

Peer on Peer Abuse Protocol

For further guidance refer to the latest edition of *KCSIE and Sexual violence and sexual harassment between children in schools and colleges (DfE, 2018)*

What constitutes Peer on Peer Abuse

All staff should be aware that children can abuse other children (often referred to as peer on peer abuse). This is most likely to include, but may not be limited to: bullying (including cyberbullying); physical abuse; sexual violence; sexual harassment; upskirting; sexting; initiation/hazing type violence and rituals

Abuse should never be tolerated or passed off as 'banter', 'just having a laugh' or 'part of growing up'. Our curriculum explicitly and actively challenges such notions and teaches the consequences of such behaviour both in school and society

Peer on peer abuse is more likely to result in girls being victims and boys as perpetrators. LGBTQ students are also more likely to be victims

Children with SEND are more prone to peer group isolation than other children and as such can be more prone to peer on peer abuse

Students are explicitly taught how to raise an allegation and we have a record of two trusted adults that students have named to support with any such allegations

Challenging behaviours (potentially criminal in nature) such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts should not be dismissed or tolerated as this risks normalising them

Phase 1 - Allegation

The academy's 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

SLT must be informed with immediate effect. If the incident is alleged sexual abuse the DSL and DDSL must be informed directly and via CPOMS

The parents of the victim and the perpetrator should be informed of the allegation. This should not be an indication of guilt. This communication, in the first instance, should be made by the ATL. They must contact the parents of the accused and the victim, to inform them: of the allegations against the child; that an investigation will be conducted to ascertain, on the balance of evidence, any necessary sanction or intervention; that we will contact them for every day of the investigation; that, depending on the outcome of the investigation we may have to refer this to external agencies including the police or FAST; that a safety plan/ risk assessment will be put in place in the interim

If the disclosure has been made by the parent then a phone call should take place with them to ascertain their and their child's wishes in dealing with the disclosure

The trusted adults or the tutor of the child should be informed of the allegation if appropriate

In cases of physical abuse and bullying the Assistant Principal (L & E) will make the recommendations for the next steps. In cases of sexualised incidents, including ones committed online, the DSL must be informed immediately and will co-ordinate the next steps

If the disclosure involves images that are illegal, i.e. child sexual exploitation of any kind, it is essential that **staff do not view, receive or forward these images on as this is illegal. Any such images should be reported directly to the police.**

The student/ victim/ accused/ witness/ parent/ staff member who had made the allegation or has witnessed it must write a detailed statement, unless this is likely to lead to criminal proceedings. In that instance, a verbal overview of what happened should be taken. This can be done over the phone and parents must be informed.

The information (either statement or verbal overview) must be passed onto the AP L & E in the first instance. A safety plan will then be devised taking into account the victims wishes and involving the family, where possible

Where there is a criminal investigation into a rape, assault by penetration or sexual assault, a risk assessment with the parents should be formed either in person or over the phone to ensure the two students do not come into contact. The police and social services should be informed immediately. This risk assessment should be formed with careful reference to 'Sexual violence and sexual harassment between children in schools and colleges' (DfE, 2018)

Risk assessments should be considered on a case-by-case basis. The risk and needs assessment should consider: the victim, especially their protection and support; the alleged perpetrator; and all the other children (and if appropriate, adult students and staff) at the school or college, especially any actions that are appropriate to protect them

Where CSC are involved, it is likely that professional risk assessments by social workers may be required. Any such professional assessments should be used to inform the academy's approach to supporting and protecting their students

Risk assessments should be recorded on CPOMS and should be kept under review by the CP Officer to ensure adequate measures are in place to protect and keep the young person safe. External agencies such as the police and children's social care should feed into these plans

Phase 2 - Investigation

The needs and wishes of the victim should be paramount in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. The school should be a safe place for them upon their return and measures should be taken during isolation to ensure this is the case.

Consider the age and developmental stage of the victim, the nature of the allegations and the potential risk of further abuse; a power imbalance will have been created between the victim and alleged perpetrator and this must be taken into account when considering the risk assessment with parents

The victim must be listened to. If possible they should write a statement unless it is likely that this will lead to criminal proceedings. If that is the case just listen to the child and summarise their views. This can be done over the phone with the consent of the parent/carer

If there were witnesses they should be spoken to and as much information as possible should be gathered. Statements should only be taken if it is not going to result in a criminal proceeding. Again, this can be done over the phone with the consent of the parent/carer.

If the incident is a disclosure of abuse then refer to training on how to respond to a disclosure, importantly do not ask leading questions or promise confidentiality

If at any point during the investigation, a new allegation comes to light, this must be treated as a new allegation and the protocol for phase 1 should be completed accordingly

An alleged perpetrator may have unmet needs, harmful sexual behaviours in young children may be (and often are) a symptom of their own abuse or exposure to abusive practise and other materials. Advice should be taken from CSC

If anything of a criminal nature comes to light, i.e. sexting, inappropriate images, sexualised incident etc that the DSL must be informed immediately so that the police can be informed

Phase 3 - Outcome

Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that of rape

The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases

Liaise with the police closely. The rape or assault is likely to constitute a serious breach of the behaviour policy and lead to the view that allowing the perpetrator to remain in the same school or college would seriously harm the education or welfare of the victim. Where a criminal investigation leads to a conviction or caution, the school or college, should consider any suitable sanctions in light of their behaviour policy, including permanent exclusion

In some cases where incidents are reported to the police, the case does not progress. This does not mean that the offence did not happen or that the victim lied. Appropriate support should be given to the victim and alleged perpetrator should also have this communicated to them

Parents must be kept informed on a timely basis of any updates or developments and sanctions where relevant. The victim or perpetrator should also have this communicated to them

In any incidents of bullying the bullying log must be updated by the Lead Behaviour Mentor. Similarly, any incidents of homophobia, racism, transphobia and disability discrimination must be recorded on the log. If you have any reports of bullying during this period please inform the Lead Behaviour Mentor.

Any incidents that involve safeguarding concerns and all incidents of a sexualised nature must be recorded on our CP register. Any relevant evidence must be attached to it on CPOMS.

In the event of an incident of sexual abuse, the DSL will contact external agencies to seek advice for safeguarding response in school. A risk assessment will be created as a result of this, with the views of the victim in mind. Brooks Traffic Light Tool will be referred to when seeking advice and deciding outcome.

If the peer on peer abuse has taken place and is of a sexual nature the DSL and Principal should decide on how to appropriately use the behaviour policy to ensure that the victim remains protected. The academy should not wait for the outcome of a criminal investigation when safeguarding the victim, alleged perpetrator and other children in the school or college. The DSL should refer to the most recent KCSIE when making any recommendations for sanctions or next steps

If the outcome of the peer on peer abuse is inconclusive then the parents should be invited to a meeting with the ATL to discuss: the investigation, our inability to prove whether the event has happened, our next steps in safeguarding the victim and alleged through a safety plan, and the severity of the event

CPOMS should be updated with any final outcomes and actions

Where abuse has occurred, currently the statements must be redacted and then added to a folder called Peer on Peer abuse and stored in the secure cabinet in reception. A copy should also be attached to any sanctions on SIMs. This must be done by the Lead Behaviour Mentor in liaison with the DSL/ AP L & E. Going forward, these must also be logged on CPOMS using the Peer on Peer Abuse tag and files uploaded there

There are four likely outcomes for the academy to consider:

- i) Manage internally- in some cases of sexual harassment, for example, one-off incidents the school may take the view that the students concerned are not in need of statutory intervention or early help, perhaps through utilising their behaviour and bullying policies.
 - ii) Early help- where there is a risk that without this intervention behaviour may escalate to that of sexual violence
 - iii) Refer to CSC (FAST)- the academy must not wait until an outcome to protect the victim and other students. If CSC review the evidence and decide statutory intervention is not appropriate, the academy will refer again if they believe the child remains in immediate danger or risk of harm
 - iv) Report to police (alongside CSC)- where a report of rape, assault by penetrator or sexual assault is made, the starting point is this should be passed on to the police
- All decisions regarding next steps must be underpinned by the principle that sexual violence and harassment is never acceptable. All concerns, discussions, decisions and reasons should be recorded
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Support at any phase- for further information refer to the latest edition of KCSIE

ChISVAs (Children and Young People's Independent Sexual Violence Advisors) provide emotional and practical support for victims of sexual violence advisors) provide emotional and practical support for victims of sexual violence.

CAMHS can support

Rape Crisis Centre can provide therapeutic support

Tiger Light is a service for victims of sexual abuse/ assault and is an 11 week programme involving weekly mentoring sessions in school. They can still take part in this even if a court case is pending.

Internet watch foundation can help to remove illegal images

The victim should have a designated adult they can talk to and be protected from bullying and harassment as a result of any report they have made. If this happens during a lockdown this can still be provided over the phone. If the trauma proves too much, alternative provision or a managed move should be considered but this must be at the request of the victim and include a conversation with parents/ carers

Victims may need support for a long time. Schools and colleges should be prepared for this and should work with children's social care and other agencies as required.

Ongoing response

If a child is convicted or receives a caution for a sexual offence, the academy should update the risk assessment and ensure relevant protections are in place, and if it has not done so already, consider any suitable action in light of their behaviour policy

Where cases are classified as NFA by the police or CPS, or where there is a not guilty verdict, the academy will continue to offer support to the victim and alleged perpetrator for as long as is necessary

Overall, the priority should be to make the victim's daily experience as normal as possible, so that the academy is a safe space for them

The academy will do everything they reasonably can to protect the victim from bullying and harassment as a result of any report they have made

Victims may not disclose the whole picture immediately. They may be more comfortable doing this on a piecemeal basis. It is essential they have a designated trusted adult who can keep this dialogue open. The selection of any such adult should be the victim's. The Academy should respect and support this choice.

Alleged perpetrator and safeguarding them

Consider the age and developmental stage of the alleged perpetrator (refer to Brooks Traffic Light Tool) and the nature of the allegations. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers.

Consider the proportionality of the response. Support and sanctions should be considered on a case-by-base basis and should be made in discussion with colleagues to ensure as an objective response as possible

An alleged perpetrator may have unmet needs, harmful sexual behaviours in young children may be (and often are) a symptom of their own abuse or exposure to abusive practise and other materials. Advice should be taken from CSC

If the alleged perpetrator does move to another educational institution, the new educational institution must be made aware of any ongoing needs.
