



Managing allegations against other pupils (peer on peer abuse)

August 2017

This policy is a guide for schools when dealing with allegations of peer on peer abuse. This has been adapted from the Oxfordshire Safeguarding Children Board August 2016 Document.

At [school name] 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 other students.

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.

The terms '**children**', '**child**' or '**young person**' refers to anyone under the age of 18 years old.

Introduction

DfE guidance Keeping Children Safe in Education (2016) says that "governing bodies should ensure that there are procedures in place to handle allegations against other children". The guidance also states the importance of minimising the risks of peer-on- peer abuse.

In most instances, the conduct of students towards each other will be covered by the school's behaviour policy. However some allegations might be of such a serious nature that they become safeguarding concerns. These allegations are most likely to include physical abuse, emotional abuse, sexual abuse and sexual exploitation; however we are aware that the abuse may take any form, including use of technology.

Definition

- ❖ The definition for domestic abuse (Home Office 2013) relates to young people aged 16 and 17 who experience physical, emotional, sexual and/or financial abuse, and coercive control, in their intimate relationships
- ❖ The definition for child sexual exploitation (DfE 2017) captures children and young people under the age of 18 who are sexually abused in the context of exploitative relationships, contexts and situations by a person of any age – including another child and/or young person
- ❖ The definition for young people who display harmful sexual behaviour refers to any young person, under the age of 18, who engage in "sexual discussions or acts that are inappropriate for their age or stage of development" (Rich, 2011). Children and young people can also engage in harmful sexual behaviour online or through the use of technology e.g. grooming, exposing others to extreme/illegal pornography, sexual images and/or chat (Belton and Hollis, 2016).
- ❖ Serious youth violence is defined with reference to offences (as opposed to relationships/contexts) such as violence against the person, sexual offences, robbery or gun or knife crime (Metropolitan Police, 2016)

The safeguarding implications of sexual activity between young peopleⁱ

The intervention of child protection agencies in situations involving sexual activity between children can require professional judgments. Some situations are statutorily clear – for example, a child under the age of 13 cannot consent to sexual activity. But it will not necessarily be appropriate to initiate safeguarding procedures where sexual activity involving children and young people below the age of legal consent (16 years) comes to notice. In our society generally the age at which children become sexually active has steadily dropped. It is important to distinguish between consensual sexual activity between children of a similar age (where at least one is below the age of consent), and sexual activity involving a power imbalance, or some form of coercion or exploitation

ⁱ Taken from The safeguarding implications of events leading to the closure of Stanbridge Earls School – A Serious Case Review (2015)

Prevention

At our school we will minimise the risk of allegations against other pupils by:

- ❖ Providing PHSE as part of the curriculum, which will help students develop their understanding of acceptable behaviours, healthy relationships and keeping themselves safe.
- ❖ Having effective systems within our school for students to be able to raise concerns with staff, knowing they will be listened to, supported and valued, and that the issues they raise will be looked into and addressed
- ❖ Liaising and working with other professionals to develop robust risk assessments for pupils that are identified as posing a potential risk to other students
- ❖ Liaising with specialists to deliver appropriate targeted work to pupils identified as being at potential risk e.g. protective behaviours work.

Allegations against other pupils (safeguarding issues)

Allegations of abuse or that are a safeguarding concern maybe made against other students within our setting. These may include allegations of physical abuse, emotional abuse, sexual abuse and sexual exploitation.

Safeguarding concerns or reports of abuse in any form may be made against students in our setting

It may also be considered a safeguarding issue if the allegation:

- ❖ Is being made against an older pupil and refers to their behaviour towards a younger or more vulnerable pupil
- ❖ Is of a possible criminal nature
- ❖ Puts other pupils in the school at risk, or raises the risk factor for others
- ❖ Indicates that other pupils may have been harmed or be at risk or harm
- ❖ Includes bullying (under the definition of emotional abuse) or intimidation

Specific safeguarding issues against another student may include:

- ❖ Physical abuse:
 - Pre-planned violence
 - Physical altercations
 - Forcing others to carry out violence
 - Forcing others to use drugs, alcohol or other substances
- ❖ Emotional abuse:
 - Bullying
 - Threats and intimidation
 - Blackmail/extortion
- ❖ Sexual abuse:
 - Sexual assault
 - Indecent exposure
 - Indecent touching
 - Showing pornography to others
 - Forcing others to create/share/download indecent images
 - Sexting (see 'Sexting in Schools and Colleges', 2016)
- ❖ Sexual exploitation
 - Encouraging/enticing other pupils to engage in inappropriate sexual behaviour
 - Photographing or videoing other children performing indecent acts
 - Sharing images through social media

Procedure

- ❖ When an allegation is made by a pupil against another student, which is of a safeguarding nature it should be reported to the designated safeguarding lead (DSL) as soon as possible.
- ❖ A factual record must be kept (as normal safeguarding child protection procedures) and updated with all actions and outcomes
- ❖ The incident should not be investigated at this time
- ❖ The DSL will contact the Access and Response Team (ART) to discuss the case, and make a formal referral where appropriate
- ❖ If the allegation indicates that a potential crime has taken place, ART will refer the case to the police
- ❖ Parents of both the alleged victim and the student being complained about should be informed; this should be discussed during consultation with ART.
- ❖ A risk assessment will be considered at this time to protect all parties involved.
- ❖ It may be appropriate, for a fixed period of time, to exclude the pupil against whom the report has been made in line with our schools behaviour policy and procedures.
- ❖ Police and social care will lead any investigation, however where neither police nor social care thresholds are met, our school will then undertake a thorough investigation following our schools policies and procedures.
- ❖ A risk assessment should be considered along with an appropriate supervision plan

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- ❖ Support should be given to all students involved, and they should be in attendance at all relevant meetings and sign and agree to the plan that is set
 - ❖ The plan should be monitored and review dates set

If allegations are made directly to other agencies

In some circumstances, parents/carers or the alleged victim(s) will disclose to other settings or agencies. In these cases (if not police or social care) these agencies should make referrals to ART or the police.

ART or the police should liaise directly with the DSL for the school to inform them of the situation.

All professionals involved can support with the risk assessment and management of such allegations.

Police action and responsibility

Avon and Somerset Police will make an assessment on a case by case basis as to the legality, proportionality and necessity to share information with partner agencies, including schools.

Where a report is made concerning a school-age child, and the school/educational establishment is already involved, the police should keep the DSL for that setting updated with developments in the case and police officer / staff dealing with the matter. In South Gloucestershire, schools receive domestic abuse reports where children are involved in those cases where the police identify a safeguarding need.

Where a report is made concerning a school-age child and the school/educational establishment is not already involved, the police must always give active consideration to sharing relevant information with the setting. This will ensure that the setting can take necessary measures to ensure the safety of the children involved and others they may come into contact with. The decision on the appropriate measures to take should be made by the setting with support from the police as necessary.

In the case of police or court bail conditions for safeguarding cases, the police must notify the setting of the conditions which are relevant to keep the child and others safe in the setting.

If a report indicates a safeguarding concern regarding a child or a risk they may pose to others, the presumption is the report will be shared with those who need to know to help keep children safe. A review strategy meeting may be the most appropriate way of communicating and agreeing a suitable course of action.

Contact numbers

Access and Response Team (ART)
01454 866000 (Monday-Friday 9am-5pm)

Emergency Duty Team (EDT)
01454 615165 (out of hours and at weekends)