



## Peer on Peer Abuse Policy

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## Section 1: The Responsibilities on the Hampton School Trust

### Introduction

This policy applies to the Hampton School Trust (the Trust) which comprises Hampton School and Hampton Pre-Prep & Prep School (the School) for children from the Early Years Foundation Stage (EYFS) to the Upper Sixth Form.

The Trust is committed to the prevention, early identification and appropriate management of peer-on-peer abuse (as defined below) both within and beyond the schools within the Trust. In particular, the School:

- believes that in order to protect children, all schools within the Trust should
  - a) be aware of the level and nature of risk to which pupils are or may be exposed, and put in place a clear and comprehensive strategy which is tailored to our specific safeguarding context; and
  - b) take a contextual Trust-wide approach to preventing and responding to peer-on-peer abuse;
- regards this policy as a preventative measure. The School:
  - a) does not feel it is acceptable merely to take a reactive approach to peer-on-peer abuse in response to alleged incidents of it; and
  - b) believes that in order to tackle peer-on-peer abuse proactively, it is necessary to focus on all four of the following areas: (i) systems and structures; (ii) prevention; (iii) identification; and (iv) response/intervention
- recognises increasing national concern about this issue
- encourages parents to hold us to account on this issue, so that if their child is feeling unsafe as a result of the behaviour of any of their peers, they should inform the relevant school within the Trust so that it can ensure that appropriate and prompt action is taken in response.

### This Policy:

- is the School's overarching policy for any issue that could constitute peer-on-peer abuse. It relates to, and should be read alongside, the School's **Safeguarding Policy and Procedures (C03)** and other relevant policies including, but not limited to:
  - Anti Bullying Policy (C02)\*\*
  - ESafety Policy (H03)
  - Behaviour, Rewards, Sanctions, Discipline and Exclusion Policy (C07)\*\*

\*\*Denotes separate policy for Hampton School and Hampton Pre-Prep & Prep School.

- applies wherever staff, Governors, contractors or volunteers are working with pupils even where this is away from the Trust, for example on an educational visit. In this policy "staff" refers to all employees, workers or self-employed contractors directly engaged by the Trust.
- sets out our strategy for preventing, identifying and appropriately managing peer-on-peer abuse.
- is to be reviewed annually, and updated in the interim, as may be required, to ensure that it continually addresses the risks to which pupils are or may be exposed.
- does not use the term 'victim' and/or 'perpetrator'. This is because the School recognises that all individuals involved in allegations of, or concerns about, peer-on-peer abuse, including those who are alleged to have been abused and those who are alleged to have abused their peers, may need support in addition to any sanctions that may also be required. 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<sup>1</sup>.

- uses the terms 'child' and 'children', which is defined for the purposes of this policy as a person aged under 18.<sup>2</sup> The School has, nonetheless, chosen not to restrict its approach to peer-on-peer abuse under this policy to children but instead to adopt a wider interpretation of our safeguarding responsibilities so that they apply to all pupils regardless of age:
  - although the starting point is that the School's response to peer-on-peer abuse should be the same for all pupils regardless of age, there may be some additional considerations in relation to a pupil aged 18 or over in terms of how local agencies and/or partners respond.
  - similarly, the School's response to incidents involving the exchange of youth-involved sexual imagery will need to differ depending on the age of the pupils involved (see Appendix B for further information).
  - there is also likely to be a more significant criminal justice response in relation to any pupil responsible for abuse who is aged 18 or over
- recognises that abuse is abuse, and should never be passed off as 'banter', 'just having a laugh', or 'part of growing up',
- is compliant with the statutory guidance on peer-on-peer abuse as set out in *Keeping Children Safe in Education* (September 2020)

If relevant to the concerns/allegations raised, this policy should be read in conjunction with the DfE's advice on *Sexual Violence and Sexual Harassment Between Children in Schools and Colleges* (December 2017), and any other advice and guidance referred to within it, as appropriate<sup>3</sup>.

An NSPCC helpline is available to support anyone who has experienced sexual abuse in educational settings or has concerns about someone or the issues raised. The dedicated NSPCC helpline number is 0800 136 663.

## Section 2: Understanding Peer-on-Peer Abuse

### What is peer-on-peer abuse?

For these purposes, peer-on-peer 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).<sup>4</sup> Peer-on-peer abuse can take various forms, including (but not limited to):

- bullying (including cyberbullying)
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- sexual violence such as rape, assault by penetration and sexual assault

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<sup>1</sup> <https://www.nspcc.org.uk/globalassets/documents/research-reports/child-abuse-neglect-uk-today-research-report.pdf> (see, in particular, Section 5)

<sup>2</sup> The United Nations Convention on the Rights of the Child (1989) (ratified by the UK in 1991); the Children Act (1989); and Department for Education, *Keeping Children Safe in Education: Statutory guidance for schools and colleges* (September 2016) all define "child" as a person aged under 18

<sup>3</sup> Department for Education, *Sexual Violence and Sexual Harassment Between Children in Schools and Colleges: Advice for Governing Bodies, Proprietors, Head Teachers, Principals, Senior Leadership Teams and Designated Safeguarding Leads*, (December, 2017), page 4

<sup>4</sup> Firmin, C. 2017. *Abuse Between Young People: A Contextual Account*

- 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
- relationship 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
- sexting (also known as youth produced sexual imagery)
- initiation/hazing type violence and rituals
- other online peer-on-peer abuse including peer-on-peer grooming, the distribution of youth involved sexualised content, and harassment.

These types of abuse rarely take place in isolation and often indicate wider safeguarding concerns. Any response to peer-on-peer abuse therefore needs to consider the range of possible types of peer-on-peer abuse set out above and capture the full context of children's experiences. This can be done by adopting a **Contextual Safeguarding** approach and by ensuring that the School's response to incidents of peer-on-peer abuse takes into account all potential complexity.

### **Contextual Safeguarding**

Contextual Safeguarding means:

- being aware of and seeking to understand the impact that wider social contexts may be having on the School's pupils
- creating a safe culture in the School by, for example, implementing policies and procedures that address peer-on-peer abuse and harmful attitudes; promoting healthy relationships and attitudes to gender/ sexuality; hotspot mapping to identify risky areas in the School; training on potential bias and stereotyped assumptions
- being alert to and monitoring changes in pupils' behaviour and/or attendance, and
- contributing to local child protection agendas by, for example, challenging poor threshold decisions and referring concerns about contexts to relevant local agencies (see section entitled 'multi-agency working').

### **When does behaviour become problematic or abusive?**

All behaviour takes place on a spectrum. Understanding where a child's behaviour falls on a spectrum is essential to being able to respond appropriately. 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. A useful umbrella term is "harmful sexual behaviour". The term has been widely adopted in child protection and is used in this advice. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context. Useful guidance can be found in **Appendix B**.

**Other Behaviour:** when dealing with other alleged behaviour that involves reports of, for example, emotional and/or physical abuse, the following will be considered when deciding where the alleged behaviour falls on a spectrum. In deciding how to respond, the School will consider whether the behaviour:

- is socially acceptable
- involves a single incident or has occurred over a period of time
- is socially acceptable within the peer group

- is problematic and concerning
- involves any overt elements of victimisation or discrimination e.g. related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability
- involves an element of coercion or pre-planning
- involves a power imbalance between the child/children allegedly responsible for the behaviour and the child/children allegedly the subject of that power
- involves a misuse of power

**Staff should always use their professional judgment and discuss any concerns with the Designated Safeguarding Lead (DSL) or a Designated Safeguarding Officer (DSO).** Where an (alleged) incident involves a report of sexually harmful behaviour they should consult the DfE's Advice<sup>5</sup>.

### **Identifying a child being abused by their peers**

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

Signs that a child may be suffering from peer-on-peer abuse can also overlap with those indicating other types of abuse (please see Appendix 2 of the **Safeguarding Policy and Procedures (C03)** for indicators of abuse) and can include:

- failing to attend School, disengaging from classes or struggling to carry out school related tasks to the standard ordinarily expected
- physical injuries
- experiencing difficulties with mental health and/or emotional wellbeing
- becoming withdrawn and/or shy; experiencing headaches, stomach aches, anxiety and/or panic attacks; suffering from nightmares or lack of sleep or sleeping too much
- broader changes in behaviour including alcohol or substance misuse
- changes in appearance and/or starting to act in a way that is not appropriate for the child's age
- abusive behaviour towards others

Abuse affects children very differently. The above list is by no means exhaustive and the presence of one or more of these signs does not necessarily indicate abuse. The behaviour that children present with will depend on their particular circumstances. Rather than checking behaviour against a list, staff should be trained to be alert to behaviour that might cause concerns, to think about what the behaviour might signify, to encourage children to share with them any underlying reasons for their behaviour, and, where appropriate, to engage with their parents/carers so that the cause(s) of their behaviour can be investigated. Where a child exhibits any behaviour that is out of character or abnormal for his/her age, staff should always consider whether an underlying concern is contributing to their behaviour (for example, whether the child is being harmed or abused by their peers) and, if so, what the concern is and how the child can be supported.

Staff should always use their professional judgment and discuss any concerns with the DSL or a DSO.

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<sup>5</sup> Department for Education, *Sexual Violence and Sexual Harassment Between Children in Schools and Colleges: Advice for Governing Bodies, Proprietors, Head Teachers, Principals, Senior Leadership Teams and Designated Safeguarding Leads*, (December, 2017)

The School's Safeguarding Teams will regularly review behaviour incident logs which can help to identify any changes in behaviour and/or concerning patterns or trends at an early stage.

### **Children who may be particularly vulnerable to abusing or being abused by their peers**

Any child can be vulnerable to peer-on-peer abuse due to the strength of peer influence (particularly during adolescence) and staff should be alert to signs of such abuse amongst all children. Individual and situational factors can increase a child's vulnerability to abuse by their peers. For example, an image of a child could be shared, following which they could become more vulnerable to peer-on-peer abuse due to how others now perceive them, regardless of any characteristics which may be inherent in them and/or their family. Peer group dynamics can also play an important role in determining a child's vulnerability to such abuse. For example, children who are more likely to follow others and/or who are socially isolated from their peers may be more vulnerable to peer-on-peer abuse. Children who are questioning or exploring their sexuality may also be particularly vulnerable to abuse by their peers.

Research suggests that

- peer-on-peer 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<sup>6</sup>. Barriers to disclosure will also be different. As a result, the School needs to explore the gender dynamics of peer-on-peer abuse within the different settings, and recognise that these will play out differently in different environments
- children with Special Educational Needs and/or Disabilities (SEND) are more likely to be abused than their peers without SEND, and additional barriers can sometimes exist when recognising abuse in children with SEND. These can include:
  - assumptions that indicators of possible abuse such as behaviour, mood and injury relate to a child's disability without further exploration,
  - the potential for children with SEND to be disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs,
  - communication barriers and difficulties overcoming these barriers. some children may be more likely to experience peer-on-peer abuse than others as a result of certain characteristics such as sexual orientation, ethnicity, race or religious beliefs.

## **Section 3: The Trust-wide Approach**

### **Raising awareness of and prevent peer-on-peer abuse**

#### ***School Environment***

The School actively seeks to raise awareness of and prevent all forms of peer-on-peer abuse throughout the School community. Examples of how this is achieved include:

- monitoring accident logs
- monitoring log of alleged bullying and bullying incidents
- monitoring detention logs (at Hampton School) and red/yellow cards (at Hampton Pre-Prep & Prep)
- a duty rota for staff to monitor the school buildings and outside spaces

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<sup>6</sup> Barter C, McCarry M, Berridge D and Evans K, *Partner exploitation and violence in teenage intimate relationships* (2009) <https://www.nspcc.org.uk/globalassets/documents/research-reports/partner-exploitation-violence-teenage-intimate-relationships-report.pdf>

- monitoring and filtering activity on the IT network
- ensuring there is an open culture in which all adults and children are aware of the importance of reporting concerns
- training for all adults within the School community (see below)
- ensuring the sites are secure
- displaying the Anti-Bullying Statement in all Form Rooms (at Hampton School) and Anti-Bullying posters in Classrooms (Hampton Pre-Prep & Prep)
- conducting Bullying Surveys amongst the pupils and discussing the findings (at Hampton School)
- educating children about the nature and prevalence of peer-on-peer abuse, positive, responsible and safe use of social media, and the unequivocal facts about consent, via PSHE and the wider curriculum.

The School is proactive in challenging the attitudes that underlie such abuse (both inside and outside the classroom).

### **Staff Training**

All staff receive safeguarding training as part of their induction and at least annually thereafter. This includes specific explanation of peer-on-peer abuse.

All staff at Hampton School and Hampton Pre-Prep & Prep have been asked to complete the Educare module in *Raising Awareness of Peer-on-Peer Abuse*.

### **Multi-agency working**

The schools within the Trust actively engage with our local partners in relation to peer-on-peer abuse, and work closely with, for example, Kingston and Richmond Safeguarding Children Partnership and/or other relevant agencies, and other schools.

The relationships that the schools within the Trust have built with these partners are essential to ensuring that they are able to prevent, identify early, and appropriately handle cases of peer-on-peer abuse. They help the schools:

- a) to develop a good awareness and understanding of the different referral pathways that operate in the local area, as well as the preventative and support services which exist
- b) to ensure that our pupils are able to access the range of services and support they need quickly
- c) to support and help inform our local community's response to peer-on-peer abuse
- d) to increase our awareness and understanding of any concerning trends and emerging risks in our local area to enable us to take preventative action to minimise the risk of these being experienced by pupils

The schools within the Trust actively refer concerns/allegations of peer-on-peer abuse where necessary to Richmond Single Point of Access (SPA) (or equivalent), and/or other relevant agencies.

This is particularly important because peer-on-peer 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.

## Section 4: Responding to concerns or allegations of peer-on-peer abuse

### General Principles

It is essential that all concerns/allegations of peer-on-peer abuse are handled sensitively, appropriately and promptly. The way in which they are responded to can have a significant impact on the environment of the schools within the Trust.

Any response should:

- include a thorough investigation of the concerns/allegations and the wider context in which they may have occurred (as appropriate). Depending on the nature and seriousness of the alleged incident(s), it may be appropriate for the police and/or children's social care to carry out this investigation
- treat all children involved as being at potential risk - while the child allegedly responsible for the abuse may pose a significant risk of harm to other children, s/he may also have considerable unmet needs and be at risk of harm themselves. The School should ensure a safeguarding response is in place for both the child who has allegedly experienced the abuse, and the child who has allegedly been responsible for it, although additional sanctioning work may be required for the latter
- take into account:
  - that the abuse may indicate wider safeguarding concerns for any of the children involved, and consider and address the effect of wider socio-cultural contexts - such as the child's/children's peer group (both within and outside the School); family; the School environment; their experience(s) of crime and victimisation in the local community; and the child/children's online presence. It may be necessary to consider what changes may need to be made to these contexts to address the child's/children's needs and to mitigate risk
  - the potential complexity of peer-on-peer abuse and of children's experiences and consider the interplay between power, choice, and consent. While children may appear to be making choices, if those choices are limited, they are not consenting
  - the views of the child/children affected. Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSL or a DSO should discuss the proposed action with the child/children and their parents and obtain consent to any referral before it is made. The School should manage the child/children's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so. It is particularly important to take into account the wishes of any child who has allegedly been abused, and to give that child as much control as is reasonably possible over decisions regarding how any investigation will be progressed and how they will be supported.

### **What you should do if you suspect either that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s)**

If a pupil is in immediate danger, or at risk of significant harm, a referral to children's social care (if the pupil is aged under 18) and/or the police should be made immediately. Anyone can make a referral. Where referrals are not made by the DSL or a DSO, the DSL should be informed as soon as possible that a referral has been made (see **Appendix 4** of the **Safeguarding Policy and Procedures (C03)**).

If a member of staff thinks, for whatever reason, that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should



discuss their concern with the DSL or a DSO without delay (in accordance with Appendix 4 of the **Safeguarding Policy and Procedures**) so that a course of action can be agreed.

If a child speaks to a member of staff about peer-on-peer abuse that they have witnessed or are a part of, the member of staff should listen to the child and use open language that demonstrates understanding rather than judgement. For further details please see the procedure set out in **Appendix 4 of the Safeguarding Policy and Procedures (C03) (Guidance for Staff on suspecting or hearing a complaint of abuse)**.

### **Actions to be taken when an allegation of peer-on-peer abuse has been made**

It takes a lot of courage for a pupil to disclose that they are being abused. They may feel ashamed, particularly if the abuse is sexual; their abuser may have threatened what will happen if they tell; or they may believe, or have been told, that the abuse is their own fault. Key points to remember when dealing with disclosure are to avoid asking leading questions and to explain that confidentiality cannot be promised.

An NSPCC helpline is available to support anyone who has experienced sexual abuse in educational settings or has concerns about someone or the issues raised. The dedicated NSPCC helpline number is 0800 136 663.

Every complaint or suspicion of abuse from within or outside the Trust will be taken seriously and action taken in accordance with this policy. If a member of staff or Governor is concerned about a pupil (a child in need), the matter should be referred to the applicable DSL, (or a DSO), as soon as possible and they will contact children's social care as appropriate. If a member of staff or Governor is aware that there is a pupil in danger of immediate harm (a child at risk), a referral must be made by either the DSL or the member of staff immediately (where a member of staff makes a referral directly, they should inform the DSL as soon as possible thereafter). If a member of staff or Governor hears a complaint of abuse, the procedures set out in **Appendix 4 of the Safeguarding Policy and Procedures (C03) (Guidance for Staff on suspecting or hearing a complaint of abuse)** must be followed.

The DSL or a DSO will discuss the concerns or allegations with the member of staff or Governor who has reported them and will, where necessary, take any immediate steps to ensure the safety of the child/all children affected.

Where any concern(s) or allegation(s) indicate(s) that indecent images of a child or children may have been shared online, the DSL or DSO should consider what urgent action can be taken in addition to the actions and referral duties set out in this policy, and in the **Safeguarding Policy and Procedures (C03)** to seek specialist help in preventing the images spreading further and removing the images from the internet.

Referrals will usually be carried out by the applicable DSL or in their absence by one of the DSOs. The Trust will keep all child protection records confidential, allowing disclosure only to those who need the information in order to safeguard and promote the welfare of a pupil. The Trust will cooperate with the police and social services to ensure all relevant information is shared for the purposes of child protection investigations under Section 47 of the Children Act (1989) in accordance with the requirements of Working Together to Safeguard Children (2018).

On being notified of a complaint or suspicion of abuse, the action to be taken by the DSL will take into account:

- the local inter-agency procedures of the Kingston and Richmond Safeguarding Children Partnership, with particular reference to the Multi-Agency Threshold Document 2020;
- the nature and seriousness of the suspicion or complaint. A complaint involving a serious criminal offence will always be referred to children's social care and the police;
- the pupil's wishes or feelings; and
- duties of confidentiality, so far as applicable.

The DSL or DSO should always use their professional judgement to assess the nature and seriousness of the alleged behaviour and determine whether it is appropriate for alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required. If there is room for doubt as to whether a referral should be made, the DSL will consult with children's social care on a no names basis without identifying the family. Where the DSL or DSO considers or suspects that the behaviour in question might be abusive or violent on a spectrum (as opposed to inappropriate or problematic), they should contact the relevant SPA/Multi-Agency Safeguarding Hub (MASH) immediately, and in any event within 24 hours of becoming aware of it. The DSL or a DSO will discuss the concerns with the SPA/MASH adviser and agree on a course of action, which may include:

- A. Manage internally with help from external specialists where appropriate and possible**  
*Where behaviour between peers is abusive or violent (as opposed to inappropriate or problematic), scenarios B, C or D should ordinarily apply. However, where support from local agencies is not available, the School may need to handle allegations/concerns internally. In these cases, the School will engage and seek advice from external specialists (either in the private and/or voluntary sector).*
- B. Undertake/contribute to an inter-agency early help assessment, with targeted early help services provided to address the assessed needs of a child/children and their family/families**  
*These services may, for example, include CAMHS, a specialist harmful sexual behaviour team, and/or youth offending services.*
- C. Refer child/children to children's social care for a section 17 and/or section 47 statutory assessment**  
*As a matter of best practice, if an incident of peer-on-peer abuse requires referral to and action by children's social care and a strategy meeting is convened, then the School will hold every professional involved in the case accountable for their safeguarding response, including themselves, to both the child who has experienced the abuse, and the child who was responsible for it, and the contexts to which the abuse was associated.*
- D. Report alleged criminal behaviour to the police**  
*Alleged criminal behaviour will ordinarily be reported to the police. However, there are some circumstances where it may not be appropriate to report such behaviour to the police. For example, where the exchange of youth produced sexual imagery does not involve any aggravating factors (please see Appendix B). All concerns/allegations will be assessed on a case by case basis, and in light of the wider context.*
- E. Consider whether a safety plan/individual risk assessment is required**  
*See Appendix A for further guidance regarding Safety Plans.*

### **Information sharing, data protection and record keeping**

When responding to concern(s) or allegation(s) of peer-on-peer abuse, the School will:

- always consider carefully, in consultation with children's social care, the police and other relevant agencies (where they are involved), how to share information about the concern(s) or allegation(s) with the pupil(s) affected, their parents, staff, and other pupils and individuals
- record the information that is necessary for the School and other relevant agencies (where they are involved) to respond to the concern(s) or allegation(s) and safeguard everyone involved
- keep a record of the legal purpose for sharing the information with any third party, including relevant authorities, and ensure that the third party has agreed to handle the information securely and to only use it for the agreed legal purpose, and
- be mindful of and act in accordance with its safeguarding and data protection duties, including those set out in *Working Together to Safeguard Children* (July 2018) and the *HM Government advice on Information Sharing* (updated in July 2018).

### **Disciplinary Action**

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

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

- 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 peer-on-peer abuse can never be tolerated
- c) to ensure the safety and wellbeing of other children.

However, these considerations must be balanced against the child's/children's own potential unmet needs and any safeguarding concerns. Before deciding on appropriate action, the 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 peer-on-peer abuse and the causes of it.

### **On-going proactive work to a contextual Trust-wide approach**

The School's response to concerns/allegations of peer-on-peer abuse should include asking itself a series of questions about the context in which an incident of peer-on-peer abuse occurred in the School, the local community in which the School is based, and the wider physical and online environment. Such questions will include:

- a) How (if at all) did the School's physical environment contribute to the abuse, and how can the School address this going forwards, for example by improving the School's safety, security and supervision or by working with local safeguarding partners to mitigate the risks to pupils' safety whilst travelling to and from the School?
- b) How (if at all) did the online environment contribute to the abuse, and how can the School address this going forwards, for example by strengthening the way in which the School encourages positive and safe use of the internet by pupils?
- c) Did wider gender norms, equality issues and/or societal attitudes contribute to the abuse?
- d) What was the relationship between the abuse and the cultural norms between staff and pupils, and how can these be addressed going forwards?

- e) Does the abuse indicate a need for staff training on, for example, underlying attitudes, a particular issue or the handling of particular types of abuse?
- f) How have similar cases been managed in the past and what effect has this had?
- g) Does the case or any identified trends highlight areas for development in the way in which the School works with children to raise their awareness of and/or prevent peer-on-peer abuse, including by way of the School's PSHE curriculum and lessons that address underlying attitudes or behaviour such as gender and equalities work?
- h) Are there any lessons to be learnt about the way in which the School engages with parents to address peer-on-peer abuse issues?
- i) Are there underlying issues that affect other schools in the area and is there a need for a multi-agency response?
- j) Does this case highlight a need to work with certain children to build their confidence and teach them how to identify and manage abusive behaviour?
- k) Were there opportunities to intervene earlier or differently and/or to address common themes amongst the behaviour of other children in the schools within the Trust?

Answers to these questions can be developed into an action plan that is reviewed by the School leadership teams and/or the DSL or DSO's at the School. The School will, where possible and appropriate, work with the local authority and wider partners to deliver on this plan.

## Appendix A: Safety plans

In deciding (a) whether a safety plan would be appropriate; and (b) which children require a safety plan, the DSL will consider:

- the extent to which a child may have experienced or otherwise been affected by the alleged behaviour, and the impact on them. This will depend not only on the child's involvement in or proximity to the alleged behaviour, but also on factors such as their possible wider circumstances and needs, their age and understanding, and the extent to which the alleged behaviour might trouble or distress other children, or expose them to inappropriate sexual behaviour,
- the importance of early intervention to address and to prevent escalation of inappropriate and/or problematic behaviours, and
- whether there are any wider safeguarding concerns about a child – for example, where a child's behaviour may be considered to be inappropriate or problematic on Hackett's Continuum (see Appendix B), or at risk of escalating, the DSL and/or external agencies may determine that a safety plan is required to control emerging risks.

In all cases where a safety plan is not considered to be appropriate, the School should nonetheless take steps to safeguard and support the/each child who is allegedly responsible for the behaviour, and any children affected by it, and should continue to monitor the situation. If risks increase, consideration should again be given to developing a safety plan. A safety plan should be developed in consultation with key statutory agencies to whom any referral and/or report is necessary.

In developing a safety plan the school should always have regard to *Keeping Children Safe in Education* (September 2020), and *Working Together to Safeguard Children* (July 2018), and make a referral to children's social care and, if appropriate, report to the police, whenever a child has been harmed, is at risk of harm, or is in immediate danger. Where a report of rape, assault by penetration or sexual assault is made, this must be reported to the police.

Whenever a referral is made to children's social care and/or a report to the police, the School will inform children's social care and/or the police of the School's need to have a safety plan. Careful liaison with children's social care and/or the police should help the School to develop any such plan.

If an agency is not, for whatever reason, engaging, then the School should advise the agency that it intends to develop a safety plan for the/each child concerned. The School should also consider escalating their referral if they believe children's social care and/or the police should be engaged.

Where a report has been made to the police, the School should consult the police, and agree what information can be disclosed to the/each child who is allegedly responsible for the behaviour and their parents. There may be other circumstances where there are legitimate obstacles presented to parental knowledge/engagement – for example, if there is a suggestion or concern that informing the parents will put the/any child at additional risk; in these cases the School should work closely with children's social care and/or the police to take advice on how best to proceed, and a safety planning meeting may be helpful to develop the safety plan. Where such a meeting is to be held, careful consideration will need to be given to whether the child presenting the alleged behaviour, and/or their parents should attend. Where a child or parent does not attend, their wishes and feelings should still be sought in relation to any proposed safety plan in advance of the meeting by a professional – in the case of the child, with a designated trusted professional with whom he/she has a positive relationship. A version of the plan which is appropriate for the child's age and level of understanding should be provided to the child and their parents.

A safety plan will

- be consistent with any risk assessments or plans made by children’s social care, the police, or any other professionals working with the child
- consider consulting and involving the/each child and their parents about the development of their safety plan, in accordance with any advice given by children’s social care and/or the police
- be proportionate and not stigmatise the child/ children allegedly responsible for or affected by the behaviour,
- set out relevant background information – including an overview of the context, the specific concern(s) or allegation(s), any relevant detail about the relationships, and any power differentials between the child/children allegedly responsible for the behaviour, and any children affected by it, the frequency of the alleged behaviour and any changes in it over time. Details should also be shared of action taken regarding the alleged concern(s) or allegation(s), and any advice provided by children’s social care, and/or local MASH (or equivalent), and/or other relevant agencies in accordance with the Local Safeguarding Partnership’s procedures, and/or the police, and/or any other professional(s) working with the child/children,
- set out any relevant information regarding the child/children concerned, for example, any relevant medical information, any previous concerns about the child’s/children’s behaviour, needs or harm that the child/children may have been exposed to in the past. Information should be shared on their wishes and feelings regarding the proposed safety plan. Consideration may need to be given to having two or more separate but aligned safety plans for the child who is allegedly responsible for the behaviour, and the child or children affected by it,
- identify and assess the nature and level of risk that is posed and/or faced by the child/children in School such as that which may arise in relation to locations, activities, contact with particular pupils, or transport arrangements to and from School; and contexts outside School, including at home, in relationships with friends, peer groups, interactions in the neighbourhood and/or during online activity,
- set out the steps and controls that can be put in place to reduce or manage any risk. Issues that may be addressed include:
  - how safety will be ensured in the classroom, out of the classroom, on transport, and during unstructured or extra-curricular activities, including trips and residential stays away from School. This may involve separating the child/ children who present risk from other children who may be affected by the alleged peer-on-peer abuse,
  - how to ensure that the child/children reportedly affected by the alleged behaviour feel(s) supported, including by appointing a trusted member of staff (a ‘critical friend’) with whom they can speak if they have existing concerns or if there are any future developments which cause them concern,
  - how best to draw on any other trusting relationships where these exist, and create them where they do not, to provide the children concerned with support and a sense of belonging,
  - where relevant, how to manage the child’s/children’s behaviour – this can be done in a number of ways including, for example, by way of a de-escalation plan for staff which identifies any triggers, explains how their behaviour can escalate, sets out the function of the behaviour for the child/children, and proposes an appropriate action or response to it; identifying language that should be used and avoided; a positive handling plan; or implementing controls and measures to reduce or manage any risk,
  - whether restorative action would be appropriate and, if so, how best to take such action, bearing in mind the specific needs of the child/children concerned, and the

appropriateness of any such action given the nature and seriousness of the concern(s) or allegation(s).

- whether any targeted interventions are needed to address the underlying attitudes or behaviour of the child/children, any emotional and behavioural disorders, developmental disorders, or learning difficulties, and/or to meet the child's/ children's psychological, emotional or physical needs, drawing on local statutory, private and/or voluntary services as appropriate,
  - whether the behaviour is of such high risk that suitable controls cannot be put in place within the School setting which would enable it to be adequately managed. In this case consideration will need to be given to alternative plans for the child/children presenting the alleged behaviour. The principle that any child who is reported to have experienced peer-on-peer abuse should not have restrictions or controls placed on them as a result of another child's alleged behaviour should be given priority consideration
  - identify and consider how to build on strengths and positive aspects that the/each child possesses and/or is exposed to, such as those emanating from activities or lessons that the child enjoys and engages with; positive characteristics and skills that the child possesses; and/or trusting relationships with the child's family, other pupils or staff,
  - assess any risks that are posed and/or faced by the wider School community (including all other pupils and, where appropriate, staff and parents) and identify any steps that the School can take to mitigate these risks. This may include: consideration of how to support any pupils (and, where appropriate, staff and parents) who know about and/or may be affected by the alleged behaviour, and/or who may be required to participate in any investigation(s)
  - consider the work that can be undertaken with the wider staff or pupil population to help to protect children against peer-on-peer abuse in the future. Careful consideration will need to be given to managing confidentiality for children affected by the alleged behaviour or engaged themselves in any such behaviour.
- set out the steps needed to implement the safety plan, including how to communicate with and what information should be shared with relevant staff members – in the strictest confidence – so that they are able to implement the actions set out in the plan and safeguard the children concerned appropriately, and
  - be reviewed at regular intervals, or if there is a change in perceived risks or circumstances. Reviews should be carried out in light of the children's ongoing needs to ensure that real progress is being made which benefits the children concerned.

If at any stage the risk increases, there is a further alleged incident, or any individual child's needs escalate, the DSL should contact children's social care, and/or local MASH (or equivalent), and/or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures, to determine the appropriate course of action. In the event that any new information is disclosed at any time indicating a child may have been harmed, is at risk of harm, or is in immediate danger, the school should make a new referral to children's social care and, if appropriate, report to the police.

## Appendix B – Hackett’s Continuum

Prof. Simon Hackett of Durham University has proposed the following continuum model to demonstrate the range of sexual behaviours presented by children, which may be helpful when seeking to understand a pupil’s sexual behaviour and deciding how to respond to it.

Normal	Inappropriate	Problematic	Abusive	Violent
<ul style="list-style-type: none"> <li>• Developmentally expected</li> <li>• Socially acceptable</li> <li>• Consensual, mutual, reciprocal</li> <li>• Shared decision making</li> </ul>	<ul style="list-style-type: none"> <li>• Single instances of inappropriate sexual behaviour</li> <li>• Socially acceptable behaviour within peer group</li> <li>• Context for behaviour may be inappropriate</li> <li>• Generally consensual and reciprocal</li> </ul>	<ul style="list-style-type: none"> <li>• Problematic and concerning behaviour</li> <li>• Developmentally unusual and socially unexpected</li> <li>• No overt elements of victimisation</li> <li>• Consent issues may be unclear</li> <li>• May lack reciprocity or equal power</li> <li>• May include levels of compulsivity</li> </ul>	<ul style="list-style-type: none"> <li>• Victimising intent or outcome</li> <li>• Includes misuse of power</li> <li>• Coercion and force to ensure compliance</li> <li>• Intrusive</li> <li>• Informed consent lacking or not able to be freely given</li> <li>• May include elements of expressive violence</li> </ul>	<ul style="list-style-type: none"> <li>• Physically violent sexual abuse</li> <li>• Highly intrusive</li> <li>• Instrumental violence which is psychologically and/or sexually arousing to the child responsible for the behaviour</li> <li>• Sadism</li> </ul>

Hackett's Continuum relates exclusively to sexual behaviour and is not exhaustive.

The **Brook Sexual Behaviours Traffic Light Tool** can also be very helpful in identifying sexual behaviours by children:

[www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool](http://www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool)



## **Appendix C: Youth Involved Sexual Imagery Guidance**

Whilst professionals refer to the issue as 'sexting' there is no clear definition of 'sexting'. According to research, many professionals consider sexting to be 'sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the internet.' Yet, recent NSPCC research has revealed that when children are asked 'What does sexting mean to you?' they are more likely to interpret sexting as 'writing and sharing explicit messages with people they know.' Similarly, a recent ChildLine survey has revealed that many parents think of sexting as flirty or sexual text messages rather than images.

This policy only covers the involvement of children in sexual imagery. Creating, keeping and/or sharing sexual photos and videos of under-18s is illegal, and is classified as the making, possession or distribution of indecent images of a minor - under the Protection of Children Act 1978 (making and/or distribution) and the Criminal Justice Act 1988 (possession). As such it causes the greatest complexity for schools (amongst other agencies) when responding. It also presents a range of risks which need careful management.

This policy uses the phrase 'youth involved sexual imagery' or 'youth produced sexual imagery' instead of 'sexting'.

### **What is youth involved sexual imagery?**

'Youth involved sexual imagery' best describes the practice because:

- 'youth involved' includes children sharing images that they, or another child, have created of themselves, and
- 'imagery' covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the policy), and
- a judgement of whether something is 'decent' is both a value judgement and dependent on context. The term 'sexual' is clearer than 'indecent', although the DSL or a DSO will nevertheless always need to use professional judgement when determining whether a photo is 'sexual'.

### **What types of incidents are covered by this guidance?**

#### **Yes:**

- ✓ A child creates and shares sexual imagery of themselves with a peer (also under the age of 18).
- ✓ A child shares sexual imagery created by another child with a peer (also under the age of 18) or an adult.
- ✓ A child is in possession of sexual imagery created by another child.

#### **No:**

- The sharing of sexual imagery of children by adults constitutes child sexual abuse and schools should always inform the police.
- Children sharing adult pornography or exchanging sexual texts that do not contain imagery.
- Sexual imagery downloaded from the internet by a child.
- Sexual imagery downloaded from the internet by a child and shared with a peer (also under the age of 18) or an adult.

### **Disclosure**

Disclosure about youth involved sexual imagery can happen in a variety of ways. The child affected may inform a teacher, the DSL or a DSO in School, or any member of the School staff. They may report through an existing reporting structure, or a friend or parent may inform someone in School, or inform the police directly. There is also a possibility that a member of staff may be made aware of

an image in circulation by other students not involved in either the production or initial transfer, but who have become exposed to the imagery as a result of wider distribution.

All members of staff (including non-teaching staff) should be aware of how to recognise and refer any disclosure of incidents involving youth involved sexual imagery. Staff should also be aware of the legalities around youth involved sexual imagery so they can best inform students in their care – messages such as “it’s illegal” are often not considered to be helpful (for reasons explained below).

Any direct disclosure by a child should be taken very seriously. A child who discloses they are the subject of sexual imagery is likely to be embarrassed and worried about the consequences. It is likely that disclosure in School is a last resort and they may have already tried to resolve the issue themselves.

### **Handling incidents**

All incidents involving youth involved sexual imagery should be responded to in line with the Trust’s Safeguarding Policy and Procedures.

When an incident involving youth involved sexual imagery comes to a member of staff's attention:

- The incident should be referred to the DSL or a DSO as soon as possible
- The DSL or a DSO should hold an initial review meeting with appropriate School staff
- The DSL or a DSO will follow the procedures and guidance set out in *Sexting in schools and colleges: responding to incidents and safeguarding children*
- There should be subsequent interviews with the children involved
- Parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the child at risk of harm
- *where a child is suffering, or is likely to suffer from harm, it is important that a referral to children’s social care (and, if appropriate, the police) is made immediately*
- any report to the police should be considered against the severity of the concerns and/or allegations, the impact on any child who has allegedly experienced the abuse, and broader context of the production and distribution of the image (for example: was production consensual or coerced? Was sharing consensual? Was production volunteered or requested? What are the ages of the children involved?), and
- depending on the facts of the particular concern or allegation, a report to the police does not necessarily mean that the child will be criminalised. The police are able to record an “Outcome 21” against a reported crime, meaning it is not in the public interest to pursue a charge. The majority of youth involved sexual imagery would fall into this category. However, in the event of coercion, exploitation, further harm or aggravated behaviours, it is valid for police involvement to result in criminal charge. The School should communicate with their police liaison to determine awareness of Outcome 21 recording and its appropriateness in any given incident.

## **Education**

Teaching about safeguarding issues in the classroom can prevent harm by providing children with skills, attributes and knowledge to help them navigate risks. The schools within the Trust will provide children with opportunities to learn about the issue of youth involved sexual imagery in an age-appropriate way, as part of its commitment to ensure that they are taught about safeguarding, including online, through teaching and learning opportunities – as also referred to in the ESafety Policy.

Children are encouraged to share concerns with staff and are told, for example, that there are ways of removing images from the internet if they are reported quickly.

Education is inclusive, age appropriate, and provides children with the opportunity to discuss and ask questions. Where education considers the legal issues associated with youth involved sexual imagery, it also considers the nature of the legislation and likely police responses, rather than simple declarations of illegality.