



# School Policy



## Peer on Peer Abuse Policy

Approved by: Staff	November 2021
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## Introduction

Keeping Children Safe in Education 2021 states that Governing bodies and proprietors should ensure that their child protection policy includes:

- procedures to minimise the risk of peer on peer abuse;
- how allegations of peer on peer abuse will be recorded, investigated and dealt with;
- clear processes as to how victims, perpetrators and any other child affected by peer on peer abuse will be supported;
- a clear statement that abuse is abuse and should never be tolerated or passed off as “banter”, “just having a laugh” or “part of growing up”;
- recognition of the gendered nature of peer on peer abuse (i.e. that it is more likely that girls will be victims and boys perpetrators), but that all peer on peer abuse is unacceptable and will be taken seriously; and
- the different forms peer on peer abuse can take.

The guidance also states that Governing bodies and proprietors should ensure their Child Protection and Safeguarding Policy reflects the fact that additional barriers can exist when recognising abuse and neglect in this group of children (Children with special educational needs (SEN) and disabilities) These can include being more prone to peer group isolation than other children.

While it is recommended that Peer on Peer abuse is associated with the Child Protection and Safeguarding Policy, due to the sensitive nature and specific issues involved with peer on peer abuse this separate policy guidance template has been completed to annex Lightmoor Village Primary School Child Protection and Safeguarding Policy. This policy should also be read in conjunction with the Positive Behaviour Policy and E-safety policy.

At Lightmoor Village Primary School, we are committed to the prevention, early identification and appropriate management of peer on peer abuse and to ensure that any form of peer on peer abuse or sexually harmful behaviour is dealt with immediately and consistently. This will reduce the extent of harm to the young person and minimise the potential impact on that individual child’s emotional and mental health and wellbeing.

**All** staff will be trained in our settings policy and procedures with regards to peer on peer abuse and the important role they have to play in preventing it and responding where they believe a child may be at risk from it. This policy applies to governors and members of staff including volunteers.

## Definition

Peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control exercised between children, and within children’s relationships (both intimate and non-intimate), friendships, and wider peer associations.

Online peer-on-peer abuse is any form of peer-on-peer abuse with a digital element, for example, sexting, online abuse, coercion and exploitation, peer-on-peer grooming, threatening language delivered via online means, the distribution of sexualised content and harassment.

Peer on peer abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);

- abuse in intimate personal relationships between peers;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an element of online which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- consensual and non-consensual sharing of nudes and semi nudes images and or videos (also known as sexting or youth produced sexual imagery);
- up-skirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm;
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

There is no clear boundary between incidents that should be regarded as abusive and incidents that are more properly dealt with as bullying, sexual experimentation etc. This is a matter of professional judgement. If one child or young person causes harm to another, this should not necessarily be dealt with as abuse.

However, it may be appropriate to regard a young person's behaviour as abusive if:

- There is a large difference in power (for example age, size, ability, development) between the young people concerned; or
- The perpetrator has repeatedly tried to harm one or more other children; or
- There are concerns about the intention of the alleged young person.

If the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive whether or not severe harm was actually caused.

## **Vulnerabilities**

As a school we will recognise any child can be vulnerable to peer on peer abuse including:

- Individual and situation factors can increase a child's vulnerabilities to abuse by their peers such as the sharing of an image or photograph
- Children who are socially isolated from their peers
- Children who are questioning or exploring their sexuality may also be particularly vulnerable to abuse
- Children with certain characteristics such as sexual orientation, ethnicity, race or religious beliefs
- Children with Special Educational Needs and/or Disabilities (SEND)

## **Prevention**

As a school, we will actively seek to raise awareness of and prevent all forms of peer on peer abuse by:

- Educating all governors, its senior leadership team, staff, students, and parents about this issue
- Educating children about the nature and prevalence of peer on peer abuse, positive, responsible and safe use of social media, and the unequivocal facts about consent, via the curriculum
- Engaging parents on these issues
- Supporting the on-going welfare of the student body by drawing on multiple resources that prioritise student mental health, and by providing in-school counselling and therapy to address underlying mental health needs
- Working with governors, the senior leadership team and all staff, students and parents to address equality issues, to promote positive values and to encourage a culture of tolerance and respect amongst all members of the school community
- Creating conditions in which our students can aspire to, and realise, safe and healthy relationships fostering a whole-school culture
- Responding to cases of peer on peer abuse promptly and appropriately
- Ensuring that all peer on peer abuse issues are fed back to the DSL and deputies so that they can spot and address any concerning trends and identify students who may be in need of additional support

We will actively engage with TWSP in relation to peer on peer abuse, and work closely with external agencies. The relationship our setting has built with these partners is essential to ensuring that we are able to prevent, identify early, and appropriately handle cases of peer on peer abuse. The DSL (or deputy) will regularly review behaviour incident logs which can help to identify any changes in behaviour and/or concerning patterns or trends at an early stage.

We will minimise the risk of allegations against other pupils by:-

- In line with the Relationships Education, Relationships and Sex Education (RSE) and Health Education statutory guidance 2019, providing a developmentally appropriate PSHE syllabus (Character Education) which develops pupils understanding of acceptable behaviour
- keeping themselves safe, the nature of peer on peer abuse and what is meant by consent
- Having a robust Online and Mobile Technology safety programme which develops pupils' knowledge, understanding and skills, to ensure personal safety and self-protection when using the internet and social networking
- Having robust monitoring and filtering systems in place to ensure pupils are safe and act appropriately when using information technology in school
- Having systems in place for any pupil to raise concerns with staff, knowing that they will be listened to, believed and valued in a non-judgemental environment
- Delivering targeted work on keeping safe to all pupils
- When required, developing robust risk assessments & providing targeted work for pupils identified as being a potential risk to other pupils
- Creating a safe culture in school by implementing policies and procedures that address peer on peer abuse and harmful attitudes, promoting healthy relationships and attitudes to gender and sexuality

### **Allegations against other pupils which are safeguarding issues**

Occasionally, allegations may be made against pupils by other young people in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse, teenage relationship abuse and sexual exploitation, bullying, cyber bullying and sexting. It should be considered as a safeguarding allegation against a pupil if some of the following features are present.

The allegation:-

- Is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- Is of a serious nature, possibly including a criminal offence
- Raises risk factors for other pupils in the school
- Indicates that other pupils may have been affected by this student
- Indicates that young people outside the school may be affected by this student

**Examples of safeguarding issues against a pupil could include:**

### **Sexual Violence and Sexual Harassment**

All those part of our community believe that sexual violence and sexual harassment is not acceptable and will not be tolerated. We understand that sexual violence and sexual harassment can occur between two children **of any age and sex**. It can occur online. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

We recognise that children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends our setting. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable.

Staff are aware that some groups are potentially more at risk. We know that evidence shows girls, children with SEND and LGBT children are at greater risk.

We will ensure that staff are aware of the importance of:

- Challenging inappropriate behaviours
- Making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up
- Not tolerating or dismissing sexual violence or sexual harassment
- Challenging physical behaviours (potentially criminal in nature)

For the purpose of this policy, we use the term 'victim', 'alleged perpetrator(s)' or where appropriate 'perpetrator(s)'. Ultimately, the use of appropriate terminology will be determined, as appropriate, on a case-by-case basis.

Along with providing support to children who are victims of sexual violence or sexual harassment, we will provide the alleged perpetrator(s) with an education, safeguarding support as appropriate and implement any disciplinary sanctions. We recognise that a child abusing another child may be a sign they have been abused themselves or a sign of wider issues that require addressing within the culture of our setting. Taking disciplinary action and providing appropriate support, can, and should, occur at the same time if necessary. We understand that reports of sexual violence and sexual harassment are extremely complex to manage. We know it is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. We also know it is also important that other children, and our staff are supported and protected as appropriate.

We will try to be aware of, and respond appropriately to **all reports and concerns**, including those outside of our setting, and or online.

## Sexual Violence

Our staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way both inside and outside of our setting. We refer to sexual violence as sexual offences under the Sexual Offences Act 2003 as described below:

**Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

**Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

**Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

**Causing someone to engage in sexual activity with consent:** A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

We believe that **consent** is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

### Sexual consent

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16;
- sexual intercourse without consent is rape.

### Physical Abuse

Physical abuse may include, hitting, kicking, nipping, shaking, biting, hair pulling, or otherwise causing physical harm to another person. There may be many reasons why a child harms another and it is important to understand why a young person has engaged in such behaviour, including accidentally, before considering the action or sanctions to be undertaken.

### Sexual Harassment

Child on child Sexual Harassment is unwanted conduct of a sexual nature that can occur online and offline both inside and outside of our setting. 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.

### **Sexual harassment can include:**

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual “jokes” or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - non-consensual sharing of sexual images and videos;
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media; and
- sexual exploitation; coercion and threats
- consensual and non-consensual sharing of nudes and semi-nudes images and/or videos.

### **Bullying**

Bullying is unwanted, aggressive behaviour that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time. Both young people who are bullied and who bully others may have serious, lasting problems.

In order to be considered bullying, the behaviour must be aggressive and include:

- An Imbalance of Power: Young people who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- Repetition: Bullying behaviours happen more than once or have the potential to happen more than once.

Bullying includes actions such as making threats, spreading rumours, attacking someone physically or verbally or for a particular reason e. g. size, hair colour, race, gender, sexual orientation, and excluding someone from a group on purpose.

### **Cyber bullying**

Cyber bullying is the use of phones, instant messaging, e-mail, chat rooms or social networking sites such as Facebook, Instagram and Twitter to harass threaten or intimidate someone for the same reasons as stated above. It is important to state that cyber bullying can very easily fall into criminal behaviour under the Communications Act 2003, Section 127 which states that electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience or needless anxiety to another could be deemed to be criminal behaviour. If the behaviour involves the taking, sharing or distributing indecent images of young people under the age of 18, then this is also a criminal offence under the Sexual Offences Act 2003. Outside of the immediate support young people may require in these instances, if a child is 10 and above, the school will have no choice but to involve the police to investigate these situations.

## **Sexting**

Sexting is when someone sends or receives a sexually explicit text, image or video. This includes sending 'nude pics', 'rude pics' or 'nude selfies'. Pressuring someone into sending a nude picture can happen in any relationship and to anyone, regardless of their age, gender or sexual preference. However, once the image is taken and sent, the sender has lost control of the image and these images could end up anywhere. By having in their possession, or distributing, indecent images of a person under 18 on to someone else, young people are not even aware that they could be breaking the law as stated as these are offences under the Sexual Offences Act 2003.

## **Emotional Abuse**

Can include blackmail or extortion and may also include threats and intimidation. This harmful behaviour can have a significant impact on the mental health and emotional well-being of the victim and can lead to self-harm.

## **Sexual Abuse and Harmful Sexual Behaviour**

### **Harmful sexual behaviour**

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. We use the term "harmful sexual behaviour" (HSB). **HSB can occur online and/or face to face and can also occur simultaneously between the two.** We will consider HSB in a child protection context.

We will follow the specialist support and advice on HSB available from the specialist sexual violence sector. Our DSL will undertake training in HSB and incorporate this into our approach to managing sexual violence and sexual harassment.

Addressing inappropriate behaviour **can** be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. Children displaying HSB have often experienced their own abuse and trauma. We understand it is important that they are offered appropriate support.

### **Our approach to preventing peer on peer on abuse, including child on child sexual violence and sexual harassment**

We will undertake pre-planning, training for staff and implement an effective peer on peer abuse policy to help us develop the foundation for a calm, considered and appropriate response to any reports.

We understand the best responses to peer on peer abuse are based on a whole setting approach to safeguarding and child protection and we will involve our whole community in this.

Systems are in place, well promoted throughout our setting, and understandable and accessible for our pupils to confidently report abuse, sexual violence and sexual harassment, knowing their concerns will be treated seriously, and that they can safely express their views and give feedback.

As part of our commitment to our pupils, we have identified the following deputy DSL's, who are not part of our settings senior leadership team, as staff in our setting, pupils can report peer on peer abuse too, if they choose not to report directly to a member of the senior leadership team.

All staff in our setting will undertake training in how to respond to peer on peer abuse, including reports of sexual violence or sexual harassment. Our DSL will undertake training to manage a report.

We accept the most effective preventative education programme will be through a whole setting approach that prepares pupils for life in modern Britain. Our setting will have a clear set of values and standards, and these will be upheld and demonstrated throughout all aspects of school life. This is underpinned by our behaviour policy and pastoral support system, and by our planned programme of evidence-based content delivered through the whole curriculum. Our programme is developed to be age and stage of development appropriate. The DSL will support teachers in their delivery of this part of our curriculum. We recognise good practice allows children an open forum to talk through things. Such discussions can lead to increased safeguarding reports. Children will be made aware of the processes to raise their concerns or make a report and how any report will be handled. This will include processes when they have a concern about a friend or peer. All staff are aware of how to support children and how to manage a safeguarding report from a child.

The DSL will consider if external support or intervention is necessary as part of our approach to sexual violence and sexual harassment. We recognise specialist organisations can offer a different perspective and expert knowledge.

## **Sexual Exploitation**

This can include encouraging other young people to engage in inappropriate sexual behaviour or grooming and recruiting members of the peer group into being sexually exploited by other young people or adults. It can also include photographing or videoing other children performing indecent acts.

## **Upskirting**

This typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their buttocks or genitals to obtain sexual gratification or cause the victim humiliation, distress or harm.

## **Initiation/hazing type violence and rituals**

Hazing or initiation ceremonies refers to the practice of rituals, challenges, and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group. Hazing is seen in many different types of social groups, including gangs, sports teams and school groups. The initiation rites can range from relatively benign pranks, to protracted patterns of behaviour that rise to the level of abuse or criminal misconduct. Hazing may include physical or psychological abuse. It may also include nudity or sexual assault. Staff need to be alert to such behaviour and act in line with their child protection and behaviour policies.

Identifying a child who is being abused by their peers

The school will recognise that the signs that a child may be suffering from peer-on peer abuse can also overlap with signs indicating other types of abuse and can include:

- failing to attend school, disengaging from classes or struggling to carry out
- school related tasks to the standard ordinarily expected,
- physical injuries,
- experiencing difficulties with mental health and/or emotional wellbeing,

- becoming withdrawn and/or shy; experiencing headaches, stomach aches,
- anxiety and/or panic attacks; suffering from nightmares or lack of sleep or
- sleeping too much,
- broader changes in behaviour including alcohol or substance misuse,
- changes in appearance and/or starting to act in a way that is not appropriate
- for the child's age
- abusive behaviour towards others

Abuse affects children very differently. The above list is not exhaustive, and the presence of one or more of these signs does not necessarily indicate abuse. The behaviour that children present with will depend on the context of their circumstances. Where a child exhibits any behaviour that is out of character or abnormal for his/her age, the school will consider whether an underlying concern is contributing to their behaviour including, whether the child is being harmed or abused by their peers.

### **Procedure for Dealing with Allegations of Peer on Peer Abuse**

We will use the following guidance to assist in the managing of reports [Sexual violence and sexual harassment between children in schools and colleges: advice for governing bodies, proprietors, head teachers, principals, senior leadership teams and designated safeguarding leads.](#)

It is our aim to always recognise, acknowledge and understand the scale of harassment and abuse. We aim to never downplay some behaviours related to abuse that can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Where necessary we will work with other professionals, agencies and partners in our response. This may include the TWSP partners, the relevant local authority children's social care departments, the police, the NSPCC, the Anti-Bullying Alliance and online services, such as The UK Safer Internet Centre, Internet Watch Foundation and Thinkuknow.

We recognise that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react. In some cases, the victim may not make a direct report.

### **The immediate response to a report**

If a member of staff thinks for whatever reason that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should discuss their concern with the DSL (or deputy) without delay.

We will reassure **all** victims that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe. Abuse that occurs online or outside of our setting will not be downplayed and will be treated equally seriously. We will never give a victim the impression that they are creating a problem by reporting peer on peer abuse, including sexual violence or sexual harassment. Nor will we make a victim feel ashamed for making a report.

When an allegation is made by a pupil against another student, or about a peer on peer incident they have witnessed or been a part of, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern the Designated Safeguarding Lead (DSL) should be informed.

The member of staff will listen to the disclosure, using open language and demonstrate understanding without judgement. The school and the Designated Safeguarding Lead will also take account of the wider context in which the alleged incident(s) of peer on peer abuse took place, for

example the physical environment of the school; route/travel to and from school; online environment and gender norms.

A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances.

The Designated Safeguarding Lead should contact Family Connect to discuss the case. The Designated Safeguarding Lead will follow through the outcomes of the discussion and make a referral where appropriate.

If the allegation indicates that a potential criminal offence has taken place, the police will become involved.

Parents, of both/all the student/s concerned with the disclosure/allegation and the alleged victim/s, should be informed and kept updated on the progress of the referral.

The Designated Safeguarding Lead will make a record of the concern, the discussion and any outcome and keep a copy on Edware/ cpoms.

If the allegation highlights a potential risk to the school and the pupil, the school will follow the school's behaviour policy and procedures and take appropriate action.

In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan.

The plan should be monitored and a date set for a follow-up evaluation with everyone concerned.

Where a disclosure or allegation indicates that indecent images of a child or children may have been shared online, the DSL will consider what line of action is to be taken in line with the Child Protection and E-safety policies and whether or not devices are to be confiscated, the police contacted, Family Connect informed and if the images have been uploaded to the internet what specialist help may be required for the images to be removed.

### **Risk Assessment Peer on Peer Abuse**

When there has been a report of sexual violence, the DSL (or a deputy) will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment will be considered on a case-by-case basis, but as good practice should be completed.

The risk and needs assessment should consider:

- the victim, especially their protection and support;
- whether there may have been other victims,
- the alleged perpetrator(s); and
- all the other children, (and, if appropriate, adult students and staff) at the school or college, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms.

Risk assessments must be recorded (electronic - saved on Edaware/cpoms) and will be kept under review. At all times, we will be actively considering the risks posed to all of our pupils and students and put adequate measures in place to protect them and keep them safe.

The DSL (or a deputy) will engage with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. Our risk assessment is not intended to

replace the detailed assessments of expert professionals. Any such professional assessments will be used to inform our approach to supporting and protecting our pupils and students and updating our own risk assessment.

The DSL may use and consider the [TWSP Sexually harmful behaviour - risk assessment tool](#).

### **Action following a report of peer on peer abuse, including sexual violence and/or sexual harassment**

Our DSL (and deputies) have a complete safeguarding picture and they are the most appropriate people to advise on our initial response. Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with our duty and responsibilities to protect other children;
- the nature of the alleged incident(s), including whether a crime may have been committed and/or whether HSB has been displayed;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is the alleged perpetrator(s) significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?;
- if the alleged incident is a one-off or a sustained pattern of abuse (sexual abuse can be accompanied by other forms of abuse and a sustained pattern may not just be of a sexual nature);
- that sexual violence and sexual harassment can take place within intimate personal relationships between peers;
- are there ongoing risks to the victim, other children, adult students or school or college staff; and,
- other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation.

As always when concerned about the welfare of a child, all staff will act in the best interests of the child. In all cases, we will follow general safeguarding principles. Immediate consideration will be given as to how best to support and protect the victim and the alleged perpetrator(s) (and any other children involved/impacted).

The starting point regarding any report will always be that there is a zero tolerance approach to sexual violence and sexual harassment and it is never acceptable and it will not be tolerated.

As a matter of effective safeguarding practice, we will do all we reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment, especially where a case is progressing through the criminal justice system.

## Options to manage the report

When to inform the alleged perpetrator(s) will be a decision that will be carefully considered. Where a report is going to be made to children's social care and/or the police, then, as a general rule, we will speak to the relevant agency and discuss next steps and how the alleged perpetrator(s) will be informed of the allegations. However, as per general safeguarding principles, this does not and will not stop us taking immediate action to safeguard our children, where required.

We will regularly review our decisions and actions, consider our relevant policies and any lessons learnt. We will look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, we will decide on a course of action. Consideration will be given to whether there are wider cultural issues within our setting that enabled the inappropriate behaviour to occur and where appropriate extra teaching time and/or staff training could be delivered to minimise the risk of it happening again.

The DSL (or deputy) will use their professional judgement to: (a) assess the nature and seriousness of the alleged behaviour, and (b) determine whether it is appropriate for the alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required.

In borderline cases the DSL (or deputy) may consult with Family Connect, and/or other relevant agencies on a no-names basis (where possible) to determine the most appropriate response.

Where the DSL (or deputy) considers or suspects that the alleged behaviour in question might be abusive or violent on a spectrum or where the needs and circumstances of the individual child/children in question might otherwise require it, the DSL (or deputy) will contact Family Connect or the local social care team for the child and/or the police immediately and, in any event, within 24 hours of the DSL (or deputy) becoming aware of the alleged behaviour. The DSL (or deputy) will discuss the concern(s) or allegation(s) with the agency and agree on a course of action, which may include:

1. manage internally;
2. early help;
3. referral to children's social care; and
4. reporting to the police.

**All** concerns, discussions, decisions, and reasons for decisions will be recorded (written or electronic).

If bail conditions are in place, we will consider what additional measures may be necessary to manage any assessed risk of harm that may arise within our setting.

There may be delays in any case that is being progressed through the criminal justice system. We will not wait for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator(s) and other children and adult students in the school or college. The DSL (or a deputy) will work closely with the police (and other agencies as required), to ensure any actions we take do not jeopardise the police investigation.

If a child is convicted or receives a caution for a sexual offence, we will update our risk assessment. We understand it is important that we ensure both the victim and alleged perpetrator(s) remain protected. Where cases are classified as "no further action" (NFA'd) by the police or Crown Prosecution Service, or where there is a not guilty verdict, we will continue to offer support to the victim and the alleged perpetrator(s).

If a report is determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider whether the child and/or the person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to Family Connect or the relevant children’s social care team may be appropriate. If a report is shown to be deliberately invented or malicious, we will consider whether any disciplinary action is appropriate against the individual who made it as per our own behaviour policy.

### **Ongoing response to peer on peer abuse, including sexual violence or sexual harassment**

We will consider the principles based on effective safeguarding practice and to help shape any decisions regarding safeguarding and supporting the victim and the alleged perpetrator(s).

Victims may not talk about the whole picture immediately. It is essential that dialogue is kept open and encouraged. We will offer victims a designated trusted adult in our setting to talk about their needs.

A victim of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. We will avoid any action that would have the effect of isolating the victim, in particular from supportive peer groups, there may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This will be because the victim wants to, not because it makes it easier to manage the situation. If required, we will provide a physical space for victims to withdraw.

Whilst we will give all the necessary support to victims to remain in our setting, if the trauma results in the victim being unable to do this, alternative provision or a move to another setting will be considered to enable them to continue to receive suitable education. This will only be at the request of the victim (and following discussion with their parents or carers).

### **Risk Assessment Template**

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

**\*This risk assessment should be completed with reference to Keeping Children Safe In Education 2020, DFE Sexual Violence and Sexual Harassment in schools and colleges 2021**

Aspects to consider	Risk (Consider victim, alleged perpetrator, other pupils and staff)	Risk Level (High, Medium, Low)	Actions to reduce risk	Revised risk level (High, Medium or low)
What are the wishes of the victim?				
What was the nature of the incident?				
Was it a crime?				

What are the ages of the children involved?				
What are the developmental stages of the children involved?				
Consider the power balance between the victim and perpetrator – For example, is the alleged perpetrator significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?				
Is the alleged incident one off or a sustained pattern of abuse?				
Is it necessary to limit contact between the children involved? Refer to KCSiE and DFE guidance on sexual harassment and sexual violence in schools and colleges.				
Is there an actual or perceived threat from the alleged perpetrator to the victim and/or others?				
Is either the victim or the alleged perpetrator at risk of physical harm as a result of this incident (for example, bullying or 'retribution' by peers)?				
Do they share classes?				

Do they share break times?				
Do they share transport to/from school?				
Are they likely to come into contact with each other (or anyone else involved in/with knowledge of the incident) outside of school?				
How can such contact be limited?				
Is there a risk of harm from social media and gossip?				

**Any further Actions taken by School:**

Action	Yes/No	Date	Reason for Action
Family connect informed			
Police informed			
Referral to MASH			
Referral to external support services – Early help			
Referral to external support services – Children’s social care via Family connect			
Referral to internal support services – Pastoral support			
Referral to CAMHS			
Other			