TMET Peer on Peer Abuse Policy

Policy Monitoring, Evaluation and Review

This policy is effective for all schools within The Mead Educational Trust, the Teaching School, the SCITT and all other activities under the control of the Trust and reporting to the Trust Board.

Version:	1.0
Date created:	May 2021
Author:	MOL/EMA
Ratified by:	Exec Team
Date ratified:	July 21
Review date:	May 2022

Revision History:

Version	Date	Author	Summary of Changes:
1.0	May 2021	MOL/EMA	New policy.

Contents

1.   Introduction

1.1.   The Mead Educational Trust (the Trust), is committed to promoting the welfare of all children. This policy reflects its responsibilities in ensuring all members of the Trust create a safe environment in which children can learn. Schools should create an environment in which children and staff show respect for one another and where they know what language and behaviour are acceptable. Trust employees should set expectations that violence and harassment of any type will not be tolerated and support pupils to have a good understand ding of consent and healthy relationships.

1.2.   All children are capable of abusing their peers. This can manifest itself in a whole spectrum of behaviours including on and off-line bullying, physical and sexual abuse, sexual harassment and violence, teenage relationships, emotional harm, sexting, upskirting and initiating. It can include grooming children for sexual or criminal exploitation. All forms of peer-on-peer abuse are unacceptable.

2.   Policy Scope

2.1.   This policy applies to all members of the Trust, including any volunteers, as well as adults working on Trust premises.

2.2.   It is the responsibility of all individuals in the Trust to familiarise themselves with this policy and comply with its provisions. All staff in the school are committed to the prevention, early identification, and appropriate management of peer-on-peer abuse both within and beyond the school.

2.3.   Schools should consider the potential vulnerabilities of all children, especially those who have additional vulnerabilities due to protected characteristics. Schools should support all pupils with regard to their sex, sexuality and if relevant, gender reassignment.

2.4.   Schools should consider the risks to other pupils when there is an incident in school, especially in supporting witnesses and the siblings of the alleged perpetrator. Schools will need to conduct a range of risk assessments/safety plans and interventions for different children. A multi-agency response will be required; no School should deal with this situation alone.

2.5.   Schools should be aware of physical and online locations which may be particularly vulnerable to being used by pupils to threaten or inflict abuse on other pupils, and take all steps to make the environment safer. School staff should be vigilant about pupils' safety in the local area and be alert to incidents of sexual harassment and violence in places where young people congregate. This information should be recorded in the contextual appendix of the School Safeguarding and Child Protection Policy.

3.   Legal and Regulatory Framework

3.1.   This policy takes its legal framework from the following legislation and statutory guidance:

3.1.1.   Keeping Children Safe in Education 2020 (updated 2021)

3.1.2.   Working Together to Safeguard Children 2019

3.1.3.   Sexual violence and sexual harassment between children in schools and colleges 2018

3.1.4.   Relationships Education, Relationships and Sex Education (RSE) and Health Education.

3.1.5.   Sexting in schools and colleges

3.1.6.   Teaching on line safety in schools 2019

4.   Definitions

4.1.   Key definitions:

4.1.1.   **Peer on peer abuse:** This can take many forms including but not limited to abuse within intimate partner relationships, bullying, sexual violence and sexual harassment, physical abuse, sexting and initiation type violence and rituals.

4.1.2.   **Sexual Harassment:** This can be defined as 'unwanted conduct of a sexual nature' that can occur online and offline. Child on child sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Sexual harassment creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence. It 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;

4.1.3.   **Sexting** is when someone shares sexual, naked or semi-naked images or videos of themselves or others or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops - any device that allows you to share media and messages. This is also known as youth produced sexual imagery

4.1.4.   **Upskirting** typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is now a criminal offence and may constitute sexual harassment. It is mandatory to report cases of upskirting.

4.1.5.   **Sexual violence** in the context of child on child sexual violence includes:

- 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.

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

- 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.

  It is also important to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion or exploitation. Due to their additional training, the designated safeguarding lead (or deputy) should be involved in leading the school or college response, in consultation with expert advice.

4.1.7. **Harmful Sexual Behaviour (HSB)** is an umbrella term for behaviour that exists on a wide continuum, 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. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context.

4.1.8. **RSHE:** Relationships Education, Relationships and Sex Education and Health Education became statutory from September 2020 with implementation beginning at least by the Summer Term 2021. Primary schools are required to teach Relationships and Health Education; Sex education is optional for this age group. Secondary schools should include all three elements in their curriculum provision. Parents have the right to withdraw their children from the sex education elements up to and until three terms before the child turns 16.

5.   The Trust's policy on Peer-on-peer Abuse

5.1.   Prevention
         The school actively seeks to raise awareness of and prevent all forms of peer-on- peer abuse by:

5.1.1.   Educating all members of the Academy Council, the leadership team, staff, pupils, and parents. Training and guidance will include Contextual Safeguarding, the identification and classification of specific behaviours, including digital behaviours, the importance of taking seriously all forms of peer-on- peer abuse and ensuring that no form of peer-on- peer abuse is ever dismissed as horseplay or teasing, and social media and online safety, including how to encourage children to use social media in a positive, responsible and safe way, and how to enable them to identify and manage abusive behaviour online.

5.1.2.   Educating children about positive, responsible and safe use of social media, and the unequivocal facts about consent, via PSHE, RSHE and the wider curriculum. By the end of primary school, pupils should know how to keep themselves safe, about the characteristics of family life, including those that are different from their own, about caring friendships and respectful relationships, including online relationships. Many of these themes prevail into the secondary RSHE curriculum and are developed to include age appropriate content such as intimate and sexual relationships, sexual health, and damaging media such as pornography.

5.1.3.   Pupils are frequently told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse. They are regularly informed that any form of peer-on- peer abuse is unacceptable.

5.1.4.   Engaging parents by:

- Talking about them with parents, both in groups and one to one,

- Asking parents what they perceive to be the risks facing their child and how they would like to see the School address those risks,

- Involving parents in the review of School policies and lesson plans, and

- Encouraging parents to hold the School to account on this issue, in part as a result of visibility of this policy.

5.1.5. Promoting pupil welfare by drawing on multiple resources that prioritise their mental health, and by providing in-school counselling and therapy to address underlying mental health needs.

5.1.6. Creating a whole-school culture in which pupils aspire to, and realise, safe and healthy relationships and addressing equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the School.

5.1.7. Responding to cases of peer-on-peer abuse promptly and appropriately.

5.1.8. Ensuring that all peer-on-peer abuse issues are fed back to the designated safeguarding lead so that they can spot and address any concerning trends and identify pupils who may need additional support.

5.2. Conducting a risk assessment to determine the specific risks to which the pupils at the school are or may be exposed, assessing and monitoring these risks.

The risk assessment should consider:

- The nature and level of risk of the different variants of peer-on-peer abuse within the school,

- The makeup of the pupil body, including specific characteristics that might affect their vulnerability to peer-on-peer abuse such as, gender, age, learning difficulties, special educational needs and/or disabilities, sexual orientation and/or religious belief,

- Which of these pupils are affected, or are more at risk of being affected, by peer-on-peer abuse,

- Any trends, and

- Contextual safeguarding and the risks to pupils including their peer group (both within and outside the School), family, the school environment, their experience(s) of crime and/or victimisation in the local community, and their online identities - which may impact on their behaviour and engagement in school.

5.3. Early identification

5.3.1. All staff should be alert to the well-being of pupils and to signs of abuse, and should engage with these signs, as appropriate, to determine whether they are caused by peer-on-peer abuse. However, staff should be mindful of the fact that the way(s) in which children will disclose or present with behaviour(s) as a result of their experiences will differ.

5.3.2. Peer-on- peer abuse may affect boys differently from girls because of societal norms and attitudes to femininity and masculinity. This may create barriers to disclosure. The School should explore the gender dynamics of peer-on- peer abuse, recognise that these will play out differently depending on the gender balance.

5.3.3. Children with Special Educational Needs and/or Disabilities (SEND) are three times more likely to be abused than their peers without SEND and additional barriers can sometimes exist when

recognising abuse in children with SEND. These can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to a child's disability without further exploration,

- The potential for children with SEND to be disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs,

- Communication barriers and difficulties, and

- Overcoming these barriers.

5.3.4. Some children may be more likely to experience peer-on- peer abuse than others as a result of certain characteristics such as sexual orientation, ethnicity, race or religious beliefs.

5.3.5. When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, staff assess where the alleged behaviour falls on a spectrum 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 e.g. Related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability,

- Involves an element of coercion or pre-planning,

- Involves a power imbalance between the child/ children allegedly responsible for the behaviour and the child/children allegedly the subject of that power, and involves a misuse of power.

5.4. Appropriate management

5.4.1. Any response should:

- Include a thorough investigation of the concern(s) or allegation(s), and the wider context in which it/they may have occurred: depending on the nature and seriousness of the alleged incident(s), it may be appropriate for the police and/or children's social care to carry out this investigation

- Treat all children involved as being at potential risk; while the alleged perpetrator may pose a significant risk of harm to other children, s/he may also have considerable unmet needs and be at risk of harm themselves.

5.4.2. The School should ensure that a safeguarding response is in place for victims and the alleged perpetrator, and additional sanctioning work may be required for the latter

The School should consider:

- That the abuse may indicate wider safeguarding concerns for any of the children involved, and consider and address the effect of wider sociocultural contexts – such as the child's/
children's peer group (both in and outside the School); family; the school environment; their experience of crime and victimisation in the local community; and the child/children's online

presence. Consider what changes may need to be made to these contexts to address the child/ children's needs and to mitigate risk, and

- The potential complexity of peer-on-peer abuse and of children's experiences, and consider the interplay between power, choice and consent. While children may appear to be making choices, if those choices are limited they are not consenting,

- The views of the child/children affected. Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSL should discuss the proposed action with the child/ children and their parents, and obtain consent to any referral before it is made.

5.4.3. The school should manage the child/children's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so. It is particularly important to consider the wishes of any child who has allegedly been abused, and to give that child as much control as is reasonably possible over decisions regarding how any investigation will be progressed and how they will be supported.

5.4.4. Peer-on- peer abuse that involves sexual assault and sexual violence must always result in a multi-agency response. As well as supporting and protecting the victim, professionals need to consider whether the alleged perpetrator could be a victim of abuse too. Children who develop harmful sexual behaviour have often experienced abuse and neglect themselves.

5.4.5. Children affected by sexual assault and sexual violence must receive the help they need. A typical response will involve:

- Children's social care

- The police

- Specialist services that support children who demonstrate harmful sexual behaviour

- The family

- Any other professionals who know or who have had contact with the child.

5.4.6. If the children are in the same class, the school should separate them while the concerns are being investigated. In situations of alleged rape and assault by penetration, the alleged perpetrator must always be removed from classes they share with the victim.

5.4.7. The school should consider how best to keep the alleged perpetrator and victim apart while they are on the same premises, as well as on transport to and from the School. Separation arrangements must be continued for as long as is necessary to make sure children are safe. This includes beyond the investigation even if it is inconclusive. Lack of conviction is not the same as the allegation being unfounded.

5.5.   Safety Plans
5.5.1. The school will always carry out a safety plan in respect of:

- Any child who is alleged to have behaved in a way that is considered to be abusive or violent,

- Any child who has reportedly been abused or affected by the alleged abusive or violent behaviour by another child, or any child who may be at risk due to the alleged abusive or violent behaviour by another child as deemed appropriate by the DSL.

5.5.2. Where it is alleged that a child has behaved in a way that is considered to be inappropriate or problematic (as opposed to abusive or violent), the DSL will use their professional judgment – based on the particular concern and/or allegation raised, and the needs and circumstances of the individual child/children in question – to determine whether it would be appropriate to contact children's social care, and to carry out a safety plan.

5.5.3. Careful judgment and consideration are required as to whether alleged behaviour which might be judged to be inappropriate by an adult might actually be harmful to another child. In such cases, consultation with children's social care is recommended. Careful consideration should also be given to a range of factors, including the context, severity of the alleged behaviour, impact of the alleged behaviour on others, risk to others, and whether there are any patterns of behaviour occurring.

5.5.4. Where other children have been identified as witnesses to alleged abuse or violence, consideration should also be given by the DSL to whether there might be any risks to those children, and whether a safety plan would be appropriate in relation to any risks presenting to them.

5.6. Disciplinary action

5.6.1. The school should consider whether disciplinary action may be appropriate for any child/children involved. However, if there are police proceedings underway, or there could be, it is critical that the school works in partnership with the police and/or children's social care.

5.6.2. Where a matter is not of interest to the police and/or children's social care, the School may still need to consider what is the most appropriate action to take to ensure positive behaviour management. Disciplinary action may sometimes be appropriate, including to:

- Ensure that the child/children take(s) responsibility for and realise(s) the seriousness of their behaviour;

- Demonstrate to the child/children and others that peer-on-peer abuse can never be tolerated; and

- Ensure the safety and wellbeing of other children.

6. Record keeping

6.1. The Trust will retain records evidencing compliance with this policy, as set out in the Trust's Data Retention Policy.

6.2. When responding to concerns or allegations of peer-on- peer abuse, the school will:

6.1.1. Always consider carefully, in consultation with children's social care, the police and other relevant agencies (where they are involved), how to share information about the concern or allegation with the children affected, their parents, staff, and other children and individuals,

6.1.2. Keep secure contemporaneous records of all information provided in statements, of actions taken including the rationale of these actions such as the advice received from external agencies. The records should also include evidence where possible actions have been considered but rejected with the rationale for this decision;

6.1.3. Record the information that is necessary for the school and other relevant agencies (where they are involved) to respond to the concern or allegation and safeguard everyone involved,

6.1.4. Keep a record for the legal purpose of sharing the information with any third party, including relevant authorities, and ensure that the third party has agreed to handle the information securely and to only use it for the agreed legal purpose.

7. Roles and Responsibilities

7.1. The principal is responsible for ensuring that:

7.1.1. The policies and procedures adopted by the Trust Board are effectively implemented, and followed by all staff.

7.1.2. Sufficient resources and time are allocated to enable the DSL and other staff responsible for safeguarding and child protection to discharge their duties, including taking part in strategy discussions and other inter-agency meetings, and contributing to the assessment of children.

7.2. All staff

7.2.1. Where a child is suffering, or is likely to suffer from harm, it is important that a referral is made to children's social care and, if appropriate, the police immediately. Anyone can make a referral. Where referrals are not made by the DSL, the DSL should be informed as soon as possible that a referral has been made.

7.2.2. If a member of staff thinks for whatever reason that a child may be at risk of or experiencing abuse by their peers, or that a child may be at risk of abusing or may be abusing their peers, they should discuss their concern with the DSL without delay in accordance with the child protection policy so that a course of action can be agreed.

7.2.3. If a child speaks to a member of staff about peer-on- peer abuse that they have witnessed or are a part of, the member of staff should listen to the child and use open language that demonstrates understanding rather than judgement.

7.3. The designated safeguarding lead (DSL)

7.3.1. The DSL will discuss the concern or allegation with the member of staff who has reported it/them and will, where necessary, take any immediate steps to ensure the safety of the child/all children affected.

7.3.2. Where any concern or allegation indicate that indecent images of a child or children may have been shared online, the DSL should consider what urgent action should be taken, to seek specialist help in preventing the images spreading further and removing the images from the internet.

7.3.3. DSLs should always use their professional judgement to: assess the nature and seriousness of

the alleged behaviour, and determine whether it is appropriate for the alleged behaviour to be to be dealt with internally and, if so, whether any external specialist support is required.

7.3.4. In most cases the DSL will wish to consult with children's social care or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures to determine the most appropriate response.

7.3.5. Where the DSL considers or suspects that the alleged behaviour in question might be abusive or violent or where the needs and circumstances of the individual child/children in question might otherwise require it, the DSL should contact children's social care and/or the police immediately and, in any event, within 24 hours of the DSL becoming aware of the alleged behaviour. The DSL will discuss the concern(s) or allegation(s) with the agency and agree on a course of action, which may include:

- Manage internally with help from external specialists where appropriate and possible.

- Contribute to an inter-agency early help assessment, with targeted early help services provided to address the needs of the child and their family.

- Refer the child. Children to children's social care for a section 17/47 assessment

- Report alleged criminal behaviour to the police.

8. Reporting and Consequences of Non-Compliance

8.1. Principals should inform the CEO of all matters relating to serious breaches of this policy including any major incident to be addressed under this policy promptly, preferably prior to action being taken insofar as is reasonably practicable.

9. Policy Status

9.1. This policy does not form part of any employee's contract of employment.

10. Related Policies

10.1. This policy is related to the following other Trust policies:

- TMET Safeguarding and Child Protection Policy

- TMET Relationships and Sex Education policy

- TMET Online Safety Policy