

# Child-on-child Abuse Policy



SS Peter and Paul Catholic Primary School



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This policy draws upon Keeping Children Safe in Education 2024 and Addressing child-on-child abuse' by Farrer&Co 2023.

## 1. Introduction

At SS Peter and Paul Catholic Primary School, we believe that children have a right to attend school and learn in a safe environment. Children should be free from harm by adults in the school and other children. We recognise that some children will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the school's Behaviour Policy.

All governors, SLT and staff are committed to the prevention, early identification, and appropriate management of child-on-child abuse both within and beyond our school. As a school we adopt a zero-tolerance policy towards all forms of child-on-child abuse, and ensure that no form of any such abuse (no matter how 'low level' it may appear) is ever dismissed as banter. We seek to identify and handle cases sensitively, appropriately, and promptly.

## 2. Terminology

<b>'Child', 'children':</b> means a person/persons under the age of 18 years old.
<b>'Boy(s),' 'girl(s)':</b> means a child/children whose biological sex is male and female respectively, as well as trans boys and trans girls, whose gender identity will be different from their biological sex. It is acknowledged that there will also be some children who identify as non-binary or gender fluid and who will not recognise the term boy or girl in respect to themselves.
<b>'victim':</b> "It is a widely recognised and understood term. It is important that schools and colleges recognise that not everyone who has been subjected to abuse considers themselves a victim or would want to be described in this way. Ultimately, schools and colleges should be conscious of this when managing any incident and be prepared to use any term with which the individual child is most comfortable;
<b>'alleged perpetrator(s)' and, where appropriate, 'perpetrator(s)':</b> "These are widely used and recognised terms and the most appropriate aid to effective drafting of guidance. However, schools and colleges should think very carefully about terminology, especially when speaking in front of children, not least because in some cases the abusive behaviour

will have been harmful to the perpetrator as well. As above, the use of appropriate terminology will be for schools and colleges to determine, as appropriate, on a case-by-case basis.”

Definitions consistent with Keeping Children Safe in Education Guidance 2022

### 3. What is child-on-child abuse?

All definitions in this section are consistent with advice from KCSIE 2024.

#### **Child-on-child abuse can take various forms, including (but not limited to):**

- Bullying – including cyberbullying, prejudice-based and discriminatory bullying.
- Hate incidents and hate crimes – which may also include an online element.
- Abuse in intimate personal relationships between children (sometimes known as ‘teenage relationship abuse’) – which may also include an online element.
- Physical abuse – such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse).
- Racism – occurs when a person is treated less favourably because of their skin colour, nationality, ethnicity, or cultural group. Racist behaviour can include verbal abuse, physical attacks, exclusion from activities or opportunities and microaggressions, which can be conscious and unconscious. It can occur in person or online.
- Initiation/hazing type violence and rituals – this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element.

**Harmful sexual behaviour (HSB)** – is developmentally inappropriate sexual behaviour which is displayed by children and young people which is harmful or abusive.

HSB can occur online and/or face to face, and can also occur simultaneously between the two – and includes, for example:

- › Sexual violence – such as:
  - rape
  - assault by penetration
  - sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence)
  - causing someone to engage in sexual activity without consent – such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party
- › Sexual harassment – which is ‘unwanted conduct of a sexual nature’ that can occur online and offline and both inside and outside of school/college – can include (but is not limited to):
  - sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, calling someone sexualised names, intrusive questions about a person’s sex life, and spreading sexual rumours
  - sexual “jokes” or taunting
  - suggestive looks, staring or leering

- sexual gestures
- 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)
- displaying pictures, photos or drawings of a sexual nature,
- upskirting – which is a criminal offence, and typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm, and
- online sexual harassment – this may be stand-alone or part of a wider pattern of sexual violence and/or harassment.

It may include:

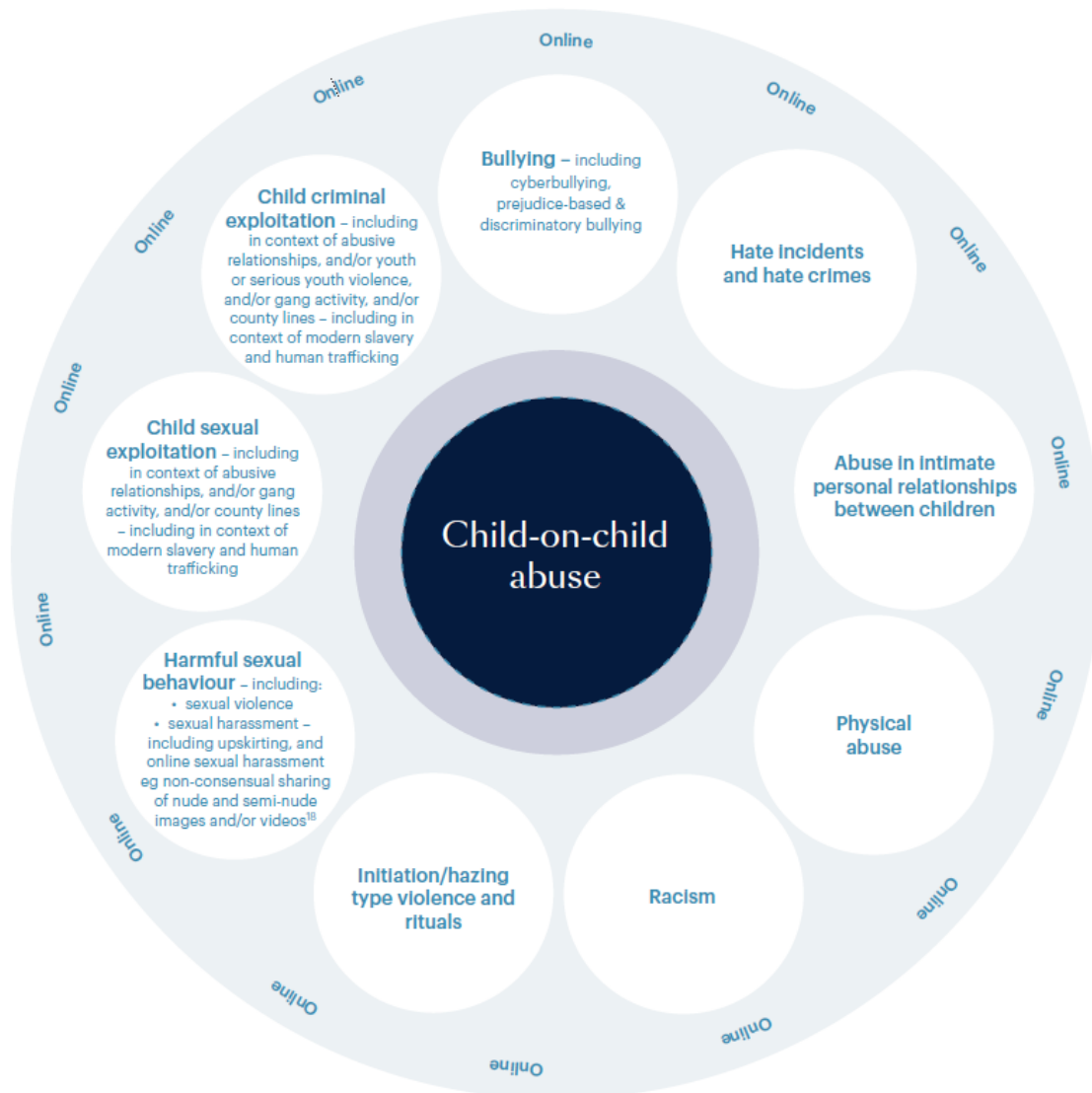
- » non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery)
- » sharing of unwanted explicit content
- » sexualised online bullying
- » unwanted sexual comments and messages, including on social media
- » sexual exploitation, coercion and threats, and
- » coercing others into sharing images of themselves or performing acts they are not comfortable with online.

### **Child exploitation**

- **Child sexual exploitation (CSE)** – including in the context of abusive relationships, and/or gang activity, and/or county lines – including in the context of modern slavery and human trafficking; and/or
- **Child criminal exploitation (CCE)** – including in the context of abusive relationships, and/or youth or serious youth violence, and/or gang activity, and/or county lines – including in the context of modern slavery and human trafficking.
- Both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect children, both male and female, and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.
- CSE and CCE do not always involve physical contact; CSE and CCE can also occur through the use of technology

**Online child-on-child abuse** is any form of child-on-child abuse where an element might be facilitated by digital technology, for example, consensual and non-consensual sharing of nude and semi-nude images and/or videos (sometimes called 'sexting'), online abuse, coercion and exploitation, child-on-child grooming, threatening and hate speech delivered via online means, the distribution of sexualised content (which might be youth-produced, commercial pornography or pseudo sexual images), and harassment.

Figure 1 Overview of child-on-child abuse from 'Addressing child-on-child abuse' by Farrer&Co



#### 4. What is Contextual Safeguarding?

Farrer& Co

Contextual Safeguarding is about changing the way that professionals approach child protection when risks occur outside of the family (ie in extra familial contexts), thereby requiring all those within a Local Safeguarding Partnership to consider how they work alongside, rather than just refer into, children's social care, to create safe spaces in which children may have encountered child-on-child abuse.

In addition, it:

- is an approach to understanding, and responding to, the risk of harm to which children can be exposed, and/or harm which they can experience, in extra-familial contexts, and seeks to include these contexts within prevention, identification, assessment and intervention safeguarding activities;
- recognises that as children enter adolescence they spend increasing amounts of time outside of the home in public environments (including those online) within which they may be exposed to risk of harm and/or experience abuse, and that the different relationships that children form in their neighbourhoods, schools, and online can feature violence,

coercive control, and abuse. Parents can have little influence over these contexts, and the risk of harm to which children can be exposed, and/or harm which they can experience, outside of the family, can undermine parent-child relationships; and

- considers interventions to change the systems or social conditions of the environments in which abuse has occurred. For example, rather than move a child from a school, professionals could work with the school leadership and student body to challenge harmful, gendered school cultures, thus improving the pre-existing school environment.

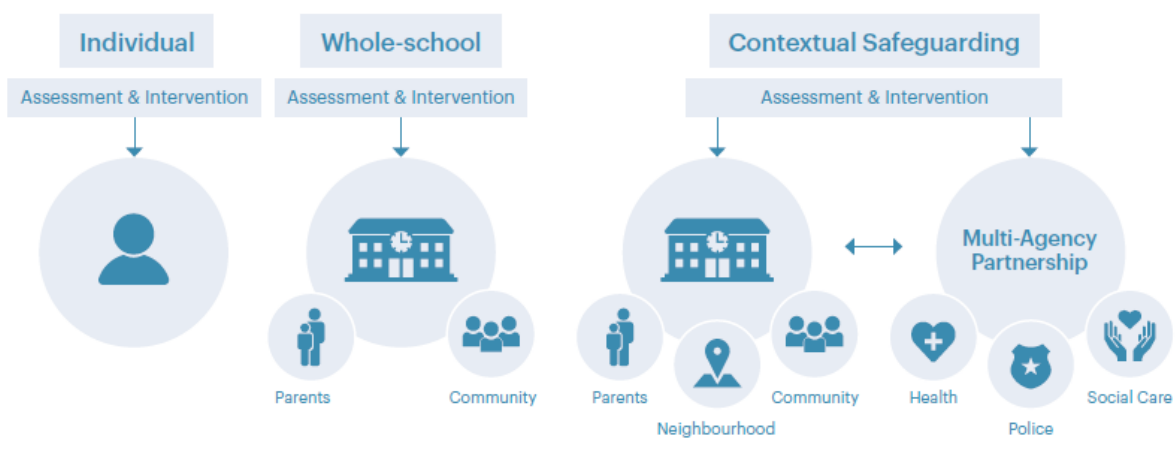
When adopted by a wider safeguarding partnership, a Contextual Safeguarding approach supports services to respond to different forms of extra-familial harm (including child-on-child abuse) across four 'system-domains'. These domains require that systems:

1. Target the contexts in which extra-familial harm occurs.
2. Use a child protection and wider child welfare lens in response to extra-familial harm.
3. Feature partnerships with individuals and organisations that have a reach into, or influence over, extra-familial contexts where harm occurs.
4. Measure the contextual impact of their responses to extra-familial harm.

In school we look to prevent and address child-on-child abuse by using a Contextual Safeguarding approach which means:

- being aware of and seeking to understand the impact that these wider social contexts may be having on their students;
- creating and embedding a safe culture in the school by, fostering an environment in which all types of extra-familial harm (including child-on-child abuse) are promptly identified and appropriately responded to; effectively implementing policies and procedures that address child-on-child abuse and harmful attitudes; promoting positive and healthy relationships and attitudes to difference (including gender, ethnicity, sexuality, disability); hotspot mapping to identify risky areas in the school or college; training on potential bias and stereotyped assumptions;
- being alert to and monitoring changes in students' behaviour and/or attendance; and
- contributing to local child protection agendas by, challenging poor threshold decisions about children at risk of harm in extra-familial settings but who are relatively safe within their families; as well as referring concerns about contexts to relevant local agencies

Figure 2 Contextual Safeguarding approach from 'Addressing child-on-child abuse' by Farrer&Co



## **5. Are some children particularly vulnerable to abusing or being abused by other children?**

Any child can be vulnerable to child-on-child abuse – including due to the strength of peer influence during adolescence, and staff should be alert to signs of such abuse amongst all children. Individual and situational factors can increase a child's vulnerability to abuse by their peers. For example, an image of a child could be shared, following which they could become more vulnerable to peer-on-peer abuse due to how others now perceive them, regardless of any characteristics which may be inherent in them and/or their family. Peer group dynamics can also play an important role in determining a child's vulnerability to such abuse. For example, children who are more likely to follow others and/or who are socially isolated from their peers may be more vulnerable to peer-on-peer abuse. Children who are questioning or exploring their sexuality or gender identity may also be particularly vulnerable to abuse by their peers.

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 and colleges 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;
- children with SEND are three times more likely to be abused than their peers without SEND, and – as above – additional barriers can sometimes exist when recognising abuse in this group of children;
- some children may be more likely to experience peer-on-peer abuse than others as a result of certain characteristics such as sexual orientation, trans status, disability, ethnicity, race or religious beliefs.
- Children and young people with mental health difficulties may not only be at greater risk of being targeted, but bullying can exacerbate their mental health needs.
- LGBTQ children and young people experience significantly higher levels of verbal, physical and sexual abuse than their peers.

## **6. Multi-agency working**

At SS Peter and Paul Catholic Primary School we are committed to work with other agencies to support any child who is in need. By working together with a variety of other agencies we aim to prevent, identify early, and handle cases of child-on-child abuse effectively. Working in partnership help schools to:

- develop a good awareness and understanding of the different referral pathways that operate in their local area, as well as the preventative and support services which exist;
- ensure that their students are able to access the range of services and support they need quickly;
- support and help inform their local community's response to child-on-child abuse; and increase their awareness and understanding of any concerning trends and emerging risks in their local area to enable them to take preventative action to minimise the risk of these being experienced by their students.

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

## **7. Identifying and assessing behaviour**

All staff should be vigilant in respect of the dynamics of peer groups in their school, and should be alert to the wellbeing of students and to signs of abuse. They should engage with these signs, as appropriate, to determine whether they are caused by child-on-child 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. Signs that a child may be suffering from child-on-child abuse can also overlap with those indicating other types of abuse and can include – for example:

- being afraid of particular places and/or situations and/or making excuses to avoid particular people
- being afraid/reluctant to go to school, being mysteriously 'ill' each morning, or skipping school
- running away or regularly going missing from home, care or education
- experiencing difficulties with mental health and/or emotional wellbeing
- becoming nervous, anxious, distressed, clingy or depressed
- becoming isolated from peers/usual social networks, losing confidence and becoming withdrawn
- self-harming or having thoughts about suicide
- having problems eating (including developing eating disorders) and/or sleeping (including suffering from nightmares)
- regularly wetting the bed or soiling their clothes
- belongings getting 'lost' or damaged
- asking for, or stealing, money (to give to a bully)
- unexplained gifts, money or new possessions (eg clothes and/or mobile phone)
- unexplained physical injuries and other signs of physical abuse
- changes in appearance – eg weight loss
- changes in performance and/or behaviour at school
- knowing about or being involved in 'adult issues' which are inappropriate for their age or stage of development, for example, alcohol, drugs and/or sexual behaviour
- involvement in abusive relationships
- involvement in gangs or gang fights
- having angry outbursts, or behaving aggressively or abusively (including displaying HSB) towards others

Abuse affects children very differently. The above list is by no means exhaustive, and the presence of one or more of these signs does not necessarily indicate abuse. The behaviour that children present with will depend on their particular circumstances. Concerns may also of course be raised by parents, peers, and others.



## 8. Sexual behaviour

From Keeping Children Safe in Education 2024:

“Children’s sexual behaviour exists on a wide continuum, ranging from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is “harmful sexual behaviour” (HSB). The term has been widely adopted in child protection and is used in this advice. HSB can occur online and/or face-to-face and can also occur simultaneously between the two. HSB should be considered in a child protection context.

When considering HSB, both ages and the stages of development of the children are critical factors. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years’ difference or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature. Confidential specialist support and advice on HSB is available from the specialist sexual violence sector and sources are listed in Annex B.

It is effective safeguarding practice for the designated safeguarding lead (and their deputies) to have a good understanding of HSB. This could form part of their safeguarding training. This will aid in planning preventative education, implementing preventative measures, drafting and implementing an effective child protection policy and incorporating the approach to sexual violence and sexual harassment into the whole school or college approach to safeguarding.

HSB can, in some cases, progress on a continuum. Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. Children displaying HSB have often experienced their own abuse and trauma. It is important that they are offered appropriate support.” (Para 463-465)

As a school we will use Hackett’s Harmful Sexual Behaviour Framework. Hackett’s continuum relates exclusively to sexual behaviours and is not exhaustive.

Figure 3 Sexual behaviour continuum model from ‘Addressing child-on-child abuse’ by Farrer&Co

Normal	Inappropriate	Problematic	Abusive	Violent
<ul style="list-style-type: none"><li>• Developmentally expected</li><li>• Socially acceptable</li><li>• Consensual, mutual, reciprocal</li><li>• Shared decision making</li></ul>	<ul style="list-style-type: none"><li>• Single instances of inappropriate sexual behaviour</li><li>• Socially acceptable behaviour within peer group</li><li>• Context for behaviour may be inappropriate</li><li>• Generally consensual and reciprocal</li></ul>	<ul style="list-style-type: none"><li>• Problematic and concerning behaviour</li><li>• Developmentally unusual and socially unexpected</li><li>• No overt elements of victimisation</li><li>• Consent issues may be unclear</li><li>• May lack reciprocity or equal power</li><li>• May include levels of compulsivity</li></ul>	<ul style="list-style-type: none"><li>• Victimising intent or outcome</li><li>• Includes misuse of power</li><li>• Coercion and force to ensure compliance</li><li>• Intrusive</li><li>• Informed consent lacking or not able to be freely given</li><li>• May include elements of expressive violence</li></ul>	<ul style="list-style-type: none"><li>• Physically violent sexual abuse</li><li>• Highly intrusive</li><li>• Instrumental violence which is psychologically and/or sexually arousing to the child responsible for the behaviour</li><li>• Sadism</li></ul>

We will follow the specialist support and advice on HSB available from the specialist sexual violence sector. Our DSL will undertake training in HSB and incorporate this into our approach to managing sexual violence and sexual harassment. Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. Children displaying HSB have often experienced their own abuse and trauma. We understand it is important that they are offered appropriate support.

## **9. Other behaviour**

When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, the school will draw on aspects of Hackett's continuum to assess where the alleged behaviour falls on a spectrum and to decide how to respond. This could include, for example, 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 eg 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, and
- involves a misuse of power.

## **10. Handling Incidents**

Guidance from Keeping Children Safe in Education 2024 Part 5 (pages 111 -142) used throughout this section

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

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

We recognise that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react. In some cases, those alleged to have been abused may not make a direct report.

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

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

### **What to do:-**

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

Our initial response to a report from a child is important. It is essential that all those alleged to have been abused are reassured that they are being taken seriously and that they will be supported and kept safe. All those alleged to have been abused will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor will those alleged to have been abused ever be made to feel ashamed for making a report. We will reassure **all** those alleged to have been abused that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe. Abuse that occurs online or outside of our setting will not be downplayed and will be treated equally seriously.

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

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

There may be reports where the alleged sexual violence or sexual harassment involves pupils or students from the same school but is alleged to have taken place away from the school, or online. There may also be reports where the children concerned attend two or more different schools. The safeguarding principles, and individual schools' duties to safeguard and promote the welfare of their pupils and students, remain the same. In such circumstances, appropriate information shared effectively and multi-agency working will be especially important.

As per Part 5 of Keeping Children Safe in Education, all staff should be trained to manage a report. Local policies (and training) will dictate exactly how reports should be managed. However, effective safeguarding practice includes:

- not promising confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the designated safeguarding lead or children's social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that those alleged to have been abused understands what the next steps will be and who the report will be passed to;
- recognising a child is likely to disclose information to someone they trust: this could be anyone on the school staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust. They should be supportive and respectful of the child;
- listening carefully to the child, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc.;
- for non verbal and or SEND pupils, use other communication methods that they are familiar with, such as persona dolls, lego build to express or Makaton.
- considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes, especially if a second member of staff is present. However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted.

At SS Peter and Paul Catholic Primary School, a factual record will be made of the allegation, but no attempt at this stage should be made to investigate the circumstances. The incident will be recorded on CPOMS.

- only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. Schools should be aware that notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation;
- where the report includes an online element, being aware of [searching, screening and confiscation](#) advice (for schools) and [UKCCIS sexting](#) advice (for schools and colleges). The key consideration is for staff not to view or forward illegal images of a child. The highlighted advice (links above) provides more details on what to do when viewing an image is unavoidable.
- if possible, managing reports with two members of staff present, (preferably one of them being the designated safeguarding lead or a deputy). However, this might not always be possible;
- informing the designated safeguarding lead (or deputy), as soon as practically possible, if the designated safeguarding lead (or deputy) is not involved in the initial report

### **Considering confidentiality and anonymity**

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

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

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

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

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

### **Anonymity**

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

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

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

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

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

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

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

### **Risk Assessment**

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

The risk and needs assessment should consider:

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

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

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

The DSL (or a deputy) will engage with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. Our risk assessment is not

intended to replace the detailed assessments of expert professionals. Any such professional assessments will be used to inform our approach to supporting and protecting our pupils and students and updating our own risk assessment.

The DSL may use and consider the TWSP Sexually harmful behaviour risk assessment tool [https://www.telford.gov.uk/downloads/file/17524/sexually\\_harmful\\_behaviour\\_risk\\_assessment\\_tool](https://www.telford.gov.uk/downloads/file/17524/sexually_harmful_behaviour_risk_assessment_tool)

### **After the case**

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

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

#### **What to consider**

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

- the wishes of those alleged to have been abused in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Those alleged to have been abused should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with our duty and responsibilities to protect other children;
- the nature of the alleged incident(s), including whether a crime may have been committed and/or whether HSB has been displayed;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, are those alleged to have been abused significantly older, more mature or more confident? Does those alleged to have been abused have a disability or learning difficulty?;
- if the alleged incident is a one-off or a sustained pattern of abuse (sexual abuse can be accompanied by other forms of abuse and a sustained pattern may not just be of a sexual nature);
- that sexual violence and sexual harassment can take place within intimate personal relationships between peers;
- are there ongoing risks to those alleged to have been abused, other children, adult students or school or college staff; and, other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation.

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

The starting point regarding any report will always be that there is a zero-tolerance approach to sexual violence and sexual harassment and it is never acceptable and it will not be tolerated.

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

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

All guidance in this section is taken directly from Keeping Children Safe in Education 2021, pages 124.

Any report of sexual violence or sexual harassment is likely to be traumatic for the victim. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

Reports of rape and assault by penetration are likely to be especially difficult for the victim, and close proximity to the alleged perpetrator(s) is likely to be especially distressing.

Whilst the school or college establishes the facts of the case and starts the process of liaising with local authority children's social care and the police, the alleged perpetrator(s) should be removed from any classes they share with the victim. The school or college should also carefully consider how best to keep the victim and alleged perpetrator(s) a reasonable distance apart on school or college premises (including during any before or after school-based activities) and on transport to and from the school or college, where appropriate. These actions are in the best interests of all children involved and should not be perceived to be a judgement on the guilt of the alleged perpetrator(s).

For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator(s) and considerations regarding shared classes, sharing school or college premises and school or college transport, should be considered immediately. In all cases, the initial report should be carefully evaluated, reflecting the considerations set out at paragraph 490-491. 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.

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



abused.

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

The school or college should also consider how best to keep those alleged to have been abused and alleged perpetrator a reasonable distance apart on school premises and on transport to and from the school or college, where appropriate.

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

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

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

### **Options to manage the report**

All guidance in this section is taken directly from Keeping Children Safe in Education 2024, pages 124 and 142.

It is important that schools and colleges consider every report on a case-by-case basis as per paragraph 490. When to inform the alleged perpetrator(s) will be a decision that should be carefully considered. Where a report is going to be made to local authority children's social care and/or the police, then, as a general rule, the designated safeguarding lead should speak to the local authority children's social care and the police and discuss next steps and how the alleged perpetrator(s) will be informed of the allegations. However, as per general safeguarding principles, this does not and should not stop the school or college taking immediate action to safeguard its children, where required.

There are four likely scenarios for schools and colleges to consider when managing any reports of sexual violence and/or sexual harassment. The four scenarios are:

#### **1. Manage internally**

In some cases of sexual harassment, for example, one-off incidents, the school or college may take the view that the children concerned are not in need of early help or that referrals to

statutory services are not required, and that it would be appropriate to handle the incident internally, perhaps through utilising their behaviour policy and by providing pastoral support.

Whatever the response, it should be underpinned by the principle that there is a zero-tolerance approach to sexual violence and sexual harassment, and it is never acceptable and will not be tolerated.

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

## **2. Early help**

In line with managing internally, the school or college may decide that the children involved do not require referral to statutory services but may benefit from early help. Early help is support for children of all ages that improves a family's resilience and outcomes or reduces the chance of a problem getting worse. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent HSB and may prevent escalation of sexual violence. It is particularly important that the designated safeguarding lead (and their deputies) know what the local early help process is and how and where to access support.

More information on early help is set out in Part one of this guidance with full details of the early help process in Working Together to Safeguard Children.

Multi-agency early help will work best when placed alongside strong school or college policies, preventative education and engagement with parents and carers.

Schools and colleges, as relevant agencies, should be part of discussions with statutory safeguarding partners to agree the levels for the different types of assessment and services to be commissioned and delivered, as part of the local arrangements. Safeguarding partners should publish a local threshold document which includes the process for the local early help assessment and the type and level of early help services to be provided, and designated safeguarding leads (and their deputies) will need to familiarise themselves with this document.

Early help and the option to manage a report internally do not need to be mutually exclusive: a school could manage internally and seek early help for both the victim and alleged perpetrator(s).

Whatever the response, it should be under-pinned by the principle that there is zero-tolerance approach to sexual violence and sexual harassment and that both are never acceptable and will not be tolerated.

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

## **3. Referrals to local authority children's social care**

Where a child has been harmed, is at risk of harm, or is in immediate danger, schools and colleges should make a referral to local authority children's social care.

At the point of referral to local authority children's social care, schools and colleges will generally inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child at additional

risk). Any such decision should be made with the support of local authority children's social care.

If a referral is made, local authority children's social care will then make enquiries to determine whether any of the children involved are in need of protection or other services.

Where statutory assessments are appropriate, the school or college (especially the designated safeguarding lead (or a deputy)) should be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator(s) and any other children that require support.

Schools and colleges should not wait for the outcome (or even the start) of a local authority children's social care investigation before protecting the victim and other children in the school or college. It will be important for the designated safeguarding lead (or a deputy) to work closely with local authority children's social care (and other agencies as required) to ensure any actions the school or college takes do not jeopardise a statutory investigation. The risk assessment as per paragraph 487-489 will help inform any decision. Consideration of safeguarding the victim, alleged perpetrator(s), any other children directly involved in the safeguarding report, and all children at the school or college should be immediate.

In some cases, local authority children's social care will review the evidence and decide that a statutory intervention is not appropriate. The school or college (generally led by the designated safeguarding lead (or a deputy)) should be prepared to refer again if they believe the child remains in immediate danger or at risk of harm or if circumstances change. If a statutory assessment is not appropriate, the designated safeguarding lead (or a deputy) should consider other support mechanisms such as early help, specialist support and pastoral support.

Whatever the response, it should be under-pinned by the principle that there is a zero-tolerance approach to sexual violence and sexual harassment and that both are never acceptable and will not be tolerated.

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

#### **4. Reporting to the police**

Any report to the police will generally be in parallel with a referral to local authority children's social care (as above).

It is important that the designated safeguarding lead (and their deputies) are clear about the local process for referrals and follow that process.

Where a report of rape, assault by penetration or sexual assault is made, the starting point is that this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator(s) is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach. The following advice may help schools and colleges decide when to engage the Police and what to expect of them when they do: When to call the police.

Where a report has been made to the police, the school or college should consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator(s) and their parents or carers. They should also discuss the best way to protect the victim and their anonymity.

At this stage, schools and colleges will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a child at additional risk. In circumstances where parents or carers have not been informed, it will be especially important that the school or college is supporting the child in any decision they take. This should be with the support of local authority children's social care and any appropriate specialist agencies.

All police forces in England have specialist units that investigate child abuse. The names and structures of these units are matters for local forces. It will be important that the designated safeguarding lead (and their deputies) are aware of their local arrangements.

In some cases, it may become clear very quickly that the police (for whatever reason) will not take further action. In such circumstances, it is important that the school or college continues to engage with specialist support for the victim and alleged perpetrator(s) as required.

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

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

Whatever the response, it should be underpinned by the principle that there is a zero-tolerance approach to sexual violence and sexual harassment and that both are never acceptable and will not be tolerated.

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

### **Considering bail conditions**

The police will consider what action to take to manage the assessed risk of harm. This could involve the use of police bail with conditions, prior to a suspect appearing in court, or court bail with or without conditions after the first appearance.

Alternatively, the person suspected of an offence could be 'released under investigation' (RUI). People released under RUI will not necessarily have conditions attached to their release from custody and it is possible for a person on bail also to have no conditions.

Whatever arrangements are in place, the school or college will need to consider what additional measures may be necessary to manage any assessed risk of harm that may arise within their institution.

Particular regard should be given to the additional stress and trauma that might be caused to a victim within the institution; the potential for the suspected person to intimidate the victim or a witness; the need to ensure that any risk management measures strike a balance between management of risk and the rights of an un-convicted person (e.g. rights to privacy, family life, etc).

Careful liaison with the police investigators should help to develop a balanced set of arrangements.

### **Managing any delays in the criminal process**

There may be delays in any case that is being progressed through the criminal justice system. Schools and colleges should not wait for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator(s) and other children in the school or college. The risk assessment as per paragraph 487-489 will help inform any decision.

Considering any disciplinary action against the alleged perpetrator(s) whilst an investigation is ongoing is discussed below in the alleged perpetrator(s) section.

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

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

### **The end of the criminal process**

If a child is convicted or receives a caution for a sexual offence, the school or college should update its risk assessment, ensure relevant protections are in place for all the children at the school or college and, if it has not already, consider any suitable action in line with their behaviour policy. This process should include a review of the necessary actions to keep all parties safe and meet their needs. If the perpetrator(s) remains in the same school or college as the victim, the school or college should be very clear as to their expectations regarding the

perpetrator(s) now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions the school or college thinks are reasonable and proportionate with regard to the lesson timetable of the perpetrator(s).

Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils or students in the school or college. It will be important that the school or college ensures both the victim and perpetrator(s) remain protected, especially from any bullying or harassment (including online).

Where cases are classified as “no further action” by the police or Crown Prosecution Service, or where there is a not guilty verdict, the school or college should continue to offer support to the victim and the alleged perpetrator(s) for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for the victim. The fact that an allegation cannot be substantiated or was withdrawn does not necessarily mean that it was unfounded. Schools and colleges should discuss any decisions with the victim in this light and continue to offer support. The alleged perpetrator(s) is/are also likely to require ongoing support for what will have likely been a difficult experience.

### **Unsubstantiated, unfounded, false or malicious reports**

As set out in paragraph 66 of Part one of this guidance, all concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified, and addressed.

If a report is determined to be unsubstantiated, unfounded, false or malicious, the designated safeguarding lead should consider whether the child and/or the person who has made the allegation is in need of help or may have been abused by someone else and this was a cry for help. In such circumstances, a referral to local authority children’s social care may be appropriate.

If a report is shown to be deliberately invented or malicious, the school or college, should consider whether any disciplinary action is appropriate against the individual who made it as per their own behaviour policy.

### **Ongoing response**

#### **Safeguarding and supporting the victim**

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the victim.

The needs and wishes of the victim should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim’s daily experience as normal as possible, so that the school or college is a safe space for them.

Consider the age and the developmental stage of the victim, the nature of the allegation(s) and the potential risk of further abuse. Schools and colleges should be aware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and alleged perpetrator(s).

The victim should never be made to feel they are the problem for making a report or made to feel ashamed for making a report.

Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.

Schools and colleges should be aware that sexual assault can result in a range of health needs, including physical, mental, and sexual health problems and unwanted pregnancy. Children and young people that have a health need arising from sexual assault or abuse can access specialist NHS support from a Sexual Assault Referral Centre (SARC). SARCs offer confidential and non-judgemental support to victims and survivors of sexual assault and abuse. They provide medical, practical, and emotional care and advice to all children and adults, regardless of when the incident occurred

- It will be important in all scenarios that decisions and actions are regularly reviewed and that relevant policies are updated to reflect lessons learnt. It is particularly important to look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, the school or college should decide on a course of action. Consideration should be given as to whether there are wider cultural issues within the school or college that enabled the inappropriate behaviour to occur and where appropriate extra teaching time and/or staff training could be delivered to minimise the risk of it happening again.

Support can include:

- Early help and local authority children's social care as set out in Part one of this guidance.
- Children and Young People's Independent Sexual Violence Advisors (ChISVAs) provide emotional and practical support for victims of sexual violence. They are based within the specialist sexual violence sector and will help the victim understand what their options are and how the criminal justice process works if they have reported or are considering reporting to the police. ChISVAs will work in partnership with schools and colleges to ensure the best possible outcomes for the victim.
- Police and social care agencies can signpost to ChISVA services (where available), or referrals can be made directly to the ChISVA service by the young person or school or college. Contact details for ChISVAs can be found at Rape Crisis and The Survivors Trust.
- Child and young people's mental health services (CYPMHS) is used as a term for all services that work with children who have difficulties with their emotional or behavioural wellbeing. Services vary depending on local authority. Most CYPMHS have their own website, which will have information about access, referrals and contact numbers.

- The specialist sexual violence sector can provide therapeutic support for children who have experienced sexual violence. Contact Rape Crisis (England & Wales) or The Survivors Trust for details of local specialist organisations. The Male Survivors Partnership can provide details of services which specialise in supporting men and boys.
- The NHS – Help after rape and sexual assault - NHS ([www.nhs.uk](http://www.nhs.uk)) provides a range of advice, help and support including advice about the risk of pregnancy, sexually transmitted infections (STI), reporting to the police and forensics.
  - Rape and sexual assault referral centres services can be found at: Find Rape and sexual assault referral centres. Sexual assault referral centres (SARCs) offer
- nurses and support workers. If children, young people, or their families are unsure which service to access, they should contact their GP or call the NHS on 111.
- Childline provides free and confidential advice for children and young people.
- Internet Watch Foundation works internationally to remove child sexual abuse online images and videos and offers a place for the public to report them anonymously.
- Childline / IWF: Remove a nude image shared online Report Remove is a free tool that allows children to report nude or sexual images and videos of themselves that they think might have been shared online, to see if they can be removed from the internet.

Victims may not disclose the whole picture immediately. They may be more comfortable providing information on a piecemeal basis. It is essential that dialogue is kept open and encouraged. When it is clear that ongoing support will be required, schools and colleges should ask the victim if they would find it helpful to have a designated trusted adult (for example, their form tutor or designated safeguarding lead) to talk to about their needs. The choice of any such adult should be the victim's (as far as is reasonably possible). Schools and colleges should respect and support this choice.

Children who have experienced sexual violence display a very wide range of responses to their experience, including in some cases clear signs of trauma, physical and emotional responses, or no overt signs at all. Schools and colleges should remain alert to the possible challenges of detecting those signs and show sensitivity to the needs of the child (e.g. about attendance in lessons) irrespective of how overt the child's distress is.

While schools and colleges should avoid any action that would have the effect of isolating the victim, in particular from supportive peer groups, there may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This should be because the victim wants to, not because it makes it easier to manage the situation. If required, schools and colleges should provide a physical space for victims to withdraw to.



It may be necessary for schools and colleges to maintain arrangements to protect and support the victim for a long time. Schools and colleges should be prepared for this and should work with local authority children's social care and other agencies as required.

It is therefore important that the designated safeguarding lead (or a deputy) knows how, when, and where to seek support.

It is important that the school or college do everything they reasonably can to protect the victim from bullying and harassment as a result of any report they have made.

Whilst they should be given all the necessary support to remain in their school or college, if the trauma results in the victim being unable to do this, alternative provision or a move to another school or college should be considered to enable them to continue to receive suitable education. This should only be at the request of the victim (and following discussion with their parents or carers).

It is important that if the victim does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs. The designated safeguarding lead should take responsibility to ensure this happens (and should discuss with the victim and, where appropriate their parents or carers as to the most suitable way of doing this) as well as transferring the child protection file. Information sharing advice referenced at paragraphs 114-122 will help support this process.

Safeguarding and supporting the alleged perpetrator(s) and children and young people who have displayed harmful sexual behaviour

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the alleged perpetrator(s):

- The school or college will have a difficult balancing act to consider. On one hand, they need to safeguard the victim (and the wider pupil/student body) and on the other hand provide the alleged perpetrator(s) with an education, safeguarding support as appropriate and implement any disciplinary sanctions. Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time if necessary.
- Consider the age and the developmental stage of the alleged perpetrator(s), the nature of the allegations and frequency of allegations. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them.
- Consider the proportionality of the response. Support (and sanctions) should be considered on a case-by-case basis. The alleged perpetrator(s) may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other children. HSB in young children may be (and often is<sup>147</sup>) a symptom of either their own abuse or exposure to abusive practices and or materials. More information on

HSB can be found at paras 462-465. Advice should be taken, as appropriate, from local authority children's social care, specialist sexual violence services and the police.

- The Lucy Faithfull Foundation has developed a HSB toolkit, which amongst other things, provides support, advice and information on how to prevent it, links to organisations and helplines, resources about HSB by children, internet safety, sexual development and preventing child sexual abuse.
- The NSPCC provides free and independent advice about HSB: NSPCC Learning: Protecting children from harmful sexual behaviour and NSPCC - Harmful sexual behaviour framework.
- Beyond Referrals | Contextual Safeguarding provides a school self-assessment toolkit and guidance for addressing HSB in schools.
- StopItNow – Preventing harmful sexual behaviour in children - Stop It Now provides a guide for parents, carers and professionals to help everyone do their part in keeping children safe, they also run a free confidential helpline.

It is important that the perpetrator(s) is/are also given the correct support to try to stop them re-offending and to address any underlying trauma that may be causing this behaviour. Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. Advice on behaviour in schools is clear that teachers can sanction pupils whose conduct falls below the standard which could be reasonably expected of them. If the perpetrator(s) is to be excluded the decision must be lawful, reasonable and fair. Further information about exclusions can be found in statutory guidance for schools: Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England.

School can be a significant protective factor for children who have displayed HSB, and continued access to school, with a comprehensive safeguarding management plan in place, is an important factor to consider before final decisions are made. It is important that if an alleged perpetrator does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs and where appropriate, potential risks to other children and staff. The designated safeguarding lead should take responsibility to ensure this happens as well as transferring the child protection file. Information sharing advice referenced at paragraphs 114-122 will help support this process.

## **Sanctions and the alleged perpetrator(s)**

### **Schools**

With regard to the alleged perpetrator(s), advice on behaviour in schools is clear that teachers can sanction pupils whose conduct falls below the standard which could be reasonably expected of them. Statutory guidance for maintained schools, academies and PRUs on exclusions can be found here. Disciplinary action can be taken whilst other investigations by the police and/or local authority children's social care are ongoing. The fact that another body is investigating or has investigated an incident does not in itself prevent a

school from coming to its own conclusion, on the balance of probabilities, about what happened, and imposing a penalty accordingly. This is a matter for the school and should be carefully considered on a case-by-case basis. The designated safeguarding lead (or a deputy) should take a leading role. The school should consider if, by taking any action, it would prejudice an investigation and/or any subsequent prosecution. Careful liaison with the police and/or local authority children's social care should help the school make a determination. It will also be important to consider whether there are circumstances that make it unreasonable or irrational for the school to reach its own view about what happened while an independent investigation is considering the same facts.

### **Discipline and support**

Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time if necessary. The school or college should be very clear as to what its approach is. On the one hand there is preventative or forward-looking action to safeguard the victim and/or the perpetrator(s), especially where there are concerns that a perpetrator themselves may have been a victim of abuse; and, on the other, there is disciplinary action to punish a perpetrator for their past conduct. The school or college should be very clear as to which category any action they are taking falls or whether it is really both and should ensure that the action complies with the law relating to each relevant category.

### **Working with parents and carers**

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

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

It is also good practice for the school or college to meet the parents or carers of the alleged perpetrator(s) to discuss any arrangements that are being put into place that impact an alleged perpetrator(s), such as, for example, moving them out of classes with the victim and what this means for their education. The reason behind any decisions should be explained. Support for the alleged perpetrator(s) should be discussed.

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

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

Parents and carers may well struggle to cope with a report that their child has been the victim of a sexual assault or is alleged to have sexually assaulted another child. Details of organisations that support parents are provided in Annex B. Schools and colleges should consider signposting parents and carers to this support.

### **Safeguarding other children**

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

Following any report of sexual violence or sexual harassment, it is likely that some children will take “sides”. The school or college should be doing all they can to ensure both the victim and alleged perpetrator(s), and any witnesses, are not being bullied or harassed.

Social media is very likely to play a central role in the fall out from any incident or alleged incident. There is the potential for contact between victim and alleged perpetrator(s) and a very high likelihood that friends from either side could harass the victim or alleged perpetrator(s) online and/or become victims of harassment themselves. Specialist online safety support is discussed at paragraph 473.

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

A whole school or college approach to safeguarding, a culture that makes clear that there is a zero-tolerance approach to sexual violence and sexual harassment and that both are never acceptable, and it will not be tolerated, and a strong preventative education programme will help create an environment in which all children at the school or college are supportive and respectful of their peers when reports of sexual violence or sexual harassment are made.

It is important that schools and colleges keep their policies, processes, and curriculum under constant review to protect all their children. Reports of sexual violence and sexual harassment (especially where there is evidence of patterns of behaviour) may point to environmental and or systemic problems that could and should be addressed by updating relevant policies, processes, or relevant parts of the curriculum. Alongside this, patterns identified in schools may also be reflective of the wider issues within a local area and it is good practice to share emerging trends with safeguarding partners.

## Policy Review

This policy will be reviewed annually by the Designated Safeguarding leads. Next review: Autumn 2025 or more frequently in line with further recommendations

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



Support for who?	Agency/Organisation	What support is available
	Police	Intermediaries for supporting those alleged to have been abused s through court proceedings
	Youth Justice Service (YJS)	Those alleged to have been abused Support Worker
	Axis Counselling	Counselling for 12 years + for sexual abuse.
	Newstart Networks	Support for 3 – 23 year olds for those who experience trauma. Contact details 01743 or

Those alleged to have been abused s		01743 453517.
	BeeU Emotional Health and Wellbeing (0 – 25) service (MPFT)	Referrals need to be made via a single point of access by email at <a href="mailto:025SPA@sssft.nhs.uk">025SPA@sssft.nhs.uk</a> or telephone at 0300 124 0093.
		Access services directory for Kooth, an anonymous 24-hour online service offering peer support, self-help and have trained counsellors to talk to. Anyone aged 11-25, living in Telford and Wrekin can register to access this service and you don't need to be referred or have an appointment.
		Access services directory for The Children's Society, which deliver health promotion, prevention and early help and support as well as working with young people to aid transition/sign posting to other services or resources. Drop in sessions are available in Telford. You don't need to be referred or have an appointment.
	Glade	Paediatric: 0800 953 4131, email: <a href="mailto:info@the-glade.org.uk">info@the-glade.org.uk</a> , <a href="http://www.bhamcommunity.nhs.uk/psa">www.bhamcommunity.nhs.uk/psa</a> <a href="#">s</a>

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

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



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

## **Annex Risk Assessment for Peer on Peer Sexual Abuse/ Harmful Sexual Behaviour**

***All text in italics is taken directly from Keeping Children Safe in Education 2022***

*When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment should consider:*

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

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

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

*The designated safeguarding lead (or a deputy) should ensure they are engaging with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required.*

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

SS Peter and Paul Catholic Primary School *will carefully consider any report of sexual violence and/or sexual harassment. The designated safeguarding lead (or deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the school's initial response. Important considerations will include:*

- the wishes of those alleged to have been abused in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Those alleged to have been abused should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered;*
- the nature of the alleged incident(s), including whether a crime may have been committed and consideration of harmful sexual behaviour;*
- the ages of the children involved;*
- the developmental stages of the children involved;*
- any power imbalance between the children. For example, is those alleged to have abused significantly older, more mature or more confident? Does those alleged to have been abused have a disability or learning difficulty?;*
- if the alleged incident is a one-off or a sustained pattern of abuse;*
- are there ongoing risks to those alleged to have been abused, other children, adult students or school or college staff; and*
- other related issues and wider context.*

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

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

**\*This risk assessment should be completed with reference to Keeping Children Safe In Education 2022**

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

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

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

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

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

**All text in italics is taken from Keeping Children Safe in Education 2022**

ASPECTS TO CONSIDER	RISK (CONSIDER THOSE ALLEGED TO HAVE BEEN ABUSED, THOSE ALLEGED TO HAVE ABUSED, OTHER PUPILS AND STAFF)	RISK LEVEL (HIGH, MEDIUM OR LOW)	ACTIONS TO REDUCE RISK	REVISED RISK LEVEL (HIGH, MEDIUM OR LOW)
<ul style="list-style-type: none"> <li>What are the wishes of those alleged to have been abused?</li> </ul>				
<ul style="list-style-type: none"> <li>What was the nature of the incident?</li> </ul>				
<ul style="list-style-type: none"> <li>Was it a crime?</li> </ul>				
<ul style="list-style-type: none"> <li>What are the ages of the children involved?</li> </ul>				
<ul style="list-style-type: none"> <li>What are the developmental stages of the children involved?</li> </ul>				
<ul style="list-style-type: none"> <li>Consider the power balance between those alleged to have been abused and those alleged to have abused – For example, are those alleged to have abused significantly older, more mature or more confident? Does those alleged to have been abused have a disability or learning difficulty?</li> </ul>				

ASPECTS TO CONSIDER	RISK (CONSIDER THOSE ALLEGED TO HAVE BEEN ABUSED, THOSE ALLEGED TO HAVE ABUSED, OTHER PUPILS AND STAFF)	RISK LEVEL (HIGH, MEDIUM OR LOW)	ACTIONS TO REDUCE RISK	REVISED RISK LEVEL (HIGH, MEDIUM OR LOW)
<ul style="list-style-type: none"> <li>Is the alleged incident one off or a sustained pattern of abuse?</li> </ul>				
<ul style="list-style-type: none"> <li>Is it necessary to limit contact between the children involved? Refer to KCSiE and DFE guidance on sexual harassment and sexual violence in schools and colleges.</li> </ul>				
<ul style="list-style-type: none"> <li>Is there an actual or perceived threat from those alleged to have abused to those alleged to have been abused and/or others?</li> </ul>				
<ul style="list-style-type: none"> <li>Is either those alleged to have been abused or those alleged to have abused at risk of physical harm as a result of this incident (for example, bullying or 'retribution' by peers)?</li> </ul>				

• Do they share classes?				
• Do they share break times?				
• Do they share transport to/from school?				

ASPECTS TO CONSIDER	RISK (CONSIDER THOSE ALLEGED TO HAVE BEEN ABUSED, THOSE ALLEGED TO HAVE ABUSED, OTHER PUPILS AND STAFF)	RISK LEVEL (HIGH, MEDIUM OR LOW)	ACTIONS TO REDUCE RISK	REVISED RISK LEVEL (HIGH, MEDIUM OR LOW)
• 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?				
• Is there a risk of harm from social media and gossip?				

**Further action taken by the school:**

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