hele

**BRYMORE ACADEMY**

**PEER ON PEER ABUSE POLICY**

|  |
| --- |
| **Created by:** Luke Winter**,** Sally Power |
| **Date:** April 2021 |
| **Approved by Local Advisory Board:** |
| **Review date:** April 2022 |
| **Signature of Chair of Governors** | **Signature of Headteacher** |

Contents

[Introduction 3](#_Toc69900988)

[Responsibilities 3](#_Toc69900989)

[Preventative Strategies 4](#_Toc69900990)

[Identifying Abusive and Harmful Behaviour 4](#_Toc69900991)

[What is Contextual (or Extra Familial) Safeguarding? 5](#_Toc69900992)

[What is peer on peer abuse? 5](#_Toc69900993)

[Types of Abuse that can occur 5](#_Toc69900994)

[Physical abuse 5](#_Toc69900995)

[Bullying 6](#_Toc69900996)

[Cyberbullying 6](#_Toc69900997)

[Sharing nude or semi-nude images (sexting) 6](#_Toc69900998)

[Initiation/Hazing 8](#_Toc69900999)

[Prejudiced Behaviour 8](#_Toc69901000)

[Upskirting 8](#_Toc69901001)

[Teenage Relationship Abuse 8](#_Toc69901002)

[Sexual violence and sexual harassment e.g. inappropriate sexual language, touching, sexual assault, etc. 8](#_Toc69901003)

[Child on Child Sexual Abuse 9](#_Toc69901004)

[How to Respond 9](#_Toc69901005)

[Risk assessment to understand 10](#_Toc69901006)

[Deciding on how to respond (Designated Safeguarding Lead only) 11](#_Toc69901007)

[Communicating with the parents/carers of the child who displayed the alleged behaviour 12](#_Toc69901008)

[Communicating with the parents/carers of the child(ren) who was/were targeted by the alleged behaviour 12](#_Toc69901009)

[Recording all incidents of peer on peer abuse 13](#_Toc69901010)

[Next Steps: Support and Intervention 13](#_Toc69901011)

[After Care 14](#_Toc69901012)

[Appendix 1 – Example Risk and Needs Assessment 15](#_Toc69901013)

[Appendix 2 – Example Safety Plan 17](#_Toc69901014)

[Appendix 3 – Responding to a report of Peer on Peer Abuse Flowchart 19](#_Toc69901015)

# Introduction

At Brymore Academy we are committed to the prevention, early identification and appropriate management of peer-on-peer abuse within our school community.

We recognise our 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.

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.

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 students away from the school, for example, at an activity centre or on an educational visit. We adhere to the ‘Nolan Principles’ of Public Service, which is made clear in our Trust Code of Conduct.

Brymore Academy 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
* School child protection and safeguarding policy
* School behaviour and anti-bullying policy which prevents all forms of bullying (including online)
* To teach Relationships, Health and Sex Education
* To act in accordance with the European Convention on Human Rights, these rights include:
	+ Article 3: the right to freedom from inhuman and degrading treatment
	+ Article 8: the right to protect physical and psychological integrity
	+ Article 14: rights and freedoms of the Act must be protected and applied without discrimination
	+ Protocol 1, Article 2: protects the right to an effective education
* 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.

The statutory guidance document “Keeping Children Safe in Education 2020” 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 2019 and the statutory DfE document “Working Together to Safeguard Children” updated in 2020.

Brymore Academy 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 extra familial (contextual) safeguarding, as children and young people play a key role in the prevention of peer on peer abuse.

# Responsibilities

It is required that all member of the senior leadership team are 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 an extra-familial (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 and young people.

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

Brymore Academy will work with parents and carers to build an understanding of the school’s responsibilities to ensure the welfare of all children, including the need to work with other professional partners in some situations.

# Preventative Strategies

At Brymore Academy we 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.

All staff must acknowledge 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.

At Brymore Academy we foster a culture of openness where young people feel confident to share information about anything that is worrying them. This is strengthened with a strong and positive age appropriate RHSE curriculum (including Relationship, Health and Sex Education RSE) where children openly discuss issues with peers. The curriculum includes 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

Our senior leadership team 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.

Our senior leadership team also 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.

Good practice allows children an open forum to talk things though. 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 peoples 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 students 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 students, 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 students who set a good example to the rest (DfE Preventing and tackling bullying, 2017)

# 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.

All 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’ or ‘just having a laugh’ and staff must not dismiss abusive behaviour witnessed or reported as a normal interaction between young people, nor develop high thresholds of acceptance before taking action, such as grabbing bottoms and genitalia.

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.

# What is Contextual (or Extra Familial) 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.

Beyond Referrals HSB toolkit via Contextual Safeguarding Network website can be used for school’s self-assessment for HSB.

# What is peer on peer abuse?

There are many forms of abuse that may occur between peers and this list is not exhaustive:

* Bullying
* Cyber bullying
* Physical abuse
* Sexual violence such as rape, assault by penetration and sexual assault
* Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment
* Abuse in intermit personal relationships between peers
* Sharing nude or semi-nude images
* Initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may include an online element.
* Upskirting

Brymore Academy’s response to peer on peer abuse is detailed in our Safeguarding and Child protection policy and Anti-Bullying policy.

# Types of Abuse that can occur

## 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.

## Bullying

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.

## 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.

## Sharing nude or semi-nude images (sexting)

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. Sharing nudes and semi-nudes (UKCCIS – updated Dec 2020) gives the following advice on how to respond:

**Your responsibilities when responding to an incident:**

* Report any incident involving sexting (also known as ‘youth produced sexual imagery) to the DSL immediately.
* Explain that you need to report the incident, and reassure the student(s) that they will receive support and help from the DSL.
* You must **not**:
	+ View, copy, print, share, store or save the imagery yourself, or ask a student to share or download it (if you have already viewed the imagery by accident, you must report this to the DSL)
	+ Delete the imagery or ask the student to delete it
	+ Ask the student(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL’s responsibility)
	+ Share information about the incident with other members of staff, the student(s) it involves or their, or other, parents and/or carers
	+ Say or do anything to blame or shame any young people involved

**DSL’s responsibilities when responding to an incident:**

* Following a report of an incident, the DSL will hold an initial review meeting with appropriate school staff – this may include the staff member who reported the incident and the safeguarding or leadership team that deals with safeguarding concerns. This meeting will consider the initial evidence and aim to determine:
	+ Whether there is an immediate risk to student(s)
	+ If a referral needs to be made to the police and/or children’s social care
	+ If it is necessary to view the image(s) in order to safeguard the young person (in most cases, images or videos should not be viewed)
	+ What further information is required to decide on the best response
	+ Whether the image(s) has been shared widely and via what services and/or platforms (this may be unknown)
	+ Whether immediate action should be taken to delete or remove images or videos from devices or online services
	+ Any relevant facts about the students involved which would influence risk assessment
	+ If there is a need to contact another school, college, setting or individual
	+ Whether to contact parents or carers of the students involved (in most cases parents/carers should be involved)
* The DSL will make an immediate referral to police and/or children’s social care if:
	+ The incident involves an adult
	+ There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
	+ What the DSL knows about the images or videos suggests the content depicts sexual acts which are unusual for the young person’s developmental stage, or are violent
	+ The imagery involves sexual acts and any student in the images or videos is under 13
	+ The DSL has reason to believe a student is at immediate risk of harm owing to the sharing of nudes and semi-nudes (for example, the young person is presenting as suicidal or self-harming)
* If none of the above apply then the DSL, in consultation with the headteacher and other members of staff as appropriate, may decide to respond to the incident without involving the police or children’s social care. The decision will be made and recorded in line with the procedures set out in this policy.
* If at the initial review stage a decision has been made not to refer to police and/or children’s social care, the DSL will conduct a further review to establish the facts and assess the risks.
* They will hold interviews with the students involved (if appropriate).
* If at any point in the process there is a concern that a student has been harmed or is at risk of harm, a referral will be made to children’s social care and/or the police immediately.
* The DSL will inform parents at an early stage and keep them involved in the process, unless there is a good reason to believe that involving them would put the student at risk of harm.

All sexting incidents and the decisions made in responding to them will be recorded on MyConcern.

Students are taught about the issues surrounding sexting as part of the RSHE and computing programmes.

Teaching should cover the following in relation to sexting:

* What it is
* How it is most likely to be encountered
* The consequences of requesting, forwarding or providing such images, including when it is and is not abusive and when it may be deemed as online sexual harassment
* Issues of legality
* The risk of damage to people’s feelings and reputation

Students also learn the strategies and skills needed to manage:

* Specific requests or pressure to provide (or forward) such images
* The receipt of such images

## 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.

## 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 students with SEND.

## 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.

## 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.

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

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.

Sexual violence and sexual harassment 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.

Children who are victims should be protected, offered appropriate support and ensure their education is not disrupted. Also, other children, adult students and staff are supported and protected where necessary.

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/

Somerset Harmful Sexual Behaviour Protocol.

# Child on Child Sexual Abuse

Although the types of peer on peer 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.

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.

Children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to, some may share via a friend or an overheard conversation. A disclosure/concern 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.

It is the responsibility of the Head teacher 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.

## How to Respond

All staff should inform the Academy’s designated safeguarding lead (DSL) with any allegation of child on child sexual abuse, especially any sexual violence and sexual harassment concerns. Concerns and any evidence should be shared immediately by discussing with a member of the safeguarding team or adding it to MyConcern if they are not available.

Further actions to be taken by Designated Safeguarding Lead (DSL):

* Speak with all young people involved, separately and with two members of staff present (preferably DSL and or a deputy, where possible the same sex of the child making the disclosure).
* Record a report of facts from them and use consistent language, not leading but 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 thorough summary. This allows the adult to devote their full attention to the child and to listen to what they are saying. Adults should be conscious of the need to remain engaged with the young person and not appear distracted. Listening carefully, reflecting back, using the child’s language and being non-judgemental, being clear about boundaries and how the report will be progressed and who the report will be passed to.
* Only record the facts as the young person presents them, 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 UKCIS 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.
* What is the age of individuals involved? – consider the emotional age of the child as well as chronological age 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)
* 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?
* What was the explanation by all children involved of what occurred? – did all children/young people involved give the same explanation? Do their accounts 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?
* 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?
* 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.

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

Always consider - if any child/children involved have recognised SEND need please speak with the SENCo.

Resources to consider:

* 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, this should only be used by trained member of staff.
* Somerset HSB Behaviour Protocol
* Consider Simon Hackett continuum of behaviour model via NSPCC HSB Framework https://learning.nspcc.org.uk/research-resources/2019/harmful-sexual-behaviour-framework/
* Stop it Now – HSB prevention toolkit

## Risk assessment to understand

Following a report of child on child sexual abuse, the Designated Safeguarding Lead will make an immediate risk assessment, this should be recorded and kept under review. Use Peer on Peer SA Risk Assessment (Appendix 1). At all times, the school should actively be considering the risks posed to their students and put adequate measures in place to protect them.

The risk assessment should consider:

* If a relationship has previously existed in any format, is there an imbalance of power within their relationship?
* Is the allegation of a serious nature?
* If the allegations include a criminal offence, has the referral to the police and CSC been made?
* Does this allegation raise risk factors for other students in the academy?
* Does the allegation indicate that other students may have been/could be affected by this student?
* Does the allegation indicate that young people outside of the academy may be affected by this student?
* Does this allegation indicate that the extra-familial (contextual) safeguarding within the academy environments should be reviewed?
* What support does this allegation indicate are needed for both the victim and alleged perpetrator of the peer on peer abuse?

Resources to use when completing the risk assessment:

* Peer on Peer Sexual Abuse Risk and needs assessment
* Somerset Harmful Sexual Behaviour Protocol – App A Sexual Behaviour Recording Form
* Brook’s Traffic Light Tool only by trained member of staff.
* Simon Hackett’s continuum of children and young people’s sexual behaviours and NSPCC Framework – responding to children who display sexualised behaviour
* Stop it Now – HSB Prevention toolkit

## Deciding on how to respond (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.

Designated Safeguard Lead will 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 follow local safeguarding partners referral process; 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 will have to balance the individuals involved wishes against their duty to protect an individual and other children. If the DSL 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.

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 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.

## Communicating with the parents/carers of the child who displayed the alleged behaviour

If, once advice has been sought from CSC/Police, there is agreement to inform parents or carers then DSL will inform them 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.

* **Be clear about what has been alleged/observed** - Be specific about what has been alleged so the parents/carers do not misinterpret what has been happened, don’t use language like ‘your son has been accused of sexually inappropriate behaviour’ Such language may confuse the parents/carers and lead them to exaggerate or minimise the incident as “sexually inappropriate behaviour” could refer to an act as serious as rape or to a behaviour assessed as less serious, such as a child touching another child on the bottom over clothing. Instead be clear about what has been alleged:
* **Explain why their child has been referred to Children’s Services** - To help avoid the parents/carers of the child who has had an allegation of harmful sexual behaviour made against them becoming defensive, it is helpful to use language which focuses on the behaviour of the child being of concern rather than the child him/herself, avoid using statements which appear to suggest the child is the problem. Try and use:
	+ “When there is an incident of harmful sexual behaviour between children, the school have a responsibility to assess the seriousness of the alleged behaviour. In considering what has been alleged/reported, we have assessed the alleged behaviour to be an example of harmful sexual behaviour. In such cases we are required to refer the children who have been involved to Children’s Services. As such, a Social Worker may contact you to discuss what has happened and to assess what support for your child would be helpful. Offer the parent information on local safeguarding children partnership
	+ “Our school uses an assessment tool to help us assess if the alleged sexual behaviour is healthy, problematic or harmful. Using this tool, the alleged behaviour has been assessed as harmful sexual behaviour and as such we have a statutory duty to refer your child to Children’s Services. A Social Worker will be in contact with you to discuss appropriate support for your child. Offer information about local services and Parents Protect information.
	+ Using these types of response will help the parents/carers to feel their child is not being singled out or unfairly labelled. They will also be provided with information about what is happening and thus feel informed about the referral process.
* **Who will establish what has happened/investigate the concerns?**
	+ If police and CSC will want to speak with their child, when, to find out what happened. Confirm when the school will hold a meeting to assess what is likely to happen based on the information know so far.
	+ If a social worker is not allocated explain to parent/carer what action the school will take to support their child e.g. confirm when the school will hold a meeting to discuss a support plan with the child and parent, key adults in school.
* **Explain the need for a safety plan**. Avoid using language which the parents may interpret as their child being judged to pose a risk, such as “perpetrator”; “sex offender”; “he/she is a risk of sexual harm”. Use language which focuses on the alleged behaviour:
	+ “When a student is alleged to have displayed harmful sexual behaviour, as a school we have to follow a protocol in responding to the concerns. As such, we are required to put in place a Safeguarding Risk Reduction Plan (SRRP). This means we need to identify any potential risks during the school day and put measures in place to keep your child and other children safe. This may include us thinking and agreeing about supervision of your child at break and lunch times, toileting arrangements and how he/she gets to and from school”.
* **Explore what support their child could access at school**

## Communicating with the parents/carers of the child(ren) who was/were targeted by the alleged behaviour

If, once advice has been sought from CSC/Police, there is agreement to inform parents or carers then DSL will inform them 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, Brymore Academy will 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 school can evidence that it is acting in the best interests of the young person, then parents or carers should be informed.

* **Be clear about what has been alleged/observed** - it is important to be specific about what has happened to ensure parents do not misunderstand what has been alleged. It is therefore important to tell the parents what the behaviour of concern is, who was involved and where and when it happened:
	+ It is important to ensure that no language is used which could minimise the alleged victim’s experience. Therefore, by keeping the description factual while also acknowledging how the child may be feeling should enable the parents/carers to feel that their child has been listened to.
* **Inform the parents/carers what you have done to protect the immediate safety of their child** - The parents/carers of the child who has been targeted by the behaviour will want reassurance that their child’s safety has been prioritised and that their child’s allegation is being treated seriously.
* **Explain how the safety plan will keep their child safe.**
* **Who will establish what has happened/investigate the concerns?**
	+ If police and CSC will want to speak with their child, when, to find out what happened. Confirm when the school will hold a meeting to assess what is likely to happen based on the information know so far.
	+ If a social worker is not allocated explain to parent/carer what action the school will take to support their child e.g. confirm when the school will hold a meeting to discuss a support plan with the child and parent, key adults in school.
* **Inform parents or carers 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. Parents need to have confidence – that something is being taken seriously, that action is being taken, that it is being investigated properly, that their children’s safety is paramount etc. A robust and personal language and tone should be adopted.
* **Keep parents and carers fully updated.** Parents and carers should be made aware of all appropriate information as soon as possible. If an on-going investigative, criminal or disciplinary process means we cannot share more information, Brymore Academy will ensure parents understand this.

# Recording all incidents of peer on peer abuse

The DSL will record all details of the incident on the risk assessment and the school’s monitoring system for safeguarding incidents e.g. My Concern.

# 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:

* **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 RSHE 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 school 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.
* **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.
	+ A risk management assessment and safety plan (see below) 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.

# 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.

# Appendix 1 – Example Risk and Needs Assessment

Use this template to help you assess risks to the children involved in an incident of peer on peer sexual abuse.

Notes:

1. Use Child A (victim) and Child B (perpetrator) please use this to signify children involved, to avoid assigning guilt until a formal investigation has been completed by the appropriate authorities.
2. Consider each question from the perspective of both students, and be sure to do this in collaboration with them. Also consider the impact on, and needs of, the wider school community and record any concerns or actions in the most appropriate column. You can add to MyConcern when required, this is a living document.
3. If local multi-agency safeguarding partners are involved, work with them conducting the risk assessment, and update it in response to any advice they provide (it is not just to document the initial concern) Add specific questions and considerations based on the nature of each incident and on the advice provided.
4. Keep track of the changes you make:
* Create a new copy of the document
* Update the version number at the top of the risk assessment
* Record what has changed in the update log

Save the most recent version of the risk assessment in the appropriate place e.g. safeguarding file, profile on MyConcern.

**Risk and Needs Assessment – Date:**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Area of Risk | Considerations | Child A | Child B | Notes | Actions |
| **Details of the incident** – Record details of the incident from the point of view of both children. | -How serious is the incident? Was it a crime?-Do we need to make arrangements to limit contact between the children involved? (If the allegation relates to rape, assault by penetration or sexual assault, the answer is automatically yes)-How did the school find out about it? Was it reported directly or by someone else with knowledge of the incident? |  |  | Use this column to record additional information that may be relevant, e.g. previous unrelated behaviour incidents. |  |
| **Social Risks** | -Do the children share a peer group? Are people in their friend group likely to take sides?-Do they both attend your school?-Do other people know about the incident? Do people understand; a) who they can talk to if they have concerns about the people involved, or about their own safety and wellbeing, b) the importance of confidentiality, c) if, and how, they may need to be involved in any further investigations.-Are they likely to be the subject of gossip, bullying or further harassment?-Have there been previous incidents of sexually inappropriate behaviour within their peer group(s)?-Do they risk being alienated from their friend group(s) as a result of this incident? |  |  |  |  |
| **Physical Risks** | -Do they feel, or continue to feel, physically threatened by the other child?-Do you have reason to believe they pose a continued risk to the safety and wellbeing of the victim, or other students and staff?-Are they at risk of physical harm as a result of this incident (for example, bullying or ‘retribution’ by peers)-Do they share classes/break times etc-Are they likely to come into contact with each other (or anyone else involved in/with knowledge of the incident) outside of school. How can such contact be limited? |  |  |  |  |
| **Environmental Risks** | -Do they live in a home where violence or abuse has occurred?-Do they live in or near a location known to the police to be high risk for sexual harassment or assault?-Are they active on social media? If so, how? Do they know how to protect themselves from online grooming?-What activities do they take part in outside of school?-Are parents clear about; a) how the school (and partner agencies) are handling the incident? b) confidentiality? c) the conduct expected of them while an investigation is ongoing? |  |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Date | Updates Made | Reason for Update | Updates made by |
|  | E.g. “Updated lunchtime arrangements” | E.g. “Feedback from Child A” |  |
|  |  |  |  |
|  |  |  |  |

# Appendix 2 – Example Safety Plan

|  |  |  |
| --- | --- | --- |
| **Child Name** | **Year Group** | **Class or Tutor Group** |
|  |  |  |
| **What are the behavioural patterns that present concern to the child or others** |
| Examples may be • Difficulty forming and maintaining healthy relationships with peers• Difficulty problem solving, managing disagreements or conflict • Inappropriate comments or conversations with peers which lead to compromising and challenging situation for both the child and others.• Lack of awareness of age appropriate physical boundaries, spatial awareness and appropriate touch with other children or adults is causing complaint. • Lack of awareness of digital Safety, use of social networking and appropriate boundaries of Internet use and access is not age appropriate/is causing complaint. Concerns for child risk of exploitation online• Child struggles to regulate their own emotions and behaviour and relies upon adults to support with this.• Child needs modelling and guidance to navigate relationships romantic and friendships• Privacy rules are not age appropriate and does not appear to have a good understanding in regards to social norms of privacy |
| **What risks do we need to be concerned about and to whom?** |
| Risk to Child and others: Examples • Child does not have necessary skills to develop mutual relationships, which leaves them vulnerable to seek connection with others in inappropriate ways.• Child holds problematic norms and expectations in relationships which impact upon their behaviour • Over sharing of information without insight into privacy rules and boundaries increases risk to the child or others• Child seeks to make a relationship with another exclusive and this is not reciprocated • Child has few internal boundaries to control their behaviour which impacts upon impulsivity, reasoning and consequential thinking in the digital and non-digital world.• Lack of awareness of physical boundaries results in displays of over affection which is unwanted potentially leading to complaint• Child has lack of awareness across ages including adults (teaching staff, visitor to the education setting) • Lack of awareness of privacy rules may expose child or others to harm |
| **What measures may be taken to meet underlying needs and reduce risk to the child and others?** |
| Examples • Access to key adult and/or area during unstructured times such as at break and lunchtime. Child to have a pass to access immediate support• Online Safety: Staff to be aware of the issues and to monitor Child’s use when using ICT. Where possible child to sit near the teacher during these times.• Staff to regularly check in with the child to ensure they are settled and understand the content of lessons.• School Trips and events: 1 member of staff to supervise the child throughout the school trip and events. Staff should be aware of potential risk and strategies to be used. Seating plans on transport, careful thought about. Child to be aware of arrangements and identity of supportive adult/teacher.• Peer Grouping in class etc.: Relevant staff to be made aware of key issues and to be mindful of who child is grouped with and where in the room the group are placed, i.e. somewhere accessible for staff to monitor and near the door as the child may need to exit at short notice• Child has a packed lunch to avoid potential issues in canteen/break/lunch times.• School transport is considered and if appropriate the child should be picked up after school by trusted carer/adult• Appropriate referrals made to support any unmet needs the school are unable to meet.• Changing for PE - staff will be notified to be mindful of changing room concerns and where necessary provide information to the child (in a way they understand) about what/ how to change.• Timeout Card: if necessary child to be allocated a timecard as an aid to help them develop coping strategies/seek support. • Support and Monitoring: For some children they will need to have continual ‘line-in of sight’ supervision. This should aim to offer the child a safer environment and greater opportunities for them to use learned skills, manage their emotions and behaviours and development a sense of well-rounded independence.• Designated staff member to touch base with the child regularly to prevent escalation of concern. For example, upon arrival at school e.g. mornings to gauge mood of the child and remind them of support available/conduct. Make sure all relevant staff are vigilant if additional support is felt needed on any day or during any lesson.• Child to receive regular feedback about what they are doing well and to be provided with examples, persons to model in regards to areas where they need support. • Staff to be mindful of areas in the school where children gather out of sight of teaching staff and to steer child away from these areas due to child’s vulnerability• Child to be supported to access additional/ after school activities wherever possible, ensuring actions above are implanted to keep all children safe |
| **Additional supports required** |
| Eg: Monitoring process implemented to revisit measures put in place at timely intervals or when the need arises. Multi agency supports in place and communication is of a good level. Staff to receive training/consultation in regards to child sexual abuse including problematic sexual behaviours and child sexual exploitation both on and off line |
| **What activities cannot reasonably be safely managed?** |
|  |

|  |  |
| --- | --- |
| **Completed by** |  |
| **Date completed** |  |
| **Date review** |  |

# Appendix 3 – Responding to a report of Peer on Peer Abuse Flowchart

