



Peer on Peer Abuse Policy 2021

Including sexual violence and sexual harassment between children

	Policy review Date	Sept 2022
	Date of next Review	1 year
	Who reviewed this policy?	New
	Date approved by Governing body	14.09.21
	Name of Designated Safeguarding Lead Name of Deputy Designated Safeguarding Lead	Patricia Baker Sheila Holden Holly Townsend Joanne Hooper

This policy has been reviewed; to the best of our knowledge we do not feel it impacts negatively on any specific group or individual within our school community.

Peer on Peer Abuse Policy

1. Context and definition
2. Responsibility
3. Purpose of the policy
4. Framework and legislation
5. Abuse and harmful behaviour
6. Types of abuse
 - 6.1. Physical abuse
 - 6.2. Sexual violence and sexual harassment
 - 6.3. Bullying
 - 6.4. Online bullying
 - 6.5. Sexting
 - 6.6. Initiation / hazing
 - 6.7. Prejudiced behaviour
 - 6.8. Teenage relationship abuse
7. Expected staff action
8. Recognising peer abuse
9. Points to consider
10. Next steps
11. Preventative strategies
12. Sexual violence and sexual harassment
13. Where to go to for further information

Peer on Peer Abuse Policy

1. Context and Definition

It is essential that **all our staff** understand the importance of challenging inappropriate behaviours between peers, that are 'actually abusive in nature', many of which are listed below. Downplaying certain behaviours, for example dismissing sexual harassment as "just banter", "just having a laugh", "part of growing up" or "boys being boys" can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it. (KCSIE 21)

Pitcheroak School staff are advised to maintain an attitude of '**it could happen here**' where safeguarding is concerned. When concerned about the welfare of a child, staff should always act in the **best** interests of the child and in line with all school policies that are set out to support them and safeguard the child. Pitcheroak staff should also be aware that abuse may not necessarily be towards a peer, it could be towards any other child therefore we will refer to these behaviours as child on child abuse.

Child on child abuse is behaviour by an individual or group, intending to physically, sexually or emotionally hurt others.

All staff should recognise that children are capable of abusing **other** children.

All staff should be aware of safeguarding issues from child on child **abuse** including:

- bullying (including online bullying)
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- sexual violence and sexual harassment
- Consensual/non-consensual sharing of nudes or semi nudes images and/or videos (also known as sexting or youth produced sexual imagery); and
- initiation/hazing type violence and rituals.

This abuse can:

- Be motivated by perceived differences e.g., on grounds of race, religion, gender, sexual orientation, disability or other differences
- Result in significant, long lasting and traumatic isolation, intimidation or violence to the victim; vulnerable adults are at particular risk of harm

Children or young people who harm others may be the subject of additional or other complicating factors e.g:

- Significant disruption in their own lives
- Exposure to domestic abuse or witnessing or suffering abuse
- Educational under-achievement
- Involved in crime

Stopping violence and ensuring immediate physical safety is the first priority of any education setting, but emotional bullying can sometimes be more damaging than physical. School staff, alongside their Designated Safeguarding Lead and/or Deputies, have to make their own judgements about each specific case and should use this policy guidance to help.

Peer on Peer Abuse Policy

2. Responsibility

Keeping Children Safe in Education (KCSIE), 2021 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.'

Child on child abuse is referenced in the Safeguarding and Child Protection Policy. The sensitive nature and specific issues involved with child on child abuse necessitate separate policy guidance.

At Pitcheroak School we continue to ensure that any form of abuse or harmful behaviour is dealt with immediately and consistently to reduce the extent of harm to the young person, with full consideration to the impact on that individual child's emotional and mental health and well-being.

3. Purpose of Policy

The purpose of this policy is to explore some forms of child on child abuse particularly as they apply to pupils with learning difficulties and disabilities. The policy also includes a planned and supportive response to the issues.

At Pitcheroak School we have the following policies in place that should be read **in** conjunction with this policy:

- Anti-Bullying including Cyber Bullying Policy
- Safeguarding and Child Protection Policy
- Allegations of abuse against teachers and other staff
- Whistleblowing Policy
- Behaviour Policy
- Health & Safety Policy
- Online Safety Policy
- Managing violence and aggressive pupils
- Mental Health and Behaviour in Schools
- Relationships and Sex Education
- Remote Learning
- Self-harm
- Social media

4. Framework and Legislation

This policy is supported by the key principles of the Children's Act, 1989 that the child's welfare is paramount, Working Together, 2018, which highlights that every assessment of a child, *'must be informed by the views of the child'*. (Working Together, 2018:21) This is **echoed by** Keeping Children Safe in Education, 2021 through ensuring procedures are in place in schools and settings to hear the voice of the child.

5 Abuse and harmful behaviour

It is necessary to consider

- what abuse is and what it looks like
- how it can be managed
- what appropriate support and intervention can be put in place to meet the needs of the individual
- what preventative strategies may be put in place to reduce further risk of harm.

Abuse is abuse and should never be tolerated or passed off as 'banter' or 'part of growing up'. It is important to consider the forms abuse may take and the subsequent actions required.

- Children are vulnerable to abuse by their peers or any other child. Such abuse should be taken as seriously as abuse by adults and should be subject to the same child protection procedures.
- Children can abuse other children. This can include (but is not limited to): abuse within intimate partner relationships; bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiation/hazing type violence and rituals.
- Staff should not dismiss abusive behaviour as normal between young people and should not develop high thresholds before taking action.
- Staff should be aware of the potential uses of information technology for bullying and abusive behaviour between young people.
- Staff should be aware of the added vulnerability of children and young people who have been the victims of violent crime (for example mugging), including the risk that they may respond to this by abusing younger or weaker children.

The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other children. Evidence suggests that such children may have suffered considerable disruption in their lives, may have witnessed or been subjected to physical or sexual abuse, may have problems in their educational development and may have committed other offences. They may therefore be suffering, or be at risk of suffering, significant harm and be in need of protection. Any long-term plan to reduce the risk posed by the alleged perpetrator must address their needs.

6. Types of abuse

There are many forms of abuse that may occur between children and this list is not exhaustive. Each form of abuse or prejudiced behaviour is described in detail followed by advice and support on actions to be taken.

6.1 Physical abuse

This may include hitting, kicking, nipping/pinching, 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 punishment to be undertaken.

6.2 Sexual violence and sexual harassment

This must always be referred immediately to the Designated Safeguarding Lead

The DSL will follow the DfE Guidance: Sexual violence and sexual harassment between

Peer on Peer Abuse Policy

children in schools and colleges Sept 2021

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/999239/SVSH_2021.pdf

with consideration of

- Managing internally 65.1, page 27
- Early Help 65.2, page 28
- MASH referral 65.3. page 28
- Reporting to the police 65.4, Page 29

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

Sexually harmful behaviour from young people is not always contrived or with the intent to harm others. There may be many reasons why a young person engages in sexually harmful behaviour and it may be just as distressing to the young person who instigates it as to the young person it is intended towards. Sexually harmful behaviour may include

- inappropriate sexual language
- inappropriate role play
- sexual touching
- sexual assault/abuse.

Staff should be aware of the importance of:

- 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 as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them
- the initial response to a report from a child. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

Refer to section 12 for further information on what sexual violence and sexual harassment constitutes, important context to be aware of and more detailed advice on responding to reports.

6.3 Bullying

Bullying is unwanted, aggressive behaviour among school aged children 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

Peer on Peer Abuse Policy

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, gender, sexual orientation, and excluding someone from a group on purpose.

6.4 Online Bullying

Online Bullying is the use of technology (social networking, messaging, text messages, e-mail, chat rooms etc.) to harass threaten or intimidate someone for the same reasons as stated above.

Online bullying can take many forms

- Abusive or threatening texts, emails or messages
- Posting abusive comments on social media sites
- Sharing humiliating videos or photos of someone else
- Stealing someone's online identity
- Spreading rumours online
- Trolling – sending someone menacing or upsetting messages through social networks, chatrooms or games
- Developing hate sites about another person
- Prank calls or messages
- Group bullying or exclusion online
- Anonymous messaging
- Encouraging a young person to self-harm
- Pressuring children to send sexual messages or engaging in sexual conversations

6.5 Sharing nude or indecent imagery/Sexting

The term 'sexting' relates to the sending of indecent images, videos and/or written messages with sexually explicit content; these are created and sent electronically. They are often 'shared' via social networking sites and instant messaging services and can include images captured via 'upskirting'.

This must always be referred immediately to the Designated Safeguarding Lead

[DSL will follow the UKCIS: Sexting in schools and colleges 2016 guidance.](#)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551575/6.243_9_KG_NCA_Sexting_in_Schools_WEB_1_.PDF

6.6 Initiation/Hazing

Peer on Peer Abuse Policy

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies. The ceremony welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite of passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.

6.7 Prejudiced Behaviour

The term prejudice-related bullying refers to a range of hurtful behaviour, physical or emotional or both, which causes someone to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society – for example disabilities and special educational needs, ethnic, cultural and religious backgrounds, gender, home life, (for example in relation to issues of care, parental occupation, poverty and social class) and sexual identity.

6.8 Teenage relationship abuse

Teenage relationship abuse is a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teen uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner. This abuse may be child sexual exploitation.

7. Expected staff action

Staff should consider the seriousness of the case and make a quick decision whether to inform the Designated Safeguarding Lead immediately before taking any further in-school actions.

8. Recognising child on child abuse

An assessment of an incident between one child and another, 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

Peer on Peer Abuse Policy

- Whether this was a one-off incident, or longer in duration

Within the context of Pitcheroak School, due to the special educational needs and disabilities of pupils, care should be taken when deciding whether an incident involves actual abuse and consideration given to the intent of the behaviour and the level of understanding of the pupils involved.

It is important to deal with a situation of child on child abuse immediately and sensitively. It is necessary **together** 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.

8.1 Taking Action

- Always take complaints seriously
- Gain a statement of facts from the pupil(s)
- Assess needs of victim and alleged perpetrator
- Consider referral to Police or Social Care
- Contribute to multi-agency assessments
- Convene a risk management meeting
- Record all incidents and all action taken

8.2 Recording sexualised behaviour

- Be clear, explicit and non-avoidant, and avoid vague statements or euphemisms
- Record as soon as possible, as you can quickly forget or confuse detail
- 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.

8.3 Gather the Facts

Speak to all the young people involved separately, gain a statement of facts from them and 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.

8.4 Consider the Intent

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

8.5 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 (Multi Agency Safeguarding Hub) 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.

8.6 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).

9. Points to consider

9.1 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.

Due to the special educational needs and disabilities of pupils at Pitcheroak School, staff should be aware that chronological age alone, may not be the most useful indicator in judging appropriate/inappropriate sexual behaviour as learning and development may not be in line with typically developing children.

9.2 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?

9.3 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?

9.4 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?

9.5 Repetition

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

10. Next Steps

Once the outcome of the incident(s) has been established it is necessary to ensure future incidents of abuse do not occur again and consider the support and intervention required for those involved.

10.1 For the young person who has been harmed

The level of support required 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.

Other interventions that could be considered may target a whole class or year group **forexample** a speaker on online bullying, relationship abuse etc. which may be delivered through the school's PHSE and RSE curriculum.

10.2 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

Peer on Peer Abuse Policy

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.

10.3 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.

11. Preventative Strategies

Child on child abuse can and will occur on any site even with the most robust policies and support processes. It is important to develop appropriate strategies to proactively prevent child on child abuse.

This school has an open environment where young people feel safe to share information about anything that is upsetting or worrying them.

Every effort will be made to ensure it is made explicit through our teaching, what are acceptable/appropriate and unacceptable/inappropriate behaviours. It is recognised that many of the pupils at Pitcheroak School will require continual repetition and reinforcement in order for them to process this information and demonstrate their learning through their behaviour. It is also recognised that there may be pupils at Pitcheroak School who may never be able to internalise this information.

There is a strong and positive PSHE/RSHE curriculum that tackles such issues as prejudiced behaviour and gives children an open forum to explore and reflect rather than seek one on one opportunities to be harmful to one another. The school makes sure that 'support and report' signposting is available to young people.

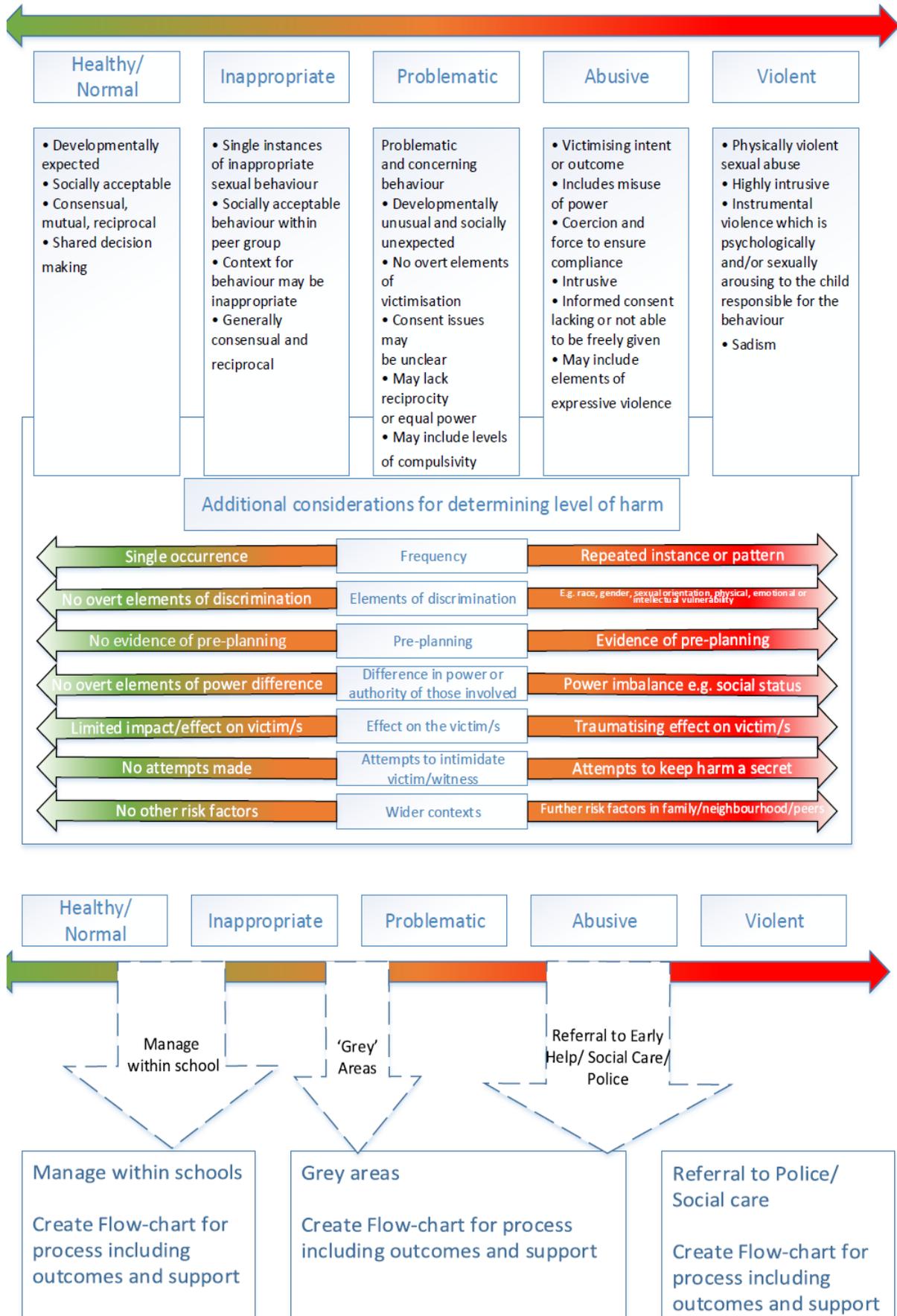
Staff will not dismiss issues as 'banter' or 'growing up' or compare them to their own experiences of childhood. Staff will consider each issue and each individual in their own right before taking action.

Young people are part of changing their circumstances and, through school council and pupil voice for example, we encourage young people to support changes and develop 'rules of acceptable behaviour'. We involve pupils in the positive ethos in school; one where all young people understand the boundaries of behaviour before it becomes abusive.

Peer on Peer Abuse Policy

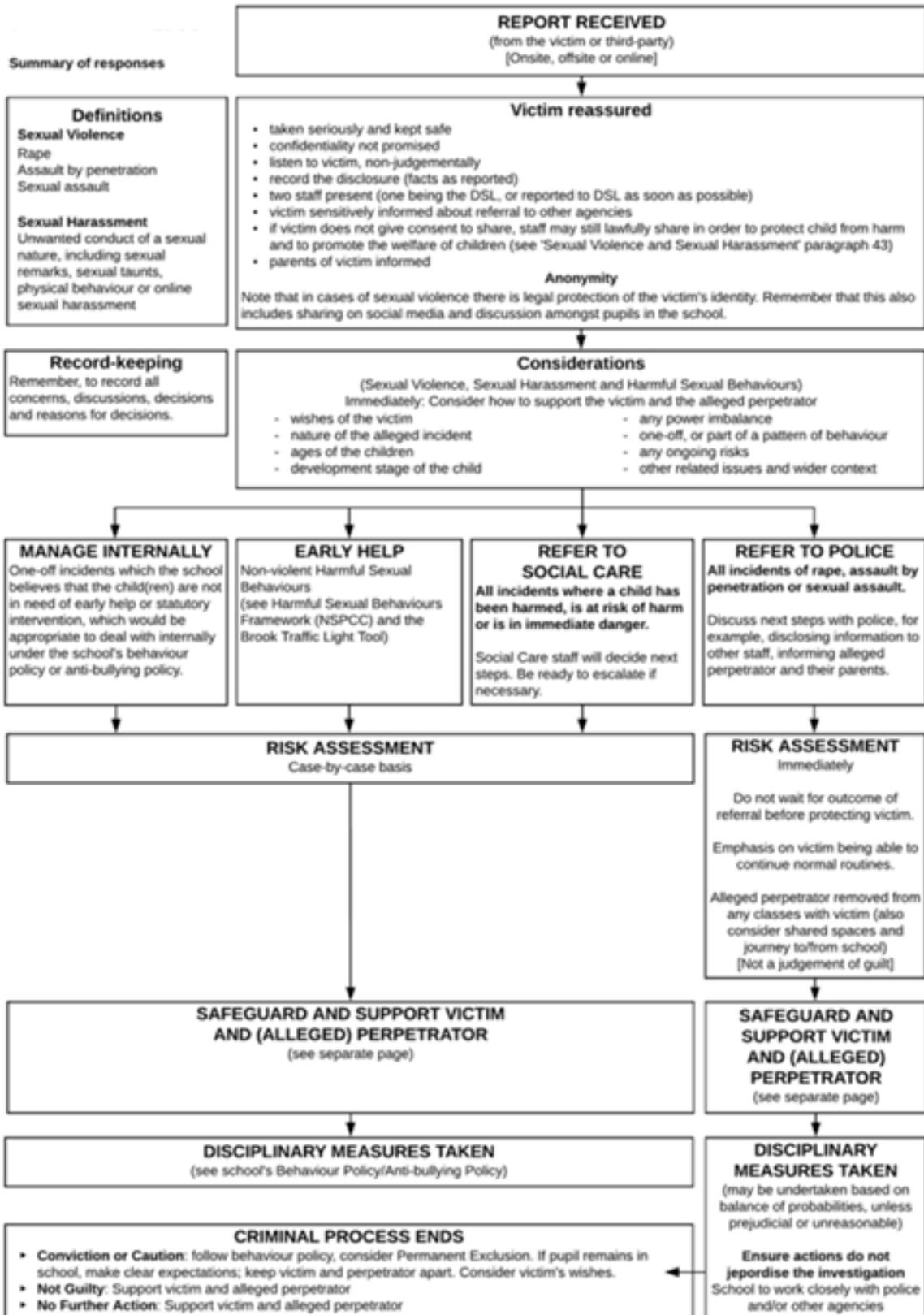
<https://www.nspcc.org.uk/globalassets/documents/publications/harmful-sexual-behaviour-framework.pdf>

Peer on Peer Abuse Policy



Peer on Peer Abuse Policy

Response to reports



Source:

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

SVSH Flow Chart for Schools 2017 v.1.0

12. Sexual violence and Sexual harassment

Pitcheroak School will follow the guidance as set out in Keeping Children Safe in Education September 2021 and Sexual violence and sexual harassment between children in schools and colleges September 2021 when dealing with any incidence of sexual violence or sexual harassment. The guidance states how schools should **respond to all reports and concerns** of child on child sexual violence and sexual harassment, including those that have happened outside of the school or college premises, and or online.

It makes clear that sexual violence and sexual harassment can occur between two children of **any age and sex**, from primary through to secondary stage and into colleges. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable. As set out in Part one of the guidance, all staff working with children are advised to maintain an attitude of '**it could happen here**'.

Addressing inappropriate behaviour (even if it appears to be relatively innocuous) **can** be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

Children who are victims of sexual violence and sexual harassment wherever it happens, 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 the same school. As set out in Part one of the guidance, schools should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school, including intimate personal relationships.

Whilst **any** report of sexual violence or sexual harassment should be taken seriously, staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys. But it is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

12.1 What is sexual violence and sexual harassment?

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual violence 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.

12.2 What is 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.

12.3 Sexual harassment

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. When we reference sexual harassment, we do so 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.

Whilst not intended to be an exhaustive list, 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.
- sexual exploitation; coercion and threats; and upskirting.

12.4 Upskirting

The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender, can be a victim.

The response to a report of sexual violence or sexual harassment. The initial response to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

12.5 Responding to reports of sexual violence and sexual harassment

Part two of the guidance is clear that systems should be in place (and they should be well promoted, easily understood and easily accessible) for children to confidently report abuse, knowing their concerns will be treated seriously.

Schools not recognising, acknowledging or understanding the scale of harassment and abuse and/or downplaying some behaviours related to abuse can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that

Peer on Peer Abuse Policy

normalises abuse leading to children accepting it as normal and not coming forward to report it.

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. Pre-planning, effective training and effective policies will provide schools and colleges with the foundation for a calm, considered and appropriate response to any reports. The governing body should ensure that the school contributes to multi-agency working in line with statutory guidance Working Together to Safeguard Children.

Whilst the guidance does not attempt to provide (nor would it be possible to provide) detailed guidance on what to do in any or every particular case it describes effective safeguarding practice and principles for schools to consider in the decision-making process.

Ultimately, any decisions are for the school to make on a case-by-case basis, with the designated safeguarding lead (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.

There is support available for schools and colleges. Paragraph 52 and Annex A in the Sexual Violence and Sexual Harassment Between Children in Schools and Colleges advice provides detailed information and links to resources.

12.6 The immediate response to a report

Responding to the report

It is important to note 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 to. In some cases, the victim may not make a direct report. For example, a friend may make a report, or a member of school staff may overhear a conversation that suggests a child has been harmed or a child's own behaviour might indicate that something is wrong. If staff have **any** concerns about a child's welfare, they should act on them immediately rather than wait to be told.

The school's initial response to a report from a child is incredibly important. How the school responds to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward.

It is essential that **all** victims are reassured 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 the school or college should not be downplayed and should be treated equally seriously. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report or their experience minimised.

All staff have received training to manage a report. Effective safeguarding practice in managing a report includes:

- if possible, managing reports with two members of staff present, (preferably one of them being the designated safeguarding lead or a deputy). However, this might not always be possible.
- where the report includes an online element, being aware of searching screening and confiscation advice (for schools) and UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people.

The key consideration is for staff not to view or forward illegal images of a child.

Peer on Peer Abuse Policy

Further advice on what to do when viewing an image is unavoidable is available in [UKCIS Sharing nudes and seminudes: advice for education settings working with children and young people](#). In some cases, it may be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection.

- not promising confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the designated safeguarding lead or children's social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to; recognising that a child is likely to disclose to someone they trust: this could be **anyone** on the school or staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust. They should be supportive and respectful of the child; recognising that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory and so children may not be able to recall all details or timeline of abuse;

- keeping in mind that certain children may face additional barriers to telling someone because of their vulnerability, disability, sex, ethnicity and/or sexual orientation;

- listening carefully to the child, reflecting back, using the child's language, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc. It is important to note that whilst leading questions should be avoided, staff can ask children if they have been harmed and what the nature of that harm was;

- considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, **it is essential a written record is made**;

- only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. Schools should be aware that notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation; and

- informing the designated safeguarding lead (or deputy), as soon as practically possible, if the designated safeguarding lead (or deputy) is not involved in the initial report.

12.7 Risk assessment

When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. 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

Peer on Peer Abuse Policy

from future harms.

Risk assessments should be recorded (written or electronic) and should be kept under review. At all times, the school should be actively considering the risks posed to all their pupils and students and put adequate measures in place to protect them and keep them safe.

The designated safeguarding lead (or a deputy) should ensure they are engaging 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. The school risk assessment is not intended to replace the detailed assessments of expert professionals. Any such professional assessments should be used to inform the school's approach to supporting and protecting their pupils and updating their own risk assessment.

12.8 Action following a report of sexual violence and/or sexual harassment

What to consider

As set out above, sexual violence and sexual abuse can happen anywhere, and all staff working with children are advised to maintain an attitude of '**it could happen here**'. Schools and colleges should be aware of and respond appropriately to **all** reports and concerns about sexual violence and/or sexual harassment both online and offline, including those that have happened outside of the school. The designated safeguarding lead (or deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the school's 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 the school's 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 Harmful Sexual Behaviour (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.

Peer on Peer Abuse Policy

As always when concerned about the welfare of a child, all staff should act in the best interests of the child. In all cases, schools should follow general safeguarding principles as set out throughout this guidance. **Immediate** consideration should 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 should 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. It is especially important not to pass off any sexual violence or sexual harassment as “**banter**”, “**just having a laugh**”, “**part of growing up**” or “**boys being boys**” as this can lead to a culture of unacceptable behaviours and an unsafe environment for children.

12.9 Children sharing a classroom: Initial considerations when the report is made

Any report of sexual violence is likely to be traumatic for the victim. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

However, reports of rape and assault by penetration are likely to be especially difficult with regard to the victim, and close proximity with the alleged perpetrator(s) is likely to be especially distressing. Whilst the school establishes the facts of the case and starts the process of liaising with children’s social care and the police, the alleged perpetrator(s) **should** be removed from any classes they share with the victim. The school should also **carefully** consider how best to keep the victim and alleged perpetrator(s) a reasonable distance apart on school premises (including during any before or after school-based activities) and on transport to and from the school, where appropriate. These actions are in the best interests of all children involved and should not be perceived to be a judgment on the guilt of the alleged perpetrator(s).

For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator(s) and considerations regarding shared classes, sharing school premises and school transport, should be considered immediately.

In all cases, the initial report should be carefully evaluated, reflecting the considerations set out at paragraph 448. The wishes of the victim, the nature of the allegations and the protection of all children in the school will be especially important when considering any immediate actions.

12.10 Options to manage the report

It is important that school considers every report on a case-by-case basis. When to inform the alleged perpetrator(s) will be a decision that should 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, the school should 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 should not stop the school taking immediate action to safeguard their children, where required.

There are four likely scenarios for schools to consider when managing any reports of sexual violence and/or sexual harassment. It will be important in all scenarios that decisions and actions are regularly reviewed and that relevant policies are updated to reflect lessons learnt. It is particularly important to look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, the school should decide on a course of action. Consideration should be given to whether there are wider cultural issues within the school 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 four scenarios are:

1. Manage internally

- In some cases of **sexual harassment**, for example, one-off incidents, the school may take the view that the children concerned are not in need of early help or that referrals need to be made to statutory services and that it would be appropriate to handle the incident internally, perhaps through utilising their behaviour policy and by providing pastoral support.

- Whatever the response, it should be underpinned by the principle that there is a zero

Peer on Peer Abuse Policy

tolerance approach to sexual violence and sexual harassment, and it is never acceptable and will not be tolerated.

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

2.Early help

- In line with 1 above, the school may decide that the children involved do not require referral to statutory services 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 HSB and may prevent escalation of sexual violence. It is particularly important that the designated safeguarding lead (and their deputies) know what the Early Help process is and how and where to access support.

- More information on Early Help is set out in Part one of this guidance with full details of the early help process in Chapter one of Working Together to Safeguard Children.

Peer on Peer Abuse Policy

- Multi-agency early help will work best when placed alongside strong school policies, preventative education and engagement with parents and carers.
- Early help and the option to manage a report internally do not need to be mutually exclusive: a school could manage internally and seek early help for both the victim and perpetrator(s).
- Whatever the response, it should be under-pinned by the principle that there is zero tolerance approach to sexual violence and sexual harassment, and it is never acceptable and will not be tolerated.
- All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

3.Referrals to children's social care

- Where a child has been harmed, is at risk of harm, or is in immediate danger, schools should make a referral to local children's social care.
- At the point of referral to children's social care, schools will generally inform parents or carers, unless there are compelling reasons not to (if informing apparent or carer is going to put the child at additional risk). Any such decision should be made with the support of children's social care.
- If a referral is made, children's social care will then make enquiries to determine whether any of the children involved are in need of protection or other services.
- Where statutory assessments are appropriate, the school (especially the designated safeguarding lead or a deputy) should 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 alleged perpetrator(s) and any other children that require support.
- Schools should not wait for the outcome (or even the start) of a children's social care investigation before protecting the victim and other children in the school. It will be important for the designated safeguarding lead(or a deputy) to work closely with children's social care (and other agencies as required) to ensure any actions the school takes do not jeopardise a statutory investigation. The risk assessment will help inform any decision. Consideration of safeguarding the victim, alleged perpetrator(s), any other children directly involved in the safeguarding report and all children at the school should be **immediate**.
- In some cases, children's social care will review the evidence and decide a statutory intervention is not appropriate. The school (generally led by the designated safeguarding lead or a deputy) should be prepared to refer again if they believe the child remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the designated safeguarding lead (or a deputy) should consider other support mechanisms such as early help, specialist support and pastoral support. •Whatever the response, it should be under-pinned by the principle that there is **a zero tolerance** approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated.
- All concerns**, discussions, decisions and reasons for decisions should be recorded (written or electronic).

4.Reporting to the Police

- Any report** to the police will generally be in parallel with a referral to children's social care (as above).
- It is important that the designated safeguarding lead (and their deputies) are clear about the local process for referrals and follow that process.
- Where a report of rape, assault by penetration or sexual assault is made, the starting point is that this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator(s) is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach. The

Peer on Peer Abuse Policy

following advice may help schools decide when to engage the Police and what to expect of them when they do: When to call the police.

- Where a report has been made to the police, the school should consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator(s) and their parents or carers. They should also discuss the best way to protect the victim and their anonymity.
- At this stage, schools will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a child at additional risk. In circumstances where parents or carers have not been informed, it will be especially important that the school is supporting the child in any decision they take. This should be with the support of children's social care and any appropriate specialist agencies.
- All police forces in England have specialist units that investigate child abuse. The names and structures of these units are matters for local forces. It will be important that the designated safeguarding lead (and their deputies) are aware of their local arrangements.

Considering bail conditions

- The police will consider what action to take to manage the assessed risk of harm. This could involve the use of police bail with conditions, prior to a suspect appearing in court, or court bail with or without conditions after the first appearance.
- Alternatively, the person suspected of an offence could be 'released under investigation' (RUI). People released under RUI can have no conditions attached to their release from custody and it is possible for a person on bail also to have no conditions.
- Whatever arrangements are in place; the school will need to consider what additional measures may be necessary to manage any assessed risk of harm that may arise within their institution.
- Particular regard should be given to: the additional stress and trauma that might be caused to a victim within the institution; the potential for the suspected person to intimidate the victim or a witness; the need to ensure that any risk management measures strike a balance between management of risk and the rights of an unconvicted person (e.g. rights to privacy, family life, etc).
- Careful liaison with the police investigators should help to develop a balanced setoff arrangement.

Managing any delays in the criminal process

- There may be delays in any case that is being progressed through the criminal justice system. Schools **should not wait** for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator(s) and other children in the school. The risk assessment as per paragraph 445-447 will help inform any decision.

The end of the criminal process

- If a child is convicted or receives a caution for a sexual offence, the school or should update its risk assessment, ensure relevant protections are in place for all the children at the school and, if it has not already, consider any suitable action in line with their behaviour policy. This process should include a review of the necessary actions to keep all parties safe and meet their needs. If the perpetrator(s) remains in the same school as the victim, the school should be very clear as to their expectations regarding the perpetrator(s) now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions the school thinks are reasonable and proportionate with regard to the perpetrator(s)' timetable.
- Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils or students in the school. It will be important that the school ensure both the victim and perpetrator(s) remain protected, especially from any bullying or harassment(including online).
- Where cases are classified as "no further action" (NFA'd) by the police or Crown

Peer on Peer Abuse Policy

Prosecution Service, or where there is a not guilty verdict, the school should continue to offer support to the victim and the alleged perpetrator(s) 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 or was withdrawn does not necessarily mean that it was unfounded. Schools should discuss any decisions with the victim in this light and continue to offer support. The alleged perpetrator(s) is also likely to require ongoing support for what will have likely been a difficult experience.

Peer on Peer Abuse Policy

Unsubstantiated, unfounded, false or malicious reports

All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing.

Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified, and addressed.

If a report is determined to be unsubstantiated, unfounded, false or malicious, the designated safeguarding lead should 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 children's social care may be appropriate.

If a report is shown to be deliberately invented or malicious, the school, should consider whether any disciplinary action is appropriate against the individual who made it as per their own behaviour policy.

Ongoing response

Safeguarding and supporting the victim

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the victim.

- The needs and wishes of the victim should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's daily experience as normal as possible, so that the school is a safe space for them.
- Consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. Schools should beware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and alleged perpetrator(s).
- The victim should never be made to feel they are the problem for making a report or made to feel ashamed for making a report.
- Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.
- Schools should be aware that sexual assault can result in a range of health needs, including physical, mental, and sexual health problems and unwanted pregnancy. Children and young people that have a health need arising from sexual assault or abuse can access specialist NHS support from a Sexual Assault Referral Centre
 - Childline provides free and confidential advice for children and young people.
 - Internet Watch Foundation works internationally to remove child sexual abuse online images and videos and offers a place for the public to report them anonymously.
 - Childline / IWF: Remove a nude image shared online *Report Remove* is a free tool that allows children to report nude or sexual images and videos of themselves that they think might have been shared online, to see if they can be removed from the internet.

Victims may not talk about the whole picture immediately. They may be more comfortable providing information on a piecemeal basis. It is essential that dialogue is kept open and encouraged. When it is clear that ongoing support will be required, schools should ask the victim if they would find it helpful to have a designated trusted adult (for example, their form tutor or designated safeguarding lead) to talk to about their needs. The choice of any such adult should be the victim's (as far as reasonably possible). Schools should respect and support this choice.

A victim of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. While schools should 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 should be because the victim wants to, not because it makes it easier to manage the situation. If required, schools should provide a

Peer on Peer Abuse Policy

physical space for victims to withdraw.

It may be necessary for schools to maintain arrangements to protect and support the victim for a long time. Schools should be prepared for this and should work with children's social care and other agencies as required.

It is therefore important that the designated safeguarding lead knows how and where to seek support.

It is important that the school do everything they reasonably can to protect the victim from bullying and harassment as a result of any report they have made.

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

It is important that if the victim does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs. The designated safeguarding lead should take responsibility to ensure this happens (and should discuss with the victim and, where appropriate their parents or carers as to the most suitable way of doing this) as well as transferring the child protection file.

Ongoing Considerations: Victim and alleged perpetrator(s) sharing classes

Once the designated safeguarding lead (or a deputy) has decided what the next steps will be in terms of progressing the report, they should carefully consider again the question of the victim and alleged perpetrator(s) sharing classes and sharing space at school. This will inevitably involve complex and difficult professional decisions, including considering their duty to safeguard children and their duty to educate them.

It is important each report is considered on a case-by-case basis and risk assessments are updated as appropriate. As always when concerned about the welfare of a child, the best interests of the child should come first. In all cases, schools should follow general safeguarding principles as per this guidance.

Where there is a criminal investigation into a rape, assault by penetration or sexual assault, the alleged perpetrator(s) should be removed from any classes they share with the victim.

The school should also consider how best to keep the victim and alleged perpetrator(s) a reasonable distance apart on school premises (including during before and after school-based activities) and on transport to and from school where appropriate. This is in the best interests of both children and should not be perceived to be a judgement on the guilt of the alleged perpetrator(s). Close liaison with the police is essential.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the school should take suitable action, if they 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 perpetrator(s) to remain in the same school 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, the school should, if it has not already, consider any suitable sanctions in light of their behaviour policy, including consideration of permanent exclusion. 125 Where the perpetrator(s) is going to remain at the school, the principle would be to continue keeping the victim and perpetrator(s) in separate classes and continue to consider the most appropriate way to manage potential contact on school 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.

In all cases, schools should record and be able to justify their decision-making.

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

Peer on Peer Abuse Policy

and alleged perpetrator(s). Appropriate support should be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis. In all cases, schools should record and be able to justify their decision-making. All of the above should 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.

Safeguarding and supporting the alleged perpetrator(s) and children and young people who have displayed harmful sexual behaviour

Advice about safeguarding and supporting the alleged perpetrators is also set out in departmental advice: Sexual violence and sexual harassment between children at schools. The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the alleged perpetrator(s):

- The school will have a difficult balancing act to consider. On one hand, they need to safeguard the victim (and the wider pupil/student body) and on the other hand provide the alleged perpetrator(s) with an education, safeguarding support as appropriate and implement any disciplinary sanctions. Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time if necessary.
- Consider the age and the developmental stage of the alleged perpetrator(s), the nature of the allegations and frequency of allegations. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them.

statutory guidance for schools Exclusions from maintained schools, academies and PRUs.

- School can be a significant protective factor for children who have displayed HSB, and continued access to school, with a comprehensive safeguarding management plan in place, is an important factor to consider before final decisions are made. It is important that if an alleged perpetrator does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs and where appropriate, potential risks to other children and staff. The designated safeguarding lead should take responsibility to ensure this happens as well as transferring the child protection file. Information sharing advice referenced at paragraphs 105-113 will help support this process.
- Stop it now - professionals looking for advice provides support for professionals in child sexual abuse prevention, so that they're well equipped to keep children safe.

13. Where to go for further information

- 11.1. DfE: Statutory guidance: Working together to safeguard children, 2018
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- 11.2. DfE: Statutory guidance: Keeping children safe in education, September 2020
<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
- 11.3. DfE Guidance: Sexual violence and sexual harassment between children in schools and colleges, May 2018
<https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges>
- 11.4. DfE: Searching, screening and confiscation at school, January 2018
<https://www.gov.uk/government/publications/searching-screening-and-confiscation>
- 11.5. DfE: Preventing and Tackling Bullying, July 2017
<https://www.gov.uk/government/publications/preventing-and-tackling-bullying>
- 11.6. DfE: Statutory guidance School exclusion, May 2020
<https://www.gov.uk/government/publications/school-exclusion>
- 11.7. DfE: Teaching Online Safety in Schools, June 2019
<https://www.gov.uk/government/publications/teaching-online-safety-in-schools>
- 11.8. DfE: Relationship Education and Relationship and Sex Education, July 2020
<https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education>
- 11.9. DfE: Behaviour and discipline in schools, July 2020
<https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools>
- 11.10. DfE: Mental health and behaviour in schools, November 2018
<https://www.gov.uk/government/publications/mental-health-and-behaviour-in-schools--2>
- 11.11. DfE: Children Missing Education, September 2016
<https://www.gov.uk/government/publications/children-missing-education>
- 11.12. DfE: Cyberbullying: Advice for headteachers and school staff, November 2014
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/374850/Cyberbullying_Advice_for_Headteachers_and_School_Staff_121114.pdf
- 11.13. DfE: Mental health and behaviour in schools, November 2018
<https://www.gov.uk/government/publications/mental-health-and-behaviour-in-schools--2>
- 11.14. UKCIS: Sexting guidance for schools, 2016
<https://www.gov.uk/government/publications/sexting-in-schools-and-colleges>
(An updated copy of this guidance is due autumn term 2020)
- 11.15. UKCIS: Tackling race and faith targeted bullying face to face and online. May 2017
<https://www.gov.uk/government/publications/tackling-race-and-faith-targeted-bullying-face-to-face-and-online-a-guide-for-schools>
- 11.16. UKCIS: Education for a connected world, June 2020
<https://www.gov.uk/government/publications/education-for-a-connected-world>

Peer on Peer Abuse Policy

- 11.17. London Child Protection Procedures, edition 5, 2018
<http://www.londoncp.co.uk/>
- 11.18. Havering: Online CSE toolkit
<https://www.havering.gov.uk/Pages/Services/Sexual-exploitation.aspx>
- 11.19. Brook Traffic Light Tool
<https://www.brook.org.uk/training/wider-professional-training/sexual-behaviours-traffic-light-tool/>
- 11.20. Gov.uk: Equality Act 2010: advice for schools
<https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>
- 11.21. Equality and Human Rights Commission: Public Sector Equality Duty Guidance for Schools in England
<https://www.equalityhumanrights.com/en/publication-download/public-sector-equality-duty-guidance-schools-england>
- 11.22. Key messages from research on children and young people who display harmful sexual behaviour (PDF)
<https://www.csacentre.org.uk/index.cfm/?api/render/file/?method=inline&fileID=E2C17C42-5084-47CC-902E94451079C6B6>
- 11.23. NPCC- When to call the police
<https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20police%20guidance%20for%20schools%20and%20colleges.pdf>

ANNEX A**Risk Assessment**

Basic information		
Referrer Name and role		
Referrer Contact details (email address and phone number)		
Name of school(s) for victim(s)		
Name of school(s) for child/ren alleged to have caused harm		
Did incident occur on school premises? If not, where did the incident occur?		

CONSIDERATIONS	RISK (CONSIDER VICTIM, CHILD ALLEGED TO HAVE CAUSED HARM, OTHER PUPILS AND STAFF)	RISK LEVEL (HIGH, MEDIUM OR LOW)	ACTIONS TO REDUCE RISK	REVISED RISK LEVEL (HIGH, MEDIUM OR LOW)
<ul style="list-style-type: none"> • What is the incident? • Who was involved? • Where did it happen 				
<ul style="list-style-type: none"> • Does this incident constitute a crime? Assault, sexual assault, rape, sharing of indecent images of children, etc. As such has this been referred to the police? 				
<ul style="list-style-type: none"> • 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. 				

Peer on Peer Abuse Policy

CONSIDERATIONS	RISK (CONSIDER VICTIM, CHILD ALLEGED TO HAVE CAUSED HARM, OTHER PUPILS AND STAFF)	RISK LEVEL (HIGH, MEDIUM OR LOW)	ACTIONS TO REDUCE RISK	REVISED RISK LEVEL (HIGH, MEDIUM OR LOW)
<ul style="list-style-type: none"> • Is there an actual or perceived threat from the child alleged to have caused harm to the victim and/or others? 				
<ul style="list-style-type: none"> • Is either the victim or the child alleged to have caused harm at risk of physical harm as a result of this incident (for example, bullying or 'retribution' by peers)? 				
<ul style="list-style-type: none"> • Do they share classes? 				
<ul style="list-style-type: none"> • Do they share break times? • Do they share peer/friendship groups? 				
<ul style="list-style-type: none"> • Do they share transport to/from school? 				
<ul style="list-style-type: none"> • Are they likely to come into contact with each other (or anyone else involved in/with knowledge of the incident) outside of school? 				
<ul style="list-style-type: none"> • How can such contact be limited? 				
<ul style="list-style-type: none"> • Is there a risk of harm from social media and gossip? 				

Peer on Peer Abuse Policy

Further action taken by the school: Please complete for each child involved.

Action	YES/NO	Date
Police informed		
Referral to MASH		
Referral to external support services		
Referral to internal support services		
Referral to CAMHS		
Referral to early help		
Other		

Action	YES/NO	Date
Police informed		
Referral to MASH		
Referral to external support services		
Referral to internal support services		
Referral to CAMHS		
Referral to early help		
Other		