

Report on peer on peer abuse review of historic cases dealt with by the Multi Agency Safeguarding Hub (MASH)

May 2020

Introduction

This review was commissioned as part of Herefordshire Council's assurance on the steps being taken to assist educational settings dealing with peer on peer sexual abuse allegations.

Scope

The review involved identifying referrals, (January 2017-November 2019), into MASH following allegations of peer on peer sexual abuse cases where the pupils were in the same educational setting. Once identified the advice on each case was reviewed in light of national guidance from the Department for Education (DFE) at the time to assess if the advice was compliant. The educational setting was then contacted to confirm if the advice was followed and/ or what action was taken as a result of the referral.

The review was undertaken by independent reviewing officers, heads of service, the principal social worker, the quality assurance manager and the case progression officer in the children and families directorate.

Contacting the schools/colleges where this was necessary was led by the assistant director education, development and skills and involved staff within that part of the directorate.

Executive Summary

The role of the local authority with schools and process for MASH

A multi-agency referral form is completed by educational settings when referring a child/young person to Children's Social Care for assessment as a child in need of support services, child protection; or accommodation (to become looked after).

To assist the professional in the educational setting whether a referral to social care is the correct option for the child guidance is available in the Herefordshire Levels of Needs document established by the Herefordshire Safeguarding Children Board (HSCB). This make clear that referrals should only be made for those children at the threshold of level 4 where a setting is extremely concerned for the child's safety based on evidence of abuse or neglect or disclosure by the child.

All peer on peer Multi Agency Referral Form (MARFs) that are submitted to the MASH have been investigated by a Social Worker in respect of the alleged victim and alleged perpetrator. The MASH Social Worker will be expected to consider a checklist to ensure safety planning and what support is or could be put in place. A social care manager will make a decision within 24 hours on how to progress the contact/referral. Regardless whether a threshold is met however advice will be given in accordance with the DFE guidance to the setting in line with the guidance now about risk assessments and separating the pupils.

October 2018 – November 2019

The identification of cases

- **18** cases were identified that involved a form of sexualised peer on peer abuse where a perpetrator(s) attended the same educational setting as the victim(s).

- One did not meet the sexual violence definition used for this review (i.e alleged sexual assault and / or rape).
- Four of the cases occurred with primary age pupils, one involved pupils 16-18 years attending a college and the remainder of the cases (13) involved secondary school age pupils.

Assess the advice given, taking into account the national guidance available at the time

- The DFE guidance on Sexual Harassment and Sexual Violence in schools and colleges that applied during this period was the December 2017 version as updated in May 2018. It essentially centres on the need for completing risk assessments or a safety plan in cases of sexual violence and schools being advised to refer to another service which may include the police or children and young people's sexual advisors (ChISVAs)
- In 13 of the 18 cases the advice given by MASH complied with the guidance and was recorded fully:
- In 5 of the 18 incidents, however there were no recorded actions on the internal system (Mosaic) for a school to take regarding putting in place a risk assessment or safety plan (this is only compulsory if the incident is sexual violence) or advice to refer on another agency. This does not mean that appropriate advice was not given, it was however not recorded fully.
- In 1 case (of the 5) the review found that safety planning and the need for risk assessments was not recorded as being discussed by the MASH.

In two of these 5 incidents this was because the disclosures were about historic incidents that had occurred two or more years before the disclosure was made.

In one of these two incidents, there was no disclosure and the alleged perpetrator and alleged victim did remain in the same school for a month. This situation was resolved when one of them subsequently left the school - the actual disclosure was made a considerable time afterwards.

In the second historic case no advice was given although the school is believed to have acted appropriately.

In the remaining 3 cases in which record keeping was not fully compliant, the school had either already implemented safety plans/risk assessments and/or referred on to another agency before needing to be advised.

- The advice reviewed was reasonable and deemed to be appropriate in the remaining 13 cases. Of the 5 reported above there is 1 case where there was no record of the case being discussed by the MASH and a further case where advice was not given as action had by then been taken.

Contact the school/college to confirm if advice was followed or what action was taken

- The advice given in the remaining 13 cases (i.e the 18 identified as within the time frame of October 2018-November 2019) less the 5 discussed above) was followed by 12 schools.
- In one case, although advised, a written risk assessment was not completed by the school, the school did ensure that the two pupils were in separate classes.
- This failure to record the risk assessment had already been discovered as part of a safeguarding visit from Herefordshire Council education team on 13th December 2019.

As a result the school has already been advised in writing about the requirements to undertake written risk assessments and expectations regarding how incidents of sexualised violence should be dealt with.

- To avoid this happening again in another setting, consideration has been given to asking schools to send the risk assessments to the Education MASH team. In the one case where there was no record of advice being given we have used this as part of the lessons to learn work that has taken place subsequently in training with designated safeguarding leads.
- Overall for the review there is clear evidence of the schools involved in these 18 incidents working with multi agencies e.g. the police, West Mercia Rape and Sexual Abuse Support Centre (WMRSASC) and the early help Team and ensuring support is offered to the victim and/or the perpetrator.

January 2017 – October 2018

- **10** cases were identified between January 2017 and October 2018 that involved a form of sexualised peer on peer abuse where an alleged perpetrator(s) attended the same school as the alleged victim(s). Five of these identified cases were primary age pupils and five were secondary age pupils.

Assess the advice given, taking into account the national guidance available at the time

- For the first 12 months of this period the guidance available to schools nationally was general safeguarding guidance e.g. Keeping Children Safe in Education, Working Together to Safeguard Children, which did not include specific sections or guidance on peer on peer abuse.
- The DFE central government guidance on Sexual Harassment and Sexual Violence in schools and colleges was implemented in December 2017. This sets out the requirements for the completion of a safety plan and advise to refer to another service
- No advice was recorded as given in 8 of the 10 recorded cases in relation to the national 2018 guidance as these cases preceded the guidance being given. However there is evidence of schools completing 'keep safe work' such as the NSPCC PANTS programme, making referrals e.g. to the Police, social workers visiting schools and involvement of WMRSASC in order to keep young people safe and apart where recommended. There is evidence of multi-agency working. The schools took what actions they deemed to be appropriate given the guidance in place at the time.
- In the two cases where advice was recorded as given, once the guidance was in place, it suggests appropriate advice was given regarding referrals to other agencies for support. In one of the two cases it states that a social worker gave advice to the school regarding the supervision of the children in school. There is also an ongoing 'live case' and the school now has a risk assessment in place although at the time of the initial referral into the MASH, this wasn't advised. In the second case advice was given and acted on appropriately.

Contact the school/college to confirm if advice was followed or what action was taken

- The two schools who were given advice were contacted to confirm if they had followed the advice given. In both cases the schools had followed the advice to refer to other services: the police and a health visitor. Support was also put in place by one school which is ongoing (a live case) which includes the NSPCC PANTS programme and the New Start Network from Shropshire.

Summary

The review has provided the following assurance-

- Where advice was given and recorded, it was found to be the correct advice, based on the guidance from the DfE at the time.
- Only one setting did not follow the advice.
- Record keeping is improving but MASH must ensure that all advice given to schools relating to peer on peer abuse is in MOSAIC
- We have also undertaken a 'lessons learned' exercise which rests on discussions with Designated Safeguarding Leads.

Next steps

- The council has committed to keeping training and guidance to schools as a priority in all such cases for the future - and has accordingly - led training for all Designated Safeguarding Leads in all schools. There is also a set of recommendations agreed as part of the spotlight review undertaken by the council to strengthen the review of any such fresh cases as they arise. This will adopt a multi-agency approach and we will apply rigorously any changes to DfE and legal advice in these cases. We will also implement any further service changes required as a result of the findings of the NSPCC audit work when they are received. The cabinet member has also agreed the response to the recommendations of the Children and Young People's Scrutiny Committee Spotlight review into peer on peer abuse and these will be implemented.

May 2020.