



Stretford
Grammar School
Aspirat primo fortuna labori

Managing Allegations of Peer-on-Peer Abuse

Ratified by Governors: March 2022



Managing Allegations of Peer-on-Peer Abuse

Date of Policy: September 2021

Member of staff with overall responsibility: Mrs H Dolphin

Governing Body Sub-Committee with reviewing responsibility: Student Welfare

1. Purpose of the Policy

- 1.1 At Stretford Grammar we are clear that abuse is abuse and should never be tolerated or passed off as “banter”, “just having a laugh” or “part of growing up”. All peer on peer abuse is unacceptable and will be taken seriously.
- 1.2 Whilst we operate a zero tolerance approach to sexual harassment, we also acknowledge that we have a duty as educators to support learning so we provide opportunities for students to learn about acceptable behaviours, to apologise for any inappropriate behaviour and to improve their behaviour.
- 1.3 We believe that all children have a right to attend school and learn in a safe environment. Children should be free from harm by adults in the school and from other students.
- 1.4 We recognise that some students will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the school’s Behaviour Policy.

2. Safeguarding Allegations

- 2.1 All staff should be aware that children can abuse other children (often referred to as peer on peer abuse).
- 2.2 Most cases of pupils hurting other students will be dealt with under our school’s Behaviour Policy.
- 2.3 Sometimes, allegations may be made against students by other students in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and

sexual exploitation. It is likely that to be considered a safeguarding allegation against a student, some of the following features will be found.

2.4 The allegation:

- is made against an older student and refers to their behaviour towards a younger student or a more vulnerable student;
- is of a serious nature, possibly including a criminal offence;
- raises risk factors for other students in the school;
- indicates that other students may have been affected by this student;
- indicates that young people outside the school may be affected by the student.

3. Examples of Peer on Peer safeguarding

3.1 Peer on peer abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying) ;
- 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);
- sexual violence (this may include an online element);
- sexual harassment ;
- sharing nudes or semi-nudes (previously known as sexting);
- upskirting
- initiations / hazing type violence and rituals;
- abuse in intimate personal relationships between peers;
- In areas where gangs are prevalent, older students may attempt to recruit younger students using any of the above methods. Young people suffering from sexual exploitation themselves be forced to recruit other young people under threat of violence;
- Initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation as a way of initiating a person into a group and may include an online element).

4. Minimising the risk of safeguarding concerns towards students from other students

4.1 On occasion, some students will present a safeguarding risk to other students. The school should be informed that the young person raises safeguarding concerns, for example, they are coming back into school following a period in custody. These students need an individual risk assessment to ensure that other students are kept safe and they themselves are not laid open to malicious allegations.

5. Action

- 5.1 All staff will challenge any form of derogatory or sexualised language or inappropriate behaviour between peers, including requesting or sending sexual images
- 5.2 All staff are vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female pupils, and initiation or hazing type violence with respect to boys
- 5.3 Students are taught to call out any inappropriate sexual behaviours or harassment
- 5.4 When an allegation is made by a student against another student, members of staff report this using the school's Child Protection protocol and alert the DSL or the Safeguarding Team
- 5.5 The DSL or a member of the Safeguarding Team make a factual record of the allegation, but no attempt at this stage are steps taken to investigate the circumstances.
- 5.6 A referral should be made to First Response.
- 5.7 It is possible that Children's Services are already aware of safeguarding concerns around this young person.
- 5.8 The member of the Safeguarding Team makes a record of the concern, the discussion and any outcome on CPOMS.
- 5.9 If the allegation indicates a potential criminal offence has taken place, the police are contacted at the earliest opportunity and parents informed (of both the student being complained about and the alleged victim).
- 5.10 It may be appropriate to exclude the student being complained about for a period of time according to the school's behaviour policy and procedures.
- 5.11 Where neither social services nor the police accept the complaint, a thorough school investigation takes place into the matter using the school's usual disciplinary procedures.
- 5.12 In situations where the school considers a safeguarding risk is present, a risk assessment is prepared along with a support plan.
- 5.13 Risk assessments should be generated in partnership with Children's Services and the police to manage any implications and safeguard the children.

- 5.14 An important consideration is to ensure that the victim can continue their normal routine, including continuing to receive a suitable education.
- 5.15 The plan should be monitored and a date set for a follow-up evaluation with everyone concerned.

6. Students on bail or released under investigation

- 6.1 We acknowledge that the circumstances where a student has been arrested and is released on bail will differ and therefore there follows a general set of procedures with the acknowledgement that these will need to be bespoke for each individual circumstance.
- 6.2 The Headteacher is informed of student on bail by relevant agency and any relevant bail conditions pertaining to school and/or which would impact on the safeguarding of other students or staff
- 6.3 The DSL is informed. A decision is taken as to whether a further key worker to be assigned.
- 6.4 A risk assessment is generated, taking into account the safeguarding of the student concerned plus other students and staff.
- 6.5 Daily welfare checks are undertaken by a keyworker
- 6.6 A multi-agency meeting is arranged where protocols regarding attendance, absence, behaviour and liaison with parents are established.
- 6.7 The risk assessment to be reviewed regularly as circumstances both internally and externally may change
- 6.8 Staff are informed only on a need to know basis.
- 6.9 From April 2017, the use of police bail has been dramatically reduced and will only be used when deemed necessary and proportionate in exceptional circumstances, thus students may also be released in the absence of bail conditions or 'released under investigation'. Consideration will be given to less invasive options to safeguard victims and witnesses and the administration of justice. Therefore, it is less likely that a child attending school will be on police bail with conditions attached if there are alternative measures to mitigate any risk.
- 6.10 In the absence of bail conditions, when there is a criminal investigation, early engagement and joined up working between the school or college, children's social care and the police is critical to support the victim, alleged perpetrator and other children involved (especially potential witnesses). Where required, advice from the

police will be sought in order to help the school manage their safeguarding responsibilities.

- 6.11 The term 'Released Under Investigation' or 'RUI' will replace those previously on bail for offences in circumstances that do not warrant the application of bail to either reattend on a particular date or to include conditions preventing activity or in some cases ensuring compliance with an administrative process.
- 6.12 There may be delays in any case that is being progressed through the criminal justice system. The school does not wait for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator and other children in the school. The risk assessment undertaken will help inform any decision
- 6.13 If a child is convicted or receives a caution for a sexual offence, the school will update its risk assessment, ensure relevant protections are in place for all the children at the school and, if it has not already, consider any suitable action in light of their behaviour policy. If the perpetrator remains in the same school as the victim, the school will be very clear as to their expectations regarding the perpetrator now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions the school thinks are reasonable and proportionate with regard to the perpetrator's timetable.
- 6.14 Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other students in the school and so we will ensure that both the victim and alleged perpetrator remain protected, especially from any bullying or harassment (including online).
- 6.15 Where cases are classified as "no further action" (NFA'd) by the police or Crown Prosecution Service, or where there is a not guilty verdict, the school will continue to offer support to the victim and the alleged perpetrator for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for the victim. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. The schools will discuss any decisions with the victim in this light and continue to offer support. The alleged perpetrator is also likely to require ongoing support for what will have likely been a difficult experience.

7. Staff Training

- 7.1 Through training we ensure that all staff recognise that children are capable of abusing their peers.

- 7.2 The Senior Leadership Team and Governing Body are responsible for ensuring that procedures exist to minimise the risk of peer on peer abuse and consider how allegations of peer on peer abuse will be investigated and dealt with.
- 7.3 There is a clear procedure on how victims of peer on peer abuse will be supported.
- 7.4 All staff are aware of the nature of peer on peer abuse.
- 7.5 Additional support for staff can be found at the end of this policy.

8. Preventing Peer-on-Peer Abuse

- 8.1 These issues will be addressed through our school PSHCE curriculum, form time, Drop Down days and assemblies throughout the year.
- 8.2 The PSHCE curriculum covers healthy and respectful relationships; what respectful behaviour looks like; consent; stereotyping, equality; body confidence and self-esteem; prejudiced behaviour; IT safety; British values; that sexual violence and sexual harassment is always wrong and addressing cultures of sexual harassment.
- 8.3 We appreciate that whilst adults in school are working hard to keep children safe, children also play a large part in keeping themselves and their peers safe from abuse and neglect.
- 8.4 Students will be made aware of what constitutes unreasonable pressure from peers to engage in risk-taking or inappropriate behaviour, and of how to report their concerns.
- 8.5 Students are taught that they can report an incident in person to an adult in school or may report an incident on the school website
- 8.6 We ensure that all students are aware of the Everyone's Invited website which the NSPCC has been commissioned to run. We publicise the website and number, 0800 136 663. This number is for children and young people who are victims of sexual abuse, adult victims, parents and carers of victims and professionals working with children and young people. It is to report or share incidents which have happened both in and outside of educational settings.

9. Responding to an allegation

- 9.1 Sexual violence means rape, assault by penetration or sexual assault (intentional sexual touching)
- 9.2 S Sexual harassment means unwanted conduct of a sexual nature- such as sexual comments, sexual jokes, or taunting physical

behaviour like interfering with clothes or online harassment like the sharing of nude or semi-nude images.

- 9.3 Allegations of abuse by a peer are treated as seriously as allegations of abuse from an adult, they are never dismissed as normal behaviour.
- 9.4 Abuse is abuse and should never be tolerated or passed off as "banter", "just having a laugh" or "part of growing up".
- 9.5 We will respond and manage any reports of sexual violence and/or sexual harassment in line with guidance added to KCSIE 2021.
- 9.6 All staff are expected to refer to HM Government guidance 'What to do if you're worried a child is being abused – Advice for practitioners' for further help in identifying signs and symptoms of child abuse and neglect.
- 9.7 Staff will listen to the young person but will not ask any questions as it may become a police investigation.
- 9.8 When a disclosure is made, the information will be added to CPOMS and the child will have the opportunity to talk to a member of staff.
- 9.9 The child's wishes and feelings will always be taken into account when determining the course of action but the final decision on any action is taken by the DSL and the Safeguarding Team
- 9.10 All information is handled in accordance with the school's Data Protection Policy, which is written in line with HM Government guidance – 'Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers, July 2018', and the 7 principles of information sharing within that document.
- 9.11 When incidents of sexual violence and sexual harassment occur the school's response is ultimately decided on a case-by-case basis, with the DSL(or a deputy) taking the lead role, using their professional judgement.
- 9.12 Incidents of peer-on-peer abuse may need to be dealt with in various ways.
- 9.13 Incidents of bullying will be dealt with via the schools anti-bullying policy and/or behaviour policy.
- 9.14 Incidents which take place outside of school may need to be addressed in school however the school are clear that where professional advice needs to be sought from external partners, it will be.

9.15 The school's DSL will consult Trafford First Response on matters relating to the safety and welfare of a child and will consult the police in respect of matters relating to a possible crime.

9.16 The school will put a proportionate and supportive package of care in place for those affected.

9.17 All responses will involve:

- A conversation with an adult in school
- Opportunity to apologise for the behaviour to the victim
- Contact with parents/carers
- A log on CPOMS
- Loss of Choice points
- Detention

9.18 They might include:

□ A behaviour contract

- An early help referral
- Internal isolation
- Fixed term exclusion
- Reporting of the incident to the Police
- Reporting the incident to social care

9.19 The school adopts the UK Council for Child Internet Safety guidance 'Sharing nudes and semi-nudes: How to respond to incidents and safeguarding young people'.

9.20 This guidance clearly sets out how to handle incidents, should they occur and what preventative steps can be taken to educate young people.

10. Harassment

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

10.2 Manage internally

- In some cases of sexual harassment, for example, one-off incidents, we may take the view that the children concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising our Behaviour Policy and by providing pastoral support.
- Whatever the school's response, it is underpinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated.
- All concerns, discussions, decisions and reasons for decisions are recorded on CPOMS

10.3 Early help

- In line with 1 above, we may decide that the children involved do not require statutory interventions, but may benefit from early help.
- Early help means providing support as soon as a problem emerges, at any point in a child's life.
- Providing early help is more effective in promoting the welfare of children than reacting later.
- Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.
- Full details of the early help process are in Chapter One of Working Together to Safeguard Children.
- Multi-agency early help works best when placed alongside strong school policies, preventative education and engagement with parents and carers.

10.4 Referrals to children's social care

- Where a child has been harmed, is at risk of harm, or is in immediate danger, we make a referral to local children's social care.
- At the referral to children's social care stage, we generally inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child at additional risk). Any such decision is made with the support of children's social care.
- If a referral is made, children's social care will then make enquiries to determine whether any of the children involved are in need of protection or other services
- Where statutory assessments are appropriate, we (especially the DSL or a deputy) work alongside, and cooperate with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other children that require support.
- We will not wait for the outcome (or even the start) of a children's social care investigation before protecting the victim and other children in the school. It is important for the DSL (or a deputy) to work closely with children's social care (and other agencies as required) to ensure any actions the school or college takes do not jeopardise a statutory investigation. Consideration of safeguarding the victim, alleged perpetrator, any other children directly involved in the safeguarding report and all children at the school or college should be immediate.
- In some cases, children's social care will review the evidence and decide a statutory intervention is not appropriate. We (generally led by Staff members who are concerned that a child might have been / being abused by another child should follow safeguarding and child protection procedures and report to the DSL or a deputy) are prepared to refer again if we believe the child remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the DSA (or a deputy) will consider other support mechanisms such as early help, specialist support and pastoral support.

10.16 Reporting to the Police

- Any report to the police is generally be in parallel with a referral to children's social care (as above).
- The DSL (and deputies) are clear about the local process for referrals and follow that process.
- Where a report of rape, assault by penetration or sexual assault is made, the starting point is this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach.
- At this stage, we will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a child at additional risk
- Where a report has been made to the police, we consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator and their parents or carers. We also discuss the best way to protect the victim and their anonymity.
- All police forces in England have specialist units that investigate child abuse. The names and structures of these units are matters for local forces
- In some cases, it may become clear very quickly, that the police (for whatever reason) will not take further action. In such circumstances, we will continue to engage with specialist support for the victim as required.

10.17 Whatever the response, it should be under-pinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated.

10.18 All concerns, discussions, decisions and reasons for decisions should be recorded on CPOMS

Appendix 1

Peer-on-peer sexual abuse: what to do if a child makes a disclosure

Make sure you understand and follow our child protection policy and procedures for dealing with peer-on-peer sexual abuse. If you have any concerns about a child's welfare, act on them immediately - don't wait for a disclosure.

- ✓ Ask the child outright if they've been harmed and what the nature of the harm was
- ✓ Listen and reassure them that they will be supported and kept safe
- ✓ Reflect back, using their language
- ✓ Be mindful that some children may face additional barriers to disclosure because of their vulnerability, disability, gender, ethnicity and/or sexual orientation
- ✓ Remember that:
 - This may only be the first incident the child has reported
 - Trauma can impact memory, so the child may not be able to recall all of the details or timeline of the abuse
- ✓ Make a written record as soon as possible, stating only the facts
- ✓ Tell our designated safeguarding lead (DSL) urgently:

Helen Dolphin
- ✓ Where appropriate, take action yourself
 - If the child is in immediate danger or at risk of harm, make a referral to children's social care
 - If an offence has been committed, report it to the police (even if the alleged perpetrator(s) is under 10). You can confiscate devices as evidence for the police, if the report includes an online element.
 - Find out whether the victim and alleged perpetrator(s) share classes, premises or transport, and consider how to keep them a reasonable distance apart while on the premises, including both before and after school

- ✗ Dismiss the incident as 'banter', 'part of growing up' or 'having a laugh'
- ✗ Ask leading questions
- ✗ Promise total confidentiality - explain who you will need to tell and why
- ✗ View photos or videos of a sexual nature
 - If you do so by accident or think you might need to in order to deal with the issue effectively, talk to our DSL
- ✗ Take notes while the child is talking, if at all possible
- ✗ Tell anyone about the disclosure unless they need to know in order to progress it

Key definitions

Peer-on-peer sexual abuse: when a child (anyone under the age of 18) commits an act of sexual violence or harassment against another child

Sexual violence: rape, assault by penetration, or sexual assault (intentional sexual touching)

Sexual harassment: unwanted conduct of a sexual nature – such as sexual comments, sexual jokes or taunting, physical behaviour like interfering with clothes, or online harassment such as sexting

Upskirting: taking a picture under a person's clothing without their permission to obtain sexual gratification or cause the victim humiliation, distress or alarm

Sexual activity is an offence if:

- Person B (the victim) does not consent
- Person A (the perpetrator) does not reasonably believe that Person B consents

Someone consents if they:

- Agree by choice
- Have the freedom and capacity to choose