



# Lingfield Education Trust

## Peer on Peer Abuse Policy

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## **Peer on Peer Abuse Policy**

### **Introduction**

Keeping Children Safe in Education 2020, in section 106 states that '106.

Governing bodies and proprietors should ensure that their child protection policy includes:

- procedures to minimise the risk of peer on peer abuse;
- how allegations of peer on peer abuse will be recorded, investigated and dealt with;
- clear processes as to how victims, perpetrators and any other child affected by peer on peer abuse will be supported;
- a clear statement that abuse is abuse and should never be tolerated or passed off as “banter”, “just having a laugh” or “part of growing up”;
- recognition of the gendered nature of peer on peer abuse (i.e. that it is more likely that girls will be victims and boys perpetrators), but that all peer on peer abuse is unacceptable and will be taken seriously; and
- the different forms peer on peer abuse can take, such as:
  - bullying (including cyberbullying);
  - physical abuse which can include hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
  - sexual violence and sexual harassment. Part five of this guidance sets out how schools and colleges should respond to reports of sexual violence and sexual harassment;
  - upskirting, 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 the victim humiliation, distress or alarm;
  - sexting (also known as youth produced sexual imagery): the policy should include the school’s or college’s approach to it. The department provides Searching Screening and Confiscation Advice for schools. The UK Council for Internet Safety (UKCIS) Education Group has published Advice for Schools and Colleges on Responding to Sexting Incidents; and
  - initiation/hazing type violence and rituals.

KCSIE 2020

At Lingfield Education Trust we are committed to the prevention, early identification and appropriate management of peer on peer abuse.

In particular ensuring that our school staff protect our children by, wherever possible being aware of the nature and level of risk that children are exposed

to, having a clear and comprehensive strategy specific to that child's safeguarding context and having a whole school contextual safeguarding approach to preventing and responding to peer on peer abuse. This policy is preventative in its response to peer on peer abuse by raising awareness of issues, supporting staff in identifying them with children, and providing appropriate response and intervention that is followed consistently across the whole school workforce. This policy will also encourage parents to share information about any risk of harm to their child and be clear on the school's expectations of how this will be managed. (Farrer and Co. 2019)

All staff, trustees and governors have signed to say that they have read, understood and agreed to work within this policy framework and parents have access to this policy.

This policy will be updated annually.

### **Purpose and Aim**

*'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 victimised by peers, parents or adults in the community prior to their abuse of peers' (Farrer and Co, 2019)*

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 explore the many forms of peer on peer abuse and include a planned and supportive response to the issues.

At Lingfield Education Trust we have the following policies in place that should be read in conjunction with this policy:

Child Protection Policy

Anti-Bullying Policy

Online Safety Policy - including acceptable use

Data Protection Policy

Retention of Records Schedule

Children Missing from Education Policy

Behaviour and Discipline Policy – inclusive of positive handling and searching and confiscating

## **Framework and Legislation**

This policy is supported by the key principles of the Children's Act 1989 that the child's welfare is paramount. Another key document that focuses adult thinking towards the views of the child is Working Together To Safeguarding Children 2018, highlighting that every assessment of a child, should '*reflect the unique characteristics of the child within their family and community context*' (Working Together To Safeguard Children, 2018:28). This is clearly echoed by Keeping Children Safe in Education 2019 through ensuring procedures are in place in schools and settings to hear the voice of the child and to be mindful of the contexts children live in.

## **Preventative Strategies for Schools and Settings**

### **Recognition**

For all schools and settings, it is important to develop appropriate strategies in order to prevent the issue of peer on peer abuse rather than only manage the issues in a reactive way.

Firstly, and most importantly for schools and settings is recognition that peer on peer abuse can and will occur on any site even with the most stringent of policies and support mechanisms. In which case it is important to continue to recognise and manage such risks and learn how to improve and move forward with strategies in supporting young people to talk about any issues and through sharing information with all staff. This involves staff analysing any incidents for trends, patterns and identifying any areas around the setting that may appear to be 'less safe'. Staff should also have access to regular CPD and training to ensure a consistent approach to managing peer on peer issues.

### **A Safe Environment to share concerns alongside a Positive Curriculum**

It is important that each school/setting has an open environment where young people feel safe to share information about anything that is upsetting or worrying them. This can be strengthened through a strong and positive PHSE and RSE curriculum that tackles such issues as prejudiced behaviour and gives children an open forum to talk things through rather than seek one on one opportunities to be harmful to one another.

To enable such an open and honest environment it is necessary to ensure the whole workforce and governing body feels confident and enabled to talk about issues and challenge perceptions of young people including use of inappropriate language and behaviour towards one another. In order to create such an environment, it is necessary for whole staff training and CPD

around abusive behaviours and talking to young people in a way that continues to create an open and honest environment without prejudice. It is incredibly important that staff do not dismiss issues as 'banter' or 'growing up' or compare them to their own experiences of childhood. It is necessary that staff consider each issue and each individual in their own right before taking action. If staff minimise the concerns raised it may result in a young person seeking no further help or advice. Staff must also feel enabled to discuss issues about online access and support and reinforce appropriate behaviours online including understanding why age limits are in place on social media platforms, encouraging children to share online concerns, talking about issues that have happened in an open forum and working closely with parents. (Farrer and co, 2019)

### **Involve Parents**

Parents need to be informed and included in policy forming, lesson plans and through open and frank conversations, training/courses about what peer on peer abuse is and how the school and setting will be tackling it. This can help to alleviate any concerns and worries and create a joined-up approach. Schools and settings need to ensure open two way communication is available through a variety of platforms so that both parents and staff are working together to deal with any issues.

### **Signposting**

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 services or support programmes could be brought in to talk to young people about specific issues in support of the prevention of peer on peer abuse.

### **Forums for Children to Make Changes/Have Their Voice Heard**

It is useful to ensure young people are part of changing their circumstances and that of the procedures within schools. Having a school council and pupil voice and encouraging young people to support changes and develop 'rules of acceptable behaviour' will go far in helping to create a positive ethos in school and one where all young people understand the boundaries of behaviour before it becomes abusive.

## **Partnership Working**

Multi agency working can consolidate in house procedures in schools/settings. By accessing advice, support and guidance, effective decisions can be made in collaboration to improve outcomes for children who may be at risk of harm. Seeking advice and guidance can act as a preventative measure so that the right course of action is taken at the earliest opportunity. It is also necessary that the school/setting actively refers concerns/allegations of peer on peer abuse where necessary to front door services/children's social care and the police where appropriate. This is particularly important because peer on peer abuse can be a complex issue, and even more so where wider safeguarding concerns exist. It is often not appropriate for one single agency (where the incident cannot be managed internally) to try to address the issue alone – it requires effective partnership working (Farrer and Co. 2019).

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. (Preventing and Tackling Bullying 2017).

## **What is Peer on Peer Abuse?**

For these purposes, peer on peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between children and within children's relationships (both intimate and non-intimate), friendships and wider peer associations. Peer on peer abuse can take various forms, including: serious bullying (including cyber-bullying), relationship abuse, domestic violence, child criminal exploitation, child sexual exploitation, youth and serious youth violence, harmful sexual behaviour, and/or gender-based violence. Many forms of peer on peer abuse can also take place online; when children spend more time online, such as when schools are closed – the risks can intensify.

Children's experiences of abuse and violence are rarely isolated events, and they can often be linked to other things that are happening in their lives and

spaces in which they spend their time. Any response to peer on peer abuse therefore needs to consider the range of possible types of peer on peer abuse set out above and capture the full context of children's experiences. This can be done by adopting a Contextual Safeguarding approach and by ensuring that our response to incidents of peer-on-peer abuse takes into account any potential complexity (Farrer and Co. 2019).

Abusive behaviour can happen to pupils in schools and settings and it is necessary to consider what abuse is and looks like, how it can be managed and what appropriate support and intervention can be put in place to meet the needs of the individual and what preventative strategies may be put in place to reduce further risk of harm. This means adopting a **whole school community contextual safeguarding approach** by ensuring all staff: understand how a child's wider context may have impact on them; contribute to creating a strong safeguarding culture in school by following policies that address peer on peer abuse and harmful attitudes; promote healthy relationships and attitudes to gender/sexuality; support the school by identifying 'less safe' areas in school; access training on bias and stereotyped assumptions; be alert to changes in children's behaviour and seek appropriate responses to concerns shared. (Farrer and Co, 2019)

Research suggests that peer on peer abuse is one of the most common forms of abuse affecting children in the UK (Farrer and Co, 2019). Abuse is abuse and should never be tolerated or passed off as 'banter' or 'part of growing up'. Equally, abuse issues can sometimes be more prevalent to a particular gender, but it must always be remembered that no abuse is fully gender specific e.g. girls being sexually touched/assaulted and boys being subject to initiation/hazing type violence. Research suggests that peer on peer abuse may affect boys differently from girls, and that this difference may result from societal norms (particularly around power, control and the way in which femininity and masculinity are constructed) rather than biological make-up. Barriers to disclosure will also be different. As a result, schools need to explore the gender dynamics of peer on peer abuse within their settings and recognise that these will play out differently in single sex, mixed or gender imbalanced environments (Farrer and Co. 2019).

It is important to consider the forms abuse may take and the subsequent actions required.

### **Children with Special Educational Needs**

Children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- being more prone to peer group isolation than other children;
- the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these barriers.

To address these additional challenges, schools and colleges should consider extra pastoral support for children with SEN and disabilities particularly when investigating any form of peer on peer abuse.

### **Language**

For the purposes of this policy the language used will refer to *alleged* victims and *alleged* perpetrators, this is to ensure that children are not given 'labels' about their behaviour unfairly and without any full and thorough conclusive investigation. The language used to children and parents in the reporting of any incidents that may have occurred could impact on any future rehabilitation of children and young people following any investigations that may occur. The use of words such as victim and perpetrator can be both inflammatory and distressing for children and their parents.

### **Types of Abuse**

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

#### **Physical Abuse e.g. (biting, hitting, kicking, hair pulling etc.)**

Physical abuse may include, hitting, kicking, nipping, shaking, biting, hair pulling, or otherwise causing physical harm to another person. There may be many reasons why a child harms another and it is important to understand why a young person has engaged in such behaviour, including accidentally before considering the action or punishment to be undertaken.

#### **Sexually Harmful Behaviour/Sexual Abuse e.g. (inappropriate sexual language, touching, sexual assault etc.)**

Sexually harmful behaviour from young people is not always contrived or with the intent to harm others. There may be many reasons why a young person

engages in sexually harmful behaviour and it may be just as distressing to the young person who instigates it as well as the young person it is intended towards. Sexually harmful behaviour may range from inappropriate sexual language, inappropriate role play, to sexually touching another, sexual assault, rape or abuse.

### **Sexual Violence**

Sexual violence refers to sexual offences under the Sexual Offences Act 2003 as described below:

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

What is consent? Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

### **Sexual Harassment**

Sexual harassment means 'unwanted conduct of a sexual nature' that can occur online and offline. In referencing sexual harassment, it is 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.

Sexual harassment can include:

- Sexual comments, such as; telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- Sexual 'jokes' or taunting;
- Physical behaviour, such as; deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature;
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

It may include:

- Non-consensual sharing of sexual images and videos;
- Sexualised online bullying;
- Unwanted sexual comments and messages, including, on social media;
- Sexual exploitation; coercion and threats;
- upskirting

### **Upskirting**

'Upskirting' 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 the victim humiliation, distress or alarm. It is now a criminal offence.

### **Bullying (inclusive of all types)**

The new definition of bullying is, 'a person who habitually seeks to harm or intimidate those who they perceive as vulnerable'. (Taken from the Oxford, Cambridge and Collins dictionary, updated 2018)

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 and video) and is often motivated by prejudice against particular groups, for example on grounds of 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 perpetrator and the victim. 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)

### **Online bullying**

Online bullying is the use of phones; instant messaging, e-mail, chat rooms or social networking sites such as Facebook and Twitter to harass threaten or intimidate someone for the same reasons as stated above.

It is important to state that Online bullying can very 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 sexual images of young people under the age of 18 then this is also a criminal offence under the Sexual Offences Act 2003. 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.

### **Sexting (Youth Involved Imagery)**

'Youth Involved' includes children sharing images that they, or another child, have created themselves and

'imagery' covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the policy), and a judgement of whether something is 'decent' is both a value judgement and dependent on context. The term 'sexual' is clearer than 'indecent'. (Farrer and Co, 2019)

Sexting (more commonly known as) is when someone sends or receives a sexually explicit text, image or video. This includes sending 'nude pics', 'rude pics' or 'nude selfies'. Pressuring someone into sending a nude picture can occur in any relationship, to anyone, whatever their age, gender or sexual preference.

However, once the image is taken and sent, the sender has lost 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 on to someone else, young people are not even aware that they could be breaking the law as stated as these are offences under the Sexual Offences Act 2003.

### **Initiation/Hazing**

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies.

The idea behind this practice is that it welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite of passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.

### **Prejudiced Behaviour**

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

### **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 the partner.

### **Measuring the Behaviour**

Simon Hackett's continuum of behaviour (taken from Farrer and Co. 2017) can be a useful guide to measure the behaviour that has occurred and consider the circumstances around the incident (s).

The continuum looks at whether it:

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

Behaviour which is not abusive at first may potentially become abusive quickly or over time. Intervening early and addressing any inappropriate behaviour which may be displayed by a child is vital and could potentially prevent their behaviour from progressing on a continuum to become problematic, abusive and/or violent - and ultimately requiring (greater/more formal) engagement with specialist external and/or statutory agencies.

### **Expected Action Taken From All Staff**

***This section of the policy should be read in conjunction with Part 5 of KCSIE 2020 (p69-81).***

All staff should be alert to the well-being of children and young people and to signs of abuse, and should engage with these signs, as appropriate, to determine whether they are caused by peer on peer abuse. However, staff should be mindful of the fact that the way(s) in which children will disclose or

present with behaviour(s) as a result of their experiences will differ (Farrer and Co. 2019).

Although the type of abuse may have a varying effect on the alleged victim and alleged perpetrator of the harm, these simple steps can help clarify the situation and establish the facts before deciding the consequences for those involved in perpetrating harm.

It is important to deal with a situation of peer abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get a true, accurate account of the facts around what has happened, so that nothing is forgotten. It is equally important to deal with it sensitively and think about the language used and the impact of that language on both the children and the parents when they become involved. For example; do not use the word perpetrator, this can quickly create a 'blame' culture and leave a child labelled.

In all cases of peer on peer abuse it is necessary that all staff are trained in dealing with such incidents, talking to young people and instigating immediate support in a calm and consistent manner. Staff should not be prejudiced, judgemental, dismissive or irresponsible in dealing with such sensitive matters.

Staff should also be mindful of contextual safeguarding and that wider safeguarding concerns may influence the child's account of the event(s). Alongside this peer pressure and the impact of sharing information about the incident(s) may also influence a child's account.

### **Gather the Facts**

In cases specifically relating to Sexual violence and sexual harassment, two members of staff (preferably one being the Designated Safeguarding Lead) should be present to manage the report, *where possible*.

The most appropriate member of staff with the best relationship with the child should be the person alongside the child who wishes to disclose wherever possible. However, staff should always be aware that children may choose to disclose to any member of staff that they feel most comfortable with and therefore all staff need basic training in managing disclosures. In any circumstance the member of staff must make clear to the child that they cannot maintain confidentiality if what is being shared has put or will put the child or another person at risk of harm.

In all circumstances, staff need to speak to all the young people involved separately, gain a statement of facts from them and use **consistent language** and **open questions** for each account. The easiest way to do this

is not to have a line of questioning but to ask the young people to tell you what happened. Only interrupt the young person from this to gain clarity with open questions, 'where, when, why, who'. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?) A full and clear record of exactly what the young person has said in their own language should be made (and no individual interpretation of the facts made which could impact on the disclosure) and stored following each school/setting's own recording protocols (paper or electronic systems).

### **Consider the Intent (begin to Risk Assess)**

Has this been a deliberate or contrived situation for a young person to be able to harm another? See p71 of KCSIE 2020 for specific details regarding Risk Assessment procedures and expectations.

### **Decide On Your Next Course of Action**

If from the information that you gather you believe any young person to be at risk of significant harm you must make a safeguarding referral to social care immediately (where a crime has been committed the police should be involved also). This action would, in most circumstances be undertaken by the Designated Safeguarding Lead but in the event of their absence the referral can be made by another member of staff. If this is the case, once social care has been contacted and made a decision on what will happen next then you will be informed on your next steps.

If social care and the police intend to pursue this further they may ask to interview the young people in school or they may ask for parents to come to school to be spoken to also. It is important to be prepared for every situation and the potential time it may take.

It may also be that social care feel that it does not meet their criteria in which case you may challenge that decision, with that individual or their line manager. If on discussion however, you agree with the decision, you may then be left to inform parents.

### **Informing Parents**

If, once appropriate advice has been sought from police/social care you have agreement to inform parents or have been allocated that role from the other services involved then you need to inform the parents as soon as possible. If services are not going to be involved then equally, this information may need

to be shared with parents. Parents would not be informed if by doing so the child was put at further risk of significant harm.

The best way to inform parents is face to face. Although this may be time consuming, the nature of the incident and the type of harm/abuse a young person may be suffering can cause fear and anxiety to parents whether their child is the child who was harmed or who harmed another.

### **Points to consider:**

#### **What is the age of the children involved?**

How old are the young people involved in the incident and is there any age difference between those involved? (In relation to sexual exploration, children under the age of 5, in particular 1-4 year olds who are learning toileting skills may show a particular interest in exploration at around this stage. This, however should not be overlooked if other issues arise (see following)

#### **Where did the incident or incidents take place?**

Was the incident in an open, visible place to others? If so was it observed? If not, is more supervision required within this particular area?

#### **What was the explanation by all children involved of what occurred?**

Can each of the young people give the same explanation of the incident and also what is the effect on the young people involved? Is the incident seen to be bullying for example, in which case regular and repetitive? Is the version of one young person different from another and why?

#### **What is each of the children's own understanding of what occurred?**

Do the young people know/understand what they are doing? E.g. do they have knowledge of body parts, of privacy and that it is inappropriate to touch? Is the young person's explanation in relation to something they may have heard or been learning about that has prompted the behaviour? Is the behaviour deliberate and contrived? Does the young person have understanding of the impact of their behaviour on the other person?

In dealing with an incident of this nature the answers are not always clear cut. If you are concerned or unsure as to whether or not there is any risk involved, please seek advice from Children's Services Social Care.

### **Repetition**

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

### **Outcomes**

The outcome of the investigation will follow your local threshold guidance. Therefore, either a referral has been made to either the police/social care for a full investigation (tier 4). It may have resulted in Children's Services undertaking a further assessment (Tier 3) or as a school/setting you may have identified additional services/intervention that are non-statutory and in which case completed an early help assessment (Tier 2). It may be that on investigation, a decision has been made to handle the incident (s) internally and which case the school may implement a risk assessment plan (Tier 1).

In any of the above outcomes the school has a duty of care to manage the education needs of both children/young people in which case a risk assessment plan may be needed irrespective of the outcome.

### **Next Steps**

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

### **For the young person who has been harmed (alleged victim)**

What support they require depends on the individual young person. It may be that they wish to seek counselling or one to one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends. In which case it is necessary that this young person continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the young person may need support in improving peer groups/relationships with other young people or some restorative justice work with all those involved may be required.

Other interventions that could be considered may target a whole class or year group for example a speaker on cyber bullying, relationship abuse etc. It may

be that through the continued curriculum of PHSE / RSE and SMSC that certain issues can be discussed and debated more frequently.

If the young person feels particularly vulnerable it may be that a risk assessment can be put in place for them whilst in school so that they have someone named that they can talk to, support strategies for managing future issues and identified services to offer additional support.

Whether the victim and perpetrator can remain in the same classroom should always be a key question for leaders. In all cases, the initial report should be carefully evaluated, reflecting the considerations set out at KCSIE paragraph 278. The wishes of the victim, 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.

### **For the young person who has displayed harmful behaviour (alleged perpetrator)**

In this circumstance it is important to find out why the young person has behaved in such a way. It may be that the young person is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support such as one to one mentoring or counselling may also be necessary. Particular support from identified services may be necessary through an early help referral and the young person may require additional support from family members.

Once the support required to meet the individual needs of the young person has been met, it is important that young person receives a consequence for their behaviour. This may be in the form of restorative justice e.g. making amends with the young person they have targeted if this has been some form of bullying. In the cases of sexually harmful behaviour it may be a requirement for the young person to engage in one to one work with a particular service or agency (if a crime has been committed this may be through the police or youth offending service). If there is any form of criminal investigation ongoing it may be that this young person cannot be educated on site until the investigation has concluded. In which case, the young person will need to be provided with appropriate support and education whilst off site.

Even following the conclusion of any investigation the behaviour that the young person has displayed may continue to pose a risk to others in which case an individual risk assessment may be required. This should be completed via a multi-agency response to ensure that the needs of the young person and the risks towards others are measured by all of those agencies involved including the young person and their parents. This may mean

additional supervision of the young person or protective strategies if the young person feels at risk of engaging in further inappropriate or harmful behaviour.

The school may also choose a punishment as a consequence such as exclusion or internal exclusion/inclusion/seclusion for a period of time to allow the young person to reflect on their behaviour.

### **After Care**

It is important that following the incident the young people involved continue to feel supported and receive help even if they have stated that they are managing the incident. Sometimes the feelings of remorse, regret or unhappiness may occur at a much later stage than the incident. It is important to ensure that the young people do not engage in any further harmful behaviour either towards someone else or to themselves as a way of coping (e.g. self-harm). In which case, regular reviews with the young people following the incident(s) are imperative.

### **Safety Planning**

Safety planning is a positive way of supporting a child who may benefit from a planned approach; this may be either the alleged victim or the alleged perpetrator. Safety plans support the child by considering the behaviours that may be risky and plan ways to manage triggers and to seek support from adults and peers. They are inclusive of parents and staff and are a planned intervention to support young people in feeling secure in the school/setting, helping young people identify behaviours that may leave them feeling anxious or at risk and have strategies that they can apply to keep themselves feeling safe. The language of safety planning is more positive than risk assessment and can give security to the child that a joined up approach is being followed by all in school.

### **Disciplinary Action**

Finally and in some circumstances, the school/setting may need to consider whether disciplinary action may be appropriate for any child/children involved – any such action should address the abuse, the causes of it, and attitudes underlying it. Disciplinary action may sometimes be appropriate, including (a) to ensure that the child/children take(s) responsibility for and realise(s) the seriousness of their behaviour; (b) to demonstrate to the child/children and others that peer on peer abuse can never be tolerated; and (c) to ensure the safety and wellbeing of other children. However, these considerations must be

balanced against the child's/children's own potential unmet needs and any safeguarding concerns. Before deciding on appropriate action the School will always consider its duty to safeguard all children from harm; the underlying reasons for a child's behaviour; any unmet needs, or harm or abuse suffered by the child; the risk that the child may pose to other children; and the severity of the peer on peer abuse and the causes of it.

The school/setting will, where appropriate, consider the potential benefit, as well as challenge, of using managed moves or exclusion as a response, and not as an intervention, recognising that even if this is ultimately deemed to be necessary, some of the measures referred to in this policy may still be required. Exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the other children in the School. Engaging in Fair Access Panel Processes to assist with decision-making associated to managed moves and exclusions can also be beneficial (Farrer and Co. 2019).

### **Review of Circumstances**

Following any incident of harm, it is necessary for the school/setting to consider if anything could have been done differently. This demonstrates how proactive the school is in continually reviewing its policies and systems in effectively keeping children safe.

### **This policy has been heavily supported by the key document:**

Farrer and Co: Peer on Peer Abuse Toolkit 2019.

<https://www.farrer.co.uk/globalassets/news-articles/downloads/peer-on-peer-abuse-toolkit-14.pdf>

### **This policy should be read in conjunction with:**

Child Protection Policy 2020

DFE: Keeping Children Safe in Education. September 2020

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

DFE: Preventing and Tackling Bullying: Advice for headteachers, staff and governing bodies. July 2017

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/623895/Preventing\\_and\\_tackling\\_bullying\\_advice.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/623895/Preventing_and_tackling_bullying_advice.pdf)

DFE: Sexual Violence and Sexual Harassment between Children in Schools and Colleges. December, 2017

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

Working Together to Safeguard Children, 2018

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

UKCCIS: Sexting in Schools and Colleges

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609874/6\\_2939\\_SP\\_NCA\\_Sexting\\_In\\_Schools\\_FINAL\\_Update\\_Jan17.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf)

Local Safeguarding Partnership arrangements