



SHEBBEAR COLLEGE

CHILD-ON-CHILD ABUSE POLICY

Whole School Policy

Reviewed and Updated: 1st September 2022 by F Lovett

Reviewed by SLT: 14th February 2023

Next Review: February 2024

Policy Review at Shebbear College

The SLT acknowledge their responsibility to ensure that this policy is effective and follows regulatory requirements. The SLT and Governors undertake a regular review (at least annually) to satisfy themselves that the implementation of this policy is effective.

Introduction

Shebbear College recognises that children are vulnerable to and capable of abusing their peers. We take such abuse as seriously as abuse perpetrated by an adult. This includes verbal as well as physical abuse. Child on child abuse will not be tolerated or passed off as part of “banter” or “growing up”.

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

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

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

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between peers;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- consensual and non-consensual sharing of nudes and semi nudes images and or videos (also known as sexting or youth produced sexual imagery);

- upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm; and
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

Some of these behaviours will need to be dealt with alongside other policies in school such as the behaviour management policy, anti-bullying policy, child protection policy and e-safety policy. This policy concentrates on child-on-child abuse in the context of sexual harassment and sexual violence. It is compliant with the statutory guidance on child-on-child abuse as set out in Keeping Children Safe in Education (September 2021) and should be read in conjunction with the Local Safeguarding Children Board's (LSCB) Safeguarding Policy and Procedures, and any relevant Practice Guidance issued by it.

Aims

The policy will:

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

Understanding Child-on-Child abuse

Sexual violence and sexual harassment can occur between two or more children of any age and sex, from primary through to secondary stage and into college. It can occur also 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.

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

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

The Context

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

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

We are adopting the NSPCC definition of HSB as: -

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

We will also use Simon Hackett's continuum model to demonstrate the range of sexual behaviours. (Appendix 1)

Vulnerable groups

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

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

Boys are less likely to report intimate relationship abuse and may display other behaviour such as antisocial behaviour. Boys report high levels of victimisation in areas where they are affected by

gangs. We recognise that both boys and girls experience child-on-child abuse, but they do so in gendered ways.

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

Responding to Alleged Incidents

Responding to reports of sexual violence and sexual harassment

All reports of child-on-child abuse will be dealt with sensitively. Staff will maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the designated safeguarding lead (or a deputy) and Local Authority Children's Social Care. Staff should never promise a pupil that they will not tell anyone about a report of any form of abuse, as this may ultimately not be in the best interests of the child.

Shebbear College staff will reassure the victim(s) 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 abuse, sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

The designated safeguarding lead or a deputy will take a leading role in any child-on-child abuse reports, using their professional judgement and being supported by other agencies such as social care or the police as required.

The immediate response to a report

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

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 for a report of sexual violence should consider:

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

Risk assessments should be recorded (paper or electronic) and should be kept under review. They will be logged on CPOMS.

At all times, the school should be actively considering the risks posed to all their pupils and put adequate measures in place to protect them and keep them safe.

The designated safeguarding lead (or a deputy) will ensure they are engaging with local authority children's social care and specialist services as required.

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

Sexual violence and sexual abuse can happen anywhere, and all Shebbear College staff working are advised to maintain an attitude of 'it could happen here'.

Following an incident, we will consider

- 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 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/are the alleged perpetrator(s) significantly older, more mature, confident and well known social standing? 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 children
- importance of understanding intra familial harms and any necessary support for siblings following incidents
- are there ongoing risks to the victim, other children, adult students or school staff, and
- other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation

As always when concerned about the welfare of a child, all staff should act in the best interests of the child. 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).

Follow up Actions

Children sharing a classroom:

Whilst the College establishes the facts of the case and starts the process of liaising with local authority children's social care and the police:

- The alleged perpetrator(s) will be removed from any classes they share with the victim.
- We will consider how best to keep the victim and alleged perpetrator(s) a reasonable distance apart on school premises and on transport to and from the school.

These actions are in the best interests of both pupils and should not be perceived to be a judgment on the guilt of the alleged perpetrator(s).

Options to manage the report

Manage internally

1. In some cases of sexual harassment, for example, one-off incidents, we may decide that the pupils concerned are not in need of early help or referrals to statutory intervention are not required, and that it would be appropriate to handle the incident internally, perhaps through utilising the behaviour and anti-bullying policies and by providing pastoral support.

This decision will be made based on 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 will be recorded and stored by the DSL (or a deputy) on CPOMS.

2. In line with managing internally, we may decide that the pupils 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 harmful sexual behaviour and may prevent escalation of sexual violence.

3. Where a pupil has been harmed, is at risk of harm, or is in immediate danger, we will make a referral to the local authority children's social care following locally agreed protocols.

Where statutory assessments are appropriate, the designated safeguarding lead or a deputy will be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator(s) and any other pupils that require support.

Reporting to the Police

Any report to the police will generally be in parallel with a referral to local authority social care. The designated safeguarding lead (and their deputies) will follow local processes for referrals.

Where a report of rape, assault by penetration or sexual assault is made, the starting point is that this will 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.

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

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

Whilst protecting pupils and/or taking any disciplinary measures against the alleged perpetrator(s), we will work closely with the police (and other agencies as required), to ensure any actions the school take do not jeopardise the police investigation.

The end of the criminal process

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

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

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

Where cases are classified as "no further action" (NFA'd) by the police or Crown Prosecution Service, or where there is a not guilty verdict, we will continue to offer support to the victim and the 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 does not necessarily mean that it was unfounded. We will continue to support all parties in this instance.

Support for Children Affected by Sexual-Assault

Support for victims of sexual assault is available from a variety of agencies (see Appendix 2).

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

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

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

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

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

Where the 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 and college premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the police (for a variety of reasons). In some cases, rape, assault by penetration, sexual assault or sexual harassment are reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict. None of this means the offence did not happen or that the victim lied. The process will have affected both victim and alleged perpetrator(s). Appropriate support will be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis.

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

Physical Abuse

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

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

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

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

- is socially acceptable
- involves a single incident or has occurred over a period of time
- is socially acceptable within the peer group
- is problematic and concerning
- involves any overt elements of victimisation or discrimination e.g. related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability
- involves an element of coercion or pre-planning
- involves a power imbalance between the child/children allegedly responsible for the behaviour
- involves a misuse of power

Online Behaviour

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

Shebbear College staff are aware that technology is a significant component in many safeguarding and wellbeing issues. Pupils are at risk of abuse online as well as face to face. In many cases abuse will take place concurrently via online channels and in daily life. Pupils can also abuse their peers online, this can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography, to those who do not want to receive such content. Policies and procedures concerning this type of behaviour can be found in our anti-bullying policy, e-safety policy, and child protection and safeguarding policy.

Prevention

Shebbear College actively seeks to raise awareness of and prevent all forms of child-on-child abuse by:

- Educating all Governors, Senior Leadership Team, staff and volunteers, pupils, and parents about this issue.
- Training all Governors, Senior Leadership Team, staff and volunteers on the nature, prevalence and effect of child-on-child abuse, and how to prevent, identify and respond to it. This includes
 - a. Contextual Safeguarding;
 - b. The identification and classification of specific behaviours; and
 - c. The importance of taking seriously all forms of child-on-child abuse (no matter how low level they may appear) and ensuring that no form of child-on-child abuse is ever dismissed as horseplay, banter or teasing.
- Educating pupils about the nature and prevalence of child-on-child abuse via PSHE, RSE and the wider curriculum.
- Informing pupils frequently what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse.
- Regularly informing pupils about the School's approach to such issues, including its zero-tolerance policy towards all forms of child-on-child abuse.
- Engaging parents on this issue by:
 - a. Talking about it with parents, both in groups and one to one;
 - b. Asking parents what they perceive to be the risks facing their child and how they would like to see the School address those risks;
- Ensuring that all child-on-child abuse issues are logged on CPOMS and fed back to the School's DSL so that they can spot and address any concerning trends and identify pupils who may be in need of additional support.
- Challenging the attitudes that underlie such abuse (both inside and outside the classroom);
- Working with Governors, the Senior Leadership Team, all staff and volunteers, pupils and parents to address equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the College community;
- Creating conditions in which our pupils can aspire to and realise safe and healthy relationships;
- Creating a culture in which our pupils feel able to share their concerns openly, in a non-judgmental environment, and have them listened to; and

- Responding to cases of child-on-child abuse promptly and appropriately.

Multi-agency working

The College actively engages with its local partners in relation to child-on-child abuse and works closely with Devon Children and Families Partnership (DCFP), Devon Multi-Agency Safeguarding Hub (MASH), local authority children's social care, and/or other relevant agencies, and other schools.

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

- To develop a good awareness and understanding of the different referral pathways that operate in its local area, as well as the preventative and support services which exist;
- To ensure that our pupils can access the range of services and support they need quickly;
- To support and help inform our local community's response to peer-on-peer abuse;
- To increase our awareness and understanding of any concerning trends and emerging risks in our local area to enable us to take preventative action to minimise the risk of these being experienced by our pupils.

The College actively refers concerns/allegations of child-on-child abuse where necessary to Devon MASH, local authority children's social care, and/or other relevant agencies.

Children resident out of county but attending Shebbear College will be reported to their home MASH or equivalent Social Care.

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