



SEABURN DENE PRIMARY SCHOOL POLICY FOR CHILD ON CHILD ABUSE

”...we always try to be that little bit better.”

Link governors: Mrs J Cattanach/Mr T Newton (Safeguarding.)

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Introduction

Keeping Children Safe in Education 2022 states that ‘*Governing bodies and proprietors should ensure that their child protection policy includes procedures to minimise the risk of peer on peer abuse*’ and ‘*how allegations of peer on peer abuse will be recorded, investigated and dealt with*’. The document also states it is most important to ensure opportunities of seeking the voice of the child are heard, ‘*Governing bodies, proprietors and school or college leaders should ensure the child’s wishes and feelings are taken into account 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 systems and processes should operate with the **best** interests of the child at their heart.*’

All staff are aware that children can abuse other children (child-on-child abuse) and that it can happen both inside and outside of school and online (extra familial harm). It is important that all staff recognise indicators and signs of child-on-child abuse and know how to identify it and respond to reports.

All staff understand that even if there are no reports of this type of harm, it does not mean it is not happening, it may be the case that it is just not being reported. As such, it is important that if staff have any concerns regarding child-on-child abuse they will speak to their Designated Safeguarding Lead (or Deputy).

This means that ALL staff take a 'zero-tolerance' approach to any unacceptable behaviour including 'banter' and will seek to prevent, challenge and take action so that all children understand that any concerns regarding their welfare and safety will be taken seriously. This will encourage and promote a culture of acceptable behaviour and a safe educational environment for all children.

All staff must ensure that they reassure any 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 abuse, sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

Child on child abuse is most likely to include, but may not be limited to:

- bullying (including online bullying, prejudice-based and discriminatory bullying);
- Hate incidents and hate crimes which may also include an online element abuse in intimate personal relationships between children (sometimes known as teenage relationship abuse);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- Racism Initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).
- Harmful sexual behaviour (HSB) which is developmentally inappropriate sexual behaviour which is displayed by children and young people which is harmful or abusive. HSB can occur online and/or face to face, and can also occur simultaneously between the two – and includes, for example:
- Sexual violence such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence); and causing someone to engage in sexual activity without consent, such as

forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;

- Sexual harassment such as sexual comments, remarks, jokes and online sexual harassment which may be stand-alone or part of a broader pattern of abuse;
- Upskirting, 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
- Online sexual harassment this may be stand-alone or part of a wider pattern of sexual violence and/or harassment. It may include; consensual and non-consensual sharing of nudes and semi-nudes images and or videos (also known as sexting or youth produced sexual imagery); sharing of unwanted explicit content, sexualised online bullying, unwanted sexual comments and messages, including on social media, sexual exploitation, coercion and threats, and coercing others into sharing images of themselves or performing acts they are not comfortable with online.

(Farrer and Co 2022)

At Seaburn Dene Primary School we are committed to the prevention, early identification and appropriate management of peer on peer abuse.

In particular ensuring that our school staff protect our children by, wherever possible being aware of the nature and level of risk that children are exposed to, having a clear and comprehensive strategy specific to that child's safeguarding context and having a whole school contextual safeguarding approach to preventing and responding to peer on peer abuse. This policy is preventative in its response to peer on peer abuse by raising awareness of issues, supporting staff in identifying them with children, and providing appropriate response and intervention that is followed consistently across the whole school workforce. This policy will also encourage parents to share information about any risk of harm to their child and be clear on the school's expectations of how this will be managed. (Farrer and Co. 2022)

All staff and governors have signed to say that they have read, understood and agreed to work within this policy framework and parents have access to this policy.

This policy will be updated annually.

Purpose and Aim

'Research has shown that many children who present with harmful behaviour towards others, in the context of peer-on-peer abuse, are themselves vulnerable and may have been

*victimised by peers, parents or adults in the community prior to their abuse of peers’
(Farrer and Co, 2022)*

Children and young people may be harmful to one another in a number of ways which would be classified as peer on peer abuse. The purpose of this policy is to explore the many forms of peer on peer abuse and include a planned and supportive response to the issues.

At Seaburn Dene Primary School we have the following policies in place that should be read in conjunction with this policy:

Child Protection Policy

Anti-Bullying Policy

Anti Cyber-Bullying Policy - including acceptable use

Data Protection Policy

Children Missing from Education Policy

Behaviour and Discipline Policy – inclusive of positive handling.

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 that focuses adult thinking towards the views of the child is Working Together To Safeguarding Children 2018, highlighting that every assessment of a child, should ‘*reflect the unique characteristics of the child within their family and community context*’ (Working Together To Safeguard Children, 2018:28). This is clearly echoed by Keeping Children Safe in Education 2021 through ensuring procedures are in place in schools and settings to hear the voice of the child and to be mindful of the contexts children live in.

Preventative Strategies for Schools and Settings

Recognition

For all schools and settings, it is important to develop appropriate strategies in order to prevent the issue of peer on peer abuse rather than only manage the issues in a reactive way.

Firstly, and most importantly for schools and settings is recognition that peer on peer abuse can and will occur on any site even with the most stringent of policies and support mechanisms and that even if incidents are not being reported it does not mean that they are not happening. In which case it is important to continue to recognise and manage such risks and learn how to improve and move forward with strategies in supporting young people to talk about any issues and through sharing information with all staff. This involves staff analysing any incidents for trends, patterns and identifying any areas around the setting that may appear to be ‘less safe’. Staff should also have access to regular CPD and training to ensure a consistent approach to managing peer on peer issues.

School Culture and Ethos and ‘Zero-Tolerance’ Approach

Seaburn Dene Primary School has a 'zero-tolerance' approach to abuse, harm or bullying between children and this is clearly expressed in our school's ethos and values and will be shared with all school partners including children, parents and carers. It will be made clear that sexual violence and sexual harassment is never acceptable and it will not be tolerated and never passed off as 'banter', 'just having a laugh', 'a part of growing up' or 'boys being boys', as failure to do so can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it. Therefore, in school, we recognise, acknowledge and understand the scale of harassment and abuse.

This means that all staff will challenge any form of behaviour both on or off line, from language and comments to physical behaviour (potentially criminal in nature) such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them. All staff will also ensure that any information is shared directly with the Designated Safeguarding Lead (or Deputies) and recorded factually and accurately as soon as possible so that any action required to prevent further incidents occurs immediately. Therefore, a whole school approach is needed as part of preventative education. (Keeping Children Safe in Education 2022, Part 5)

A Safe Environment to share concerns alongside a Positive Curriculum

Seaburn Dene Primary School has an open environment where young people feel safe and are encouraged to share information about anything that is upsetting or worrying them. This is strengthened through our positive PHSE/SMSC/RSE curriculum, through which there are opportunities for discussion that tackle such issues as prejudiced-based and discriminatory 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 curriculum will be tailored to the specific needs and vulnerabilities of individual children, including children who are victims of abuse and children with special educational needs or disabilities.

All staff are aware that children may not feel ready, or know how, to tell someone that they are being abused, exploited, or neglected and they may not recognise their experiences as harmful. E.g., children may feel embarrassed, humiliated, or threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This will not prevent staff from having professional curiosity and speaking to the DSL (or Deputy) if they have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication.

In order to create an environment in which staff are confident in talking about issues related to child on child abuse, or in challenging inappropriate language and behaviour, there are opportunities for CPD around abusive behaviours and talking to young people in a way that

continues to create an open and honest environment without prejudice. This is in line with the school's legal obligations under the Human Rights Act 1998, the Equality Act 2010 (including the Public Sector Equality Duty) and local multi-agency safeguarding arrangements. Staff will be supported by the Designated Safeguarding Lead in discussions with children and parents about concerns or any issues which may have occurred, such as inappropriate behaviours (including online.)

Staff will consider each issue and each individual in their own right before taking action; if staff minimise the concerns raised it may result in a child seeking no further help or advice. Systems are in place and they are well promoted, easily understood and easily accessible for children to confidently report any form of abuse, exploitation or neglect, knowing their concerns will be treated seriously, and knowing they can express their views and give feedback. Staff will be supported to discuss issues about online access and support and reinforce appropriate behaviours online including understanding why age limits are in place on social media platforms, encouraging children to share online concerns, talking about issues that have happened in an open forum and working closely with parents. (Farrer and Co 2022)

Staff are aware that technology is a significant component in many safeguarding and well-being issues. Children are at risk of abuse online as well as face to face. In many cases abuse will take place concurrently both online and offline. Children can also abuse other children online; this can take the form of abusive, harassing, and misogynistic/misandrist messages, the non-consensual sharing of indecent images, especially around chat groups and the sharing of abusive images and pornography, to those who do not want to receive such content. (KCSIE, 2022)

The Online Safety Policy gives clarity and expectations to children about their role in keeping themselves and other children safe in regards to the use of technology both inside and outside of school.

Involve Parents

This policy will be shared with parents and carers as an addendum to our Child Protection Policy and should be read in conjunction with other policies (e.g. Behaviour, Anti-Bullying and Online Safety)

Pupil Voice

At Seaburn Dene Primary School, children are encouraged to share any concerns they have with a trusted adult. This is emphasised through whole school and class assemblies, PSHE sessions and in small group or individual discussions. Play Leaders, Anti-Bullying Team and School Councillors may also be proactive in sharing any concerns their peers may have. Children are signposted to other services available in school such as national services such as ChildLine / NSPCC.

Partnership Working

Seeking advice and guidance can act as a preventative measure so that the right course of action is taken at the earliest opportunity. Multi agency working can consolidate in house procedures in schools/settings. By accessing advice, support and guidance, effective decisions can be made in collaboration to improve outcomes for children who may be at risk of harm. Seaburn Dene Primary School proactively refers concerns/allegations of child on child abuse where necessary to services such as counselling, children's social care and the police where appropriate. Seaburn Dene Primary School recognises that child on child abuse can be a complex issue, and even more so where wider safeguarding concerns exist. It is often not appropriate for one single agency (where the incident cannot be managed internally) to try to address the issue alone – it requires effective partnership working (Farrer and Co. 2022).

What is Peer on Peer/Child on Child Abuse?

For these purposes, child on child abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between children and within children's relationships (both intimate and non-intimate), friendships and wider peer associations. Peer on peer/child on child abuse can take various forms, including: bullying (including cyber-bullying, prejudice-based and discriminatory bullying), intimate personal relationships between children, physical abuse, sexual violence, sexual harassment, causing someone to engage in sexual activity without consent, consensual and non-consensual sharing of nudes and semi-nudes images and/or videos, upskirting and initiation/hazing type violence and rituals (KCSIE, 2022). It may also involve gang related behaviours, including serious violence and county lines.

Children's experiences of abuse and violence are rarely isolated events, and they can often be linked to other things that are happening in their lives and spaces in which they spend their time. At Seaburn Dene Primary School, our response to child on child abuse will consider the range of possible types of child on child abuse set out above and capture the full context of children's experiences. This will be done by adopting a Contextual Safeguarding approach and by ensuring that our response to incidents of child-on-child abuse takes into account any potential complexity.

Abusive behaviour can happen to pupils in schools and it is necessary to consider what abuse is and looks like, how it can be managed and what appropriate support and intervention can be put in place to meet the needs of the individual and what preventative strategies may be put in place to reduce further risk of harm. Seaburn Dene Primary School has adopted whole school community approach by ensuring all staff: are aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside of these environments (KCSIE, 2022), understand how a child's wider context may have impact on them; contribute to creating a strong safeguarding culture in school by following policies that address child on child abuse

and harmful attitudes; promoting positive and healthy relationships and attitudes to difference (including gender, ethnicity sexuality and disability), hotspot mapping to identify risky areas in school, training on potential bias and stereotyped assumptions; being alert to and monitoring changes in children's behaviour and/or attendance, challenging poor threshold decisions about children at risk of harm in extra-familial settings as well as referring concerns about contexts to relevant local agencies. (Farrer and Co. 2022)

Research suggests that child-on-child abuse remains a serious concern affecting children in the UK (Farrer and Co, 2022). Abuse is abuse and should never be tolerated or passed off as 'banter' or 'part of growing up'. Research suggests that child-on-child abuse may affect boys differently from girls, and that this difference may result from societal norms (particularly around power, control and the way in which femininity and masculinity are constructed) rather than biological make-up. It is more likely that girls will be victims and boys perpetrators, but all child-on-child abuse must be taken seriously (KCSIE, 2022). Barriers to disclosure will also be different. As a result, schools need to explore the gender dynamics of child-on-child abuse within their settings and recognise that these will play out differently in single sex, mixed or gender imbalanced environments (Farrer and Co. 2022). *It is critical to be aware of the role that inequality and discrimination can play in child-on-child abuse. Socio-economic inequality within a school or college can increase bullying, and racial and ethnic minority status can be a risk factor for victimisation by peers. Children from minoritised groups are at much higher risk for poor health and behavioural outcomes as a result of discriminatory bullying. LGBTQ children may also be at greater risk of abusive behaviour from their peers.* (Farrer and Co, 2022)

Children with Special Educational Needs

Children with special educational needs or disabilities (SEND) or certain health conditions can face additional safeguarding challenges. These can include: assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration; being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children; the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and communication barriers and difficulties in overcoming these barriers. To address these additional challenges, staff in school will consider the need for additional pastoral support for children with SEND or certain medical conditions particularly when investigating any form of child on child abuse. (KCSIE, 2022)

Children Who Are Lesbian, Gay, Bi or Trans (LGBT)

Children who are LGBT can be targeted by other children and risks can be compounded where children who identify as LGBT lack a trusted adult with whom they can be open. It is therefore vital that staff endeavour to reduce the additional barriers faced, and provide a safe space for them to speak out or share their concerns with members of staff (KCSIE 2022).

Intersectionality

Intersectionality is the recognition that people's experiences are shaped by their multi-layered identities. A person's interactions with the world are shaped by their ethnicity, age, gender, sexuality, class and abilities, and these aspects of a person's identity interrelate. Someone may experience racism, sexism and ageism collectively or individually at different times and in different environments. The effect of a child's experiences may influence whether he/she is comfortable accessing support if they are a victim of child-on-child abuse (Farrer and Co, 2022)

Adultification

This is a form of racial prejudice in which children from minority groups are treated as more mature than they actually are by a reasonable social standard of development. This may lead to failure to recognise victims of child-on-child abuse and to respond appropriately to the experiences of children from minoritised ethnic groups. Whilst adultification can impact all children in certain ways it is important that there is an acknowledgement that it specifically affects Black children. (Farrer and Co, 2022)

At Seaburn Dene Primary School the specific needs of all our children will be considered and supported in all incidents.

Language

For the purposes of this policy, the language used will refer to 'victims'. It is a widely recognised term; however all children may not recognise themselves as a victim or want to be described in this way. The term alleged perpetrators will also be used, this is to ensure that children are not given 'labels' about their behaviour unfairly and without any full and thorough conclusive investigation and because they themselves found the abusive behaviour harmful or may have been a victim of previous harm.

The language used is to support victims so that they understand that they will always be believed, supported, listened to and taken seriously. The language used by children and parents in the reporting of any incidents that may have occurred could impact on any future rehabilitation of children following any investigations that may occur. The use of certain words can be both inflammatory and distressing for children and their parents, so care will be taken in the discussion of incidents with parents to ensure they are factual and accurate.

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.

Bullying (including Cyberbullying, Prejudice-Based and Discriminatory Bullying)

The new definition of bullying is, 'a person who habitually seeks to harm or intimidate those who they perceive as vulnerable'. (Taken from the Oxford, Cambridge and Collins dictionary, updated 2018) Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences. Bullying involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online. Low-level disruption and the use of offensive language can in itself have a significant impact on its target. If left unchallenged or dismissed as banter or horseplay it can also lead to reluctance to report other behaviour. (Preventing and Tackling Bullying July 2017)

Online or Cyber Bullying

Cyber or online bullying is the use of phones; instant messaging, e-mail, chat rooms or social networking sites such as Snapchat and Instagram to harass, threaten or intimidate someone for the same reasons as stated above. Many children have unlimited and unrestricted access to the internet via mobile phone networks (i.e. 3G, 4G and 5G). This means that some children, whilst at school or college, sexually harass their peers via their mobile and smart technology, share indecent images; consensually and non-consensually (often via large chat groups) and view and share pornography and other harmful content. (KCSIE, 2022)

NB cyber bullying can very easily fall into criminal behaviour under the Malicious Communications Act 1988 under section 1 which states that electronic communications which are indecent or grossly offensive, convey a threat or false information or demonstrate that there is an intention to cause distress or anxiety to the victim would be deemed to be criminal. This is also supported by the Communications Act 2003, Section 127 which states that electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience or needless anxiety to another could also be deemed to be criminal behaviour.

If the behaviour involves the use of taking or distributing sexual 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.

Prejudiced-Based and Discriminatory Bullying

The term prejudice-based and discriminatory bullying refers to a range of hurtful behaviour, physical or emotional or both and online, which causes someone to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society – in particular, prejudices to do with 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 (homosexual, bisexual, transsexual).

Abuse in Intimate Personal Relationships Between Peers (Teenage Relationship Abuse)

Abuse in intimate personal relationships between peers is defined as a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abuser uses this pattern of violent and coercive behaviour, in a hetero

Physical Abuse e.g. (biting, hitting, kicking, hair pulling etc.)

Physical abuse may include, hitting, kicking, nipping, 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 punishment to be undertaken.

Racism

Racism occurs when a person is treated less favourably because of their skin colour, nationality, ethnicity, or cultural group. Racist behaviour can include verbal abuse, physical attacks, exclusion from activities or opportunities and microaggressions, which can be conscious and unconscious. It can occur in person or online

Sexual Violence

Sexual violence refers 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.

Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual. B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

What is consent? 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

Sexual Harassment

Sexual harassment means 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school. In referencing sexual harassment, it is 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 (KCSIE 2022).

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 (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;
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

It may include:

- Consensual and non-consensual sharing of nude and semi-nude images and videos;
- Sharing of unwanted explicit content
- Upskirting
 - Sexualised online bullying;
 - Unwanted sexual comments and messages, including, on social media;

- Sexual exploitation; coercion and threats;
- upskirting

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap. They can occur online and face to face (both physically and verbally) and are never acceptable. 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 and will be exacerbated if the alleged perpetrator(s) attends the same school or college. Schools and colleges should be aware that safeguarding incidents and/or behaviours can be associated by factors outside the school or college, including intimate personal relationships. 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. Staff are aware that it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys. (KCSIE, 2022).

Causing Someone to Engage in Sexual Activity Without Consent

This includes forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party. (see above definition.)

Consensual and Non-Consensual Sharing of Nudes and Semi-Nudes Images and/or Videos

This is also known as sexting or youth produced sexual imagery. ‘Youth Involved/Produced’ includes children sharing images that they, or another child, have created themselves. ‘Imagery’ covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the policy). Sexting (more commonly known as) is when someone sends or receives a sexually explicit text, image or video. This includes sending ‘nude pics’, ‘rude pics’ or ‘nude selfies’. Pressuring someone into sending a nude picture can occur in any relationship, to anyone, whatever 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.

Upskirting

‘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.

Harmful Sexual Behaviour

Children's sexual behaviour 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. The umbrella term is 'harmful sexual behaviour' (HSB). Harmful Sexual Behaviour can occur online and/or face to face and can also occur simultaneously between the two.

When considering Harmful Sexual Behaviour, ages and stages of development of children are critical factors. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years difference or if one of the children is pre-pubescent and the other is not. However a younger child can abuse an older child, particularly if they have power over them, e.g. the child is disabled, or smaller in stature.

Harmful sexual 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 harmful sexual 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. Harmful sexual behaviour may range from inappropriate sexual language, inappropriate role play, to sexually touching another, sexual assault, rape or abuse.

Behaviour which is not abusive at first may potentially become abusive quickly or over time. Intervening early and addressing any inappropriate behaviour which may be displayed by a child is vital and could potentially prevent their behaviour from progressing on a continuum to become problematic, abusive and/or violent - and ultimately requiring (greater/more formal) engagement with specialist external and/or statutory agencies.

Action Taken From All Staff

All staff will be alert to the well-being of children and young people and to signs of abuse, and will, with support from the DSL and SMT, engage with these signs, as appropriate, to determine whether they are caused by child on child abuse. However, staff will 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 (Farrer and Co. 2022).

Although the type of abuse may have a varying effect on the victim and alleged perpetrator of the harm, staff will follow the agreed procedures to help clarify the situation and establish the facts before deciding the consequences for those involved in perpetrating harm.

Staff will reassure victims that they are being taken seriously and that they will be supported and kept safe.

Staff will deal with a situation of child on child abuse immediately upon it being shared and with sensitivity. In order to get a true, accurate account of the facts around what has happened, information will be gathered as soon as possible. Staff will be sensitive to the language that is used so as not to label a child or apportion blame. Staff will not be prejudiced, judgemental, dismissive or irresponsible in dealing with such sensitive matters. Staff will liaise with the DSL so as to be mindful of any wider safeguarding concerns which may influence the child's account of the event(s). Staff will be mindful that wider safeguarding concerns may influence a child's account of the event(s). Staff will also be sensitive to the possibility that peer pressure and the impact of sharing information about the incident(s) may also influence a child's account.

Gathering Facts

In line with part 5 of Keeping Children Safe in Education, 2022 in cases specifically relating to sexual violence and sexual harassment, two members of staff (preferably one being the Designated Safeguarding Lead) should be present to manage the report, where possible. Staff should not view or forward illegal images of a child and instead confiscate any devices to preserve any evidence and hand them to police for inspection. All staff will have regard to the requirement for children to have an Appropriate Adult (PACE Code C 2019) particularly when multi agency partners such as Local Authority Children's Social Care or the Police have to interview the child.

The most appropriate member of staff with the best relationship with the child should be the person alongside the child who wishes to disclose wherever possible. However, staff are aware that children may choose to disclose to any member of staff that they feel most comfortable with and therefore all staff need basic training in managing disclosures. In any circumstance the member of staff will make it clear to the child that they cannot maintain confidentiality if what is being shared has put or will put the child or another person at risk of harm. Staff are aware that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory and so children may not be able to recall all details or timeline of abuse.

In all circumstances, staff will 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. In order to do this, staff will ask the young people to tell them what happened, rather than having a particular set of questions. Staff will listen carefully to the child, reflect back, use the child's language, be non-judgemental, be clear about boundaries and how the report will be progressed and not ask leading questions. Staff will only interrupt the young person to gain clarity with open questions, 'where, when, why, who'. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?) Then, a full and clear record of exactly what the young person has said in their own language will be made (with no individual interpretation of the facts made which could impact on the

disclosure) after the child has finished the disclosure, so the child feels listened to. This will be stored securely within the DSL and / or on CPOMS.

Staff will then consider the intent as to whether this has been a deliberate or contrived situation for a child to be able to harm another.

Next Steps

Staff will gather information to assess whether the child is at risk of significant harm and if so, a safeguarding referral to social care will be made immediately (where a crime has been committed Page 14 of 18 the police will be involved also). This action will, in most circumstances, be undertaken by the Designated Safeguarding Lead but in the event of their absence the referral can be made by the Deputy DSL or any other member of staff. If this is the case, once social care has been contacted a decision will be made as to what will happen next and school will be informed. If social care 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 also. If social care feel that it does not meet their criteria school may challenge this decision, with that individual or their line manager.

Confidentiality and Anonymity

Any staff member taking a report will never promise confidentiality as it is very likely that it will be in the best interest of the victim to seek advice and guidance from others in order to provide support and engage appropriate agencies. Ultimately, the Designated Safeguarding Lead (or a deputy) will have to balance the victim's wishes against their duty to protect the victim and other children.

Consider the Intent (begin to Risk Assess)

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

Decide On Your Next Course Of Action

If from the information that you gather you believe any young person to be at risk of significant harm you must make a safeguarding referral to social care immediately (where a crime has been committed the police should be involved also). This action would, in most circumstances be undertaken by the Designated Safeguarding Lead but in the event of their absence the referral can be made by another member of staff. If this is the case, once social care has been contacted and made a decision on what will happen next then you will be informed on your next steps.

If social care 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 also. It is important to be prepared for every situation and the potential time it may take.

It may also be that social care feels that it does not meet their criteria in which case you may challenge that decision, with that individual or their line manager. If in discussion however, you agree with the decision, you may then be left to inform parents.

Informing Parents

If, once appropriate advice has been sought from police/Children's Social Care school have an agreement to inform parents or have been allocated that role from the other services involved then parents should be informed as soon as possible. If services are not going to be involved then equally, this information may need to be shared with parents. Parents would not be informed if by doing so the child was put at further risk of significant harm.

Points to consider:

The wishes and feelings of the victim

It is important to understand how the victim wants to proceed to allow as much control as is reasonably possible over the decisions regarding how any investigation will be progressed.

The Nature of the Alleged Incident

This includes consideration as to whether a crime may have been committed and/or whether Harmful Sexual Behaviour has been displayed.

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 if other issues arise (see following) Any imbalance of power and control must be considered.

Are There Any Additional Vulnerabilities?

Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers. Therefore care will be taken to ascertain any changes in mood or behaviour without attributing that to the child's condition. Every effort will be made to overcome barriers to communication and ensure the voice of the child is heard.

Where did the incident or incidents take place?

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

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?

The children's own understanding of what occurred?

Staff will ascertain whether the children 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 an understanding of the impact of their behaviour on the other person? Where staff are concerned or unsure as to whether or not there is any risk involved, advice will be sought from Children's Services Social Care.

Repetition

Staff will attempt to ascertain whether the behaviour has been repeated to an individual on more than one occasion. In the same way it will be considered whether the behaviour persisted to an individual after the issue has already been discussed or dealt with and appropriately resolved?

Ongoing Risks

Staff will assess whether there are any ongoing risks to the victim, other children, or staff.

Contextual Safeguarding/Extra Familial Harm

Staff will attempt to ascertain whether there is any other related or wider context involving the child, including any links to child sexual exploitation or child criminal exploitation.

Risk Assessment from KCSIE 2022 (all risk assessments should consider)

The victim, especially their protection and support Whether there may have been other victims The alleged perpetrator All the other children at the school or college, especially any actions that are appropriate to protect them from the alleged perpetrators or from future harms and The time and location of the incident, and any action required to make the location safer

Outcomes

The outcome of the investigation will follow local threshold guidance. Therefore, a referral will be made to either the police/social care for a full investigation (tier 4). It may result in Children's Services undertaking a further assessment (Tier 3) or it may be referred for an early help assessment (Tier 2). It may be that on investigation, a decision has been made to handle the incident (s) internally, in which case the school may implement a risk assessment plan (Tier 1). Page 16 of 18 The school will continue to ensure that the education needs of the children involved are being met, in which case a risk assessment plan may be needed irrespective of the outcome. Once the outcome of the incident(s) has been established it is necessary to ensure future incidents of abuse do not occur again and therefore school will consider the support and intervention required for those involved.

Support

For the young person who has been harmed (alleged victim)

Victims may not display the whole picture immediately; therefore dialogue will be kept open and encouraged. Children who have experienced sexual violence display a wide range of responses to their experience, including, in some cases, clear signs of trauma, physical and emotional responses, or no overt signs at all. Therefore, staff will remain alert to the possible challenges of detecting those signs and show sensitivity to the needs of the child irrespective of how overt the child's distress is. Support required will depend on the individual and school will take this into account when considering options available. Support will be offered from school staff who know the child well and with whom they have an established relationship. In-school counselling will also be offered. In all outcomes, the child will continue to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, consideration will be given to support in developing peer groups/relationships with others. Consideration will be given to interventions which may target a whole class or year group for example a workshop on cyber bullying, relationship abuse etc. It may be that through the continued curriculum of Relationship / Relationship and Sex Education and Health Education, PHSE 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.

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

With support from the DSL and staff in school, staff will attempt to find out why the child has behaved in such a way. It may be that the child is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support such as counselling may also be necessary. Particular 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 child has been met, in line with school policy, the child will receive a consequence for their behaviour and this will be discussed with the child as well as their parents/carers. This may be in an attempt to make amends with the child they have targeted if there has been some form of bullying. In the cases of harmful sexual 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 whilst off site. Even following the conclusion of any investigation the behaviour that the child has displayed may continue to pose a risk to others. In which case, an individual risk assessment will be completed. Page 17 of 18 This may mean additional supervision of the child or protective strategies if the young person feels at risk of engaging in further

inappropriate or harmful behaviour. The school may also choose a punishment 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.

Record-Keeping

Information sharing is vital in identifying and tackling all forms of abuse and in promoting children's welfare, including in relation to their educational outcomes. Schools have clear powers to share, hold and use information for these purposes. At Seaburn Dene Primary School arrangements are in place that set out clearly the processes and principles for sharing information within the school and with local authority children's social care, the safeguarding partners and other organisations, agencies, and practitioners as required. Information will be shared as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or where a child is already known to the local authority children's social care. The Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR) place duties on schools and to process personal information fairly and lawfully and to keep the information they hold safe and secure. Under the Data Protection Law, legitimate safeguarding concerns about a child allow school and professionals to record, share and retain even the most sensitive personal data as necessary to support school policies (even when it is not feasible to obtain consent. (Farrer and Co, 2022)

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). In which case, regular reviews with the young people following the incident(s) are imperative.

Safety Planning

The alleged victim or the alleged perpetrator may benefit from the creation of a safety plan alongside the child, parents, carers and other agencies if involved. Safety plans support the child by considering the behaviours that may be risky and plan ways to manage triggers and to seek support from adults and peers.

Disciplinary Action

Taking disciplinary action and still providing support are not mutually exclusive actions. In some circumstances, the Headteacher may need to consider whether disciplinary action may be appropriate for any child/children involved – any such action should address the abuse, the causes of it, and attitudes underlying it. Disciplinary action may sometimes be appropriate, including (a) to ensure that the child/children take(s) responsibility for and realise(s) the

seriousness of their behaviour; (b) to demonstrate to the child/children and others that child on child abuse can never be tolerated; and (c) to ensure the safety and wellbeing of other children. However, these Page 18 of 18 considerations must be balanced against the child's/children's own potential unmet needs and any safeguarding concerns. Before deciding on appropriate action school will always consider its duty to safeguard all children from harm; the underlying reasons for a child's behaviour; any unmet needs, or harm or abuse suffered by the child; the risk that the child may pose to other children; and the severity of the child-on-child abuse and the causes of it.

Seaburn Dene Primary School will, where appropriate, consider the potential benefit, as well as challenge, of using managed moves or exclusion as a response, and not as an intervention, recognising that even if this is ultimately deemed to be necessary, some of the measures referred to in this policy may still be required. Exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the other children in the school. Engaging in Fair Access Panel Processes to assist with decision-making associated to managed moves and exclusions can also be beneficial. Disciplinary interventions alone are rarely able to solve issues of child-on-child abuse, and school will always consider the wider actions that may need to be taken. (Farrer and Co. 2022).

Review of Circumstances

Following any incident of harm, staff, alongside the DSL and /or HT will review and consider if anything could have been done differently and whether any policies and procedures should be reviewed.

This policy has been heavily supported by the key document:

Linked Documents This policy has been heavily supported by the following key document:

Farrer and Co: Peer on Peer Abuse Toolkit 2019.

<https://www.farrer.co.uk/globalassets/news-articles/downloads/peer-on-peer-abuse-toolkit-14.pdf>

This policy should be read in conjunction with the following: Seaburn Dene Primary School's Child Protection Policy 2022 and the Local safeguarding partnership arrangements. This policy has been developed and supported by the following: DFE: Keeping Children Safe in Education September 2022

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

DFE: Preventing and Tackling Bullying: Advice for headteachers, staff and governing bodies. July 2017

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/623895/Preventing_and_tackling_bullying_advice.pdf

DFE: Sexual Violence and Sexual Harassment between Children in Schools and Colleges.
September 2021

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

Working Together to Safeguard Children, 2018

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

Sharing nudes and semi nudes: advice for education settings working with children and young people, December 2020

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf

Inclusion Statement

At Seaburn Dene Primary School, we are committed to offering an inclusive curriculum to ensure the best possible progress for all of our pupils whatever their needs or abilities.

Pupils have Special Educational Needs if they have a learning difficulty which calls for special educational provision to be made for them. Pupils with a disability have special educational needs if they have any difficulty in accessing education and if they need any special educational provision to be made for them, which is anything that is additional to or different from what is normally available in schools in the area.

At Seaburn Dene Primary School we undertake the duties, including in relation to this policy:

- Not to treat disabled pupils less favourably for a reason which relates to their disability
- To take reasonable steps to avoid putting disabled pupils at a substantial disadvantage
- To do our best by all disabled members of our school community in relation to the requirements of this particular policy

Equality & Diversity Statement

Seaburn Dene Primary School fully recognises its duty to comply with equality and diversity legislation, and its Gender Equality Scheme sets out the school's aims in relation to equality and what it will do to ensure that equality is fully embedded in practice. The school fully acknowledges its responsibilities in terms of equality issues in relation to gender, age, race, disability, religion or belief, sexual orientation and gender reassignment, including in relation to this policy.

Seaburn Dene Primary School is firmly committed to equality and diversity, and when carrying out our functions, we shall have due regard to the need: to eliminate unlawful

discrimination and harassment; to promote equality of opportunity between men and women.