister for Education and Welsh Language and the Deputy Minister for Climate Change’, 23 May

*because we know this is where we do not have the power or the ability to really influence or intervene.*³⁵⁴

315. On 19 May 2022, we wrote to the UK Government's Secretary of State for Digital, Culture, Media and Sport, Rt Hon Nadine Dorries MP. Our letter set out concerns raised to us by the editorial board of Coleg Cambria students about the role of social media, gaming and social networking platforms in peer on peer sexual harassment. The editorial board told us that they were particularly concerned that online providers do not protect children from sexual images, and do not adequately enforce age limits. We asked Rt Hon Nadine Dorries MP to what extent the Online Safety Bill addresses those concerns.³⁵⁵

316. We received a response dated 13 June 2022 from the Minister for Tech and the Digital Economy, Rt Hon Chris Philp MP. In the Letter, the Minister expresses concern for the findings of our ongoing inquiry, and acknowledged that "harmful activity online can be particularly damaging for children and young people". In relation to the specific concerns raised to us by the editorial board of Coleg Cambria students, the letter sets out that under the Online Safety Bill:

- Platforms must take action to remove self-generated indecent imagery of children. If they do not, they will face tough enforcement action by Ofcom, the independent regulator.
- Social media platforms, websites and gaming platforms will have responsibilities to remove and limit the spread of illegal content. Where they are likely to be accessed by children, they must provide safety measures for child users.
- All websites containing pornographic material will also have to prevent children from accessing this content.
- If a child does encounter harmful content and activity, parents and children will be able to report it easily and, where appropriate, receive support. The new laws will raise the bar on how companies respond to complaints, as Ofcom will set clear expectations for user reporting mechanisms.
- If a service says in its terms of service that it is for adults or for children over a certain age, then they will have to enforce those terms of service consistently.

³⁵⁴ Children, Young People and Education Committee, 04/05/22, Record of Proceedings, paragraph 80

³⁵⁵ Senedd Cymru, 'Letter from the Chair of the Children, Young People and Education Committee to the Rt Hon Nadine Dorries MP, Secretary of State for Digital, Culture, Media and Sport', 19 May 2022

- Companies saying their service is for users aged 13+/16+ must take steps to prevent younger children accessing it. Ofcom will set out in its codes of practice the steps service providers need to take to deliver this objective.
- Where children are likely to access a service, providers will have to set out in terms and conditions their approach to tackling harmful content to children, and ensure that these terms of service are easily accessible and consistently applied.³⁵⁶

Our view

The new curriculum

317. We agree with the Minister for Education and Welsh Language that the new curriculum is no golden bullet when it comes to responding to peer on peer sexual harassment. That is especially true for any learner currently in year 7 or above, who, due to the phased roll-out of the new curriculum, will not be taught the new Relationships and Sexuality Education (RSE). Schools cannot depend solely on the new curriculum, if only for those young people (see Recommendation 14 and our associated comments for proposals for how sex and relationships education for those young people can be improved).

318. For those learners who will be taught under it, a lot of hope has been placed on the new curriculum to deliver marked improvements to the teaching of relationships and sex education. We heard time and time again that the new curriculum has the potential to transform for the better how learners interact with educators, and each other, about sexual relationships, consent and the wider societal issues that have led to sexual harassment being so common place in schools.

319. We share that hope. But we are also conscious that whether the new RSE curriculum is able to realise the Welsh Government's ambitions is dependent on a number of factors, not least schools' capacity to implement it effectively. And, as the Minister for Education and Welsh Language reminded us, fundamentally it is the whole-school culture that needs to change, irrespective of the specific curricula that the school teaches.

320. In June 2022, we launched a Senedd-long inquiry into the Welsh Government's implementation of key education reforms, including the rollout of the New Curriculum for Wales.³⁵⁷ This body of work, which will comprise a series of engagement and scrutiny activities throughout the Sixth Senedd, will track how effectively the new curriculum and the Additional

³⁵⁶ UK Government, 'Letter from the Minister for Tech and the Digital Economy to the Chair of the Children, Young People and Education Committee', 13 June 2022

³⁵⁷ Senedd Cymru, 'Implementation of education reforms'

Learning Needs reforms are being embedded in schools across Wales. In light of the hopes pinned to the new curriculum to address peer on peer sexual harassment among learners, and the considerable challenges that the Welsh Government is likely to face as it seeks to realise its ambitions for curriculum reform, we will pay particular attention to the rollout of Relationships and Sexuality Education as part of that work.

321. In the meantime, we are convinced that RSE leads at both a local authority level and at a school level are essential to the successful rollout of Relationships and Sexuality Education under the new curriculum. Consequently, we are also convinced that RSE leads are essential to realising the potential of the new curriculum to improve young people's experiences of peer on peer sexual harassment. We are worried that, despite some progress, RSE leads have not been appointed in every school. This is one of many hurdles that the Welsh Government inevitably has faced - and will continue to face - in rolling out the new curriculum, and we are sure that the Welsh Government shares our determination that schools should not fall at it.

Recommendation 23. The Welsh Government must provide the Committee with an update in September 2022, and then at 6 month intervals thereafter, on the numbers and proportions of local authorities and schools with RSE leads in place.

The role of the UK Government: the Online Safety Bill

322. The amended and strengthened Online Safety Bill has the potential to make a real difference to how well children are protected from inappropriate online content. We were reassured by the response of the Minister for Tech and the Digital Economy, Rt Hon Chris Philp MP, to the concerns raised to us by the editorial board of students from Coleg Cambria. We will follow the passage of the Bill through the UK Parliament, and into its implementation phases, with interest.

323. We would also like to place on record our thanks to both the Minister for Tech and the Digital Economy and the officials within the Department for Digital, Culture, Media & Sport (DCMS). We are grateful for the way that they have supported us with our inquiry. Unfortunately, all too often the Senedd and its committees struggle to get meaningful engagement with the UK Government about matters that are critically important to our work and to the people of Wales. This was not the case here. We hope to be able to count on their continued collaboration and support in future, and urge other UK Government departments to follow DCMS's constructive example in their work with the UK's devolved legislatures.

324. At the time of writing, the Online Safety Bill is currently at the House of Commons report stage. It will soon progress to its third reading in the Commons, before transferring to the House of Lords. The Welsh Government has already laid a Legislative Consent Memorandum in relation to very limited provisions in the Bill, on which both the Communications, Welsh Language, Sport, and International Relations Committee and the Legislation, Justice and Constitution Committee have already reported. There is the potential for further amendments to be made to the Bill as it continues its scrutiny journey. If amendments to the Bill are agreed that require the legislative consent of the Senedd, under the Senedd's Standing Orders the Welsh Government must lay a further Legislative Consent Memorandum to obtain the Senedd's consent for those changes. If that happens, we urge the UK Government and the Welsh Government to ensure that the Senedd is given enough time to properly scrutinise that Legislative Consent Memorandum.

Recommendation 24. The UK Government and the Welsh Government should ensure that there is sufficient time given to the Senedd for scrutiny of any future Legislative Consent Memoranda relating to the Online Safety Bill, if amendments are made to that Bill that require the legislative consent of the Senedd.

Annex A: List of oral evidence sessions.

The following witnesses provided oral evidence to the committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed on the [**Committee's website**](#).

Date	Name and Organisation
10 February 2022	<p>Jassa Scott, Strategic Director, Estyn</p> <p>Dyfrig Ellis, Assistant Director, Estyn</p> <p>Delyth Gray, Her Majesty's Inspector, Estyn</p>
10 March 2022	<p>Dafydd Llywelyn, Police and Crime Commissioner for Dyfed Powys</p> <p>Amanda Blakeman, Deputy Chief Constable and Child Centred Policing lead</p> <p>Jon Drake, Director of the Violence Protection Unit for Wales</p> <p>Claire Parmenter, Deputy Chief Constable and Policing in Wales Lead</p> <p>Emma Wools, Deputy Police and Crime Commissioner for South Wales and Policing in Wales Lead</p> <p>Stephen Wood, Youth Offending Team Manager</p> <p>Kirsty Davies, Operational Manager, Newport Youth Offending Service</p> <p>Sharon Davies, Director of Education, Welsh Local Government Association</p> <p>Sue Walker, Chief Education Officer, Merthyr Tydfil and representing the Association of Directors of Education in Wales</p> <p>Maxine Thomas, Designated Senior Lead Safeguarding & Learner Wellbeing, Pembrokeshire College and representing ColegauCymru</p>

Date	Name and Organisation
	<p>Jamie Insole, Policy Officer, University and College Union</p> <p>Sally Holland, Children's Commissioner for Wales</p> <p>Jane Houston, Policy Adviser, Office of the Children's Commissioner for Wales</p> <p>Cecile Gwilym, Policy and Public Affairs Manager, NSPCC</p>
24 March 2022	<p>Laura Doel, Director, National Association of Head Teachers Cymru</p> <p>Chris Parry, National Association of Head Teachers Cymru</p> <p>Eithne Hughes, Director of the Association of School and College Leaders Cymru</p> <p>Mary van den Heuvel, Senior Policy Officer, National Education Union</p> <p>Mairead Canavan, National Education Union District Secretary for the Vale of Glamorgan, and National Education Union Executive member</p> <p>Rebecca Williams, Deputy General Secretary and Policy Officer, Undeb Cenedlaethol Athrawon Cymru</p> <p>Kelly Harris, Business Development and Participation Lead, Brook Cymru</p> <p>Iestyn Wyn, Campaigns, Policy and Research Manager, Stonewall Cymru</p> <p>Professor EJ Renold, Professor of Childhood Studies, School of Social Sciences, Cardiff University</p> <p>Kerry Packman, Executive Director of Programmes, Membership and Charitable Services, ParentKind</p> <p>Ceri Reed, Director, Parents Voices in Wales</p> <p>Lowri Jones, Director at Gwersyll Llangrannog, Urdd Residential Centre</p> <p>Sally Thomas, UK Girls' Rights Policy & Advocacy Manager, Plan UK International</p>

Date	Name and Organisation
	Siobhan Parry, Head of Young People's Services, Platfform
4 May 2022	Jeremy Miles MS, Minister for Education and Welsh Language Kirsty Davies-Warner, Deputy Director, Equity in Education Division, Welsh Government Sian Jones, Head of Supporting Achievement & Safeguarding, Welsh Government Jane Hutt MS, Minister for Social Justice Zsanett Swain, Senior Policy Manager, Violence Against Women & Domestic Abuse, Welsh Government Emily Keoghane, Head of LGBTQ+ Policy, Welsh Government Alessandro Ceccarelli, Head of LGBTQ+ Policy, Welsh Government

Annex B: List of written evidence

The following people and organisations provided written evidence to the Committee. All Consultation responses and additional written information can be viewed on the **Committee's website**.

Reference	Organisation
PPSH 01	Individual
PPSH 02	Spectacle Theatre Ltd
PPSH 03	Vicky Leanne Wheeler
PPSH 04	Children's Commissioner for Wales
PPSH 05	St John Ambulance Wales
PPSH 06	Professor EJ Renold
PPSH 07	Fitzalan High School
PPSH 08	Brook Cymru
PPSH 09	Platfform
PPSH 10	Parents Voices in Wales CIC
PPSH 11	Equality and Human Rights Commission
PPSH 12	Welsh Local Government Association (WLGA) and Association of Directors of Education in Wales (ADEW)
PPSH 13	National Education Union (NEU)
PPSH 14	NSPCC
PPSH 15	Public Health Wales
PPSH 16	Barnardos Cymru
PPSH 17	Dyfed-Powys Police
PPSH 18	National Union of Students Wales (NUS Wales)

Reference	Organisation
PPSH 19	Welsh Women's Aid
PPSH 20	CollegesWales
PPSH 21	Centre for Development, Evaluation, Complexity and Implementation in Public Health Improvement (DECIPHer), Cardiff University
PPSH 22	Swansea Council
PPSH 23	Families and Therapies, Aneurin Bevan University Health Board
PPSH 24	Undeb Cenedlaethol Athrawon Cymru (UCAC)
PPSH 25	University and College Union
PPSH 26	Welsh Government

Additional Information

Title	Date received
Welsh Local Government Association	5 April 2022
National Association of Head Teachers Cymru	6 April 2022
Parentkind	11 April 2022
Professor EJ Renold	12 April 2022
Association of School and College Leaders Cymru	12 April 2022
National Association of Head Teachers	5 May 2022
Estyn	8 June 2022
Additional evidence from teaching unions regarding mobile phones in schools	June 2022