

## **Minutes of the meeting of Spotlight review - Peer on Peer Abuse in Schools held at The Shire Hall, St. Peter's Square, Hereford, HR1 2HX on Monday 16 December 2019 at 10.00 am**

**Present:** Cllr Paul Andrews, Cllr Christy Bolderson, Mr Pat Burbidge, Cllr John Hardwick, Cllr Kath Hey, Cllr Philip Howells, Mr Andy James, Cllr Peter Jinman, Cllr Mike Jones, Cllr Jeremy Milln and Cllr Diana Toynbee

**In attendance:**

<b>Organisation</b>	<b>Attendee</b>
Children and Families, Safeguarding and Education, Herefordshire Council	<ul style="list-style-type: none"> <li>– Chris Baird, Director Children and Families</li> <li>– Liz Elgar, Assistant Director Safeguarding and Family Support Children and Families</li> <li>– Ceri Morgan</li> <li>– Alison Naylor, Head of Learning and Achievement</li> </ul>
Public Health	– Karen Wright, Director of Public Health
West Mercia Police	– DCI Jon Roberts, Herefordshire Local Policing Area
Secondary and Primary Schools	<ul style="list-style-type: none"> <li>– Aylestone School</li> <li>– Ledbury Primary School</li> <li>– St Francis Xavier RC Primary School</li> <li>– John Kyrle High School</li> <li>– Bishop of Hereford Bluecoat School</li> </ul>
West Mercia Rape and Sexual Abuse Support Centre	<ul style="list-style-type: none"> <li>– Jocelyn Anderson, CEO, WMRSASC</li> <li>– Anna Coombs</li> </ul>
The Children's Society	– Lucy Belcher, Service Manager – North, Prevention Programme, The Children's Society
Herefordshire Clinical Commissioning Group	– Rebecca Haywood-Tibbetts, Named Professional for Safeguarding
Support officers, Herefordshire Council	<ul style="list-style-type: none"> <li>– Claire Ward, Solicitor to the Council</li> <li>– John Coleman, Statutory Scrutiny Officer</li> <li>– Matthew Evans, Democratic Services Officer</li> </ul>

### **1. WELCOME AND INTRODUCTIONS**

### **2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Nicola Kinson.

### **3. DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### 4. PEER ON PEER ABUSE IN SCHOOLS SPOTLIGHT REVIEW

The spotlight review received presentations from the following organisations:

- Herefordshire Council
- Public Health
- Herefordshire Schools
- West Mercia Rape and Sexual Abuse Support Centre

The following is a summary of the discussions that informed the recommendations of the spotlight review:

##### School Policies

The spotlight review heard that a number of schools had chosen to implement a separate policy to address peer on peer abuse in schools. The numbers of schools which had chosen to implement a separate policy was not available but it was hoped that in 2020 when a review of safeguarding policies had been completed all schools would introduce a separate policy. The spotlight review felt that in order to ensure consistency across Herefordshire, all schools should be encouraged to establish a separate policy regarding peer on peer abuse.

It was further felt that peer on peer abuse policies at schools in Herefordshire contain provision for children inside and outside of the criminal justice system and children under the age of criminal responsibility.

##### DfE guidance

The spotlight review questioned the guidance from the DfE concerning the separation of victim and perpetrator and whether it was felt to be adequate. The difficulty of ensuring there was no contact between victim and perpetrator was raised and the guidance concerning the potential return to a school of a perpetrator who had been convicted of a criminal offence. It was confirmed that the separation of victim and perpetrator did present a challenge but schools employed methods such as staggered start times and establishing safe areas at break times.

It was queried whether guidance should be amended to state that a perpetrator should be suspended or removed from a school if they were convicted or currently under investigation. It was explained that such guidance would require a change to exclusion rules however it was confirmed that if a pupil was convicted of rape or a serious sexual assault it was likely they would have breached school disciplinary policy and would be excluded from school.

The spotlight review heard that Keeping Children Safe in Education 2019 had assisted to provide better guidance regarding peer on peer abuse in schools and demonstrated that the issue was receiving prominence nationally. In producing a school policy for peer on peer abuse in schools the importance of learning from best practice was highlighted whilst retaining a focus on the contextual elements of each school.

The spotlight review felt that guidance from the DfE could be clarified to include greater detail regarding the separation of perpetrator and victim and that exclusion policies at schools should state explicitly the types of peer-on-peer abuse that could result in an exclusion. It was also felt that the likely consequences of committing peer on peer abuse should be outlined in schools disciplinary policies.

### Herefordshire Council review of historic cases

The spotlight review requested details of the review of cases of peer on peer abuse referred to the multi-agency safeguarding hub (MASH) between 2017 and 2018 and when it was likely that the review would be concluded. It was explained that a systematic review would be taking place into how cases had been handled in the past and one outcome would concern if there was any need to change current processes. The review would be concluded by late February 2020 and there would be a report to the children and young people scrutiny committee. It was requested that the outcomes be presented to members of the spotlight review.

### Data collection of incidence of peer on peer abuse cases and national reporting

The spotlight review considered the data relating to the incidence of peer on peer abuse that was compiled from the multi-agency referral forms (MARF) submitted to the MASH. It was queried what reporting of 'lower level' peer on peer abuse incidents took place and how this data was compiled. It was explained that schools did not have to report lower level incidents therefore such statistics were not collected.

There was concern that without reporting of the full range of peer on peer incidents it was not possible to gain an accurate perspective of the scale of the issue. There was further concern that there were no national statistics regarding such a serious issue in schools and it was felt the DfE should be lobbied to establish a reporting method and data set for peer on peer abuse cases nationally.

The spotlight review felt that the council should work to compile the data in Herefordshire that was available and then analyse this data to determine where gaps existed. This would assist the development of a dataset relating to peer on peer abuse in schools in Herefordshire.

### CLD Trust positive relationships training

The spotlight review referred to the CLD Trust (counselling/learning/development) and the valuable work they undertook in schools to promote healthy relationships between pupils. Ambassadors from the Trust visited schools to provide training on positive relationships and the spotlight review felt that schools should be encouraged to utilise this training. The promotion of positive relationships between pupils would complement efforts to address the incidence of peer on peer abuse cases in schools.

### Risk assessments

The spotlight review learned from the police that the CPS advice in cases of sexual abuse, where children are the suspects, is that they should be subject to a risk assessment to assist CPS decision-making in the case. This risk assessment was undertaken by children services in other area of the West Midlands but this was not advocated in Herefordshire because it was not a statutory responsibility for council and it was costly and time consuming. In Herefordshire it was explained that there was no route to obtaining the risk assessment prior to conviction. The CPS have demanded the AIM 2 risk assessment (a national level risk assessment for children at risk of sexually offending) which the youth offending service were trained to provide but not funded to undertake at the pre conviction stage.

The spotlight review learned that the West Mercia Rape and Sexual Abuse Support Centre had undertaken training to complete AIM 2 risk assessments. It was explained that the programme would shortly be updated to AIM 3.

The spotlight review felt that the provision and resourcing of the risk assessment required clarification and relevant partners should work together to achieve this.

#### Resource Pool for schools

The spotlight review heard from schools about the difficulties involved in addressing complex cases of peer on peer abuse that involved the police. It was explained that the role of schools was to educate and ensure the safety of pupils and during cases of peer on peer abuse it was important schools did not prejudice the work of the police. It was explained that access to advice from the council, health partners and the police was welcomed by schools. The spotlight review recognised the complex issues that potentially surrounded cases of peer on peer abuse in schools and suggested that consideration be given to establishing a pool of specialist resources that schools could access when addressing complex cases of peer on peer abuse.

#### Family support workers

The spotlight review heard from schools that the work undertaken by the family support team in schools with pupils was highly regarding and provided a valuable contribution to early help and preventative work. The spotlight review felt that the work of family support workers with schools should be assessed and whether there was provision in the service to make additional resources available to support this work.

#### Future meetings of the spotlight review

The spotlight review was minded to suggest further meetings of the spotlight review took place in due course to: consider responses to the recommendations raised; review new data that was available; assess the introduction of peer on peer abuse policies at schools; and consider the outcomes of the review into historic cases of peer on peer abuse and the lessons learned.

#### Council Policies

As a consequence of the prominence of the issue the spotlight review considered that Peer to peer abuse should be linked in to all relevant council policies.

The spotlight review discussed data collection and felt that the following observation should be shared with Public Health:

*A Sexual Violence Strategy needs to be based upon robust data and sound statistical analysis to provide direction and to ensure that resources are best matched to need. Given that we do not have many years of historic data in this area this Committee recommends that when incidences of peer on peer sexual abuse and the pathways used to address this are recorded, this is done in a SMART (Specific, Measurable, Achievable, Realistic, Time-bound) way which ensures sufficient robustness and consistency to allow for reliable periodic audit, free of fashion or bias.*

The spotlight review agreed the following recommendations arising from the debate:

#### **RESOLVED:**

- i) **That the executive promotes to all schools in Herefordshire the implementation of distinct, stand-alone peer on peer abuse child safeguarding policies;**

- ii) That the executive works with all schools in Herefordshire to ensure that exclusion policies explicitly state the forms of peer on peer abuse that will result in permanent exclusion;
- iii) That the executive works with all schools in Herefordshire to ensure that peer on peer abuse policies contain provision for children inside and outside of the criminal justice system and children under the age of criminal responsibility;
- iv) That the children and young people scrutiny committee writes to the department for education (DfE) to outline the comments of witnesses at the spotlight review concerning existing peer on peer abuse guidance for schools. In particular, correspondence should highlight the requirement for specific guidance for schools to develop their own peer on peer abuse policies.
- v) That the executive provides the outcome of the current review (including lessons learned) into cases of peer to peer abuse referred to the Multi Agency Safeguarding Hub (MASH) to the spotlight review and the children and young people scrutiny committee;
- vi) That the children and young people scrutiny committee write to the DfE to encourage the establishment of a national database on peer on peer abuse cases including data on:
  - level 4 referrals to MASHs and convictions relating to rape, assault, assault by penetration and sexual assault; and
  - 'lower level' of seriousness cases to allow for information to be compiled on the scale and diversity of peer on peer abuse cases.
- vii) That the executive encourages all schools to invite the CLD Trust ambassadors to provide training on positive relationships between peers;
- viii) That the executive works with the Crown Prosecution Service and the West Mercia Youth Justice Board to clarify responsibility for the production of risk assessments for children attending court in peer on peer abuse cases and considers a suitable provider for risk assessments in future;
- ix) That the executive considers the establishment of a pool of resources for schools to access to address complex cases of peer on peer abuse.
- x) That the executive considers what extra resources can be committed to the work of family support workers with schools.
- xi) That the children and young people scrutiny committee agree further meetings of the spotlight review to consider a greater level of data to provide a more informed understanding of the scale and complexity of peer on peer abuse in Herefordshire.
- xii) That the executive gives consideration to how to include reference to peer on peer abuse in relevant council policy (e.g. the children and young people plan); and
- xiii) That the following observation to be shared with Public Health:

***A Sexual Violence Strategy needs to be based upon robust data and sound statistical analysis to provide direction and to ensure that resources are best matched to need. Given that we do not have many years of historic data in this area this Committee recommends that when incidences of peer on peer sexual abuse and the pathways used to address this are recorded, this is done in a SMART (Specific, Measurable, Achievable, Realistic, Time-bound) way which ensures sufficient robustness and consistency to allow for reliable periodic audit, free of fashion or bias.***

**Chairperson**