

Peer – on – Peer Abuse Policy

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Signature of Chair of Governors	Janet Saunders

Safeguarding Team at Belmont:

Role	Designated Teacher for Child Protection	Deputy Designated Teachers			
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This policy should be read in conjunction with:

- Child Protection and Safeguarding Policy
- E-Safety Policy
- Whistleblowing Policy

Introduction

Keeping Children Safe in Education, 2019 states that '**All staff should recognise that children are capable of abusing their peers. All staff should be clear about their school's or college's policy and procedures with regard to peer on peer abuse**' (page 23). The document also states it is most important to ensure opportunities of seeking the voice of the child are heard, '**Where there is a safeguarding concern, governing bodies, proprietors and school or college leaders should ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide. Systems should be in place for children to express their views and give feedback. Ultimately, all systems and processes should operate with the best interests of the child at their heart.**' (page 24).

While it is recommended that Peer on Peer abuse is part of the Child Protection Policy, due to the sensitive nature and specific issues involved with peer on peer abuse we have decided to separate it from the main Child Protection Policy.

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

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

At Belmont Academy, we have the following policies in place that should be read in conjunction with this policy:

- Safeguarding and Child Protection Policy

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 Safeguard Children (March 2015)', highlighting that every assessment of a child, 'must be informed by the views of the child' and within that 'It is important to understand the resilience of the individual child when planning appropriate services. (Working Together, 2015:23) This is clearly echoed by Keeping Children Safe in Education, 2016 through ensuring procedures are in place in schools and settings to hear the voice of the child.

Introduction to abuse and harmful behaviour

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.

Abuse is abuse and should never be tolerated or passed off as 'banter' or 'part of growing up'. All allegations of abuse must be taken seriously and procedures followed. Equally, abuse issues can sometimes be gender specific e.g. girls being sexually touched/assaulted and boys being subject to initiation/hazing type violence (KCSIE, 2019). It is important to consider the forms abuse may take and the subsequent actions required.

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 child has engaged in such behaviour, including accidentally before considering the action or punishment to be undertaken.

Sexually harmful behaviour e.g. (inappropriate sexual language, touching, sexual assault etc.)

Sexually harmful behaviour from children is not always contrived or with the intent to harm others. There may be many reasons why a child engages in sexually harmful behaviour and it may be just as distressing to the child who instigates it as well as the child it is intended towards. Sexually harmful behaviour may range from inappropriate sexual language, inappropriate role play, to sexually touching another or sexual assault/abuse. This includes online sexual harassment including sexting.

Sexual Harassment and Sexual Violence

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 victims 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 victims are taken seriously and offered appropriate support. Reports of sexual violence and sexual harassment are extremely complex to manage. It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other children, adult students and school and college staff are supported and protected as appropriate.

Bullying (physical, name calling, homophobic etc.)

Bullying is unwanted, aggressive behaviour among school aged children that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time. Both children who are bullied and who bully others may have serious, lasting problems.

In order to be considered bullying, the behaviour must be aggressive and include:

- **An Imbalance of Power:** Children who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- **Repetition:** Bullying behaviours happen more than once or have the potential to happen more than once.

Bullying includes actions such as making threats, spreading rumours, attacking someone physically or verbally or for a particular reason e.g. size, hair colour, gender, sexual orientation, and excluding someone from a group on purpose.

Cyber bullying

Cyberbullying 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 cyber 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 indecent images of children under the age of 18, then this is also a criminal offence under the Sexual Offences Act 2003. Outside of the immediate support children may require in these instances, the school will have no choice but to involve the police to investigate these situations.

Youth Produced Imagery

'Youth produced imagery' 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 happen in any relationship and 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, children 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).

Expected action taken by all staff

Although the type of abuse may have a varying effect on the victim and initiator 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 the true facts around what has occurred as soon after the child(ren) may have 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 children 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.

Gather the Facts

Speak to all the children 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 children to tell us what happened. Only interrupt the child 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?)

Consider the Intent (begin to Risk Assess)

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

Decide on the next course of action

If from the information that we gather we believe any child to be at risk of significant harm we must make a safeguarding referral to Children's Social Care immediately (where a crime has been committed the Police should be involved also). If this is the case, once Children's Social Care has been contacted and made a decision on what will happen next then we will be informed on the next steps.

If Children's Social Care and the Police intend to pursue this further they may ask to interview the children 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 Children's Social Care feel that it does not meet their criteria in which case we may challenge that decision, with that individual or their line manager. If on discussion however, we agree with the decision, we may then be left to inform parents.

Informing parents

If, once appropriate advice has been sought from Police/ Children's Social Care we have agreement to inform parents or have been allocated that role from the other services involved then we 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. If a child is deemed to be 'Gillick Competent' following the 'Fraser' guidelines and does not wish for us to share the information with parents, then we will consider this especially for example if the child is pregnant and this is why they are being bullied (unless this has occurred through significant harm in which case a criminal/Children's Social Care case is likely or the child is under the age of 13).

In all circumstances where the risk of harm to the child is evident then the school should encourage the child to share the information with their parent or even with them (they may be scared to tell parents that they are being harmed in any way). Where school can evidence they are acting in the best interests of the child they would not be criticised, however this would be the case if they actively breached the rights and choices of the child.

The best way to inform parents is face to face.

Points to consider:

What is the age of the children involved?

How old are the children 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 children give the same explanation of the incident and also what is the effect on the children involved? Is the incident seen to be bullying for example, in which case regular and repetitive? Is the version of one child different from another and why?
- What is each of the children's own understanding of what occurred?
- Do the children 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 child'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 child 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 we are concerned or unsure as to whether or not there is any risk involved, we will seek advice from Children's 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?

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 child who has been harmed

What support they require depends on the individual child. 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 child continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the child may need support in improving peer groups/relationships with other children 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 and SMSC that certain issues can be discussed and debated more frequently.

If the child 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.

For the child who has displayed harmful behaviour

In this circumstance it is important to find out why the child has behaved in such a way. It may be that the child 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 a Team around a child/strengthening families/early help referral and the child may require additional support from family members.

Once the support required to meet the individual needs of the child has been met, it is important that child receives a consequence for their behaviour. This may include:

- Restorative Justice e.g. making amends with the child 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 child 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 child cannot be educated on site until the investigation has concluded. In which case, the children will need to be provided with appropriate support and education whilst off site.

Even following the conclusion of any investigation the behaviour that the child has displayed may continue to pose a risk to others in which case an individual risk assessment may be required. This would be completed via a multiagency response to ensure that the needs of the child and the risks towards others are measured by all of those agencies involved including the child and their parents. This may mean additional supervision of the child or protective strategies if the child feels at risk of engaging in further inappropriate or harmful behaviour.

At Belmont Academy, we may also choose a punishment as a consequence such as exclusion or internal exclusion/inclusion/seclusion for a period of time to allow the child to reflect on their behaviour.

After care

It is important that following the incident the children 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 children 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 children following the incident(s) are imperative.

Preventative Strategies

At Belmont Academy, we have developed appropriate strategies in order to prevent the issue of peer on peer abuse rather than manage the issues in a reactive way.

Firstly, and most importantly for us 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 children to talk about any issues and through sharing information with all staff.

This is supported by ensuring that we have an open environment where children feel safe to share information about anything that is upsetting or worrying them. This is strengthened through a strong and positive PSHE/SMSC curriculum.

To enable such an open and honest environment it is necessary to ensure the whole workforce feels confident and enabled to talk about issues and challenge perceptions of children 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 children in a way that continues to create an 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 child seeking no further help or advice.

It is important that signposting is available to children in the event that they don't feel confident raising an issue to staff or a peer. In addition, external services or support programmes could be brought in to talk to children about specific issues in support of the prevention of peer on peer abuse.

References

Whatis.com <http://whatis.techtarget.com/definition/cyberbullying>

New Choices Inc <http://newchoicesinc.org/educated/abuse/TDV/def>

This is abuse campaign https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/41001_0/2015-03-08_This_is_Abuse_campaign_summary_report__2_.pdf

Stop bullying.gov

<http://www.stopbullying.gov/what-is-bullying/definition/index.html#types>

Holding Together: equalities, difference and cohesion, a resource for school improvement planning, published for Derbyshire Education Authority by Trentham Books, summer 2009.

EACH resources for LGBT

CEOP

<https://www.ceop.police.uk/Media-Centre/Press-releases/2009/What-does-sextingmean>

Child-on-child sexual abuse: what to do if a child makes a disclosure

Make sure you understand our child protection policy and procedures for dealing with peer-on-peer abuse, and follow these.

DO:

✓ Listen and reassure the child that they will be supported and kept safe

✓ Make a written record as soon as possible, stating only the facts

✓ Tell our designated safeguarding lead (DSL) urgently –

✓ Where appropriate, take action yourself:

- If the child is in immediate danger or at risk of harm, make a referral to children's social care
- If an offence has been committed, report it to the police (even if the alleged perpetrator is under 10 – the age of criminal responsibility)
- Find out whether the victim and alleged perpetrator share classes, premises or transport, and consider how best to deal with this

DO NOT:

✗ Dismiss the incident as 'banter', 'part of growing up' or 'having a laugh'

✗ Ask leading questions

✗ Promise total confidentiality – explain who you will need to tell and why

✗ View photos or videos of a sexual nature

If you do so by accident or think you might need to in order to deal with the issue effectively, talk to our DSL

✗ Take notes while the child is talking, if at all possible

✗ Tell anyone about the disclosure unless they need to know in order to progress it

Key definitions

Child-on-child sexual abuse: when a child (anyone under the age of 18) commits an act of sexual violence or harassment against another child

Sexual violence: rape, assault by penetration, or sexual assault (intentional sexual touching)

Sexual harassment: unwanted conduct of a sexual nature – such as sexual comments, sexual jokes or taunting, physical behaviour like interfering with clothes, or online harassment such as sexting

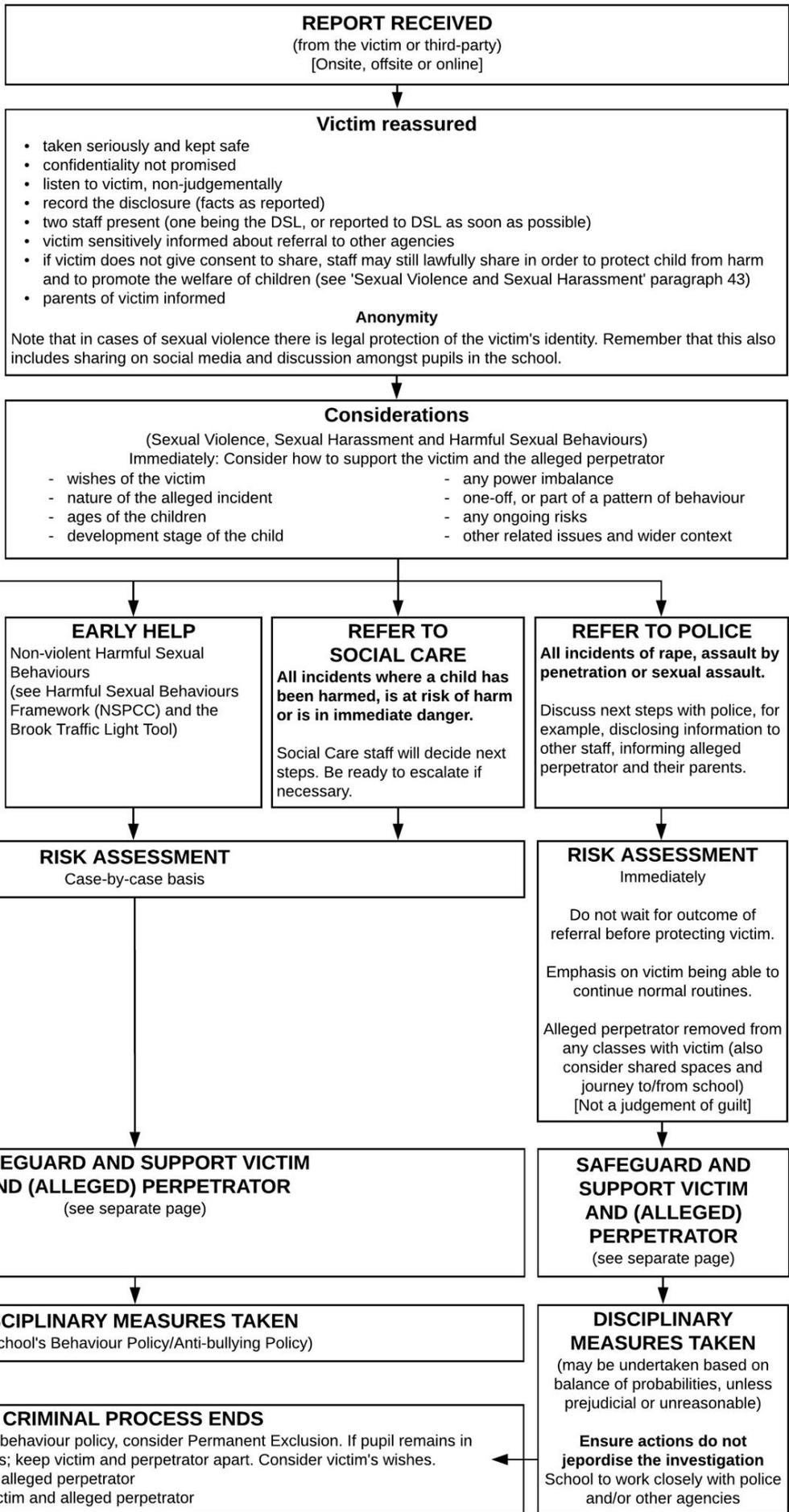
Sexual activity is an offence if:

- Person B (the victim) does not consent
- Person A (the perpetrator) does not reasonably believe that Person B consents

Someone consents if they:

- Agree by choice
- Have the freedom and capacity to choose

**PART FOUR:
RESPONSE TO REPORTS**
Summary of responses



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

Record-keeping
Remember, to record all concerns, discussions, decisions and reasons for decisions.

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) 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.
Social Care staff will decide next steps. Be ready to escalate if necessary.

REFER TO POLICE
All incidents of rape, assault by penetration 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

RISK ASSESSMENT
Immediately
Do not wait for outcome of referral before protecting victim.
Emphasis on victim being able to continue normal routines.
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
(see separate page)

SAFEGUARD AND SUPPORT VICTIM AND (ALLEGED) PERPETRATOR
(see separate page)

DISCIPLINARY MEASURES TAKEN
(see school's Behaviour Policy/Anti-bullying Policy)

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

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

