

# The Spire Church of England Learning Trust

## Child on Child Abuse Policy

Including Sexual Violence and Harassment Between Children

2024 - 2025

This policy has been reviewed and updated by Rebecca Jenkin, the Trust Safeguarding Lead based at Parkside Middle School. It is approved annually by the Trust Board and implemented by all schools within the Trust.

To the best of our knowledge, we do not feel it impacts negatively on any specific group or individual within our school or Trust community.

This policy has been written in conjunction with Worcestershire Children First.

Reviewed: July 2024

Ratified: July 2024

Next Review: July 2025

In collaboration with



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## List of Designated Safeguarding Leads (DSLs) and Deputy DSLs across the schools within The Spire Church of England Learning Trust:



### **St John's Middle School, Bromsgrove**

Designated Safeguarding Lead (DSL) : Mrs Kate Gallinagh

Deputy DSL: Miss N Birmingham, Ms Mala Jarvis, Mrs Jo Alexander and Mrs Sarah Butt



### **St John's Primary School, Kidderminster**

Designated Safeguarding Lead (DSL) : Mrs Suzanne Finlay

Deputy DSL: Miss Lisa White, Mrs Christine Galloway and Mrs Rachel Taylor



### **St Matthias Primary School, Malvern**

Designated Safeguarding Lead (DSL) : Mrs Ginnie Beale

Deputy DSL: Mr James Thompson and Mr Carl Salmon



### **Witton Middle School, Droitwich**

Designated Safeguarding Lead (DSL) : Mrs Louise McNally

Deputy DSL: Mrs Julie Davies, Mrs Vicky Morton, Mrs Leanne Neeson, Mrs Suzie Bourne and Mrs Julie Gough



### **Catshill Middle School, Bromsgrove**

Designated Safeguarding Lead (DSL) : Mr R Duerden

Deputy DSL: Ms T Andrews



### **Catshill First School and Nursery, Bromsgrove**

Designated Safeguarding Lead (DSL) : Mr R Duerden

Deputy DSL: Mrs G Plant and Mrs P Wainman

## 1. Context and Definition

- Schools in the UK have a statutory responsibility to protect children from abuse. They play a very important role in keeping children and young people safe. Schools should create a culture where:
- children feel confident to speak out if they have a concern about their own or another child's safety
- adults feel confident to recognise and respond to safeguarding and child protection concerns.

It is essential that all our staff understand the importance of challenging inappropriate behaviours between peers. Downplaying certain behaviours, for example dismissing sexual harassment as "just banter", "just having a laugh", "part of growing up" or "boys being boys" can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as such and not coming forward to report it. (KCSIE 23)

Child-on-child abuse is behaviour by an individual or group, intending to physically, sexually, financially or emotionally harm others using coercion, power and/or control. It can happen to children of a similar age or stage of development and can be harmful to the children who display it as well as those who experience it.

**Staff** within The Spire Church of England Learning Trust who work with children, are advised to maintain an attitude of **'it could happen here'** where safeguarding is concerned. When concerned about the welfare of a child, staff should always act in the **best** interests of the child.

All staff should recognise that children can abuse their peers. All staff should be aware of safeguarding issues from child-on-child abuse including:

- bullying (including online bullying) and prejudiced related bullying
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- sexual violence and sexual harassment and sexually harmful behaviour
- sexting -sharing of nude or indecent(also known as youth produced sexual imagery)
- initiation/hazing type violence and rituals.
  - Hate crime
  - Child Criminal Exploitation
  - Child Sexual exploitation
  - Gang association and serious violence – County Lines
  - Radicalisation

Children or young people who harm others may have additional or complex needs e.g.:

- Significant disruption in their own lives
- Exposure to domestic abuse or witnessing or suffering abuse
- Educational under-achievement
- Involved in crime

Stopping violence and ensuring immediate physical safety is the priority of any education setting, but emotional bullying can sometimes be more damaging than physical. School staff, alongside their Designated Safeguarding Lead and/or Deputy, must make their own judgements about each specific case and should use this policy guidance to help.

Children might not report sexual abuse because they are afraid of the following:

- Being ostracised by their peers
- Their peers getting into trouble
- Losing control of what will happen after they tell someone
- Not being believed
- Being blamed
- Being shamed

## 2. Responsibility

All staff should be aware of systems within their school which support safeguarding, and these should be explained to them as part of staff induction. This should include the:

- Safeguarding and Child Protection policy (which should amongst other things also include the policy and procedures to deal with child-on-child abuse)

Child on Child abuse is referenced in the Safeguarding and Child Protection Policy. The sensitive nature and specific issues involved with child on child necessitate separate policy guidance.

Our school continues to ensure that any form of abuse or harmful behaviour is dealt with immediately and consistently to reduce the extent of harm to the young person, with full consideration to the impact on that individual child's emotional and mental health and well-being.

### Our staff

#### All staff should:

- Recognise the increasing national concern regarding this issue as highlighted in the Keeping Children Safe in Education 2024
- Are aware of the level and nature of risk that our pupils are or may be exposed to
- Understand the important role that they play in the culture of vigilance
- Recognise child-on-child abuse of all types
- Are confident and competent in responding promptly and appropriately with timely challenge of the attitudes and behaviours of child-on-child abuse
- Listen to children, capture their voice and help to create a culture in which our children feel able to share their concerns openly, in a non-judgemental environment
- Will not downplay behaviours and recognise that if they do this, it can lead to an unsafe environment for children and, in worst case scenarios, a culture that normalises abuse leading to children accepting it as normal and not having the confidence to come forward, speak out and report what has happened to them
- Report and record their concerns following safeguarding referral processes
- Understand that even if there are no reports of this type of abuse that it 'does happen here'
- Are committed to ensure the prevention, early identification, and appropriate management of child-on-child abuse within the school setting and beyond
- Recognise and understand that children who harm others, may have additional or complex needs of their own, e.g. significant disruption in their own lives, exposure to domestic abuse, witnessing/suffering abuse as well as educational under-achievement and possibly and involvement in criminal activity and therefore, they too, will need support
- Encourage parents/carers to communicate with us so that we can work together to ensure and enable a prompt and appropriate response to any type of child-on-child abuse
- Know that putting a stop to child-on-child abuse of any type and ensuring the safety of our children is a priority
- Regard this policy as a positive, proactive and preventative measure

Staff within The Spire Church of England Learning Trust work hard to create a culture where child-on-child abuse does not happen. We strive to create an ethos of mutually respectful behaviour. However, if this type of abuse is seen, heard or reported, all staff are confident in their actions and subsequent support.

Staff will inform their children that there are other ways to report abuse if they are worried about themselves or other children and for whatever reason, don't feel that they can speak to staff in school. For example:

NSPCC Helpline on 0800 800 5000 or by emailing [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Childline 0800 1111 <https://www.childline.org.uk/>

## **Our Children**

All children are at risk of child-on-child abuse, but some groups are more vulnerable than others to abuse and include the following:

- A child with additional needs and disabilities
- A child living with domestic abuse
- A child who is at risk of suffering significant harm
- A child who is at risk of/or has been exploited or at risk of being exploited, criminally/sexually
- A Child who is Looked After
- A child who goes missing from school/home or is missing education
- Children who identify as or are perceived as LGBT+

At all schools within The Spire Church of England Trust, we are confident that our children know:

- Who to speak to and/where to go for support
- That they will be listened to, taken seriously and not dismissed
- That they will receive the right help at the right time
- That they will receive ongoing support
- That they will be supported to feel safe at school
- That they will be supported to continue to access their education

## **3. Purpose of Policy**

The purpose of this policy is to:

- Provide clarity on what is meant by child-on-child abuse in all its forms
- Understand the culture within our schools
- Evidence how staff support the children in our schools
- Give children confidence that they will be supported and informed
- Give parent/carers the assurance that staff know how to deal with abuse
- Evidence how our safeguarding staff handle reports/concerns/disclosures
- Inform of the post incident management process/ongoing support/safety planning

We have the following policies in place that should be read in conjunction with this policy:

- Anti-Bullying including Online Bullying Policy
- Safeguarding and Child Protection Policy
- Trust Managing Allegations / Trust Whistleblowing Policy
- Behaviour Policy

- Trust Health & Safety Policy
- Online Safety Policy

#### 4. Framework and Legislation

This policy is supported by the key principles of the Children's Act, 1989 that the child's welfare is paramount. Another key document is Working Together to Safeguard Children 2023, highlighting that every assessment of a child, must be informed by the views of the child as well as the family, and a child's wishes and feelings must be sought regarding the provision of services to be delivered. Where possible, children should be seen alone. Where a child requests to be seen with a trusted adult, this should be supported. A child's communication needs should be considered. When assessing children in need and providing services, specialist assessments may be required and, where possible, should be co-ordinated so that the child and family experience a coherent process and a single plan of action.

This is echoed by Keeping Children Safe in Education 2024 through ensuring procedures are in place in schools and settings to hear the voice of the child.

'Governing bodies, proprietors and school or college leaders should ensure the child's wishes and feelings are considered when determining what action to take and what services to provide. Systems should be in place for children to express their views and give feedback. Ultimately, all system and processes should operate with the best interests of the child at their heart.'

#### 5. Abusive and harmful behaviour

It is necessary to consider:

- what abuse is and what it looks like
- how it can be managed and by whom (which members of staff)
- what appropriate support and intervention can be put in place to meet the needs of the individual
- what preventative strategies may be put in place to reduce further risk of harm.

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

- Children are vulnerable to abuse by their peers. Such abuse should be taken as seriously as abuse by adults and should be subject to the same child protection procedures.
- Children can abuse other children. This can include (but is not limited to): abuse within intimate partner relationships; bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiation/hazing type violence and rituals.
- Staff should be aware of the potential uses of information technology for bullying and abusive behaviour between young people. This includes a type of blackmail widely known as 'sextortion'. Sextortion involves people being forced into paying money or meeting another financial demand, after an offender has threatened to release nude or semi-nude photos of them. This could be a real photo taken by the victim, or a fake image created of them by the offender.
- Staff should be aware of the added vulnerability of children and young people who have been the victims of violent crime (for example mugging), including the risk that they may respond to this by abusing younger or weaker children.

The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other children. Evidence suggests that such children may have suffered considerable disruption in their lives, may have witnessed or been subjected to physical or sexual abuse, may

have problems in their educational development and may have committed other offences. They may therefore be suffering, or be at risk of suffering, significant harm and be in need of protection. Any long-term plan to reduce the risk posed by the alleged perpetrator must address their needs.

## 6. Types of abuse

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

### 6.1 Physical abuse

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

### 6.2 Sexual Violence, Sexual Harassment and Sexually Harmful Behaviour (SHB)

Sexual Violence, Sexual Harassment and Sexually Harmful Behaviour (SHB) can occur between two children of any age and sex or with groups of children by sexually assaulting or sexually harassing a single child or group of children.

This must always be referred immediately to the Designated Safeguarding Lead.

The DSL will refer to the DfE guidance on sexual violence and sexual harassment between children in schools and colleges.

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

#### Sexual Violence

For this policy we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

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

#### Sexual Harassment

For this policy we mean 'unwanted conduct of a sexual nature' that can occur online and offline. We refer to this in the context of child-on child sexual harassment. Sexual harassment is likely to violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Whilst not intended to be an exhaustive list, sexual harassment can include:

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, and calling someone sexualised names.
- Sexual "jokes" or taunting.
- Physical behaviour, such as deliberately brushing against someone, interfering with someone's clothes and displaying pictures, photos, or drawings of a sexual nature; and



- Online sexual harassment, which might include non-consensual sharing of sexual images and videos and sharing sexual images and videos (both often referred to as sexting); sexualised online bullying and inappropriate sexual comments on social media; exploitation; coercion and threats. Online sexual harassment may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence

### **Harmful Sexual Behaviour (HSB)**

In this policy we recognise the importance of distinguishing between healthy, problematic, and harmful sexual behaviour.

Sexually harmful behaviour from young people is not always contrived or with the intent to harm others. There may be many reasons why a young person engages in sexually harmful behaviour and it may be just as distressing to the young person who instigates it as to the young person it is intended towards. Sexually harmful behaviour may include:

- inappropriate sexual language
- inappropriate role play
- sexual touching
- sexual assault/abuse.

Consent is when someone agrees by choice and has the freedom and capacity to make that choice. It is important to note that:

- A child under the age of 13 can never consent to any sexual activity;
- The age of consent is 16;
- Sexual intercourse without consent is rape.

### **6.3 Bullying**

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

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

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

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

### **6.4 Online Bullying**

Online Bullying is the use of technology (social networking, messaging, text messages, e-mail, chat rooms etc.) to harass threaten or intimidate someone for the same reasons as stated above.

Online bullying can take many forms:

- Abusive or threatening texts, emails or messages
- Posting abusive comments on social media sites
- Sharing humiliating videos or photos of someone else
- Stealing someone's online identity
- Spreading rumours online
- Trolling – sending someone menacing or upsetting messages through social networks, chatrooms or games
- Developing hate sites about another person

- Prank calls or messages
- Group bullying or exclusion online
- Anonymous messaging
- Encouraging a young person to self-harm
- Pressuring children to send sexual messages or engaging in sexual conversations

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

### **6.5 Sexting / Sharing nude or indecent imagery/ Youth Produced Sexual Imagery**

The term 'sexting' relates to the sending of indecent images, videos and/or written messages with sexually explicit content; these are created and sent electronically. They are often 'shared' via social networking sites and instant messaging services.

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

Downblousing: the act of taking a photograph or image down somebody's shirt, blouse or top without their consent with intention of obtaining sexual gratification, or to cause humiliation, distress or alarm.

The (non-statutory) Sharing nudes and semi nudes: advice for education settings working with children and young people, produced by the UK Council for Internet Safety (UKCIS) Education Group, outlines how to respond to an incident of nudes and semi-nudes being shared, and states that:

The types of incidents which this advice covers are:

- a person under the age of 18 creates and shares nudes and semi-nudes of themselves with a peer under the age of 18
- a person under the age of 18 shares nudes and semi-nudes created by another person under the age of 18 with a peer under the age of 18
- a person under the age of 18 is in possession of nudes and semi-nudes created by another person under the age of 18

In today's digital age, young people are increasingly vulnerable to online threats, including sextortion. Sextortion is a cyber-enabled crime that exploits a young person's trust and seeks to control them through the threat of public humiliation. It is crucial for staff to be aware of the signs of sextortion and, along with parents and carers, take proactive measures to protect young people.

This advice does not cover:

- the sharing of nudes and semi-nudes of under 18s by adults (18 and over) as this constitutes child sexual abuse and education settings should always inform their local police force as a matter of urgency
- children and young people under the age of 18 sharing adult pornography or exchanging sexual texts which do not contain images

- In response to these issues, education settings should follow their local authority's guidance and schools and colleges should also refer to KCSIE.

This must always be referred immediately to the Designated Safeguarding Lead.

## 6.6 Initiation/Hazing

Hazing is a form of initiation ceremony, which is used to induct newcomers into an organisation such as a private school, sports team etc. There are several different forms, from relatively mild rituals to severe and sometimes violent ceremonies. The ceremony welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite of passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.

## 6.7 Teenage relationship abuse

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

## 7. Expected staff action

**From April 2024, all staff must be aware of their statutory duty to report any safeguarding concern.**

Staff should consider the seriousness of the case and make a quick decision whether to inform the Designated Safeguarding Lead immediately before taking any further in-school actions.

- All staff should know what to do if a child tells them they are being abused [or] exploited. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the DSL (or a deputy) and local authority children's social care. Staff should never promise a child that they will not tell anyone about a report of any form of abuse, as this may ultimately not be in the best interests of the child.
- All staff should be able to reassure victims 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 any form of abuse. Nor should a victim ever be made to feel ashamed for making a report.
- All staff should be aware that children may not feel ready or know how to tell someone that they are being abused or exploited and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having a professional curiosity and speaking to the DSL if they have concerns about a child. It is also important that staff determine how best to build trusted relationships which facilitate communication with children and young people.

**There are four likely scenarios we will need to consider when managing any reports of sexual violence and/or sexual harassment:**

- **a) Manage internally** - In some cases of sexual harassment (for example, one-off incidents), we may take the view that the pupil/s concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally using our own sanctions in line with relevant school policies and by providing pastoral intervention and support.
- **b) Early Help** - We may decide that the children involved do not require statutory interventions but may benefit from early help where we are the lead professional. Early help means providing support as soon as a problem emerges, at any point in a child's life. 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 harmful sexual behaviour and may prevent escalation of sexual violence. This will help to evidence the support that we have given, the work undertaken and if desired outcomes have been achieved.
- **c) Referral to the police** – Reporting to the Police. We understand our responsibilities to call the Police and reporting forms of Child-on-child abuse. This does not mean that we are looking to criminalise children, and this may not always be necessary.

In any form of child-on-child abuse where it is believed that an offence has been committed, a report may be made to the Police. Where a report has been made to the police, we will consult with the police and agree what information is appropriate to disclose to staff and others, in particular the alleged perpetrator and their parents or carers. We will also discuss the best way to protect the victim and their anonymity. This may also include the development of a clear and robust safety and support plan as part of this early help process. However, risk assessing and safety planning is a key aspect of all child-on child abuse. With regard to sexual violence and sexual harassment between children, where there is a report of a rape, assault by penetration or sexual assault, the starting point is that this should be passed to the police who will advise and log according to their own guidelines.

- **d) Referral to Children's Services.** In all cases of child-on-child abuse, but in particular with sexual violence and sexual harassment, consideration will be given to the reporting of the matter to Children's Social Care. In making this decision, we must consider whether a child is at risk of harm or is in immediate danger. At this referral stage, we will 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 will be made with the support of children's social care. If a referral is made, children's social care will then make enquiries to determine whether any of the children involved need protection or other services. Where statutory assessments are appropriate, we will work alongside, and cooperate with, the relevant lead social worker. This collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other children requiring support. We will not wait for the outcome, or even the start of a children's social care investigation before protecting the victim and other children in the school. It will be important for us to work closely with children's social care (and other agencies as required) to ensure any actions we take do not jeopardise a statutory investigation.

**Working with our parents and carers**

- We will in most instances, engage with both the victim's and the alleged perpetrator's parents or carers when there has been a report of child-on child abuse including sexual or sexual harassment. The exception to this rule is if there is a reason to believe that informing a parent or carer will put a child at additional risk.

- We will carefully consider what information provided to the respective parents or carers about other children involved and when to do so.
- In some cases, children’s social care and/or the police will have a very clear view on this aspect, and it will be important for us to work with relevant agencies to ensure a consistent approach is taken to information sharing.
- It should be the case that we will 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 likely that we will meet with the alleged perpetrator’s parents or carers to discuss any arrangements that are being put into place that impact the alleged perpetrator, such as, for example, moving them out of classes with the victim and what this means for their education. We will be clear and transparent and explain the reason behind any decisions.
- Support for the alleged perpetrator will be discussed including any referrals, if appropriate.
- We realise that parents and carers may well struggle to cope with a report that their child has been the victim of an assault or is alleged to have assaulted another child.

### **Sanctions**

- We will decide appropriate sanctions on a case-by-case basis in line with our Behaviour Policy and any graduated response required. It may be that other children in our setting start to ‘take sides’ and become involved and may behave in ways that cause upset and distress to other children. We will take their behaviour seriously and again use a graduated response to this, whilst also educating them the importance of resolving any conflict in a respectful and restorative way. If there is police involvement, we will work closely with them to ensure that any disciplinary action taken by us, as a result of the incident, does not jeopardise the police investigation.

## **8. Recognising child on child abuse**

An assessment of an incident between peers should be completed and consider:

- a) Chronological and developmental ages of everyone involved
- b) Difference in their power or authority in relation to age, race, gender, physical, emotional or intellectual vulnerability
- c) All alleged physical and verbal aspects of the behaviour and incident
- d) Whether the behaviour involved inappropriate sexual knowledge or motivation
- e) What was the degree of physical aggression, intimidation, threatening behaviour or bribery
- f) The effect on the victim
- g) Any attempts to ensure the behaviour and incident is kept a secret
- h) The child or young person’s motivation or reason for the behaviour, if they admit that it occurred
- i) Whether this was a one-off incident, or longer in duration

It is important to deal with a situation of peer abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get the true facts. It is equally important to deal with it sensitively and think about the language used and the impact of that language on both the children and the parents when they become involved. Avoid language that may create a ‘blame’ culture and leave a child labelled.

Staff will talk to the children in a calm and consistent manner. Staff will not be prejudiced, judgemental, dismissive or irresponsible in dealing with such sensitive matters.

## 8.1 Taking Action

- Always take complaints seriously
- Gain a statement of facts from the pupil(s)
- Assess needs of victim and alleged perpetrator
- Consider referral to Police or Social Care
- Contribute to multi-agency assessments
- Convene a risk management meeting
- Record all incidents and all action taken

The school should conduct a proactive assessment to determine the risks to which their students are or may be exposed, as well as any protective factors which may exist, and monitor those risks and protective factors. They should put in place action plans to address any identified risks and keep these under regular review.

## 8.2 Recording sexualised behaviour

- Be clear, explicit and non-avoidant, and avoid vague statements or euphemisms
- Record as soon as possible, as you can quickly forget or confuse detail
- Follow the prompts on your safeguarding and child protection recording form/ or internal online safeguarding recording system.
- Use proper names for body parts but record exactly any language or vocabulary used by the child. Use the child's exact words in quotation marks.
- Note where and when the incident happened and whether anyone else was around

## 8.3 Gather the Facts

Speak to all the young people involved separately, gain a statement of facts from them and use **consistent language** and **open questions** for each account. Ask the young people to tell you what happened. Use open questions, 'where, when, why, who'. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?). Do not interrogate or ask leading questions.

## 8.4 Consider the Intent

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

## 8.5 Decide on your next course of action

If you believe any young person to be at risk of significant harm you must report to the Designated Safeguarding Lead immediately; they will follow the school's Safeguarding and Child Protection Policy.

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

## 8.6 Informing parents/carers

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

Is the pupil 13+ and does not want to share with parents? Use the 'Gillick' test and the 'Fraser' guidelines.

[NSPCC | Gillick competency and Fraser guidelines](#)

In all circumstances where the risk of harm to the child is evident, then the school should encourage the young person to share the information with their parent/carer (they may be scared to tell parents/carers that they are being harmed in any way).

## **9. Points to consider**

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

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

This helps to inform any checks of age-appropriate behaviours against the [Brook Traffic Light Tool](#).

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

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

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

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

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

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

### **9.5 Repetition**

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

## **10. Next Steps**

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

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

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

Other interventions that could be considered may target a whole class or year group for example a speaker on online bullying, relationship abuse etc. It may be that through the continued curriculum of Relationship and Sex Education (from 2020), PSHE and SMSC that certain issues can be discussed and debated more frequently.

If the young person feels particularly vulnerable it may be that a risk assessment can be put in place for

them whilst in school so that they have someone named that they can talk to, support strategies for managing future issues and identified services to offer additional support.

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

It is important to find out why the young person has behaved in such a way. It may be that the young person is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support such as one to one mentoring or counselling may also be necessary.

Support from identified services may be necessary through an early help referral and the young person may require additional support from family members.

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

It may be that the behaviour that the young person has displayed may continue to pose a risk to others, in which case an individual risk assessment may be required. This should be completed via a multi-agency response to ensure that the needs of the young person and the risks towards others are measured by all those agencies involved including the young person and their parents. This may mean additional supervision of the young person or protective strategies if the young person feels at risk of engaging in further inappropriate or harmful behaviour.

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

### **10.3 After care**

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

## **11. Preventative Strategies**

Child on child abuse can and will occur on any site even with the most robust policies and support processes. It is important to develop appropriate strategies to proactively prevent child on child abuse.

This school has an open environment where young people feel safe to share information about anything that is upsetting or worrying them. There is a strong and positive PSHE/RSHE curriculum that tackles such issues as prejudiced behaviour and gives children an open forum to talk things through rather than seek one on one opportunities to be harmful to one another. The school makes sure that 'support and report' signposting is available to young people.

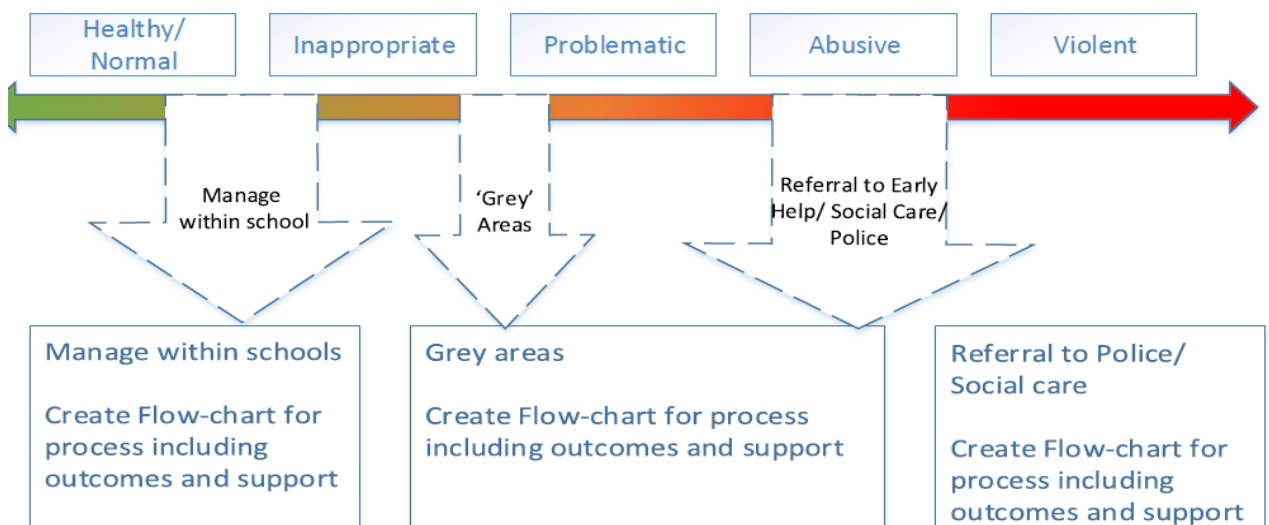
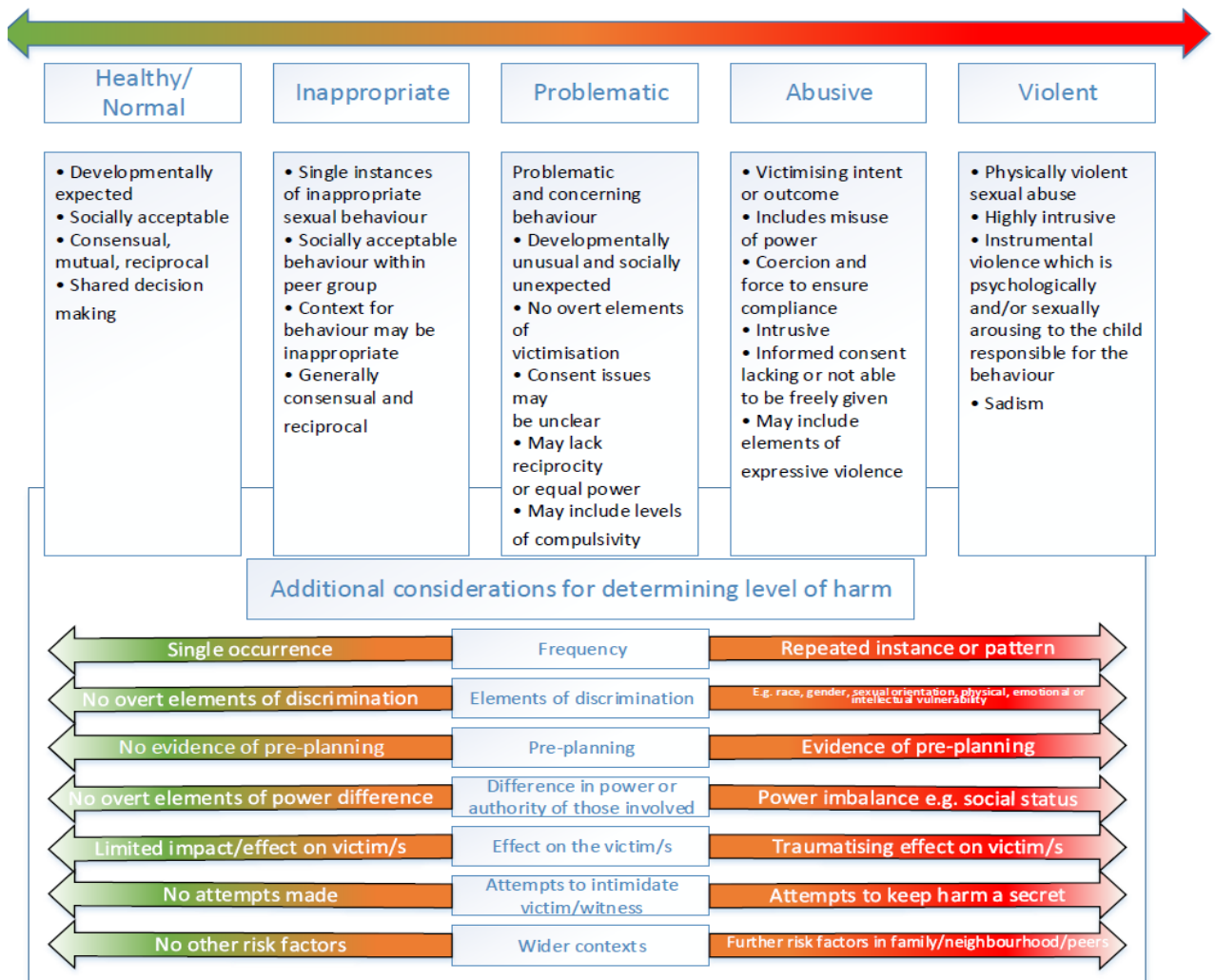
Staff will not dismiss issues as 'banter' or 'growing up' or compare them to their own experiences of childhood. Staff will consider each issue and each individual in their own right before taking action.

Young people are part of changing their circumstances and, through school council and pupil voice for example, we encourage young people to support changes and develop 'rules of acceptable behaviour'. We involve pupils in the positive ethos in school; one where all young people understand the boundaries of behaviour before it becomes abusive.



| <b>Normal</b>                  | <b>Inappropriate</b>                               | <b>Problematic</b>                              | <b>Abusive</b>                                                     | <b>Violent</b>                                                                           |
|--------------------------------|----------------------------------------------------|-------------------------------------------------|--------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| Developmentally expected       | Single instances of inappropriate sexual behaviour | Problematic and concerning behaviours           | Victimising intent or outcome                                      | Physically violent sexual abuse                                                          |
| Socially acceptable            | Socially acceptable behaviour within peer group    | Developmentally unusual and socially unexpected | Includes misuse of power                                           | Highly intrusive                                                                         |
| Consensual, mutual, reciprocal | Context for behaviour may be inappropriate         | No overt elements of victimisation              | Coercion and force to ensure victim compliance                     | Instrumental violence which is physiologically and/or sexual arousing to the perpetrator |
| Shared decision making         | Generally consensual and reciprocal                | Consent issues may be unclear                   | Intrusive                                                          | Sadism                                                                                   |
|                                |                                                    | May lack reciprocity or equal power             | Informed consent lacking, or not able to be freely given by victim |                                                                                          |
|                                |                                                    | May include levels of compulsivity              | May include elements of expressive violence                        |                                                                                          |

# Determining Level of Harm for sexualised behaviours



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

**Definitions**  
**Sexual Violence**  
Rape  
Assault by penetration  
Sexual assault  
**Sexual Harassment**  
Unwanted conduct of a sexual nature, including sexual remarks, sexual taunts, physical behaviour or online sexual harassment

**REPORT RECEIVED**  
(from the victim or third-party)  
[Onsite, offsite or online]

**Victim reassured**

- taken seriously and kept safe
- confidentiality not promised
- listen to victim, non-judgementally
- record the disclosure (facts as reported)
- two staff present (one being the DSL, or reported to DSL as soon as possible)
- victim sensitively informed about referral to other agencies
- if victim does not give consent to share, staff may still lawfully share in order to protect child from harm and to promote the welfare of children (see 'Sexual Violence and Sexual Harassment' paragraph 43)
- parents of victim informed

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

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

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

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

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

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

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

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

**RISK ASSESSMENT**  
Case-by-case basis

**RISK ASSESSMENT**  
Immediately  
Do not wait for outcome of referral before protecting victim.  
Emphasis on victim being able to continue normal routines.  
Alleged perpetrator removed from any classes with victim (also consider shared spaces and journey to/from school) [Not a judgement of guilt]

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

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

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

**DISCIPLINARY MEASURES TAKEN**  
(may be undertaken based on balance of probabilities, unless prejudicial or unreasonable)

**CRIMINAL PROCESS ENDS**

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

**Ensure actions do not jeopardise the investigation**  
School to work closely with police and/or other agencies

## 12. Where to go for further information

- 12.1 [Working together to safeguard children 2023: statutory guidance \(publishing.service.gov.uk\)](#)
- 12.2 [DfE: Statutory guidance: Keeping children safe in education](#)
- 12.3 [DfE Guidance: Sexual violence and sexual harassment between children in schools and colleges, May 2018 between-children-in-schools-and-colleges](#)
- 12.4 [DfE: Searching, screening and confiscation at school, January 2018](#)
- 12.5 [DfE: Preventing and Tackling Bullying, July 2017](#)
- 12.6 [DfE: Statutory guidance School Suspensions and permanent exclusions, September 2023](#)
- 12.7 [DfE: Teaching Online Safety in Schools, June 2019](#)
- 12.8 [DfE: Relationship Education and Relationship and Sex Education, updated 2021](#)
- 12.9 [DfE: Behaviour and discipline in schools, September 2022](#)
- 12.10 [DfE: Mental health and behaviour in schools, November 2018](#)
- 12.11 [DfE: Children Missing Education, September 2016](#)
- 12.12 [DfE: Cyberbullying: Advice for headteachers and school staff, November 2014](#)
- 12.13 [UKCIS: Sexting guidance for schools, 2020](#)
- 12.14 [UKCIS: Tackling race and faith targeted bullying face to face and online. May 2017](#)
- 12.15 [Gov.uk: Equality Act 2010: advice for schools](#)
- 12.16 [NPCC- When to call the police](#)

*(If you click on one of the links above and you find they are not working please inform the DSL.)*

## Annex A - Risk Assessment

| Basic information                                                            |  |
|------------------------------------------------------------------------------|--|
| Referrer Name and role                                                       |  |
| Referrer Contact details (email address and phone number)                    |  |
| Name of school(s) for victim(s)                                              |  |
| Name of school(s) for child/ren alleged to have caused harm                  |  |
| Did incident occur on school premises? If not, where did the incident occur? |  |

| CONSIDERATIONS                                                                                                                                                         | RISK (CONSIDER VICTIM, CHILD ALLEGED TO HAVE CAUSED HARM, OTHER PUPILS AND STAFF) | RISK LEVEL (HIGH, MEDIUM OR LOW) | ACTIONS TO REDUCE RISK | REVISED RISK LEVEL (HIGH, MEDIUM OR LOW) |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------|------------------------|------------------------------------------|
| What is the incident?<br>Who was involved?<br>Where did it happen                                                                                                      |                                                                                   |                                  |                        |                                          |
| Does this incident constitute a crime? Assault, sexual assault, rape, sharing of indecent images of children, etc etc. As such, has this been referred to the police?  |                                                                                   |                                  |                        |                                          |
| Is it necessary to limit contact between the children involved?<br>Refer to KCSiE and DFE guidance on sexual harassment and sexual violence in schools and colleges.   |                                                                                   |                                  |                        |                                          |
| Is there an actual or perceived threat from the child alleged to have caused harm to the victim and/or others?                                                         |                                                                                   |                                  |                        |                                          |
| Is either the victim or the child alleged to have caused harm at risk of physical harm as a result of this incident (for example, bullying or 'retribution' by peers)? |                                                                                   |                                  |                        |                                          |

|                                                                                                                                     |  |  |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
|                                                                                                                                     |  |  |  |  |
| Do they share classes?                                                                                                              |  |  |  |  |
| Do they share break times?<br>Do they share peer/friendship groups?                                                                 |  |  |  |  |
| Do they share transport to/from school?                                                                                             |  |  |  |  |
| 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: Please complete for each child involved.**

| <b>Action</b>                         | <b>YES/NO</b> | <b>Date</b> |
|---------------------------------------|---------------|-------------|
| Police informed                       |               |             |
| Referral to MASH                      |               |             |
| Referral to external support services |               |             |
| Referral to internal support services |               |             |
| Referral to CAMHS                     |               |             |
| Referral to early help                |               |             |
| Other                                 |               |             |

## **Annex B –Terminology**

For the purposes of this resource, unless otherwise specified, for consistency, we use the same terminology as the DfE in KCSIE 2024, as follows: ‘Child’, ‘children’: means a person/persons under the age of 18.

- ‘Boy(s),’ ‘girl(s):’ 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.
- ‘Victim’ and ‘alleged perpetrator’: the DfE states that, with respect to: ‘victim’: “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.
- ‘Alleged perpetrator(s)’ and, where appropriate, ‘perpetrator(s):’ “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.”
- ‘Child-on-child abuse’: the DfE states that: “All staff should be aware that children can abuse other children (often referred to as child-on-child abuse), and that it can happen both inside and outside of school or college and online.” Child-on-child abuse is the term chosen by the DfE and, by definition, it applies to abuse by one child of another child – regardless of the age, of stage of development, or any age differential between them.
- ‘Zero tolerance’: in using this term, we adopt the following principles from the UN Women’s definition of zero tolerance with respect to harassment, as follows:

“At the heart of zero tolerance practice is the certainty that the organisation will never do nothing in response to knowledge of child-on-child abuse, will always support those who report, and will proactively ensure that equality and non-discrimination inform its work. Zero-tolerance means an ambition to create contexts and cultures where child-on-child abuse is not tolerated and taking a proportionate and appropriate response to every alleged incident. It does not necessarily mean the use of sanctions in all cases, and where sanctions may be considered, schools and colleges should ensure that they do not disproportionately impact racially minoritised children, those with disabilities and those already known to local authority children’s social care.

‘Child protection policy’: however, it is recognised that some schools and colleges will have in place a ‘safeguarding policy,’ or a ‘safeguarding and child protection policy,’ which encompasses the promotion of the welfare of children as well as the child protection element which refers to activities undertaken to prevent children suffering, or likely to suffer, significant harm.

**Amendments in yellow made during review May 2024 – to assist author with next review**

| Page no | Section | Heading                                                                     | Text approved                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------|---------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4       | 1       | Context and Definition                                                      | <b>Staff within The Spire Church of England Learning Trust</b> who work with children, are advised to maintain an attitude of <b>'it could happen here'</b> where safeguarding is concerned. When concerned about the welfare of a child, staff should always act in the <b>best</b> interests of the child.                                                                                                                                                                                                                                                                                                                                          |
| 7       | 5       | Abusive Behaviour                                                           | <ul style="list-style-type: none"> <li>Staff should be aware of the potential uses of information technology for bullying and abusive behaviour between young people. <b>This includes a type of blackmail widely known as 'sextortion'. Sextortion involves people being forced into paying money or meeting another financial demand, after an offender has threatened to release nude or semi-nude photos of them. This could be a real photo taken by the victim, or a fake image created of them by the offender.</b></li> </ul>                                                                                                                 |
| 10      | 6       | Types of abuse                                                              | <p><b>Downblousing: the act of taking a photograph or image down somebody's shirt, blouse or top without their consent with intention of obtaining sexual gratification, or to cause humiliation, distress or alarm.</b></p> <p><b>In today's digital age, young people are increasingly vulnerable to online threats, including sextortion. Sextortion is a cyber-enabled crime that exploits a young person's trust and seeks to control them through the threat of public humiliation. It is crucial for staff to be aware of the signs of sextortion and, along with parents and carers, take proactive measures to protect young people.</b></p> |
| 14      | 8       | Recognising Child on child Abuse                                            | <ul style="list-style-type: none"> <li><b>Follow the prompts on your safeguarding and child protection recording form/ or internal online safeguarding recording system.</b></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 16      | 10      | Next Steps<br>10.2 For the young person who has displayed harmful behaviour | It is important to find out why the young person has behaved in such a way. It may be that the young person is experiencing their own difficulties and may even have been harmed themselves in a similar way. <b>In such cases support such as one to one mentoring or counselling may also be necessary.</b>                                                                                                                                                                                                                                                                                                                                         |