

Peer on Peer Abuse Model Guidance

Please Note: This guidance template remains current and in line with the statutory guidance contained within Keeping Children Safe in Education 2020 and Working Together to Safeguard Children 2018. Useful definitions can be found at the end of this document.

What is Peer on Peer Abuse?

Unfortunately, peer-on-peer abuse can and does happen in a whole range of settings that children attend, however it often goes unseen. It might take place online, for example, or away from the school or setting. Therefore, training for professionals to help them recognise the signs, and know what to do, is essential. All children are capable of abusing their peers, and this is most likely to include, but may not be limited to:

- bullying (including cyber bullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence, such as rape, assault by penetration and sexual assault;
- 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;
- upskirting, 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;
- sexting (also known as youth produced sexual imagery); and
- initiation/hazing type violence and rituals.

All schools need to include peer on peer abuse in their schools' policies and procedures and all staff need to be aware of these and ensure they are part of their everyday practice. It should be clear that peer-on-peer abuse will never be accepted or dismissed as 'children being children'.

Settings should not wait until an incident of peer-on-peer abuse happens before taking action. We expect any provider educating or caring for children to create an environment in which children and staff show respect for one another. They should know what language and behaviour are acceptable and what to do and who to speak to if they are worried or feel unsafe.

All settings should take a whole-establishment approach to keeping children safe. They should set expectations that violence and harassment of any kind will not be tolerated, support children to have a good understanding of consent and healthy relationships and provide immediate support for victims of abuse.

All schools need to consider:

- Procedures to minimise the risk of peer on peer abuse
- How allegations are recorded, investigated and dealt with
- Clear processes as to how victims, child alleged to have caused harm and any other children affected will be supported
- Recognition of the gendered nature of peer on peer abuse but recognising, that all forms of this behaviour are unacceptable and will be taken seriously

It is important that schools see this guidance and model template as a framework that will need to be adapted to fit the age and developmental stage and understanding of their pupil group.

Additional areas for consideration can be found in Sexual Violence and Sexual Harassment between Children in Schools and Colleges guidance 2018) www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges

Keeping Children Safe in Education 2020

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/892394/Keeping_children_safe_in_education_2020.pdf

Prevention

As well as having strategies for dealing with incidents schools and colleges should consider what they can do to foster healthy and respectful relationships between boys and girls including through Relationship and Sex Education and Personal Social Health and Economic education. The most effective preventative education programme will be through a whole-school approach that prepares pupils for life in modern Britain. The school will have a clear set of values and standards, and these will be upheld and demonstrated throughout all aspects of school life. This will be underpinned by the school's behaviour policy and pastoral support system, and by a planned programme of evidence-based content delivered through the whole curriculum. Such a programme should be developed to be age and stage of development appropriate (especially when considering SEND children and their cognitive understanding), and may tackle such issues as:

- Healthy and respectful relationships;
- What respectful behaviour looks like?
- Consent;
- Gender roles, stereotyping, and equality;
- Body confidence and self-esteem;
- Prejudiced behaviour;
- That sexual violence and sexual harassment is always wrong; and
- Addressing cultures of sexual harassment.

Schools often deliver this currently, through planned, high-quality, Sex and Relationship Education (SRE) and Personal, Social, Health and Economic (PSHE) education.

Compulsory Relationships Education for primary pupils and Relationships and Sex Education (RSE) for secondary pupils came into force from September 2020. Also, from September 2020 it is compulsory for all schools to teach Health Education.

Additional considerations for schools

When considering harmful sexual behaviour, ages and the stages of development of the children are critical factors to consider. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years' difference or if one of the children is pre-pubescent and the other is not.

However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature. Schools and colleges should ensure that their response to sexual violence and sexual harassment between children of the same sex is equally robust as it is for sexual violence and sexual harassment between children of the opposite sex.

A further consideration that must be made is that SRE should be considered on a 1:1 basis for children who schools are aware have sexually abused. This work should be delivered on a 1:1 basis prior to the whole class SRE sessions so that anything the child wishes to explore, given their own experiences, can be done safely and without fear of judgment.

A Whole School Policy

While schools cover many aspects of peer on peer abuse in other policies such as the whole school behaviour policy, the anti-bullying policy and the online safety policy (cyberbullying and sexting) schools need to be robust and clear about their strategies around wider behaviours including sexist and sexual bullying, sexual harassment, sexual violence and how such behaviour will be managed and addressed. It is recommended that schools introduce a separate peer-on-peer abuse policy to fully encapsulate the management of such issues.

It's important that all schools and colleges familiarise themselves with the statutory guidance. Individual professionals should know, understand and, most importantly, use their school/college policy on peer-on-peer abuse to make sure that children are protected.

Multi-agency Approach

Peer-on-peer abuse that involves sexual assault and violence must always result in a multi-agency response. As well as supporting and protecting the victim, professionals need to consider whether the child alleged to have caused harm could be a victim of abuse too. We know that children who develop harmful sexual behaviour have often experienced abuse and neglect themselves.

We need to make sure that the children affected are getting the help they need. A typical response will involve:

- children's social care
- the police
- any specialist services that support children who demonstrate harmful sexual behaviour
- the family
- any other professionals who know or have had contact with the child

If the children involved are in the same class, the school will need to consider carefully whether to separate them while the concerns are being investigated. In situations of alleged rape and assault by penetration, the statutory guidance is clear that the child alleged to have caused harm should always be removed from classes they share with the victim.

Schools and colleges need to consider how best to keep the victim and child alleged to have caused harm a reasonable distance apart while they are on the same premises, as well as on transport to and from school or college, where appropriate.

The school will need to consider how long these measures should be in place, especially if any police investigation is inconclusive. Lack of a conviction is not the same as the allegation being unfounded. The school or college must continue to provide support to the victim and child alleged to have caused harm for as long as necessary. Therefore, any separation arrangements must also be continued with for as long as is necessary to make sure children are safe.

The importance of context

Professionals also need to consider risks to other children. If there's an incident in a school, has this put other children at risk? Have other children witnessed the incident? Could any siblings of the child alleged to have caused harm be at risk? There may well be a need for a range of assessments and interventions for different children. A multi-agency approach is needed. No school or college can deal with this issue alone.

In addition, schools need to consider the potential vulnerabilities of the victims and any risks to them, including their potential abuse by others. Extra consideration should be given for pupils who may have

additional vulnerabilities due to protected characteristics. Schools and colleges should consider how they are supporting their pupils with regard to their sex, sexuality, and if relevant, gender reassignment.

Schools and colleges should assess any potentially unsafe spaces on the premises, based on where incidents have occurred, and consider what can be done to make that environment safer.

It's equally important that schools and colleges think about children's safety outside of the school gates and any extra-familial risks. Things to consider include –

- Are they aware of any unsafe spaces in their local area?
- Are schools and colleges aware of incidents of sexual harassment or violence involving children in the local park or other places where young people congregate?

Contextual information like this needs to be assessed and shared in a multiagency forum so risks can be fully assessed outside of the school.

Useful definitions

Sexual Harassment

This can be defined as 'unwanted conduct of a sexual nature' that can occur online and offline. In the context of this guidance this means in the context of child on child sexual harassment. 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.

It 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.

Sexting

Sexting is when someone shares sexual, naked or semi-naked images or videos of themselves or others or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops - any device that allows you to share media and messages. This is also known as youth produced sexual imagery

The UK Council for Internet Safety (UKCIS) Education Group has published Advice for Schools and Colleges on Responding to Sexting Incidents

www.gov.uk/government/publications/sexting-in-schools-and-college

Upskirting

This 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. It is now a criminal offence and may constitute sexual harassment. Cases of 'up skirting' have a mandatory requirement for being reported.

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.

Consent

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.

It is important to know that: -

- 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.

It is also important to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion or exploitation. Due to their additional training, the designated safeguarding lead (or deputy) should be involved and leading the school or college response. If in any doubt, they should seek expert advice.

It is important that schools and colleges consider sexual harassment in broad terms. Sexual harassment (as set out above) creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Harmful Sexual Behaviour (HSB)

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. A useful umbrella term is "harmful sexual behaviour". The term has been widely adopted in child protection and is used in this advice. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context.

Useful guidance can be found in: -

NSPCC's and Research in Practice's Harmful Sexual Behaviour Framework:

www.nspcc.org.uk/globalassets/documents/publications/harmful-sexual-behaviour-framework.pdf

The Brook Sexual Behaviours Traffic Light Tool can also be very helpful in identifying sexual behaviours by children (Appendix 2)

Initiation/hazing

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 rituals can range from relatively low level 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.

Contextual Safeguarding

All staff, but especially the designated safeguarding lead (or deputy) should be considering the context within which incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare.

Legislation, guidance and Law

Additional areas for consideration can be found in Sexual Violence and Sexual Harassment between Children in Schools and Colleges guidance 2018) www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges

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Human Rights Act 1998

It is essential to note that this guidance adheres to and encourages all persons to ensure that they are adhering to the Human Rights Act 1998, specifically the right to an education, the right to a Fair trial and protection from discrimination.

<https://www.equalityhumanrights.com/en/human-rights/human-rights-act>

Equalities Act 2010

This guidance is designed to ensure that the Equalities Act is adhered to at all times. The Equalities Act 2010 provides a basic framework for protection against direct and indirect discrimination, harassment and victimisation in education as well as other sectors.

<https://www.gov.uk/guidance/equality-act-2010-guidance>

West Midlands Procedures for Peer on Peer abuse

<https://westmidlands.procedures.org.uk/pkoso/regional-safeguarding-guidance/children-who-abuse-others>



MODEL PEER ON PEER ABUSE GUIDANCE FOR SCHOOLS AND EDUCATION SERVICES

Produced by the Safeguarding in Education team for Herefordshire Council

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Introduction

Our school/college/academy (**Name of School**) recognises that children are vulnerable to and capable of abusing their peers. We take such abuse as seriously as abuse perpetrated by an adult. This includes verbal as well as physical abuse. Peer on peer abuse will not be tolerated or passed off as part of “banter” or “growing up”.

We are committed to a whole school approach to ensure the prevention, early identification and appropriate management of peer on peer abuse within our school and beyond.

Keeping Children Safe in Education (KCSIE), 2020 states that

‘Governing bodies and proprietors should ensure their child protection policy includes procedures to minimise the risk of peer on peer abuse and sets out how allegations of peer on peer abuse will be investigated and dealt with’.

It also emphasises that the voice of the child must be heard

‘Governing bodies, proprietors and school or college leaders should ensure the child’s wishes and feelings are taken into account when determining what action to take and what services to provide. Systems should be in place for children to express their views and give feedback. Ultimately, all system and processes should operate with the best interests of the child at their heart.’

In cases where peer on peer abuse or bullying is identified we will follow our child protection procedures, taking a contextual approach to support all children and young people who have been affected by the situation.

We recognise that peer on peer abuse can manifest itself in many ways such as:

- Child Sexual Exploitation
- Sexting or youth produced digital imagery
- Upskirting
- Bullying
- Radicalisation
- Abuse in intimate relationships
- Children who display sexually harmful behaviour
- Gang association and serious violence (County Lines)
- Technology can be used for bullying and other abusive behaviour

Some of these behaviours will need to be handled with reference to other policies in school such as the behaviour policy, anti- bullying policy, child protection policy and online safety policy.

This policy concentrates on peer on peer abuse in the context of sexual harassment and sexual violence. It is compliant with the statutory guidance on peer-on-peer abuse as set out in Keeping Children Safe in Education (September 2020) and should be read in conjunction with the Local Safeguarding Children Board's (LSCB) Safeguarding Policy and Procedures, and any relevant Practice Guidance issued by it.

Policy Development

The policy has been developed in consultation with the following groups (**Insert here how consultation was carried out with the relevant groups including Senior leaders, governors, staff, parents and children and young people**)

Aims

The policy will: -

- Set out our strategies for preventing, identifying and managing peer on peer abuse
- Take a contextual approach to safeguarding all children and young people involved. Acknowledging that children who have allegedly abused their peers or displayed harmful sexual behaviour are themselves vulnerable and may have been abused by peer, parents or adults in the community.

Understanding Peer on Peer abuse

Sexual violence and sexual harassment can occur between two children of any age and sex or a group of children sexually assaulting or sexually harassing a single child or group of children.

The impact of this behaviour on children can be very distressing and have an impact on academic achievement and emotional health and wellbeing.

Sexual harassment and sexual violence may also occur online and offline.

The Context

All behaviour takes place on a spectrum. Understanding where a child's behaviour falls on a spectrum is essential to being able to respond appropriately to it.

In this policy we recognise the importance of distinguishing between problematic and abusive sexual behaviour (Harmful Sexual Behaviour HSB).

We are adopting the NSPCC definition of HSB as: -

"Sexual behaviours expressed by children...that are developmentally inappropriate, may be harmful towards self or others, or be abusive towards another child...or adult."

We will also use Simon Hackett's continuum model to demonstrate the range of sexual behaviours (Appendix 1) and the Brook Traffic Lights (appendix 2).

Vulnerable groups

We recognise that all children can be at risk however we acknowledge that some groups are more vulnerable. This can include: experience of abuse within their family; living with domestic violence; young people in care; children who go missing; children with additional needs (SEN and/or disabilities); children who identify or are perceived as LGBT and/or have other protected characteristics under the Equalities Act 2010.

Whilst research tells us girls are more frequently identified as being abused by their peers and, girls are more likely to experience unwanted sexual touching in schools this is not confined to girls.

Boys are less likely to report intimate relationship abuse and may display other behaviour such as antisocial behaviour. Boys report high levels of victimisation in areas where they are affected by gangs. We recognise that both boys and girls experience peer on peer abuse, but they do so in gendered ways.

All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

Responding to Alleged Incidents Responding to reports of sexual violence and sexual harassment

All reports of peer on peer abuse will be made on a case by case basis with the designated safeguarding lead or their deputy taking a leading role using their professional judgement and supported by other agencies such as social care or the police as required.

An assessment of an incident between peers should be completed and consider:

- Chronological and developmental ages of everyone involved
- Difference in their power or authority in relation to age, race, gender, physical, emotional or intellectual vulnerability
- All alleged physical and verbal aspects of the behaviour and incident
- Whether the behaviour involved inappropriate sexual knowledge or motivation
- What was the degree of physical aggression, intimidation, threatening behaviour or bribery
- The effect on the victim
- Any attempts to ensure the behaviour and incident is kept a secret
- The child or young person's motivation or reason for the behaviour, if they admit that it occurred
- Whether this was a one-off incident, or longer in duration

It is important to deal with a situation of peer abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get the true facts. It is equally important to deal with it sensitively and think about the language used and the impact of that language on both the children and the parents when they become involved. Avoid language that may create a 'blame' culture and leave a child labelled.

Staff will talk to the children in a calm and consistent manner. Staff will not be prejudiced, judgmental, dismissive or irresponsible in dealing with such sensitive matters.

The immediate response to a report

- The school or college will take all reports seriously and will reassure the victim that they will be supported and kept safe.
- All staff will be trained to manage a report.
- Staff will not promise confidentiality as the concern will need to be shared further (for example, with the designated safeguarding lead or social care) staff will however only share the report with those people who are necessary to progress it.
- A written report will be made as soon after the interview as possible recording the facts as presented by the child. These may be used as part of a statutory assessment if the case is escalated later.
- Assess the needs of the victim and child alleged to have caused harm.
- Where the report includes an online element the school or college will follow advice on searching, screening and confiscation. The staff will not view or forward images unless unavoidable and only if another member of staff (preferably the DSL) is present.
- The DSL will be informed as soon as possible and consider a referral to the police and social care.
- The DSL must complete a risk assessment (Appendix A) whereby sexual violence has occurred. This must be shared with the MASH.

When Recording sexualised behaviour it is essential that;

- Record as soon as possible, as you can quickly forget or confuse detail
- Be clear, explicit and non-avoidant, and avoid vague statements or euphemisms
- Follow the prompts on your safeguarding and child protection recording form
- Use proper names for body parts but record exactly any language or vocabulary used by the child. Use the child's exact words in quotation marks.
- Note where and when the incident happened and whether anyone else was around.

Gather the Facts

Speak to all the young people involved separately, gain a statement of facts from them. Use consistent language and open questions for each account. Ask the young people to tell you what happened. Use open questions, 'where, when, why, who'. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?). Do not interrogate or ask leading questions.

Consider the Intent

Has this been a deliberate or contrived situation for a young person to be able to harm another?

Decide on your next course of action

If you believe any young person to be at risk of significant harm you must report to the Designated Safeguarding Lead immediately; they will follow the school's Safeguarding and Child Protection Policy.

If MASH and the police intend to pursue this further, they may ask to interview the young people in school or they may ask for parents to come to school to be spoken to. It is important to be prepared for every situation and the potential time it may take.

Informing parents/carers

The best way to inform parents/carers is face to face. Although this may be time consuming, the nature of the incident and the type of harm/abuse a young person may be suffering can cause fear and anxiety to parents/carers whether their child is the child who was harmed or who harmed another.

Is the pupil 13+ and does not want to share with parents? Use the 'Gillick' test and the 'Fraser' guidelines.

<https://www.nspcc.org.uk/preventing-abuse/child-protection-system/legal-definition-child-rights-law/gillick-competency-fraser-guidelines/>

In all circumstances where the risk of harm to the child is evident then the school should encourage the young person to share the information with their parent/carer (they may be scared to tell parents/carers that they are being harmed in any way).

Points to consider;

- What is the age of the children involved?
- How old are the young people involved in the incident and is there any age difference between those involved? In relation to sexual exploration, children under the age of 5, in particular 1-4 year olds who are learning toileting skills may show a particular interest in exploration at around this stage. This, however should not be overlooked.
- Where did the incident or incidents take place?
- Was the incident in an open, visible place to others? If so was it observed? If not, is more supervision required within this particular area?
- What was the explanation by all children involved of what occurred?
- Can each of the young people give the same explanation of the incident and also what is the effect on the young people involved? Is the incident seen to be bullying for example, in which case regular and repetitive? Is the version of one young person different from another and why?
- What is each of the children's own understanding of what occurred? Do the young people know/understand what they are doing? E.g. do they have knowledge of body parts, of privacy and that it is inappropriate to touch?
- Is the young person's explanation in relation to something they may have heard or been learning about that has prompted the behaviour?
- Is the behaviour deliberate and contrived?
- Does the young person have understanding of the impact of their behaviour on the other person?

Repetition

Has the behaviour been repeated to an individual on more than one occasion? In the same way it must be considered has the behaviour persisted to an individual after the issue has already been discussed or dealt with and appropriately resolved?

Risk Assessment

When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) will make an immediate risk and needs' assessment. Where there has been a report of sexual harassment, a risk assessment must be completed and submitted to the MASH. The risk and needs' assessment should consider:

- The victim, especially their protection and support;
- The child alleged to have caused harm; 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;

Risk assessments will be recorded (**written or electronic say where these are filed**) and be kept under review. The designated safeguarding lead (or a deputy) will ensure they are engaging with MASH.

Follow up Actions

Children sharing a classroom:

Whilst the school or college establishes the facts of the case and starts the process of liaising with children's social care and the police:

- The child alleged to have caused harm will be removed from any classes they share with the victim.
- We will consider how best to keep the victim and child alleged to have caused harm a reasonable distance apart on school or college premises and on transport to and from the school or college.

These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of the child alleged to have caused harm.

Options to manage the report

Manage internally

1. In some cases of sexual harassment, for example, one-off incidents, it may be appropriate to handle the incident internally, perhaps through utilising the behaviour and bullying policies and by providing pastoral support (**you may wish to give details here**). This decision is considered on the outcome of contact with the MASH and submission of a completed risk assessment.

This decision will be made based on the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated. All decisions, and discussions around making these decisions will be recorded and stored (**by whom, where**).

It is important to ensure that details of sanctions for the child alleged to have caused harm are not shared with any other persons other than those providing care for them. This is to maintain confidentiality and privacy for the child involved.

2. In line with 1 above, we may decide that the children involved do not require statutory interventions but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

3. Where a child has been harmed, is at risk of harm, or is in immediate danger, we will make a referral to the MASH following locally agreed protocols.

Where statutory assessments are appropriate, the designated safeguarding lead or a deputy will be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the child alleged to have caused harm and any other children that require support.

Reporting to the Police

DSL's have a responsibility to report all alleged crimes to the police. The designated safeguarding lead (and their deputies) will also follow local processes for safeguarding referrals.

Where a report of rape, assault by penetration or sexual assault is made, the starting point is this will be passed on to the police. Whilst the age of criminal responsibility is ten, if the child alleged to have caused harm is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach.

Where a report has been made to the police, the school or college will consult the police and agree what information can be disclosed to staff and others, the child alleged to have caused harm and their parents or carers. They will also discuss the best way to protect the victim and their anonymity.

Where there is a criminal investigation, we will work closely with the relevant agencies to support all children involved (especially potential witnesses). Where required, advice from the police will be sought in order to help us.

Whilst protecting children and/or taking any disciplinary measures against the child alleged to have caused harm, we will work closely with the police (and other agencies as required), to ensure any actions the school or college take do not jeopardise the police investigation.

The end of the criminal process

If a child is convicted or receives a caution for a sexual offence, the school /academy will update its risk assessment, ensure relevant protections are in place for all children. We will consider any suitable action following our behaviour policy. If the child alleged to have caused harm remains in school/academy we will be very clear as to our expectations regarding the child alleged to have caused harm now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions we think are reasonable and proportionate about the child alleged to have caused harm's timetable.

Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils or students in the school or college.

We will ensure all children involved are protected, especially from any bullying or harassment (including online).

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 child alleged to have caused harm for as long as is necessary. A not guilty verdict or a decision not to progress with their case

will likely be traumatic for the victim. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. We will continue to support all parties in this instance.

It is also important to note that by law every child has the right to an education.

Support for Children Affected by Sexual-Assault

What support they require depends on the individual young person. It may be that they wish to seek counselling or one to one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends; in which case it is necessary that this young person continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the young person may need support in improving peer groups/relationships with other young people, or some restorative justice work with all those involved may be required.

Other interventions that could be considered may target a whole class or year group for example a speaker on online bullying, relationship abuse etc. It may be that through the continued curriculum of Relationship and Sex Education (from 2020), PSHE and SMSC that certain issues can be discussed and debated more frequently.

If the young person feels particularly vulnerable it may be that a risk assessment can be put in place for them whilst in school so that they have someone named that they can talk to, support strategies for managing future issues and identified services to offer additional support.

Support for victims of sexual assault is available from a variety of agencies (see Appendix 3).

We will support the victim of sexual assault to remain in school but if they are unable to do so we will enable them to continue their education elsewhere. This decision will be made only at the request of the child and their family.

If they are moved, we will ensure the new school is aware of the ongoing support they may need. The DSL will support this move.

Where there is a criminal investigation the child alleged to have caused harm will be removed from any shared classes with the victim and we will also consider how best to keep them a reasonable distance apart on the school premises or on school transport. This is in the best interest of the children concerned and should not be perceived to be a judgement of guilt before any legal proceedings. We will work closely with the police.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, we may take suitable action, if we have not already done so. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing the child alleged to have caused harm to remain in the same school or college would seriously harm the education or welfare of the victim (and potentially other pupils or students).

Where a criminal investigation into sexual assault leads to a conviction or caution, we may, if we have not already done so, consider any suitable sanctions using our behaviour policy, including consideration of permanent exclusion.

Where the child alleged to have caused harm is going to remain at the school or college, the principle would be to continue keeping the victim and child alleged to have caused harm in separate classes and continue to consider the most appropriate way to manage potential contact on school and college premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the police (for a variety of reasons). In some cases, rape, assault by penetration, sexual assault or sexual harassment are

reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict. None of this means the offence did not happen or that the victim lied. The process will have affected both victim and child alleged to have caused harm. Appropriate support will be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis.

All the above will be considered with the needs and wishes of the victim at the heart of the process (supported by parents and carers as required). Any arrangements should be kept under review.

For the young person who has displayed harmful behaviour

It is important to find out why the young person has behaved in such a way. It may be that the young person is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support such as one to one mentoring or counselling may also be necessary.

Particular support from identified services may be necessary through an early help referral and the young person may require additional support from family members.

Once the support required to meet the individual needs of the young person has been met, it is important that the young person receives a consequence for their behaviour. This may be in the form of restorative justice e.g. making amends with the young person they have targeted if this has been some form of bullying. In the cases of sexually harmful behaviour it may be a requirement for the young person to engage in one to one work with a particular service or agency (if a crime has been committed this may be through the police or youth offending service). If there is any form of criminal investigation ongoing it may be that this young person cannot be educated on site until the investigation has concluded. In which case, the young person will need to be provided with appropriate support and education elsewhere.

It may be that the behaviour that the young person has displayed may continue to pose a risk to others, in which case an individual risk assessment may be required. This should be completed via a multi-agency response to ensure that the needs of the young person and the risks towards others are measured by all of those agencies involved including the young person and their parents. This may mean additional supervision of the young person or protective strategies if the young person feels at risk of engaging in further inappropriate or harmful behaviour.

The school may also choose a punishment as a consequence such as exclusion or internal exclusion/inclusion/seclusion for a period of time to allow the young person to reflect on their behaviour.

After care

It is important that following the incident the young people involved continue to feel supported and receive help even if they have stated that they are managing the incident. Sometimes the feelings of remorse, regret or unhappiness may occur at a much later stage than the incident. It is important to ensure that the young people do not engage in any further harmful behaviour either towards someone else or to themselves as a way of coping (e.g. self-harm). For this reason, regular reviews with the young people following the incident(s) are imperative.

Physical Abuse

While a clear focus of peer on peer abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals from pupils to pupils can also be abusive.

These are equally not tolerated and if it is believed that a crime has been committed, will be reported to the police.

The principles from the anti-bullying policy will be applied in these cases, with recognition that any police investigation will need to take priority.

When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, staff can draw on aspects of Hackett's continuum (Appendix 1) to assess where the alleged behaviour falls on a spectrum and to decide how to respond. This could include, for example, whether it:

- is socially acceptable
- involves a single incident or has occurred over a period of time
- is socially acceptable within the peer group
- is problematic and concerning
- involves any overt elements of victimisation or discrimination e.g. related to race, gender,

sexual orientation, physical, emotional, or intellectual vulnerability

- involves an element of coercion or pre-planning
- involves a power imbalance between the child/children allegedly responsible for the behaviour
- involves a misuse of power

Online Behaviour

Many forms of peer on peer abuse have an element of online behaviour including behaviours such as cyberbullying and sexting.

Policies and procedures concerning this type of behaviour can be found [\(in anti- bullying policy, online safety police, and child protection policy\)](#)

Prevention

Our school (Name of school/academy) actively seeks to raise awareness of and prevent all forms of peer-on-peer abuse by:

[\(Delete those which do not apply and add any you use effectively\)](#)

- Educating all Governors, Senior Leadership Team, staff and volunteers, [pupils/students], and parents about this issue. This will include training all Governors, Senior Leadership Team, staff and volunteers on the nature, prevalence and effect of peer-on-peer abuse, and how to prevent, identify and respond to it. This includes

(a) Contextual Safeguarding;

(b) The identification and classification of specific behaviours; and

(c) The importance of taking seriously all forms of peer-on-peer abuse (no matter how low level they may appear) and ensuring that no form of peer-on-peer abuse is ever dismissed as horseplay or teasing.

- Educating children about the nature and prevalence of peer-on-peer abuse via PSHE and the wider curriculum.
- Pupils/Students are frequently told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse.
- They are regularly informed about the School's approach to such issues, including its zero- tolerance policy towards all forms of peer-on-peer abuse.

- Engaging parents on this issue by:
 - (a) Talking about it with parents, both in groups and one to one;
 - (b) Asking parents what they perceive to be the risks facing their child and how they would like to see the School address those risks;
 - (c) Involving parents in the review of School policies and lesson plans; and (d) Encouraging parents to hold the School to account on this issue.
- Ensuring that all peer-on-peer abuse issues are fed back to the School's safeguarding [team/lead] so that they can spot and address any concerning trends and identify [pupils/students] who maybe in need of additional support. [This is done by way of a weekly staff meeting at which all concerns about [pupils/students] (including peer-on-peer abuse issues) are discussed];
- Challenging the attitudes that underlie such abuse (both inside and outside the classroom);
- Working with Governors, Academy Trusts, Senior Leadership Team, all staff and volunteers, [pupils/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 [pupils/students] can aspire to and realise safe and healthy relationships;
- Creating a culture in which our [pupils/students] feel able to share their concerns openly, in a non-judgmental environment, and have them listened to; and
- Responding to cases of peer-on-peer abuse promptly and appropriately.

Multi-agency working

The School actively engages with its local partners in relation to peer-on-peer abuse, and works closely with Herefordshire Council children's social care, and/or other relevant agencies, and other schools.

The relationships the School has built with these partners are essential to ensuring that the School is able to prevent, identify early and appropriately handle cases of peer-on-peer abuse. They help the School

(a) To develop a good awareness and understanding of the different referral pathways that operate in its local area, as well as the preventative and support services which exist;

(b) To ensure that our [pupils/students] can access the range of services and support they need quickly;

(c) To support and help inform our local community's response to peer-on-peer abuse;

(d) To increase our awareness and understanding of any concerning trends and emerging risks in our local area to enable us to take preventative action to minimise the risk of these being experienced by our [pupils/students].

The School actively refers concerns/allegations of peer-on-peer abuse where necessary to Herefordshire Council children's social care, and/or other relevant agencies.

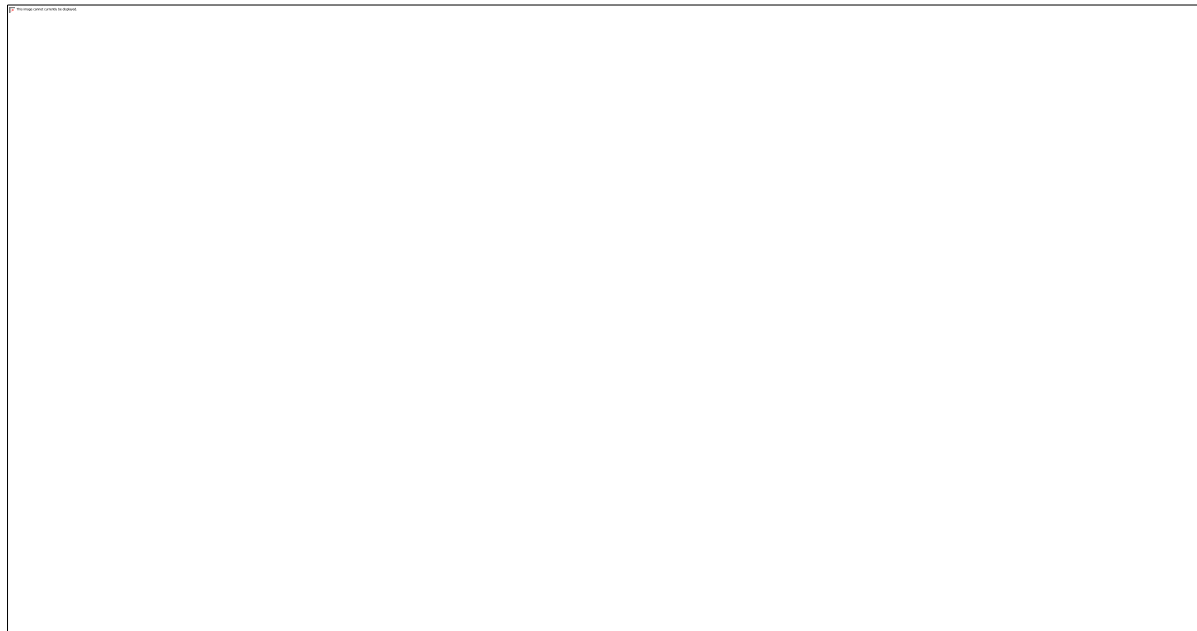
Children resident out of county but attending a Herefordshire school/academy will be reported to their home authority Social Care team.

In cases involving children who are subject to risk, harm and abuse and who have LAC status, the children's social worker must be informed and a coordinated approach to address any incidents or concerns will be required.

Appendix 1

Simon Hackett (2010) has proposed a continuum model to demonstrate the range of sexual behaviours presented by children and young people, from those that are normal, to those that are highly deviant:

<https://www.nspcc.org.uk/globalassets/documents/publications/harmful-sexual-behaviour-framework.pdf>



<p>What is a green behaviour?</p> <p>Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability. They are reflective of natural curiosity, experimentation, consensual activities and positive choices</p> <p>What can you do?</p> <p>Green behaviours provide opportunities to give positive feedback and additional information.</p> <p>Green behaviours</p> <p>holding or playing with own genitals</p> <ul style="list-style-type: none"> • attempting to touch or curiosity about other children's genitals • attempting to touch or curiosity about breasts, bottoms or genitals of adults • games e.g. mummies and dad-dios, • doctors and nurses • enjoying nakedness • interest in body parts and what they do • curiosity about the differences between boys and girls 	<p>What is an amber behaviour?</p> <p>Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur.</p> <p>What can you do?</p> <p>Amber behaviours signal the need to take notice and gather information to assess the appropriate action.</p> <p>Amber behaviours</p> <ul style="list-style-type: none"> • preoccupation with adult sexual behaviour <ul style="list-style-type: none"> • pulling other children's pants down/skirts up/trousers down against their will • talking about sex using adult slang • preoccupation with touching the genitals of other people • following others into toilets or changing rooms to look at them or touch them • talking about sexual activities seen on TV/online 	<p>What is a red behaviour?</p> <p>Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental, or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur</p> <p>What can you do?</p> <p>Red behaviours indicate a need for immediate intervention and action.</p> <p>Red behaviours</p> <ul style="list-style-type: none"> • persistently touching the genitals of other children • persistent attempts to touch the genitals of adults • simulation of sexual activity in play • sexual behaviour between young children involving penetration with objects • forcing other children to engage in sexual play
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Appendix 2 Brook sexual behaviours traffic light tool

Behaviours: age 0 to 5

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

<p>What is a green behaviour?</p> <p>Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability and reflective of natural curiosity, experimentation, con- sensual activities and positive choices</p> <p>What can you do?</p> <p>Green behaviours provide opportunities to give positive feedback and additional information.</p> <p>Green behaviours 5-9</p> <ul style="list-style-type: none"> • feeling and touching own genitals • curiosity about other children's genitals • curiosity about sex and relationships, e.g. differences between boys and girls, how sex happens, where babies come from, same- sex relationships • sense of privacy about bodies • telling stories or asking questions using swear and slang words for parts of the body 	<p>What is an amber behaviour?</p> <p>Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur.</p> <p>What can you do?</p> <p>Amber behaviours signal the need to take notice and gather information to assess the appropriate action.</p> <p>Amber behaviours 5-9</p> <ul style="list-style-type: none"> • questions about sexual activity which persist or are repeated frequently, despite an answer having been given • sexual bullying face to face or through texts or online messaging • engaging in mutual masturbation • persistent sexual images and ideas in talk, play and art • use of adult slang language to discuss sex 	<p>What is a red behaviour?</p> <p>Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, develop- mental or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur</p> <p>What can you do?</p> <p>Red behaviours indicate a need for immediate intervention and action.</p> <p>Red behaviours 5-9</p> <ul style="list-style-type: none"> • frequent masturbation in front of others • sexual behaviour engaging significantly younger or less able children • forcing other children to take part in • sexual activities <ul style="list-style-type: none"> • simulation of oral or penetrative sex • sourcing pornographic material online
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Behaviours: age 5 to 9

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

<p>What is a green behaviour?</p> <p>Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability and reflective of natural curiosity, experimentation, consensual activities and positive choices</p> <p>What can you do?</p> <p>Green behaviours provide opportunities to give positive feedback and additional information.</p> <p>Green behaviours 9-13</p> <ul style="list-style-type: none"> solitary masturbation use of sexual language including swear and slang words having girl/boyfriends who are of the same, opposite or any gender interest in popular culture, e.g. fashion, music, media, online games, chatting online need for privacy consensual kissing, hugging, holding hands with peers 	<p>What is an amber behaviour?</p> <p>Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur.</p> <p>What can you do?</p> <p>Amber behaviours signal the need to take notice and gather information to assess the appropriate action.</p> <p>Amber behaviours 9-13</p> <ul style="list-style-type: none"> uncharacteristic and risk-related behaviour, e.g. sudden and/or provocative changes in dress, withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing verbal, physical or cyber/virtual sexual bullying involving sexual aggression LGBT (lesbian, gay, bisexual, transgender) targeted bullying exhibitionism, e.g. flashing or mooning giving out contact details online viewing pornographic material worrying about being pregnant or having STIs 	<p>What is a red behaviour?</p> <p>Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur</p> <p>What can you do?</p> <p>Red behaviours indicate a need for immediate intervention and action.</p> <p>Red behaviours 9-13</p> <ul style="list-style-type: none"> exposing genitals or masturbating in public distributing naked or sexually provocative images of self or others sexually explicit talk with younger children sexual harassment arranging to meet with an online acquaintance in secret genital injury to self or others forcing other children of same age, younger or less able to take part in sexual activities sexual activity e.g. oral sex or intercourse presence of sexually transmitted infection (STI) evidence of pregnancy
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Behaviours: age 9 to 13

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

Behaviours: age 13 to 17

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?	What is an amber behaviour?	What is a red behaviour?
<p>Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability and reflective of natural curiosity, experimentation, consensual activities and positive choices</p>	<p>Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur.</p>	<p>Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur</p>
<p>What can you do?</p>	<p>What can you do?</p>	<p>What can you do?</p>
<p>Green behaviours provide opportunities to receive positive feedback and additional information</p>	<p>Amber behaviours signal the need to take notice and gather information to assess the appropriate action.</p>	<p>Red behaviours indicate a need for immediate intervention and action.</p>
<p>Green behaviours</p> <ul style="list-style-type: none"> solitary masturbation sexually explicit conversations with peers obscenities and jokes within the current cultural norm interest in erotica/pornography use of internet/e-media to chat online having sexual or non-sexual relationships sexual activity including hugging, kissing, holding hands consenting oral and/or penetrative sex with others of the same or opposite gender who are of similar age and developmental ability choosing not to be sexually active 	<p>Amber behaviours</p> <ul style="list-style-type: none"> accessing exploitative or violent pornography uncharacteristic and risk-related behaviour, e.g. sudden and/or provocative changes in dress, withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing concern about body image taking and sending naked or sexually provocative images of self or others single occurrence of peeping, exposing, mooning or obscene gestures giving out contact details online joining adult- only social networking sites and giving false personal information arranging a face to face meeting with an online contact alone 	<p>Red behaviours</p> <ul style="list-style-type: none"> exposing genitals or masturbating in public preoccupation with sex, which interferes with daily function sexual degradation/humiliation of self or others attempting/forcing others to expose genitals sexually aggressive/exploitative behaviour sexually explicit talk with younger children sexual harassment non-consensual sexual activity use of/acceptance of power and control in sexual relationships genital injury to self or others sexual contact with others where there is a big difference in age or ability sexual activity with someone in authority and in a position of trust sexual activity with family members

Please Note!

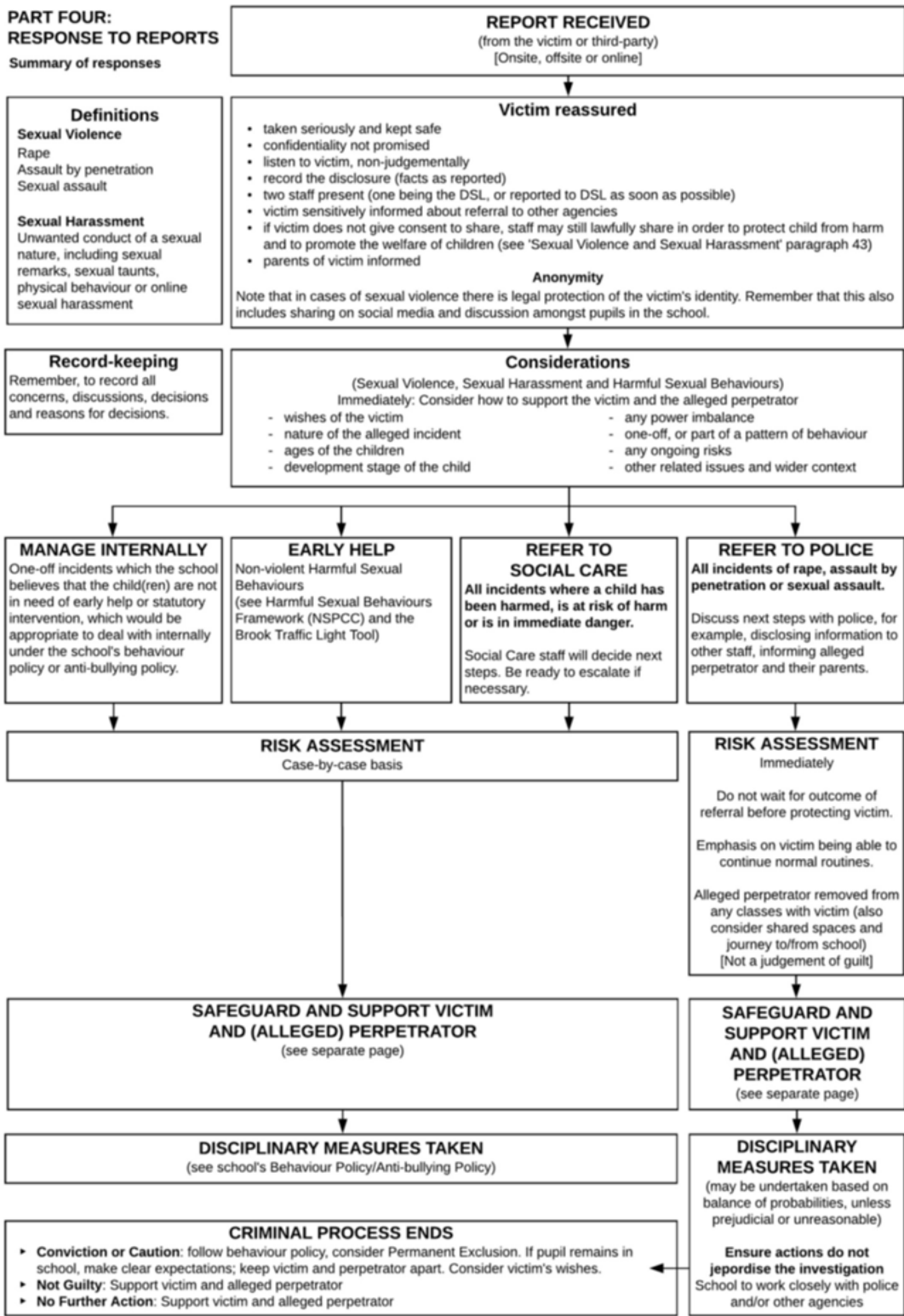
This is intended to be used as a guide only. Please refer to the guidance tool at

<https://www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool>

for further information.

Print date: 01/10/2015 - Brook has taken every care to ensure that the information contained in this publication is accurate and up-to-date at the time of being published. As information and knowledge is constantly changing, readers are strongly advised to use this information for up to one month from print date. Brook accepts no responsibility for difficulties that may arise as a result of an individual acting on the advice and recommendations it contains.

**PART FOUR:
RESPONSE TO REPORTS**
Summary of responses



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Source:
Sexual Violence and Sexual Harassment between children in schools and colleges (DfE, 2017)

SVSH Flow Chart for Schools 2017 v.1.0

Appendix 3

Support for Young People:

- Rape Crisis Centre's can provide therapeutic support for children over 13 who have experienced sexual violence. www.nottssvss.org.uk
- Internet Watch Foundation (to potentially remove illegal images) www.iwf.org.uk

Appendix 4

Useful Publications and Websites

Government Publications

Sexual harassment and sexual violence in schools

www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges

Keeping Children safe in Education - www.gov.uk/government/publications/keeping-children-safe-in-education

Preventing youth violence and gang involvement

www.gov.uk/government/publications/advice-to-schools-and-colleges-on-gangs-and-youth-violence

Preventing and tackling bullying in schools

www.gov.uk/government/publications/preventing-and-tackling-bullying

Other useful documents

Sexting

Sexting in schools and colleges-Responding to incidents and safeguarding young people

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf

Peer-on-peer abuse

Farrer &Co - Peer-on-peer abuse toolkit, guidance on peer-on peer abuse policy and template peer-on-peer abuse policy

www.farrer.co.uk/Global/Peer-on-peer%20abuse%20toolkit%202014.pdf

Anti-bullying alliance

There are some useful links on the section on sexual bullying:-

Sexual bullying: developing effective anti-bullying practice- A guide for school staff and other professional

www.anti-bullyingalliance.org.uk/sites/default/files/field/attachment/Sexual%20bullying%20-%20anti-bullying%20guidance%20for%20teachers%20and%20other%20professionals%20-%20Feb17_1.pdf

Preventing abuse among children and young people-guidance from Stop it Now

www.stopitnow.org.uk/files/stop_booklets_childs_play_preventing_abuse_among_children_and_young_people01_14.pdf

What is Age appropriate?

<http://www.stopitnow.org/ohc-content/what-is-age-appropriate>

Brook Traffic lights

<https://www.brook.org.uk/our-work/using-the-sexual-behaviours-traffic-light-tool>

NSPCC-Harmful sexual behaviour

<https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/harmful-sexual-behaviour/>

NCB Harmful sexual behaviour

<https://www.ncb.org.uk/resources-publications/resources/workforce-perspectives-harmful-sexual-behaviour>

NSPCC –Is this sexual abuse?

<https://www.nspcc.org.uk/globalassets/documents/research-reports/nspcc-helplines-report-peer-sexual-abuse.pdf>

Online sexual harassment

Project deSHAME- Digital Exploitation and Sexual Harassment Amongst Minors in Europe Understanding, Preventing, Responding

<https://www.childnet.com/our-projects/project-deshame>

Sexism

It's Just Everywhere- a study on sexism in schools –and how we tackle it

<https://ukfeminista.org.uk/wp-content/uploads/2017/12/Report-Its-just-everywhere.pdf>

•Relationship Education , Relationship and Sex Education HMSO

www.gov.uk/government/news/relationships-education-relationships-and-sex

☐☐☐ hfdscouncil

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