



**Tudhoe Learning Trust**

# **Peer-on-Peer Abuse Policy**

**Approved by:** Trust Chief Executive Officer      **Date:** September 2021

**Last reviewed on:** September 2021

**Next review due by:** September 2022

## Safeguarding Policies for Children and Young People

The safeguarding policies are in place to help prevent children and young people up to 18 years of age being at risk of harm. We advise that safeguarding policies are read in conjunction with each other. If you have any concerns or questions regarding policies please refer to a member of your schools Senior Leadership Team or to the Trust's HR Manager at 01388 811765.

If you are **worried about a child or a young person** being at risk of harm please speak to the Head Teacher, Designated Safeguarding Lead or HR Manager in confidence. **DO NOT IGNORE THE CONCERN.**

For more details/information on Safeguarding refer to the following documents:

- Keeping Children safe in education (statutory guidance for schools and colleges) : September 2019
- Working together to safeguard children (A guide to inter-agency working to safeguard and promote the welfare of children : 2019
- Guidance for safer working practice for those working with children and young people in educational settings : October 2015
- Trust Safeguarding & Child Protection Policy

## Introduction

Keeping Children Safe in Education, 2018 states that ‘Governing bodies and proprietors should ensure their child protection policy includes procedures to minimise the risk of peer on peer abuse and sets out how allegations of peer on peer abuse will be investigated and dealt with’ (page 18).

The Trust recognises that children are capable of abusing their peers and that this can happen both in and out of school, online and offline.

While it is recommended that Peer on Peer abuse is associated with the Safeguarding and Child Protection Policy, due to the sensitive nature and specific issues involved with peer on peer abuse this separate policy guidance template has been completed to annex the Trust’s Safeguarding and Child Protection Policy.

Trust schools are committed to ensure that any form of peer on peer abuse or harmful behaviour is dealt with immediately and consistently. This will reduce the extent of harm to the young person and minimise the potential impact on that individual child’s emotional and mental health and well-being.

## Definition

There is no clear boundary between incidents that should be regarded as abusive and incidents that are more properly dealt with as bullying, sexual experimentation etc. This is a matter of professional judgement.

If one child or young person causes harm to another, this should not necessarily be dealt with as abuse: bullying, fighting and harassment between children are not generally seen as child protection issues. However, it may be appropriate to regard a young person’s behaviour as abusive if:

- There is a large difference in power (for example age, size, ability, development) between the young people concerned; or
- The perpetrator has repeatedly tried to harm one or more other children; or
- There are concerns about the intention of the alleged young person.

If the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive whether or not severe harm was actually caused.

## Prevention

As a school we will minimise the risk of allegations against other pupils by:-

- Providing a developmentally appropriate PSHE syllabus which develops pupils understanding of acceptable behaviour and keeping themselves safe
- Having a robust Online and Mobile Technology safety programme which develops pupils knowledge, understanding and skills, to ensure personal safety and self-protection when using the internet and social networking
- Having robust monitoring and filtering systems in place to ensure pupils are safe and act appropriately when using information technology in school
- Having systems in place for any pupil to raise concerns with staff, knowing that they will be listened to, believed and valued
- Delivering targeted work on assertiveness and keeping safe to those pupils identified as being at risk
- Developing robust risk assessments & providing targeted work for pupils identified as being a potential risk to other pupils

## **Allegations against other pupils which are safeguarding issues**

Occasionally, allegations may be made against pupils by other young people in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse, teenage relationship abuse and sexual exploitation, bullying, cyber bullying and sexting. It should be considered as a safeguarding allegation against a pupil if some of the following features are present.

The allegation:-

- Is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- Is of a serious nature, possibly including a criminal offence
- Raises risk factors for other pupils in the school
- Indicates that other pupils may have been affected by this student
- Indicates that young people outside the school may be affected by this student

Examples of safeguarding issues against a pupil could include:

### **Sexual Violence and Sexual Harassment**

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support.

It is important that school staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way.

Whilst not intended to be an exhaustive list, sexual violence and 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 (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) and displaying pictures, photos or drawings of a sexual nature. This includes rape, assault by penetration and sexual assault and may also include an online element which facilitates, threatens and/or encourages sexual violence; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.<sup>112</sup> It may include:
  - non-consensual sharing of sexual images and videos;
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media; sexual exploitation; coercion and threats; and
  - up-skirting which 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.

The initial response to a report from a child is important. 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.

## Sexual Abuse

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 well as the young person it is intended towards. Sexually harmful behaviour may occur during intimate personal relationships between peers and range from inappropriate sexual language, inappropriate role play, to sexually touching another or sexual assault/abuse. It can also include indecent exposure, indecent touching /serious sexual assaults or forcing others to watch pornography or take part in sexting.

## Sexual Exploitation

- This can include encouraging other young people to engage in inappropriate sexual behaviour or activity grooming and recruiting members of the peer group into being sexually exploited by other young people or adults or engaging in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party. It can also include photographing or videoing other children performing indecent acts.

## Sexting

Sexting or ‘youth produced sexual imagery’ is when someone sends or receives a sexually explicit text, image or video. This may be either consensual or non-consensual and includes sending ‘nude and semi-nude images’, ‘rude images’ or ‘nude selfies’. Pressuring someone into sending a nude picture can happen in any relationship and to anyone, regardless of their age, gender or sexual preference. However, once the image is taken and sent, the sender has lost control of the image and these images could end up anywhere. By having in their possession, or distributing, indecent images of a person under 18 on to someone else, young people are not even aware that they could be breaking the law as stated as these are offences under the Sexual Offences Act 2003.

## Physical Abuse

Physical abuse may include, hitting, kicking, nipping, shaking, biting, hair pulling, or otherwise causing physical harm to another person. This may also include an on-line element which facilitates, threatens and/or encourages physical abuse. 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 sanctions to be undertaken.

## 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. Bullying can be prejudice-based and discriminatory as this could be prompted by a person’s characteristic or difference. 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 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, race, gender, sexual orientation, and excluding someone from a group on purpose.

## **Cyber bullying**

Cyber bullying is the use of phones, instant messaging, e-mail, chat rooms or social networking sites such as Facebook and Twitter to harass threaten or intimidate someone for the same reasons as stated above. It is important to state that cyber bullying can very easily fall into criminal behaviour under the Communications Act 2003, Section 127 which states that electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience or needless anxiety to another could be deemed to be criminal behaviour. If the behaviour involves the use of taking or distributing indecent images of young people under the age of 18 then this is also a criminal offence under the Sexual Offences Act 2003. Outside of the immediate support young people may require in these instances, the school will have no choice but to involve the police to investigate these situations.

## **Emotional Abuse**

Can include blackmail or extortion and may also includes threats and intimidation. This harmful behaviour can have a significant impact on the mental health and emotional well-being of the victim and can lead to self-harm.

## **Initiation/hazing type violence and rituals**

This may 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.

## **Procedure for Dealing with Allegations of Peer on Peer Abuse**

When an allegation is made by a pupil against another student, members of staff or other adults in school ~~should consider~~ consideration should be given to whether the complaint raises a safeguarding concern and acted upon in accordance with Keeping Children Safe in Education 2021, Part 5. If there is a safeguarding concern the Designated Safeguarding Lead (DSL) should be informed.

- A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances. The Designated Safeguarding Lead must be made aware.
- Victims, perpetrators and any other child affected by peer on peer abuse will be supported by trained school staff.
- Victims will be assured 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. Where a report of rape, assault by penetration or sexual assault is made, the starting point is that this will be passed on to the police.
- The Designated Safeguarding Lead should contact the Bridge Partnership to discuss the case and will follow through the outcomes of the discussion and make a referral where appropriate.
- If the allegation indicates that a potential criminal offence has taken place, through the Bridge Partnership, the police will become involved.
- Parents, of both the student/s being complained about and the alleged victim/s, should be informed and kept updated on the progress of the referral.
- The Designated Safeguarding Lead will make a record of the concern, the discussion and any outcome and keep a copy in the Secure Safeguarding records. If the allegation highlights a potential risk to the school and the pupil, the school will follow the school's behaviour policy and procedures and take appropriate action.
- In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan. The plan should be monitored and a date set for a follow-up evaluation with everyone concerned.

This policy will be reviewed annually by the Trust HR Manager. At every review, the policy will be approved by the Chief Executive Officer on behalf of the Trust Board of Directors.