



Peer-on-Peer abuse: Managing Allegations Against Other Children

Guidance taken from:

Keeping Children Safe in Education (KCSIE) September 2021, and Sexual violence and sexual harassment between children in schools and colleges 2021. (It should be noted that both of these documents would be referred to in the event of suspected or actual peer on peer abuse). Peer on peer abuse toolkit, Farrer and Co 2020, Research in practice and Professor Simon Hackett's harmful sexual behaviour framework, 2nd edition 2010.

Support in the rationale of this policy taken from: Review of Sexual abuse in schools and colleges, Ofsted, June 2021.

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Introduction

At Newdale Primary School and Nursery, we believe that children have a right to attend school and learn in a **safe** environment. Children should be free from harm by adults and other children in school.

We recognise that some children will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the school's Behaviour Policy. Our staff recognise that children are capable of abusing their peers. Abuse is abuse and all of the staff at Newdale Primary School and Nursery are clear that it is not tolerated and will never be passed off as 'banter', 'part of growing up' or 'just having a laugh'¹.

The governors, senior leadership team, and all staff (which term shall apply to all volunteer and externally contracted staff members) at Newdale Primary School and Nursery are committed to the prevention, early identification, and appropriate management of peer-on-peer abuse (as defined below) both within and beyond the School.

In particular, we:

- believe that in order to protect children, all schools should (a) be aware of the nature and level of risk to which their students are or may be exposed, and put in place a clear and comprehensive strategy which is tailored to their specific safeguarding context; and (b) take a whole-school community Contextual Safeguarding approach to preventing and responding to peer-on-peer abuse,
- regard the introduction of this policy as a preventative measure. We (a) do not feel it is acceptable merely to take a reactive approach to peer-on-peer abuse in response to alleged incidents of it; and (b) believe that in order to tackle peer on-peer abuse proactively, it is necessary to focus on all four of the following areas: (i) systems and structures; (ii) prevention; (iii) identification; and (iv) response/intervention
- recognise national and increasing concern about this issue, and wish to implement this policy in order to mitigate harmful attitudes and peer-on-peer abuse in the school setting, and encourage parents to hold us to account on this issue, so that if their child is feeling unsafe as a result of the behaviour of any of their peers, they should inform the School so that it can ensure that appropriate and prompt action is taken in response.

What is peer-on-peer abuse?

Peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control exercised between children, and within children's

¹ Keeping Children safe in Education 2020, page 15.

relationships (both intimate and non-intimate), friendships, and wider peer associations².

All staff are aware that children can abuse other children and we refer to this as peer on peer abuse. This can happen inside or outside of our setting and online. If staff have any concerns regarding peer on peer abuse, even if there are no reports in our setting, they should still speak to the DSL (or deputy).

Peer on peer abuse is most likely to include, but may not be limited to:

- 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 element of online 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 stand-alone 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);
- up-skirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause those alleged to have been abused humiliation, distress or alarm;
- 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).

All staff will be trained in our settings policy and procedures with regards to peer on peer abuse and the important role they have to play in preventing it and responding where they believe a child may be at risk from it.

We will actively seek to raise awareness of and prevent all forms of peer on peer abuse by:

- educating all governors, senior leadership team, staff, students, and parents about this issue;
- educating children about the nature and prevalence of peer on peer abuse, positive, responsible and safe use of social media, and the unequivocal facts about consent, via the curriculum;
- engaging parents on these issues;

² Peer on peer abuse toolkit, Farrer and Co 2020

- supporting the on-going welfare of the student body by drawing on multiple resources that prioritise student mental health, and by providing in-school counselling and therapy to address underlying mental health needs;
- working with governors, senior leadership team, and all staff, students and parents to address equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the school community;
- creating conditions in which our students can aspire to, and realise, safe and healthy relationships fostering a whole-school culture;
- responding to cases of peer on peer abuse promptly and appropriately; and
- ensuring that all peer on peer abuse issues are fed back to the DSL and deputies so that they can spot and address any concerning trends and identify students who may be in need of additional support.

We will actively engage with TWSP in relation to peer on peer abuse, and work closely with, for example, children's social care, the police and other schools. The relationships our setting has built with these partners is essential to ensuring that we are able to prevent, identify early, and appropriately handle cases of peer on peer abuse. The DSL (or deputy) will regularly review behaviour incident logs which can help to identify any changes in behaviour and/or concerning patterns or trends at an early stage.

We recognise that any child can be vulnerable to peer on peer abuse due to the strength of peer influence, especially during adolescence, and staff should be alert to signs of such abuse amongst all children. Individual and situational factors can increase a child's vulnerability to abuse by their peers. We know that research suggests:

- peer on peer abuse may affect boys differently from girls (i.e. that it is more likely that girls will be those alleged to have been abused and boys those alleged to have abused). However, all peer on peer abuse is unacceptable and will be taken seriously;
- children with Special Educational Needs and/or Disabilities (SEND) are three times more likely to be abused than their peers without , and
- some children may be more likely to experience peer on peer abuse than others as a result of certain characteristics such as sexual orientation, ethnicity, race or religious beliefs.

This policy –

- is the School's overarching policy for any issue that could constitute peer-on-peer abuse. It relates to, and should be read alongside, the School's child protection policy and any other relevant policies including, but not limited to, bullying (including cyber-bullying), youth involved sexual imagery, online safety, IT use, data protection and retention of records, children missing in education, student behaviour and discipline, exclusions, and (where relevant) weapons.

- sets out our strategy for improving prevention, and identifying and appropriately managing peer-on-peer abuse. It is the product of a comprehensive consultation – which has involved students, staff and parents, and a risk assessment.

- applies to all [governors, the senior leadership team, and staff]. It is reviewed annually, and updated in the interim, as may be required, to ensure that it continually addresses the risks to which students are or may be exposed. A number of staff and students are involved in each annual review which involves, and is informed by, an assessment of the impact and effectiveness of this policy over the previous year,
- recognises that abuse is abuse, and should never be passed off as ‘banter’, ‘just having a laugh’, or ‘part of growing up’,
- is compliant with the statutory guidance on peer on-peer abuse as set out in Keeping Children Safe in Education (September 2021)
- does not use the term ‘those alleged to have been abused ’ and/or ‘perpetrator³’. This is because our School takes a safeguarding approach to all individuals involved in concerns or allegations about peer-on-peer abuse, including those who are alleged to have been abused, and those who are alleged to have abused their peers, in addition to any sanctioning work that may also be required for the latter. Research has shown that many children who present with harmful behaviour towards others, in the context of peer-on-peer abuse, are themselves vulnerable and may have been those alleged to have been abused by peers, parents or adults in the community prior to their abuse of peers.⁴ It is also more likely that girls will be those alleged to have been abused and boys those alleged to have abused, but all peer-on-peer abuse is unacceptable and will be taken seriously⁵.
- uses the terms ‘child’ and ‘children’, which is defined for the purposes of this policy as a person aged under 18. We have nonetheless chosen not to restrict our approach to peer-on-peer abuse under this policy to children but instead to adopt a wider interpretation of our safeguarding responsibilities so that they apply to all students, regardless of age. Although the starting point is that the School’s response to peer-on-peer abuse should be the same for all students, regardless of age, there may be some different considerations in relation to, for example, a child aged under 10, or a student aged 18 or over in terms of how local agencies and/or partners respond.
- should, if relevant, according to the concern(s) or allegation(s) raised, be read in conjunction with the DfE’s advice on Sexual Violence and Sexual Harassment Between Children in Schools and Colleges (DfE’s Advice) (May 2018), and any other advice and guidance referred to within it, as appropriate, and
- should be read in conjunction with the Local Safeguarding Partnership’s Safeguarding Policy and Procedures, and any relevant Practice Guidance issued by it.

³ For the purposes of this policy, the term ‘those alleged to have been abused’ will be used in place of the term victim and ‘those alleged to have abused’ in place of the term perpetrator.

⁴ Radford, L., Corral, S., Bradley, (et al) Child abuse and neglect in the UK today, 2011 (see in particular, Section 5): <https://www.nspcc.org.uk/globalassets/documents/research-reports/child-abuse-neglect-uktoday-research-report.pdf>

⁵ Keeping Children safe in Education 2020, page 27

Key definitions -

Bullying: Behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. This includes any repeated words or actions, which are aimed at causing someone to feel frightened, miserable and helpless. Bullying can take many forms, including:

- Verbal: e.g. name calling, sarcasm, threatening & teasing
- Physical: e.g. pushing, hitting, kicking, punching or any use of physical aggressive contact
- Social: e.g. ignoring, spreading rumours or treating someone like an outsider
- Psychological: e.g. stalking & intimidation

Cyber-bullying: ‘Virtual’ bullying using technology (e.g. chat rooms, instant messaging, email & mobile phone) which can occur in or outside College. Cyber-bullying can happen at all times of the day, with a potentially bigger audience, as people can forward on content very quickly and easily.

Sexting / Youth produced sexual imagery: KCSIE 2021 refers to sexting as ‘consensual and non-consensual sharing of nude and semi-nude images and/or videos’⁶ Many professionals consider sexting to be sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the Internet but learners may be more likely to interpret sexting as writing and sharing explicit messages with people they know. Creating and sharing sexual photos and videos of under-18s, including selfies, is illegal and it is important that young people are aware of this, even if the sharing is consensual⁷.

Harassment: Any conduct which is unwanted by a learner, which affects the dignity of the pupil or groups of pupils. Harassment may be repetitive or an isolated occurrence against one or more pupils.

The Equality Act 2010

The Equality Act 2010 replaced previous anti-discrimination laws with a single Act. A key provision was a new public sector Equality Duty, which came into force on 5 April 2011. This requires Newdale Primary School and Nursery to:

- Eliminate unlawful discrimination, harassment, those alleged to have been victimisation and any other conduct prohibited by the act
- Advance equality of opportunity between people who share a protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it

⁶ KCSIE page 16. See [Sharing nudes and semi-nudes: how to respond to an incident \(overview\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/sharing-nudes-and-semi-nudes-how-to-respond-to-an-incident-overview) for further information.

⁷ Taken from KCSIE page 37. Consensual image sharing, especially between older children of the same age, may require a different response. It might not be abusive but children still need to know it is illegal, whilst non-consensual is illegal and abusive. UKCIS provides detailed advice about sharing of nude and semi-nude images and videos – see link above.

Safeguarding allegations: -

Peer on peer abuse often involves an imbalance of power between those alleged to have abused and those alleged to have been abused. This could involve those alleged to have abused having control over the relationship which makes it difficult for those they abuse to defend themselves.

Very occasionally, allegations of a safeguarding nature may be made against children by other children in the school. Though very rare, safeguarding issues raised in this way may include physical abuse, emotional abuse both in person and via social media, sexual abuse and sexual exploitation.

We recognise that children who have disabilities and/ or SEND may have additional barriers to disclosing incidents of a Child Protection nature. For pupils who are non-verbal and / or have SEND barriers, we would use different methods such as the persona dolls or strategies in use already with these children to support them to share any concerns that they may have. Staff are trained to a high level in recognising signs of abuse and neglect and are fully aware of the policies and procedures to be followed in these instances.

In the case of Peer-on-Peer abuse, it is likely that some or all of the following features will be found.

The allegation:-

- is made against an older child and refers to their behaviour towards a younger child.
- is where a more vulnerable child is those alleged to have been abused.
- is of a serious nature, possibly including a criminal offence.
- raises risk factors for other children in the school.
- indicates that other children may have been affected by this child.
- indicates that young people outside the school may be affected by this child.

Peer on peer abuse can take many forms and each case needs to be taken seriously and acted upon immediately.

Examples of safeguarding issues against a child could include:

(We appreciate that the risk of this happening in primary school is low, however it is still deemed a risk).

Physical Abuse

Violence, particularly pre-planned
Forcing others to use drugs or alcohol

Emotional Abuse

Blackmail or extortion
Threats and intimidation either in person or via social media platforms.

Sexual Abuse

Indecent exposure, indecent touching or serious sexual assaults
Forcing others to watch pornography or take part in sexting

Sexual Exploitation

Encouraging other children to attend inappropriate parties
Photographing or videoing other children performing indecent acts.

Initiation or Hazing type activities

In areas where gangs are prevalent, older children may attempt to recruit younger children using any or all of the above methods. Young people suffering from sexual exploitation themselves may be forced to recruit other young people under threat of violence. As a school we are aware of our duty to take into account 'contextual safeguarding'.

[What is meant by sexual violence and sexual harassment between children?](#)

Taken from: *Sexual violence and sexual harassment between children in schools and colleges 2018*

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

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.

Children who are those alleged to have been abused of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physically and verbally) and are never acceptable. It is important that all those alleged to have been abused are taken seriously and offered appropriate support.

Reports of sexual violence and sexual harassment are extremely complex to manage. It is essential that those alleged to have been abused are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other children and school staff are supported and protected as appropriate.

Evidence highlights why it is important that all staff have an understanding of what sexual violence and sexual harassment might look like and what to do if they have a concern or receive a report. 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 those alleged to have been abused** of sexual violence and sexual harassment and **more likely it will be perpetrated by boys. Children who have SEND or who are members of the LGBTQ community are also at greater risk.**

- The Women and Equalities committee (WEC) found a number of large scale surveys find girls consistently reporting high levels of sexual harassment and sexual violence in schools and colleges
- Girlguiding's Girls' Attitudes Survey 2017 found 64% of girls aged 13-21 had experienced sexual violence or sexual harassment at school or college in the past year. This included 39% having their bra strap pulled by a boy and 27% having their skirts pulled up within the last week.
- Over a third (37%) of female students and 6% of male students at mixed-sex schools have personally experienced some form of sexual harassment at school.⁷
- Almost a quarter (24%) of female students and 4% of male students at mixed-sex schools have been subjected to unwanted physical touching of a sexual nature while at school.⁸
- Girls (14%) were significantly more likely than boys (7%) to report that their partner had pressured them to share nude images of themselves in the last year.⁹
- Girls are significantly more likely to be those alleged to have been abused with unwanted sexual messages and images from their peers online, with 31% of female respondents aged 13-17 years saying they had experienced this in the last year compared to 11% of male respondents.¹⁰
- In 2016/17 the NSPCC ChildLine service provided over 3000 counselling sessions to children and young people concerned about being sexually assaulted by their peers.

What we should be aware of

Schools 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”;
- challenging behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia and flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them; and
- understanding that all of the above can be driven by wider societal factors beyond the school, such as everyday sexist stereotypes and everyday sexist language.

Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers. Additional barriers can sometimes exist when recognising abuse in SEND children. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration;

- the potential for children with SEND being disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs; and
- communication barriers and difficulties overcoming these barriers.

Children who are lesbian, gay, bi, or trans (LGBT) can be targeted by their peers. In some cases, a child who is perceived by their peers to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.

Sexual violence⁸

It is important that schools are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence in this advice, we do so in the context of child on child sexual violence.

For the purpose of this advice, when referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003¹³. For full definitions of Rape, Assault by penetration and sexual assault please refer to the definitions in Keeping children safe in Education pages 92 and 93.

Sexual violence and sexual harassment between children

All those part of our community believe that sexual violence and sexual harassment is not acceptable and will not be tolerated.

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

We recognise that children who are those alleged to have been abused of sexual violence and sexual harassment 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 to have been abused and those alleged to have abused(s) attend our setting. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable.

Staff are aware that some groups are potentially more at risk. We know that evidence shows girls, children with SEND and LGBT children are at greater risk.

We will ensure that staff are aware of the importance of:

- challenging inappropriate behaviours;
- 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; and,

⁸ Section below taken directly from Child Protection Policy 2021 page 12.

- challenging physical behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

For the purpose of this policy, we use the term 'those alleged to have been abused', 'those alleged to have abused' or where appropriate 'those who have abused'. Ultimately, the use of appropriate terminology will be determined, as appropriate, on a case-by-case basis.

Along with providing support to children who are those alleged to have been abused of sexual violence or sexual harassment, we will provide those alleged to have abused with an education, safeguarding support as appropriate and implement any disciplinary sanctions. We recognise that a child abusing another child may be a sign they have been abused themselves or a sign of wider issues that require addressing within the culture of our setting. Taking disciplinary action and providing appropriate support, can, and should, occur at the same time if necessary.

We understand that reports of sexual violence and sexual harassment are extremely complex to manage. We know it is essential that those alleged to have been abused are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. We also know it is also important that other children and our staff are supported and protected as appropriate.

We will try to be aware of, and respond appropriately to all reports and concerns, including those outside of our setting, and or online.

Harmful sexual behaviour

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. We use the term "harmful sexual behaviour" (HSB). **HSB can occur online and/or face to face and can also occur simultaneously between the two.** We will consider HSB in a child protection context⁹.

We will follow the specialist support and advice on HSB available from the specialist sexual violence sector. Our DSLs will undertake training in HSB and incorporate this into our approach to managing sexual violence and sexual harassment.

Sexual violence

Our staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way both inside and outside of our setting. We refer to sexual violence as sexual offences under the Sexual Offences Act 2003 as described below:

⁹ More guidance on HSB can be found on [Sexual violence and sexual harassment between children in schools and colleges - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges)

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.

Causing someone to engage in sexual activity with consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

We believe that **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.

Sexual consent

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16;
- sexual intercourse without consent is rape.
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Sexual harassment

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline both inside and outside of our setting. 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 and displaying pictures, photos or drawings of a sexual nature, and
- on-line sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
- consensual and non-consensual sharing of nudes and semi-nudes images and/or videos.

We will follow the guidance set out in [UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people](#).

Upskirting

The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. We recognise '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 those alleged to have been abused humiliation, distress or alarm. It is a criminal offence. Anyone of any sex, can be a those alleged to have been abused .

Our approach to preventing peer on peer on abuse, including child on child sexual violence and sexual harassment

We will undertake pre-planning, training for staff and implement an effective peer on peer abuse policy to help us develop the foundation for a calm, considered and appropriate response to any reports.

We understand the best responses to peer on peer abuse are based on a whole setting approach to safeguarding and child protection and we will involve our whole community in this.

Systems are in place, well promoted throughout our setting, and understandable and accessible for our pupils to confidently report abuse, sexual violence and sexual harassment, knowing their concerns will be treated seriously, and that they can safely express their views and give feedback.

As part of our commitment to our pupils, we have identified the following deputy DSLs, who are not part of our settings senior leadership team, as staff in our setting, pupils can report peer on peer abuse too, if they choose not to report directly to a member of the senior leadership team.

Rose Powell
Millie Clay

All staff in our setting will undertake training in how to respond to peer on peer abuse, including reports of sexual violence or sexual harassment. Our DSLs will undertake training to manage a report.

We accept the most effective preventative education programme will be through a whole setting approach that prepares pupils for life in modern Britain. Our setting will have a clear set of values and standards, and these will be upheld and demonstrated throughout all aspects of Newdale Primary School & Nursery life. This is underpinned by our behaviour policy and pastoral support system, and by our planned programme of evidence-based content delivered through the whole curriculum. Our programme is developed to be age and stage of development appropriate. The DSLs will support teachers in their delivery of this part of our curriculum. We recognise good practice allows children an open forum to talk through things. Such discussions can lead to increased safeguarding reports. Children will be made aware of the processes to raise their concerns or make a report and how any report will be handled. This will include processes when they have a concern about a friend or peer. All staff are aware of how to support children and how to manage a safeguarding report from a child.

The DSLs will consider if external support or intervention is necessary as part of our approach to sexual violence and sexual harassment. We recognise specialist organisations can offer a different perspective and expert knowledge.

Our response to peer on peer abuse, including reports of sexual violence or sexual harassment

We will use the following guidance to assist in the managing of reports [Sexual violence and sexual harassment between children in schools and colleges: advice for governing bodies, proprietors, head teachers, principals, senior leadership teams and designated safeguarding leads.](#)

It is our aim to always recognise, acknowledge and understand the scale of harassment and abuse. We aim to never downplay some behaviours related to abuse that can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Where necessary, we will work with other professionals, agencies and partners in our response. This may include the TWSP partners, the relevant local authority children's social care departments, the police, the NSPCC, the Anti-Bullying Alliance and online services, such as The UK Safer Internet Centre, Internet Watch Foundation and Thinkuknow.

We recognise 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. In some cases, those alleged to have been abused may not make a direct report.

Minimising the risk of safeguarding concerns towards children from other children:-

These children will need an individual risk management plan to ensure that other children are kept safe and they themselves are not laid open to malicious allegations. There is a need to balance the tension between privacy and safeguarding.

What to do:-

If a member of staff thinks for whatever reason that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should discuss their concern with the DSL (or deputy) without delay.

Our initial response to a report from a child is important. It is essential that all those alleged to have been abused are reassured that they are being taken seriously and that they will be supported and kept safe. A those alleged to have been abused will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor will those alleged to have been abused ever be made to feel ashamed for making a report. We will reassure **all** those alleged to have been abused 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 our setting will not be downplayed and will be treated equally seriously.

When an allegation is made by a child against another student, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern, the Designated Safeguarding Lead (DSL) should be informed immediately.

In some cases, those alleged to have been abused 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. As with all safeguarding concerns, it is important that in such instances staff take appropriate action in accordance with their child protection policy. They should not assume that someone else is responding to any incident or concern. If in any doubt, they should speak to the designated safeguarding lead (or a deputy). In such cases, the basic safeguarding principles remain the same, but it is important for the school to understand why those alleged to have been abused has chosen not to make a report themselves. This discussion should be handled sensitively and with the support of children's social care if required.

There may be reports where the alleged sexual violence or sexual harassment involves pupils or students from the same school but is alleged to have taken place away from the school, or online. There may also be reports where the children concerned attend two or more different schools. The safeguarding principles, and individual schools' duties to safeguard and promote the welfare of their pupils and

students, remain the same. In such circumstances, appropriate information sharing and effective multi-agency working will be especially important.

As per Part one of Keeping Children Safe in Education, all staff should be trained to manage a report. Local policies (and training) will dictate exactly how reports should be managed. However, effective safeguarding practice includes:

- 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 those alleged to have been abused understands what the next steps will be and who the report will be passed to;
- recognising a child is likely to disclose information to someone they trust: this could be anyone on the school 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;
- listening carefully to the child, 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.;
- for non verbal and or SEND pupils, use other communication methods that they are familiar with, such as persona dolls, lego build to express or Makaton.
- 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, 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.

At Newdale, a factual record will be made of the allegation, but no attempt at this stage should be made to investigate the circumstances. The incident will be recorded on CPOMS.

- 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;
- where the report includes an online element, being aware of [searching, screening and confiscation](#) advice (for schools) and [UKCCIS sexting](#) advice (for schools and colleges). The key consideration is for staff not to view or forward illegal images of a child. The highlighted advice (links above) provides more details on what to do when viewing an image is unavoidable.
- 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;
- 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

Considering confidentiality and anonymity

Staff taking a report should never promise confidentiality as it is very likely that it will be in the best interests of those alleged to have been abused to seek advice and guidance from others in order to provide support and engage appropriate agencies. The school should only engage staff and agencies who are required to support the children involved and/or be involved in any investigation.

Those alleged to have been abused may ask the school not to tell anyone about the sexual violence or sexual harassment. There are no easy or definitive answers when a those alleged to have been abused makes this request. If those alleged to have been abused does not give consent to share information, staff may still lawfully share it, if it can be justified to be in the public interest, for example, to protect children from harm and to promote the welfare of children. The designated safeguarding lead (or a deputy) should consider the following:

- parents or carers should normally be informed (unless this would put those alleged to have been abused at greater risk);
- the basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to children's social care;
- rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. Whilst the age of criminal responsibility is ten, if those alleged to have abused is under ten, the starting principle of referring to the police remains. The police will take a welfare, rather than a criminal justice approach, in these cases.

Ultimately, the designated safeguarding lead (or a deputy) will have to balance those alleged to have been abused's wishes against their duty to protect those alleged to have been abused and other children.

If the designated safeguarding lead (or a deputy) do decide to go ahead and make a referral to children's social care and/or a report to the police against those alleged to have been abused 's wishes, this should be handled extremely carefully, the reasons should be explained to those alleged to have been abused and appropriate specialist support should be offered.

Anonymity

Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, schools should be aware of anonymity, witness support and the criminal process in general so they can offer support and act appropriately.

As a matter of effective safeguarding practice, schools should do all they reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment. Amongst other things, this will mean carefully considering, based on the nature of the report, which staff should know about the report and any support that will be put in place for the children involved.

Schools should also consider the potential impact of social media in facilitating the spreading of rumours and exposing those alleged to have been abused identities.

The DSL should **contact Family Connect (Tel: 01952 385385)** to discuss the case. It is possible that Family Connect are already aware of safeguarding concerns around this young person. The DSL will follow through the outcomes of the discussion and make a Family Connect referral. There will need to be a referral for both those alleged to have been abused and perpetrator, with subsequent requests for service.

The DSL will make a record of the concern on CPOMS (if this has not already been created) and the discussion and any outcome and keep a copy on file.

If the allegation indicates a potential criminal offence has taken place, the police should be contacted at the earliest opportunity and parents informed (of both the student being complained about and the alleged those alleged to have been abused).

It may be appropriate to exclude the child being complained about for a period of time according to the school's behaviour policy and procedures.

Risk Assessment

When there has been a report of sexual violence, the DSL (or a deputy) will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment will be considered on a case-by-case basis, but as good practice should be completed.

The risk and needs assessment should consider:

- those alleged to have been abused, especially their protection and support;
- whether there may have been other those alleged to have been abused,
- those alleged to have abused and
- all the other children, (and, if appropriate, adult students and staff) at the school, especially any actions that are appropriate to protect them from those alleged to have abused, or from future harms.

If any of the children involved has SEND, the DSL will liaise with the SENDCO to assist in the management of the report.

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

The DSL (or a deputy) will engage 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. Our risk assessment is not intended to replace the detailed assessments of expert professionals. Any such professional assessments will be used to inform our approach to supporting and protecting our pupils and students and updating our own risk assessment.

The DSL may use and consider the [TWSP Sexually harmful behaviour - risk assessment tool](#).

After the case

No matter what the outcome is of an allegation of abuse against another child, the school will review the case to see if there are any improvements that can be made in its practice or policy that may help to prevent similar cases in the future. Reviews will be ongoing and long lasting, with information being passed at the point of transition.

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

What to consider

Schools should carefully consider any report of sexual violence and/or sexual harassment. Our DSL (and deputies) have a complete safeguarding picture and they are the most appropriate people to advise on our initial response. Important considerations will include:

- the wishes of those alleged to have been abused in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Those alleged to have been abused 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 our 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, are those alleged to have abused significantly older, more mature or more confident? Does those alleged to have been abused 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 those alleged to have been abused, 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.

As always when concerned about the welfare of a child, all staff will act in the best interests of the child. In all cases, we will follow general safeguarding principles. Immediate consideration will be given as to how best to support and protect those alleged to have been abused and those alleged to have abused (and any other children involved/impacted).

The starting point regarding any report will 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.

As a matter of effective safeguarding practice, we will do all we reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment, especially where a case is progressing through the criminal justice system.

Children sharing a classroom: Initial considerations when the report is made¹⁰

Any report of sexual violence is likely to be traumatic for those alleged to have been abused .

However, reports of rape and assault by penetration are likely to be especially difficult with regard to those alleged to have been abused and close proximity with those alleged to have abused is likely to be especially distressing. Whilst the school or college establishes the facts of the case and starts the process of liaising with children's social care and the police, those alleged to have abused should be removed from any classes they share with those alleged to have been abused.

The school or college should also consider how best to keep those alleged to have been abused and alleged perpetrator a reasonable distance apart on school premises and on transport to and from the school or college, where appropriate. These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of those alleged to have abused.

For other reports of sexual violence and sexual harassment, the proximity of those alleged to have been abused and those alleged to have abused and considerations regarding shared classes, sharing school premises and school or college transport, should be considered immediately.

In all cases, the initial report should be carefully evaluated, reflecting the

¹⁰ All guidance in this section is taken directly from Keeping Children Safe in Education 2020, pages 72 and 73.

considerations set out earlier. The wishes of those alleged to have been abused, the nature of the allegations and the protection of all children in the school will be especially important when considering any immediate actions.

Options to manage the report

When to inform those alleged to have abused will be a decision that will 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, we will speak to the relevant agency and discuss next steps and how those alleged to have abused will be informed of the allegations. However, as per general safeguarding principles, this does not and will not stop us taking immediate action to safeguard our children, where required.

We will regularly review our decisions and actions, consider our relevant policies and any lessons learnt. We will look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, we will decide on a course of action. Consideration will be given to whether there are wider cultural issues within our setting 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 DSL (or deputy) will use their professional judgement to: (a) assess the nature and seriousness of the alleged behaviour, and (b) determine whether it is appropriate for the alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required.

In borderline cases the DSL (or deputy) will consult with Family Connect, and/or other relevant agencies on a no-names basis (where possible) to determine the most appropriate response.

Where the DSL (or deputy) considers or suspects that the alleged behaviour in question might be abusive or violent on a spectrum or where the needs and circumstances of the individual child/children in question might otherwise require it, the DSL (or deputy) will contact Family Connect or the local social care team for the child and/or the police immediately and, in any event, within 24 hours of the DSL (or deputy) becoming aware of the alleged behaviour. The DSL (or deputy) will discuss the concern(s) or allegation(s) with the agency and agree on a course of action, which may include:

1. manage internally;
2. early help;
3. referral to children's social care; and
4. reporting to the police.

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

If bail conditions are in place, we will consider what additional measures may be necessary to manage any assessed risk of harm that may arise within our setting.

There may be delays in any case that is being progressed through the criminal justice system. We will not wait for the outcome (or even the start) of a police investigation before protecting those alleged to have been abused, those alleged to have abused and other children and adult students in the school. The DSL (or a deputy) will work closely with the police (and other agencies as required), to ensure any actions we take do not jeopardise the police investigation.

If a child is convicted or receives a caution for a sexual offence, we will update our risk assessment. We understand it is important that we ensure both those alleged to have been abused and those alleged to have abused remain protected. 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 those alleged to have been abused and those alleged to have abused.

If a report is determined to be unsubstantiated, unfounded, false or malicious, the DSL will 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 Family Connect or the relevant children’s social care team may be appropriate. If a report is shown to be deliberately invented or malicious, we will consider whether any disciplinary action is appropriate against the individual who made it as per our own behaviour policy.

Reporting to the police

- Any Report to the police will generally be in parallel with a referral to children’s social care.
- 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 this should be passed on to the police. Whilst the age of criminal responsibility is ten, if those alleged to have abused is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach.
- 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 or college 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.

- 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, those alleged to have abused and their parents or carers. They should also discuss the best way to protect those alleged to have been abused and their anonymity.
- 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.
- In some cases, it may become clear very quickly, that the police (for whatever reason) will not take further action. In such circumstances, it is important that the school continue to engage with specialist support for those alleged to have been abused as required.
- Whatever the response, it should be under-pinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated.
- All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic CPOMS).

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 those alleged to have been abused, alleged perpetrator and other children in the school or college. The risk assessment will help inform any decision.

Whilst protecting children and/or taking any disciplinary measures against those alleged to have abused, it will be important for the designated safeguarding lead (or a deputy) to work closely with the police (and other agencies as required), to ensure any actions the school or college take do not jeopardise the police investigation.

If schools or colleges have questions about the investigation, they should ask the police. The police will help and support the school as much as they can (within the constraints of any legal restrictions).

The end of the criminal process

If a child is convicted or receives a caution for a sexual offence, the school 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 light of their behaviour policy.

If those alleged to have abused remain in the same school as those alleged to have been abused, the school should be very clear as to their expectations regarding the perpetrator 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 those alleged to have abused 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 ensures both those alleged to have been abused and those alleged to have abused 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 Prosecution Service, or where there is a not guilty verdict, the school should continue to offer support to those alleged to have been abused and those alleged to have abused for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for those alleged to have been abused. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. Schools should discuss any decisions with those alleged to have been abused in this light and continue to offer support. Those alleged to have abused is also likely to require ongoing support for what will have likely been a difficult experience

Safeguarding and supporting those alleged to have been abused

We will consider the principles based on effective safeguarding practice and to help shape any decisions regarding safeguarding and supporting those alleged to have been abused and those alleged to have abused.

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting those alleged to have been abused.

- The school should think carefully about the terminology it uses to describe the “those alleged to have been abused”.
- Consider the age and the developmental stage of those alleged to have been abused, the nature of the allegations and the potential risk of further abuse. Schools should be aware that, by the very nature of sexual violence and sexual harassment,

a power imbalance is likely to have been created between those alleged to have been abused and alleged perpetrator.

- The needs and wishes of those alleged to have been abused 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, those alleged to have been abused, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make those alleged to have been abused 's daily experience as normal as possible, so that the school or college is a safe space for them.
- Those alleged to have been abused 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. Support can include:
 - Children and Young People's Independent Sexual Violence Advisors (ChISVAs) provide emotional and practical support for those alleged to have been abused s of sexual violence. They are based within the specialist sexual violence sector and will help those alleged to have been abused understand what their options are and how the criminal justice process works if they have reported or are considering reporting to the police. ChISVAs will work in partnership with schools and colleges to ensure the best possible outcomes for those alleged to have been abused.
 - Police and social care agencies can signpost to ChISVA services (where available) or referrals can be made directly to the ChISVA service by the young person or school or college. Contact details for ChISVAs can be found at Rape Crisis and The Survivors Trust.
- Child and adolescent mental health services (CAMHS).
- Rape Crisis Centre's can provide therapeutic support for children who have experienced sexual violence.
- Internet Watch Foundation (to potentially remove illegal images)
- Those alleged to have been abused may not talk about the whole picture immediately. It is essential that dialogue is kept open and encouraged. We will offer those alleged to have been abused a designated trusted adult in our setting to talk about their needs.

- Those alleged to have been abused of sexual violence are 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 those alleged to have been abused, in particular from supportive peer groups, there may be times when those alleged to have been abused find it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This should be because those alleged to have been abused wants to, not because it makes it easier to manage the situation. If required, schools should provide a physical space for those alleged to have been abused to withdraw.
- It may be necessary for schools to maintain arrangements to protect and support those alleged to have been abused 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 important that the school does everything they reasonably can to protect those alleged to have been abused from bullying and harassment as a result of any report they have made.
- Whilst we will give all the necessary support to those alleged to have been abused to remain in our setting, if the trauma results in those alleged to have been abused being unable to do this, alternative provision or a move to another setting will be considered to enable them to continue to receive suitable education. This will only be at the request of those alleged to have been abused (and following discussion with their parents or carers).
- It is important that if those alleged to have been abused 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 those alleged to have been abused and, where appropriate, their parents or carers as to the most suitable way of doing this) as well as transferring the child protection file.

Safeguarding and supporting those alleged to have abused

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting those alleged to have abused:

- The school will have a difficult balancing act to consider. On one hand they need to safeguard those alleged to have been abused (and all other children, adult students and staff at the school or college) and on the other hand provide those alleged to have abused with an education, safeguarding support as appropriate and implement any disciplinary sanctions.

- A child abusing another child may be a sign they have been abused themselves or a sign of wider issues that require addressing within the culture of the school or college. Schools should work with professionals as required to understand why a child may have abused a peer. It is important to remember that, as a child, anyone who is alleged to have abused is entitled to, deserving of, and should be provided with, a high level of support to help them understand and overcome the reasons for their behaviour and help protect other children by limiting the likelihood of them abusing again.
- Consider the age and the developmental stage of those alleged to have abused and nature of the 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.
- Consider the proportionality of the response. Support (and sanctions) should be considered on a case-by-case basis. A child who is alleged to have abused may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other children. Harmful sexual behaviour in young children may be (and often are) a symptom of either their own abuse or exposure to abusive practices and or materials. Advice should be taken, as appropriate, from children's social care, specialist sexual violence services and the police.
- It is important that if the child who is alleged to have abused 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, adult students and staff. The designated safeguarding lead should take responsibility to ensure this happens as well as transferring the child protection file.

Ongoing Considerations: Those alleged to have been abused and alleged perpetrator 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 consider again the question of those alleged to have been abused and those alleged to have abused 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 and colleges should follow general safeguarding principles as per this guidance.

Where there is a criminal investigation into a rape, assault by penetration or sexual assault, those who are alleged to have abused should be removed from any classes they share with those alleged to have been abused. The school should also consider how best to keep those alleged to have been abused and those who are alleged to have abused a reasonable distance apart on school premises and on transport to and from school or where appropriate. This is in the best interests of both children and should not be perceived to be a judgement on the guilt of those alleged to have abused. 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 those alleged to have abused to remain in the same school would seriously harm the education or welfare of those alleged to have been abused (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.

Where those alleged to have abused is going to remain at the school, the principle would be to continue keeping those alleged to have been abused and those alleged to have abused 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 those alleged to have been abused 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 those alleged to have been abused lied.

The process will have affected both those alleged to have been abused and those alleged to have abused. 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 those alleged to have been abused at the heart of the process (supported by parents and carers as required). Any arrangements should be kept under review.

Discipline and those who are alleged to have abused

Schools

With regard to those alleged to have abused, advice on behaviour and discipline in schools is clear that teachers can discipline pupils whose conduct falls below the standard which could be reasonably expected of them.

Disciplinary action can be taken whilst other investigations by the police and/or children's social care are ongoing. The fact that another body is investigating or has investigated an incident does not in itself prevent a school from coming to its own conclusion, on the balance of probabilities, about what happened, and imposing a penalty accordingly. This is a matter for the school and should be carefully considered on a case-by-case basis.

The designated safeguarding lead (or a deputy) should take a leading role. The school should consider if, by taking any action, they would prejudice an investigation and/or any subsequent prosecution. Careful liaison with the police and/or children's social care should help the school make a determination.

It will also be important to consider whether there are circumstances that make it unreasonable or irrational for the school to reach their own view about what happened while an independent investigation is considering the same facts.

Discipline and support

Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time if necessary. The school or college should be very clear as to what its approach is.

On the one hand there is preventative or forward-looking action to safeguard those alleged to have been abused and/or those alleged to have abused, especially where there are concerns that the perpetrator themselves may have been a those alleged to have been abused of abuse; and, on the other, there is disciplinary action to punish those alleged to have abused for their past conduct.

The school should be very clear as to which category any action they are taking falls or whether it is really both and should ensure that the action complies with the law relating to each relevant category.

Working with parents and carers

The school will, in most instances, engage with both the parents/ carers of those alleged to have been abused and those alleged to have abused when there has been a report of sexual violence (this might not be necessary or proportional in the case of sexual harassment and should be considered on a case-by-case basis). The exception to this rule is if there is a reason to believe informing a parent or carer will put a child at additional risk. Schools should carefully consider what information they provide to the respective parents or carers about the other child involved and when they do so. In some cases, children's social care and/or the police will have a very clear view and it will be important for the school or college to work with relevant agencies to ensure a consistent approach is taken to information sharing.

It is good practice for the school to meet those alleged to have been abused's parents or carers with those alleged to have been abused present to discuss what arrangements are being put in place to safeguard those alleged to have been abused and understand their wishes in terms of support they may need and how the report will be progressed.

It is also good practice for the school to meet with the parents/ carers of those alleged to have abused to discuss any arrangements that are being put into place that impact those alleged to have been abused, such as, for example, moving them out of classes with those alleged to have been abused and what this means for their education. The reason behind any decisions should be explained. Support for those alleged to have abused should be discussed.

The designated safeguarding lead (or a deputy) would generally attend any such meetings. Consideration to the attendance of other agencies should be considered on a case-by-case basis.

Clear behaviour policies and child protection policies, especially policies that set out the principles of how reports of sexual violence will be managed and how those alleged to have been abused and those alleged to have abused are likely to be supported, that parents and carers have access to, will, in some cases, help manage what are inevitably very difficult conversations.

Parents and carers may well struggle to cope with a report that their child has been those alleged to have been abused of an assault or is alleged to have assaulted another child. Details of organisations that support parents are provided in Annex A of *Sexual violence and sexual harassment between children in schools and colleges Advice for governing bodies, proprietors, headteachers, principals, senior leadership teams and designated safeguarding leads May 2018*; Schools and colleges should consider signposting parents to this support.

Safeguarding other children

Consideration should be given to supporting children (and adult students) who have witnessed sexual violence, especially rape and assault by penetration. Witnessing such an event is likely to be traumatic and support may be required.

Following any report of sexual violence or sexual harassment, it is likely that some children will take “sides”. The school should be doing all they can to ensure both those alleged to have been abused and those alleged to have abused, and any witnesses, are not being bullied or harassed.

Social media is very likely to play a central role in the fall out from any incident or alleged incident. There is the potential for contact between those alleged to have been abused and those alleged to have abused and a very high likelihood that friends from either side could harass those alleged to have been abused or those alleged to have abused online and/or become those alleged to have been abused of harassment themselves.

School transport is a potentially vulnerable place for a those alleged to have been abused or those alleged to have abused following any incident or alleged incident. The school or college, as part of its risk assessment, should consider any additional potential support needs to keep all of their children safe.

A whole school or college approach to safeguarding, a culture that makes clear that sexual violence and sexual harassment is always unacceptable, and a strong preventative education programme will help create an environment in which all children at the school or college are supportive and respectful of their peers when reports of sexual violence or sexual harassment are made.

It is important that schools and colleges keep their policies, processes and curriculum under constant review to protect all their children. Reports of sexual violence and/or harassment (especially where there is evidence of patterns of behaviour) may point to environmental and or systemic problems that could and should be addressed by updating relevant policies, processes or relevant parts of the curriculum.

The role of education in prevention

The most effective preventative education programme will be through a whole-school approach that prepares pupils for life in modern Britain. Newdale has a clear set of values and standards, and these will be upheld and demonstrated throughout all aspects of school life. This is underpinned by the school’s behaviour policy and pastoral support system, and by a planned programme of evidence-based content delivered through the whole curriculum.

Such a programme has been developed to be age and stage of development appropriate (especially when considering SEND children and their cognitive understanding), and may tackle such issues as:

- healthy and respectful relationships;
- what respectful behaviour looks like;
- consent;
- gender roles, stereotyping, equality;
- body confidence and self-esteem;
- prejudiced behaviour;
- that sexual violence and sexual harassment is always wrong; and
- addressing cultures of sexual harassment.

Good practice allows children an open forum to talk things through. Such discussions can lead to increased safeguarding reports. Children should be made aware of the processes to raise their concerns or make a report and how any report will be handled. This should include processes when they have a concern about a friend or peer.

Other advice and guidance

This advice should not be read in isolation. It is important for schools and colleges to consider other relevant advice and guidance, including the following (which is not intended to be an exhaustive list), as part of their approach to protecting children from sexual violence and sexual harassment:

- Exclusions From Maintained Schools, Academies and PRUs (statutory guidance)
- Keeping Children Safe in Education 2021 (statutory guidance)
- Sex and Relationship Education (statutory guidance for maintained schools and academies)
- Working Together to Safeguard Children (statutory guidance)
- Behaviour and Discipline in Schools (advice for schools)
- Children Missing Education (advice for schools)
- Cyberbullying (advice for schools)
- Equality Act 2010 and Public Sector Equality Duty (advice for schools)
- Equality Act 2010 Technical Guidance (advice for further and higher education providers)
- Mental Health and Behaviour in Schools (advice for schools)
- Preventing and Tackling Bullying (advice for schools)
- The Equality and Human Rights Commission (provides advice on avoiding discrimination in a variety of educational contexts)
- UKCCIS Sexting advice (advice for schools and colleges)



Support for Children who harm other Children, Those alleged to have been abused and their Families

| Support for who? | Agency/Organisation | What support is available | |
|--|--|--|--|
| Those alleged to have been abused s | Police | Intermediaries for supporting those alleged to have been abused s through court proceedings | |
| | Youth Justice Service (YJS) | Those alleged to have been abused Support Worker | |
| | Axis Counselling | Counselling for 12 years + for sexual abuse. | |
| | Newstart Networks | Support for 3 – 23 year olds for those who experience trauma. Contact details 01743 or 01743 453517. | |
| | BeeU Emotional Health and Wellbeing (0 – 25) service (MPFT) | | Referrals need to be made via a single point of access by email at 025SPA@sssft.nhs.uk or telephone at 0300 124 0093. |
| | | | Access services directory for Kooth, an anonymous 24-hour online service offering peer support, self-help and have trained counsellors to talk to. Anyone aged 11-25, living in Telford and Wrekin can register to access this service and you don't need to be referred or have an appointment. |
| | | | Access services directory for The Children's Society, which deliver health promotion, prevention and early help and support as well as working with young people to aid transition/sign posting to other services or resources. Drop in sessions are available in Telford. You don't need to be referred or have an appointment. |
| Glade | Paediatric: 0800 953 4131, email: info@the-glade.org.uk , www.bhamcommunity.nhs.uk/psas | | |

| Support for who? | Agency/Organisation | What support is available |
|---|---|--|
| | | . |
| | NSPCC | Seek advice and guidance. 0808 800 5000. www.nspcc.org.uk Email help@nspcc.org.uk |
| | Sexual Health Service | 0300 123 0994, www.sexualhealth.sssft.nhs.uk |
| | Midwifery | Vulnerable Midwife |
| | | TIMS (Teenage Identified Midwives) support young people during their pregnancy and early months |
| | | Family Nurse Partnership |
| | School Nurses | Linked to schools, but support the young person rather than the teachers. Contact the school for details of the designated school nurse. |
| | Independent Domestic Violence Advocacy Service (IDVAs) | Support for those alleged to have been abused s of domestic abuse |
| | Multi Agency Risk Assessment Conference (MARAC) | Multi-agency support and signposting |
| | Telford & Wrekin Clinical Commissioning Group (CCG) | GP internal counselling services |
| | Social Care (Telford & Wrekin Council) | Contact Family Connect 01952 385385 or www.familyconnect.telford.co.uk |
| Early Help & Support (Telford & Wrekin Council) | Contact Family Connect 01952 385385. Delivery of Targeted Group Support | |
| | Whole family working | |
| Youth Justice Service | Those alleged to have been abused s Officer 01952 385985, wmyos@westmercia.pnn.police.uk | |
| Perpetrator | Police | Appropriate adult |
| | Youth Justice Service (YJS) | CAMHS worker |
| | | Education worker |
| | | Substance Misuse worker |
| | | AIM assessment (Harmful Sexual Behaviour) |
| | Newstart Networks | Support for 3 – 23 year olds, not specific to offences, look at those alleged to have been abused s impact and underlying reasons. Contact 01743 453515 or 01743 453517. |
| Multi Agency Public Protection Arrangements (MAPPA) | Multi-agency support and signposting | |
| Multi Agency Risk Assessment Conference (MARAC) | Multi-agency support and signposting | |

| Support for who? | Agency/Organisation | What support is available |
|---|--|---|
| | Social Care (Telford & Wrekin Council) | Contact Family Connect 01952 385385. A referral would be made to the Brokerage Team to commission or signpost to the most appropriate service |
| | Early Help & Support (Telford & Wrekin Council) | Contact Family Connect 01952 385385. Delivery of Targeted Group Support |
| | | Whole family working |
| | NSPCC | Seek advice and guidance. 0808 800 5000. www.nspcc.org.uk Email help@nspcc.org.uk |
| | Sexual Health Service | 0300 123 0994, www.sexualhealth.sssft.nhs.uk |
| Families | Police | Intermediaries for supporting those alleged to have been abused s through court proceedings |
| | | Family Liaison Officer |
| | Youth Justice Service (YJS) | Refer to safeguarding for further support |
| | | Parenting Orders |
| | | Normally work with the young person |
| | Newstart Networks | Family work |
| | | Safety plans |
| | | Understanding reasons behind the behaviour |
| | | How to keep the young person safe (those alleged to have been abused and perpetrator) |
| | | Looking at the trauma they have experienced |
| | | Look at the family as a whole, especially with siblings |
| | | Contact details 01743 or 01743 453517 |
| Telford & Wrekin Clinical Commissioning Group (CCG) | Services for a young person commissioned on an individual basis where the need is identified | |
| Social Care (Telford & Wrekin Council) | Contact Family Connect 01952 385385 or www.familyconnect.telford.co.uk | |
| Early Help & Support (Telford & Wrekin Council) | Contact Family Connect 01952 385385. Delivery of Targeted Group Support | |
| | Whole family working | |
| | NSPCC | Seek advice and guidance. 0808 800 5000. www.nspcc.org.uk Email help@nspcc.org.uk |
| Foster Carers | Telford & Wrekin Council | All Foster Carers have the same support as other parents or carers, whereby support is accessed via the dedicated Foster Carers Support Service run by the Fostering Support Team. This includes an out of hours service. |
| Schools | Police | Safer Neighbourhood Teams – Police Community Support Officers (PCSOs) link with schools |
| | | Information shared with schools |

| Support for who? | Agency/Organisation | What support is available |
|------------------|--------------------------------------|--|
| | Youth Justice Service (YJS) | Education worker provides links and support to schools to manage the perpetrator's behaviour and get them back into school. 01952 385985, wmyos@westmercia.pnn.police.uk |
| | Newstart Networks | Looking to develop working with schools, including direct work with the young person. Contact details 01743 or 01743 453517 |
| | Education (Telford & Wrekin Council) | Information on the support provided by schools and services available are listed in the Child Protection and Safeguarding in Schools Policies |
| Professionals | All | Partnership working |
| | | Managers/Supervisors |
| | | Training |
| | | Supervision |
| | | Internal counselling services/Occupational Health |
| | | Resilience training |

Policy Review

This policy will be reviewed annually by the Designated Safeguarding leads. Next review: September 2022 or more frequently in line with further recommendations

A review was held in May 2018, following the publication of *Sexual violence and sexual harassment between children in schools and colleges Advice for governing bodies, proprietors, headteachers, principals, senior leadership teams and designated safeguarding leads May 2018*



Annex

Risk Assessment for Peer on Peer Sexual Abuse/ Harmful Sexual Behaviour

All text in italics is taken directly from Keeping Children Safe in Education 2020, pages 71 – 81

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:

- those alleged to have been abused, especially their protection and support;*
- those alleged to have abused; and*
- all the other children (and, if appropriate, adult students and staff) at the school, especially any actions that are appropriate to protect them*

The terms those alleged to have been abused and those alleged to have abused are used to identify the children involved. There should be no assumption of guilt on the part of those alleged to have abused, pending investigation. *Immediate consideration will be given as to how best to support and protect those alleged to have been abused and those alleged to have abused (and any other children involved/impacted).*

Each section/question will be considered from the perspective of both pupils. Considerations will be given for the impact on, and needs of, the wider school community. All concerns and proposed actions will be recorded.

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.

Newdale Primary School and Nursery will work with the local multi-agency safeguarding hub (MASH) and other agencies as necessary when completing this risk assessment. This document should be reviewed frequently to ensure it is fit for purpose.



Newdale Primary School and Nursery will carefully consider any report of sexual violence and/or sexual harassment. 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 those alleged to have been abused in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Those alleged to have been abused 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;
- the nature of the alleged incident(s), including whether a crime may have been committed and consideration of harmful sexual behaviour;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is those alleged to have abused significantly older, more mature or more confident? Does those alleged to have been abused have a disability or learning difficulty?;
- if the alleged incident is a one-off or a sustained pattern of abuse;
- are there ongoing risks to those alleged to have been abused, other children, adult students or school or college staff; and
- other related issues and wider context.

The starting point regarding any report should always be that sexual violence and sexual harassment is not acceptable and will not be tolerated. Especially important is not to pass off any sexual violence or sexual harassment as 'banter', 'part of growing up' or 'having a laugh'.

***A risk assessment should be completed for all cases relating to sexual violence or alleged sexual violence. Sexual violence is defined by the sexual offences act 2002 as "criminal acts: rape, assault by penetration and sexual assault".**

***This risk assessment should be completed with reference to Keeping Children Safe In Education 2021, DFE Sexual Violence and Sexual Harassment in schools and colleges 2021.**



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

Any report of sexual violence is likely to be traumatic for the those alleged to have been abused. However, reports of rape and assault by penetration are likely to be especially difficult with regard to the those alleged to have been abused and close proximity with those alleged to have abused is likely to be especially distressing.

Whilst our staff establish the facts of the case and starts the process of liaising with children's social care and the police, those alleged to have abused should be removed from any classes they share with the those alleged to have been abused. We will also consider how best to keep the those alleged to have been abused and those alleged to have abused, a reasonable distance apart on school or premises.

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

For other reports of sexual violence and sexual harassment, the proximity of the those alleged to have been abused and those alleged to have abused and considerations regarding shared classes, sharing school or should be considered immediately. In all cases, the initial report should be carefully evaluated, reflecting the considerations set out above. The wishes of the those alleged to have been abused, the nature of the allegations and the protection of all children in the school or college will be especially important when considering any immediate actions.

All text in italics is taken from Keeping Children Safe in Education 2021, pages 101 - 102

| ASPECTS TO CONSIDER | RISK (CONSIDER THOSE ALLEGED TO HAVE BEEN ABUSED, THOSE ALLEGED TO HAVE ABUSED, 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 are the wishes of those alleged to have been abused? | | | | |
| <ul style="list-style-type: none"> • What was the nature of the incident? | | | | |
| <ul style="list-style-type: none"> • Was it a crime? | | | | |
| <ul style="list-style-type: none"> • What are the ages of the children involved? | | | | |
| <ul style="list-style-type: none"> • What are the developmental stages of the children involved? | | | | |
| <ul style="list-style-type: none"> • Consider the power balance between those alleged to have been abused and those alleged to have abused – For example, are those alleged to have abused significantly older, more mature or more confident? Does those alleged to have been abused have a disability or learning difficulty? | | | | |

| ASPECTS TO CONSIDER | RISK (CONSIDER THOSE ALLEGED TO HAVE BEEN ABUSED, THOSE ALLEGED TO HAVE ABUSED, 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 the alleged incident one off or a sustained pattern of abuse? | | | | |
| <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. | | | | |
| <ul style="list-style-type: none"> Is there an actual or perceived threat from those alleged to have abused to those alleged to have been abused and/or others? | | | | |
| <ul style="list-style-type: none"> Is either those alleged to have been abused or those alleged to have abused 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? | | | | |
| <ul style="list-style-type: none"> Do they share transport to/from school? | | | | |

| ASPECTS TO CONSIDER | RISK (CONSIDER THOSE ALLEGED TO HAVE BEEN ABUSED, THOSE ALLEGED TO HAVE ABUSED, 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"> • 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? | | | | |

Further action taken by the school:

| Action | YES/NO | Date and by whom | Reasons for this course of action |
|---|--------|------------------|-----------------------------------|
| Compulsory action: | YES | | Compulsory action |
| Family connect informed | | | |
| Police informed | | | |
| Referral to MASH | | | |
| Referral to external support services – Early help | | | |
| Referral to external support services – Children’s social care via Family connect | | | |
| Referral to internal support services – Pastoral support | | | |
| Referral to CAMHS | | | |
| Referral to early help | | | |
| Other | | | |

