Bridgwater
College Trust

Peer on Peer Abuse Policy of Bridgwater & Taunton College Trust

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Originator	Sally Power

Signature of Andy Berry **On behalf of sponsor**		Date 10.10.19
Signature of Peter Elliott **On behalf of Bridgwater College Trust**		14/11/19.

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1. Introduction

At Bridgwater College Trust we are committed to the prevention, early identification and appropriate management of peer-on-peer abuse both within and beyond our schools. Bridgwater College Trust recognises its statutory responsibility to promote the welfare of all children and young people to keep them safe and believe they should never experience abuse of any kind. This policy applies to all staff, including senior managers and the board of trustees, governors, paid staff, volunteers and sessional workers, agency staff, students, visitors in our schools or anyone working on behalf of this organisation. It also applies wherever staff or volunteers are working with pupils away from the school, for example, at an activity centre or on an educational visit.

The Trust recognises its legal responsibility to minimise the risk of sexual violence and sexual harassment and to protect every student's rights to an effective education as a result of the:

- Statutory safeguarding duty
- Academy child protection and safeguarding policy
- Academy behaviour policy which prevents all forms of bullying (including online)
- To teach sex and relationship education (SRE) and Personal, Social, Health and Economic (PSHE) education programmes.
- To act in accordance with the European Convention on Human Rights Article 3, Article 8 and Article 14** 1998
- To comply with the Equality Act 2010 and the Public Sector Equality Duty (PESD) to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity and to foster good relations between different groups with protected characteristics.

This policy applies to all academies within our trust and KCSiE September 2019 requires all schools to refer to peer on peer abuse in their Safeguarding and Child Protection Policy.

The statutory guidance document "Keeping Children Safe in Education 2019" states that "Governing bodies and proprietors should ensure that their child protection policy includes procedures to minimise the risk of peer on peer abuse and how allegations as to how peer on peer abuse will be investigated and dealt with, including clear processes of how individuals affected will be supported" This policy is written with due regard to the Department of Education (DfE) advice document "Sexual violence and sexual harassment between children in schools and colleges" Updated in May 2018 and the statutory DfE document "Working Together to Safeguard Children" updated in 2019.

The Trust recognises the importance that all staff receive regular training, guidance and support to enable them to fulfil our collective responsibility to safeguard all children and young people in our care and this includes the education of a broad and balanced safeguarding curriculum, as well as an understanding of contextual safeguarding, as children and young people play a key role in the prevention of peer on peer abuse.

2.Purpose and Aim

Children and young people may be harmful to one another in a number of ways which would be classified as peer on peer abuse. The purpose of this policy is to identify the varying forms of peer on peer abuse and provide guidance to staff on how to identify and report concerns.

**1 Article 3 – the right of freedom from inhuman and degrading treatment
2 Article 8 – the right to respect for private and family life includes a duty to protect individuals' physical and psychological integrity.
3 Article 14 – requires that all of the rights and freedoms set out in the Act must be protected and applied without discrimination.

3. Responsibilities

It is required that all leadership teams within our academies should be aware of the level and nature of risk to which the children and young people are or may be exposed, and put in place a clear and comprehensive strategy which is tailored to their specific, safeguarding context; and take a contextual whole-school approach to preventing and responding to peer on peer abuse.

It is essential all staff have clear guidance to follow in the event of any reported allegation of peer on peer abuse including sexual violence and sexual harassment between children.

All children and young people in our academies must be made aware of the processes to follow to raise any concerns or make a disclosure.

4. Identifying Abusive and Harmful Behaviour

Problematic and harmful behaviour can occur between children of any age and sex. It can also occur through a group of children assaulting or harassing a single child or group of children. Specific instances may not be abusive in themselves but they may be indicative of power or coercive control. Peer abuse may be used within and between gangs as weapons, some children affected by exploitation may be forced to recruit other children under the threat of blackmail or violence.

Trust staff must make it clear that sexual violence and sexual harassment is not acceptable will never be tolerated or passed off as 'banter' or 'part of growing up'.

Staff must not dismiss abusive behaviour witnessed or reported as a normal interaction between young people, nor should staff develop high thresholds of acceptance before taking action.

Children who are victims of any form of abuse 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 individuals involved* are taken seriously and offered appropriate support. Abuse may take place during or outside of school hours, however all reports of this form of abuse should be treated seriously regardless of when it occurs.

5. What is Contextual Safeguarding?

Contextual Safeguarding is an approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships.

6. What is peer on peer abuse?

There are many forms of abuse that may occur between peers and this list is not exhaustive: physical, bullying (including cyber bullying), sexual violence and harassment, sexual exploitation, sexting (youth produced imagery) initiation ceremonies or other rituals, emotional and financial abuse.

6.1 Physical abuse

Physical abuse may involve hitting, kicking, shaking, nipping or pinching, biting, and hair pulling or otherwise causing physical harm to another person. There may be underlying reasons why a child harms another and it is important to understand why a young person has engaged in such behaviour, including the possibility of the harm being accidental, before considering the next action or sanction to be taken.

6.2 Sexual violence and sexual harassment e.g. inappropriate sexual language, touching, sexual assault, etc.

Problematic and harmful sexual behaviour can involve one or more children engaging in sexual discussions or acts that are inappropriate for their age or stage of development. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two.

It is important staff are aware of child sexual violence and the fact children can, and sometimes do, abuse their peers in this way e.g. rape, assault by penetration and sexual assault.

All children and young people will enter a process of sexual development throughout their childhood and adolescence, and much of this will form a healthy and necessary part of growing up. However, for some, their behaviours will not be developmentally appropriate and, at times, may be harmful and/or criminal (NB children under 10 are not criminally responsible)

In assessing how concerned we should be about children and young people's behaviours, we need to be aware of what is developmentally appropriate and what would be out of the norm. The context of the behaviour, level of understanding, cultural and peer norms as well as the reaction of the perceived victim are all important factors to consider when assessing how concerned we should be about sexual behaviour displayed by children and young people.

Sexual harassment means 'unwanted conduct of a sexual nature'; this 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 (consider the experience of the individual involved) and displaying pictures, photos or drawings of a sexual nature.

The Brook Traffic Light Tool: https://www.brook.org.uk/our-work/category/sexual-behaviours-traffic-light-tool is a helpful tool in assessing that behaviour.

Consider Simon Hackett continuum of behaviour model via NSPCC HSB Framework
https://learning.nspcc.org.uk/research-resources/2019/harmful-sexual-behaviour-framework/

Use Appendix A

If you know the child has recognised SEND needs please speak with the SENCo or person responsible for SEND in your setting.

6.3 Bullying (inclusive of all types)

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images, streaming and video) and is often motivated by prejudice against particular groups e.g. race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in

care or has caring responsibilities. It might be motivated by actual differences between children or perceived differences.

Many experts say that bullying involves an imbalance of power between the individuals involved. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online.

Low level disruption and the use of offensive language can in itself have a significant impact on its target. If left unchallenged or dismissed as banter or horseplay it can also lead to reluctance to report other behaviour (Preventing and tackling bullying July 2017)

If you know any child/children involved has recognised SEND needs please speak with the SENCo or person responsible for SEND in your setting.

6.4 Cyberbullying

The rapid development of, and widespread access to, technology has provided a new medium for 'virtual' bullying, which can occur inside and outside of school. Cyberbullying is a different form of bullying and can happen at all times of the day, with a potentially bigger audience, and more accessories as people forward on content at a click.

Cyberbullying is the use of phones, instant messaging, email, chat rooms or social networking sites to harass, threaten or intimidate someone (for the same reasons as stated on previous page)

Cyberbullying can easily fall into criminal behaviour under the Malicious Communications Act 1988 under section 1 which states that electronic communications which are indecent or grossly offensive convey a threat or false information or demonstrate that there is an intention to cause distress or anxiety to the victim would be deemed to be criminal. This is also supported by the Communications Act 2003, Section 127 which states that electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience or needless anxiety to another could also be deemed to be criminal behaviour. If the behaviour involves the use of taking or distributing indecent images of young people under the age of 18 then this is also a criminal offence under the Sexual Offences Act 2033. Outside of the immediate support young people may require in these instances, the school will have no choice but to involve the police to investigate these situations.

If you know any child/children involved has recognised SEND needs please speak with the SENCo or person responsible for SEND in your setting.

6.5 Sexting

Sexting occurs when someone sends or receives a sexually explicit text, image or video. This includes sending nude pictures, rude pictures or nude selfies. Pressuring someone into sending a nude picture can happen in any relationship and to anyone, whatever their age, gender or sexual preference. Once the image is taken and sent, the sender loses all control of the image and these images could end up anywhere. By having in their possession or distributing indecent images of a person under 18, young people may be committing offences under the Sexual Offences Act 2003. Schools to use advice given in UKCCIS Sexting in Schools and colleges.

6.6 Initiation/Hazing

Hazing is a form of initiation ceremony which may be used to induct newcomers into a school, sports team, group or gang. Forms of initiation/hazing can vary from relatively mild rituals to severe and violent ceremonies. This practice is intended to create a bond between the newcomer and the existing members and is often deemed a rite of passage. Rituals often involve some form of humiliation, embarrassment, abuse or harassment.

6.7 Prejudiced Behaviour

The term prejudice-related bullying refers to a range of hurtful behaviour, both physically and emotionally, which causes the victim to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society. Specifically, prejudices surrounding disability, special educational needs, ethnic, cultural or religious backgrounds, gender, home life (e.g. in relation to issues of care, parental occupation, poverty and social classes) and sexual identity (homosexual, bisexual, transsexual and transgender) Groups at particular risk include girls, students who identify as LGBT+, or are perceived by their peers to be LGBT+ and pupils with SEND.

6.8 Upskirting

Upskirting typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals and buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is now a criminal offence.

6.9 Teenage Relationship Abuse

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

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7. Action to be taken by all academies in the Trust

Although the types of abuse may have a different effect on the individuals involved, and indeed, different adults may interpret different actions in different ways based on their own personal thresholds of what is unacceptable behaviour, the focus must be child centred. The following steps must be followed to ensure the situation is clarified and the facts objectively established, before any decision on consequences or sanctions for the perpetrator of the harm.

It is essential that reports of peer on peer abuse are dealt with immediately and in a sensitive manner. This will ensure that the information gathered is fresh in young people's minds and more likely to establish the truth.

A statement should be taken seriously and the young person reassured; they should never be made to feel that they are causing a problem or be made to feel ashamed. Adults should deal with it sensitively and think about the language used and the impact of that language on both individuals involved and parents/carers when they become involved. Do not use the word perpetrator, this can quickly create a 'blame' culture and leave a child labelled. If you know any child/children involved

has recognised SEND needs please speak with the SENCo or person responsible for SEND in your setting.

It is the responsibility of the Head teacher of each academy to ensure safeguarding training occurs on a regular basis. Adults should not be prejudiced, judgemental, dismissive or irresponsible in dealing with alleged reports of abuse.

7.1 Inform the Academy's designated safeguarding lead (DSL) or any member of the safeguarding team with any allegation of peer on peer abuse. You can do this as an urgent action on My Concern (if available) or in person.

Adults should share with DSL (or a senior leader or any other member of the safeguarding team) their initial concerns and evidence.

7.2 Further actions to be taken by Designated Safeguarding Lead (DSL) or Senior Academy Staff only

Gather the facts –. Speak with all young people involved, separately, gain a statement of facts from them and use **consistent language** and **open questions** for each account; ask the young person to tell you what happened. Only interrupt from this to gain clarity with open questions, "where, when, who" (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?) All individuals involved should be reassured that they are being taken seriously and that they will be supported and kept safe. Consider the best way to record, best practice is to wait until the young person has given their report and immediately write up a through summary. This allows the adult to devote their full attention to the child and to listen to what they are saying. If possible have another member of the safeguarding team present. Adults should be conscious of the need to remain engaged with the young person and not appear distracted.

Only record the facts as the young person presents them, this statement should be recorded by a member of the safeguarding team and a child should not be asked to write a statement of the incident. Notes should not reflect the personal opinion of the note taker. The notes could become part of a statutory assessment and/or criminal investigation.

If the report includes an online element, consider searching screening and confiscation advice (for schools) and UKCCIS sexting advice. The key consideration is for adults not to view or forward illegal images of a child. The highlighted advice provides more details on what to do when viewing an image is unavoidable.

Adults taking a report should never promise confidentiality as it is very likely that it will be in the best interests of the individuals involved. It is important all individuals involved understands what the next steps will be and who the report will be passed to.

Always consider - if any child/children involved have recognised SEND need please speak with the SENCo or person responsible for SEND in your setting

7.3 Consider the intent (begin the risk assess)

Has this been a deliberate or contrived situation for a young person to be able to harm another? Use Sexual Violence and Sexual Harm Flowchart (if applicable) to inform decision making.

7.4 Deciding on a course of action (Designated Safeguarding Lead only)

Aim to take a trauma-informed approach rather than prioritising criminal justice processes, adopting a child-centred approach, focussing on their needs, strengths and the risk(s) that they are exposed to.

Individuals involved may ask the DSL not to tell anyone about the sexual violence or sexual harassment. There are no easy or definitive answers when an individual makes this request. If the victim does not give consent to share information, staff may still lawfully share it, if it can be justified to be in the public interest e.g. to protect children from harm and to promote the welfare of children.

DSL (or a deputy) needs to consider the following:

- Parents or carers should normally be informed (unless this would put the victim at greater risk);
- Safeguarding interventions should always be prioritised. The basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, an Early Help Assessment needs to be completed and referral to Children's Social Care; and
- 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 the alleged perpetrator 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 the individuals involved wishes against their duty to protect an individual and other children. If the DSL (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 the victim's wishes, this should be handled extremely carefully, the reasons should be explained to the victim and appropriate support should be offered. The DSL has a professional duty to report even if they consider a single agency response is appropriate e.g. school to complete a risk management or safety plan.

If from the information gathered the DSL (or a deputy) believes that any young person is at risk of significant harm, an Early Help Assessment needs to be completed and referral to Children's Social Care and/or a report to the police. It is essential to retain and preserve all evidence gathered in a secure place.

Children's social care and the police will then advise on next steps, which may include the interviewing of individuals involved in school.

In circumstances where Children's Social Care (CSC) feel that it does not meet their threshold, then the DSL (or a deputy) should consider whether that decision should be challenged with that person or their line manager; follow SSCB Protocol for Resolving Professional Differences in Work Relating to the Safety of Children.

If, once advice has been sought from CSC/Police, there is agreement to inform parents or carers then DSL (or a deputy) must inform parents or carers as soon as possible. If other agencies or services are not going to be involved, then you should share this information with the parents or carers.

In all circumstances where the risk of harm to an individual is evident, then the academy should encourage the young person to share the information. Where the individual still does not wish to

share this information with parents or carer, and where the academy can evidence that it is acting in the best interests of the young person, then parents or carers should be informed.

It is advised that parents or carers are informed face to face. Whilst more time consuming, the nature of abusive incidents can cause fear and anxiety for parents or carers and a face to face meeting will provide more reassurance.

7.5 Recording all incidents of peer on peer abuse

The DSL or Senior Academy leader should record all details of the incident on Academy's monitoring system for safeguarding incidents e.g. My Concern (if available)

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8. Points to consider

a) **What is the age of individuals involved**? – consider how old the children are and any age difference between them. In relation to sexual exploitation children under the age of five, in particular 1-4 year olds who are learning toileting, skills may show a particular interest in exploration at around this stage (This however should not be overlooked if other issues arise)

b) **Where did the incident or incidents take place?** – was the incident in an open, visible place to others? Were there witnesses or CCTV? If not, is more supervision required within this particular area?

c) **What was the explanation by all children involved of what occurred? –** did all children/young people involved give the same explanation? Do their stories corroborate? What is the effect on the young people involved? Is/are the incident(s) considered to be bullying (regular and repetitive). If their stories differ, what might the reasons for this be?

d) **What is each of the children's understanding of what occurred?** – consider whether the young people know and understand what they are doing e.g. do they have knowledge of body parts, of privacy and that it is appropriate to touch? Is the young person's explanation in relation to something they may have seen or heard that has prompted this behaviour? Is the behaviour deliberate and contrived? If there is an age difference, is one child's understanding more mature than the other? Does the young person understand the impact of their behaviour on the other person?

Answers to the above questions are rarely clear cut. Seek advice and support from senior leader or from consultation line if you are concerned or unsure as to whether or not there is any risk involved.

The Brook Traffic Light Tool: https://www.brook.org.uk/our-work/category/sexual-behaviours-traffic-light-tool is a helpful tool in assessing that behaviour.

Consider Simon Hackett continuum of behaviour model via NSPCC HSB Framework
https://learning.nspcc.org.uk/research-resources/2019/harmful-sexual-behaviour-framework/

Use Sexual Violence and Sexual Harm Flowchart (if applicable)

Always consider - do any child/children involved has recognised SEND needs please speak with the SENCo or person responsible for SEND in your setting

e) **Repetition -** has the school had previous reports of similar/repeated behaviours for the young person. It must also be monitored whether the behaviour persists after the issue has been discussed and resolved.

9.Next Steps: support and intervention

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

9.1 For the young person who has been harmed

The level of support they require will depend on the individual. Counselling or 1:1 mentor support may be appropriate or they may wish to deal with the incidents within the support of their family and friends. In either case, it is essential for the young person to continue to be monitored regularly (accurate records to be kept) and offered support in the future should they require it.

If the incidents are of a bullying nature, then the young person may require further support to improve peer group relationships or a restorative practice approach may be required.

It may be through the curriculum of PHSE and RSE that certain issues and current topics arising from incidents may need to be discussed in class more regularly.

Other interventions that could be considered may target a whole year or tutor group for example a speaker on cyberbullying, safe relationships, abuse, etc.

If the young person feels vulnerable a safety plan should be put in place whilst in school so that they have a named person to talk to and support strategies can be put in place.

9.2 For the young person who has displayed harmful behaviour

It is important to understand why the young person has behaved in this way. They may be experiencing their own difficulties and may have been harmed themselves in a similar way. In such cases counselling, support from a trusted adult or 1:1 mentoring may also be necessary. Particular support from identified services through an Early Help Assessment may be necessary and the young person may require support from family members.

Once the support required to meet the individual needs of the young person has been put in place, it is important the young person receives a proportionate sanction for their behaviour. This may be in the form of restorative practice for example, making amends with young person they have targeted if this has been some form of bullying.

In cases of sexually harmful behaviour it may be a requirement for the young person to engage in 1:1 work with a specific agency or service. If there is any form of criminal investigation ongoing, then it may be that the young person cannot be educated on site until the conclusion of the investigation. In this case, arrangements for support and education off site will need to be provided.

A risk management assessment (using Somerset HSB risk management tool) must be undertaken of the young person's risk to others in the future. This may require a multi- agency response and the involvement of the young person and parents. Protective strategies and additional supervision may also be required if the young person feels at risk of engaging in further harmful behaviour.

In serious cases, a punishment such as exclusion or alternative to exclusion may be appropriate to allow the young person to reflect on their behaviour.

10. After Care

It is important that following the incident the young people involved continue to feel supported and receive help even if they feel that they are coping with the incident. Feelings of remorse or regret or unhappiness can surface at a later stage. It is therefore important to ensure that young people do not engage in further harmful behaviour as a coping mechanism (e.g. self-harm) Regular review with young people following incidents of peer on peer abuse are important.

11. Preventative Strategies

Academies must focus on the development of appropriate strategies to prevent peer on peer abuse rather than rely on managing incidents in a reactive way as they occur.

Academy staff must recognise that peer on peer abuse can and will occur in their school regardless of the most stringent policy and support mechanisms. Staff must recognise and manage the risks, implement strategies and talk about issues through training and information sharing sessions with other staff.

Academy staff should foster a culture of openness where young people feel confident to share information about anything that is worrying them. This can be strengthened with a strong and positive age appropriate PHSE curriculum (including relationships education in primary academies and Relationship and Sex Education RSE in secondary academies) where children openly discuss issues with peers. The curriculum might include the following issues:

- Healthy and respectful relationships
- What respectful behaviour looks like
- Gender roles, stereo-typing and equality
- Body confidence and self-esteem
- Prejudiced behaviour
- That sexual violence and sexual harassment is always wrong
- Addressing cultures of sexual harassment

Academy senior leaders must foster a culture of openness and honesty among their staff to ensure the whole workforce feels confident and enabled to talk about issues and challenge perceptions of young people e.g. inappropriate language, prejudiced behaviour, etc. In order to create such an environment, it is necessary for whole staff training and CPD around abusive behaviours and talking to young people to ensure that peer on peer abuse has a consistently high focus in staff minds and to ensure that concerns raised by young people are dealt with consistently.

Academy senior leaders should ensure that school councils or student voice are encouraged to actively participate in the development and review of 'rules of acceptable behaviour' which will aid the creation of a positive and consistent ethos in the school and one where all young people understand the boundaries of behaviour before it becomes abusive.

It is important that signposting is available to young people in the event that they don't feel confident raising an issue to staff or a peer. It is useful to have a resource board with support services on a wide range of issues so young people can seek their own solutions should they wish to. In the same way external service or support programmes could be brought in to talk to young people's about specific issues in support of the prevention of peer on peer abuse.

Schools which excel at tackling bullying (and peer abuse) have created an ethos of good behaviour where pupils treat one another and the school staff with respect because they know that this is the right way to behave. That culture extends beyond the classroom to the corridors, the dining hall, the playground, and beyond the school gates including travel to and from school. Values of respect for

staff and other pupils, an understanding of the value of education, and a clear understanding of how our actions affect others permeate the whole school environment and are reinforced by staff and older pupils who set a good example to the rest (DfE Preventing and tackling bullying, 2017)

Definitions

Sexual Violence
Rape
Assault by penetration
Sexual assault

Sexual Harassment
Unwanted conduct of a sexual nature, including sexual remarks, sexual taunts, physical behaviour or online sexual harassment.

Victim reassured

- Taken seriously and kept safe
- Confidentiality not promised
- Listen to victim, non-judgementally
- Record the disclosure (facts as reported – do not ask the child to write a statement)
- Two staff present (one being the DSL, or reported to the DSL as soon as possible)
- Victim sensitively informed about referral to other agencies
- If victim does not give consent to share, staff may still lawfully share in order to protect child from harm and to promote the welfare of children (see 'Sexual Violence and Sexual Harassment' paragraph 43)
- Parents of victim informed

Anonymity

Note that in cases of sexual violence there is legal protection of the victim's identity. Remember that this also includes sharing on social media and discussion amongst pupils in the school.

Record-keeping

Remember to record all concerns, discussions, decisions and reasons for decisions

Considerations

(Sexual Violence, Sexual Harassment and Harmful Sexual Behaviours)
Immediately: Consider how to support the victim and the alleged perpetrator

- wishes of the victim
- Nature of the alleged incident
- Ages of the children
- Development stage of the child
- any power imbalance
- one-off, or part of a pattern of behaviour
- any ongoing risks
- other related issues and wider context

Manage Internally

One off incidents which the school believes that the child(ren) are not in need of early help or statutory intervention, which would be appropriate to deal with internally under the school's behaviour policy or anti-bullying policy.

Early Help

Non-violent Harmful Sexual Behaviours
(see Harmful Sexual Behaviours Framework (NSPCC) Hackett and the Brook Traffic Light Tool)

Refer To Social Care

All incidents where a child has been harmed, is at risk of harm or is in immediate danger.
Complete EHA
Social Care staff will decide next steps. Be ready to escalate if necessary.

Refer To Police

All incidents of rape assault by penetration, upskirting or sexual assault. Discuss next steps with police, for example, disclosing information to other staff, informing alleged perpetrator and their parents.

Risk Assessment

Case-by-case basis

Safeguard and support victim and (alleged) perpetrator - PTO

Disciplinary measures taken

(see school's Behaviour Policy/Anti-bullying policy)

Criminal Process Ends

- **Conviction or Caution**: follow behaviour policy, consider permanent exclusion. If pupil remains in school, make clear expectations; keep victim and perpetrator apart. Consider victim's wishes.
- **Not Guilty:** Support victim and alleged perpetrator.
- **No Further Action:** Support victim and alleged perpetrator

Risk Assessment

Immediately
Do not wait for outcome of referral before protecting victim.
Emphasis on victim being able to continue normal routines.
Complete a risk management plan. HSB guidance
Alleged perpetrator removed from any classes with victim (Also consider shared spaces and journey to/from school)
(Not a judgement of guilt)

Safeguard and support victim and (alleged) perpetrator - PTO

Disciplinary Measures Taken

(may be undertaken based on balance of probabilities, unless prejudicial or unreasonable)
Ensure actions do not jeopardise the investigation.
School to work closely with Police and/or other agencies.

Safeguarding and Supporting Victims and Alleged Perpetrators

Victim	Alleged Perpetrator	Other Children
• Needs and wishes of victim are paramount • Not made to feel they are the problem • Consider proportionality of response • Aim for victim to carry out normal routine • Recognise that they may struggle in class and may need time out (if they wish) • Be aware that they may not disclose the whole picture immediately • Prepare for support over a long period and consider who is involved (internal and external) • If victim moves school, the Designated Safeguarding Lead (DSL) informs new school of the need for continued support	• Possible tension between discipline and support (these are not mutually exclusive) • Consider age/developmental stage/any SEND • Proportionate response • Consider unmet needs (for example, harmful sexual behaviours (HBV) in younger children may be a sign of abuse or trauma • If (alleged) perpetrator moves school the Designated safeguarding Lead (DSL) informs the new school of the issues and transfers the child protection file.	• Witnesses may need support (especially in cases of sexual violence) • Avoid allowing pupils to 'take sides' • Minimise potential bullying or victimisation in school and on school transport • Be aware of any social media use and inappropriate or even illegal posts (especially in cases of criminal investigation where anonymity is legally guaranteed) • Develop safeguarding culture • Constantly review reporting procedures and responses • Consider potential for systematic and environmental weaknesses