

PEER ON PEER ABUSE POLICY

St Joseph's Catholic Primary School

(INCLUDING SEXUAL VIOLENCE AND SEXUAL HARASSMENT BETWEEN CHILDREN)

The School's Responsibilities – Introduction

Keeping Children Safe in Education 2019 Part 5 states that 'Governing bodies and proprietors should be aware that the department has published detailed advice to support schools and colleges. The advice is available here: Sexual Violence and Sexual Harassment Between Children in Schools and Colleges and includes, what sexual violence and sexual harassment look like, important context to be aware of, related legal responsibilities for schools and colleges and advice on a whole school or college approach to preventing child on child sexual violence and sexual harassment.

The Governors, Senior Leadership Team, and all staff and volunteers at St Joseph's Catholic Primary School are committed to the prevention, early identification and appropriate management of peer-on-peer abuse (as defined below) both within and beyond the School. In particular, we:

- believe that in order to protect our pupils, we need to be aware a) of the level and nature of risk to which they are or may be exposed, and put in place a clear and comprehensive strategy which is tailored to their specific safeguarding context; and (b) take a contextual whole-school approach to preventing and responding to peer-on-peer abuse;
- regard the introduction of this policy as a preventative measure, and do not feel it is acceptable merely to take a reactive approach to peer-on-peer abuse in response to alleged incidents of it;
- recognise national and increasing concern about this issue, and wish to implement this policy in order to ensure that our pupils are safe; and
- encourage parents to contact and communicate with us if their child is feeling unsafe as a result of the behaviour of any of their peers. We ask them to inform the school so that we can ensure that appropriate and prompt action is taken in response.

This policy:

- sets out our strategy for preventing, identifying and appropriately managing peer-on-peer abuse;
- applies to all Governors, Senior Leadership Team, staff and volunteers, will 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.
- is the school's overarching policy for any issue that could constitute peer-on-peer abuse;
- relates to, and should be read alongside, the school's Safeguarding (including Child Protection) Policy and any other relevant policies including, but not limited to, the Anti-Bullying policy (including cyber-bullying), Policy on the Acceptable Use of ICT and E-Safety, Children Missing in Education policy, School Behaviour policy, and Exclusion policy.

does not use the term 'victim' and/or 'perpetrator'. This is because the College takes a safeguarding approach to 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, in addition to any sanctioning that may also be required for the latter. We recognise 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;

- uses the terms 'child' and 'children', which is defined for the purposes of this policy as a person aged under 18. We have nonetheless chosen not to restrict our 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 KS1 pupils as opposed to Year 6 in terms of how local agencies and/or partners respond. This, for example, is likely to be different on the part of local authorities, given that their safeguarding duties are limited, in the case of children's social care services - save for a number of specific exceptions - to children under the age of 18. Similarly, the College's response to incidents involving the exchange of youth produced sexual imagery will need to differ depending on the age of the pupils involved. (See the College's Policy on the Acceptable Use of ICT and E-Safety.) 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;

- This policy is compliant with the statutory guidance on peer-on-peer abuse as set out in Keeping Children Safe in Education (September 2019) and is supported by the key principle of the Children's Act 1989, that the child's welfare is paramount. Another key document is Working Together, 2018, highlighting that every assessment of a child 'must be informed by the views of the child' (Working Together, 2018:21). It should, if relevant according to the concerns/allegations raised, be read in conjunction with the DfE's advice on Sexual Violence and Sexual Harassment Between Children in Schools and Colleges (DfE's Advice) (May, 2018), and any other advice and guidance referred to within it, as appropriate; This policy should be read in conjunction with the Worcestershire Safeguarding Children Partners' (WSCP) Safeguarding Policy and Procedures, and any relevant Practice Guidance issued by it.

Purpose of this Policy

Children and young people may be harmful to one another in a number of ways which would be classified as peer on peer abuse.

It is necessary to consider:

- what abuse is and what it looks like
- how it can be managed
- what appropriate support and intervention can be put in place to meet the needs of the individual
- what preventative strategies may be put in place to reduce further risk of harm.

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). Peer on peer abuse can take various forms, including: serious bullying (including cyber-bullying), relationship abuse, domestic violence, child sexual exploitation, youth and serious youth violence, harmful sexual behaviour, and/or gender-based violence. Children's experiences of abuse and violence are rarely isolated events, and they can often be linked to other things that are happening in their lives and spaces in which they spend their time. 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 our response to incidents of peer-on-peer abuse takes into account any potential complexity (Farrer and Co. 2017).

Abusive behaviour can happen to pupils in schools and settings and it is necessary to consider what abuse is and looks like, how it can be managed and what appropriate support and intervention can be put in place to meet the needs of the individual and what preventative strategies may be put in place to reduce further risk of harm.

Abuse is abuse and should never be tolerated or passed off as 'banter' or 'part of growing up'.

Equally, abuse issues can sometimes be gender specific e.g. girls being sexually touched/assaulted and boys being subject to initiation/hazing type violence (KCSIE 2018). *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. Barriers to disclosure will also be different.*

It is important to consider the forms abuse may take and the subsequent actions required.

Children with Special Educational Needs Children with special educational needs and disabilities (SEND) can face additional safeguarding challenges.

These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- being more prone to peer group isolation than other children;
- the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these barriers.

To address these additional challenges, St Joseph's Catholic Primary School will **always deliver extra pastoral support for children with SEN and disabilities particularly when investigating any form of peer on peer abuse. This may include specific behaviour and sensory support as well as 1:1 support if required both short and long term.**

Types of abuse

There are many forms of abuse that may occur between peers and this list is not exhaustive. Each form of abuse or prejudiced behaviour is described in detail followed by advice and support on actions to be taken. **This is supported in the school's Safeguarding Policy.**

Physical abuse e.g. (biting, hitting, kicking, hair pulling etc.) Physical abuse may include, hitting, kicking, nipping, shaking, biting, hair pulling, or otherwise causing physical harm to another person. There may be many reasons why a child harms another and it is important to understand why a young person has engaged in such behaviour, including accidentally before considering the action or punishment to be undertaken.

Sexually harmful behaviour/sexual abuse e.g. (inappropriate sexual language, touching, sexual assault etc.) Sexually harmful behaviour from young people is not always contrived or with the intent to harm others. There may be many reasons why a young person engages in sexually harmful behaviour and it may be just as distressing to the young person who instigates it as well as the young person it is intended towards. Sexually harmful behaviour may range from inappropriate sexual language, inappropriate role play, to sexually touching another, sexual assault, rape or abuse.

Sexual violence and sexual harassment

Sexual violence - please see description under the Sexual Offences Act 2003 Sexual harassment means 'unwanted conduct of a sexual nature' that can occur online and offline. In referencing sexual harassment, it is in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment (KCSIE 2018). **Upskirting** is another cause of harassment, taking photographs or viewing a person's genitals or buttocks for sexual gratification or to cause the victim humiliation, distress or alarm.

Bullying (inclusive of all types) The new definition of bullying is, 'a person who habitually seeks to harm or intimidate those who they **perceive** as vulnerable'. (Taken from the Oxford, Cambridge and Collins dictionary, updated 2018) Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally.

Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.

Many experts say that bullying involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online. Low-level disruption and the use of offensive language can in itself have a significant impact on its target. If left unchallenged or dismissed as banter or

horseplay it can also lead to reluctance to report other behaviour. (Preventing and Tackling Bullying July 2017)

Cyber bullying

Cyberbullying is the use of phones, instant messaging, e-mail, chat rooms or social networking sites such as Facebook and Twitter to harass threaten or intimidate someone for the same reasons as stated above. It is important to state that cyber bullying can very easily fall into criminal behaviour under the:

Malicious Communications Act 1988 under section 1 which states that 'electronic communications which are indecent or grossly offensive, convey a threat or false information or demonstrate that there is an intention to cause distress or anxiety to the victim would be deemed to be criminal.'

This is also supported by the **Communications Act 2003, Section 127** which states that electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience or needless anxiety to another could also be deemed to be criminal behaviour.

If the behaviour involves the use of taking or distributing indecent images of young people under the age of 18 then this is also a criminal offence under the **Sexual Offences Act 2003**.

Outside of the immediate support young people may require in these instances, the school will have no choice but to involve the police to investigate these situations.

Sexting (Youth Produced Imagery)

Sexting is when someone sends or receives a sexually explicit text, image or video. This includes sending 'nude pics', 'rude pics' or 'nude selfies'. Pressuring someone into sending a nude picture can occur in any relationship, to anyone, whatever their age, gender or sexual preference. However, once the image is taken and sent, the sender has lost control of the image and these images could end up anywhere. By having in their possession, or distributing, indecent images of a person under 18 on to someone else, 4 young people are not even aware that they could be breaking the law as stated as these are offences under the **Sexual Offences Act 2003**.

Initiation/Hazing Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies. The idea behind this practice is that it welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite of passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.

Prejudiced Behaviour The term prejudice-related bullying refers to a range of hurtful behaviour, physical or emotional or both, which causes someone to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society – in particular, prejudices to do with disabilities and special educational needs, ethnic, cultural and religious backgrounds, gender, home life, (for example in relation to issues of care, parental occupation, poverty and social class) and sexual identity (homosexual, bisexual, transsexual).

Our school response to concerns or allegations of peer on peer abuse

The school uses My concern to log any concern and with Peer on Peer abuse this is **always** logged as **urgent**. All concerns are handled **sensitively, appropriately and promptly and followed up / monitored as necessary**. If a member of staff or volunteer is concerned that a child may be at risk or experiencing abuse by their peers they will report it, discuss it with the DSL as per the school Safeguarding policy and procedures and follow the processes as outlined in school policy. **ALL CHILDREN INVOLVED WILL BE TREATED AS A POTENTIAL RISK AND DESERVING OF A SAFEGUARDING RESPONSE.**

St Joseph's School uses the **Brook Sexual Behaviours Traffic Light Tool** to assess the behaviour. This is **displayed on the school Safeguarding Board in the staff room.**

This system allows the school to categorise the sexual behaviours of young people and will then help to:

- **Make decisions about safeguarding children and young people**
- **Assess and respond appropriately to sexual behaviour in children and young people**
- **Understand healthy sexual development and distinguish it from harmful behaviour**

As a school our actions following a concern or allegation will:

- Include a thorough investigation of the concern/allegation and the **wider context** in which it may have occurred. Depending on the nature and seriousness it may be appropriate to refer to Children's services or the police.
- Always consider the 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

The DSL and the Safeguarding Team will decide on the following ways to deal with the concern/allegation:

- **Manage internally** (See the school's Early Help offer). The school will put in place its Early help strategies, with help from external specialists where appropriate and possible. However, where support from local agencies is not available, the school may need to seek advice from external specialists (either in the private and/or voluntary sector) and will do so.
- **Undertake / contribute to an inter-agency early help assessment** with targeted early help services provided to address the assessed needs of the child/children and their family. These services may include family and parenting programmes, responses to emerging thematic concerns in extra familial contexts, a specialist harmful sexual behaviours team, CAMHS and / or youth offending services.⁷²

- **Refer the child/children to children's social care for a section 17/47 statutory assessment** as is part of school procedure when it is felt that a child is suffering or is likely to suffer from significant harm.
- **Report alleged criminal behaviour to the police.** This will be ordinarily so unless there is a circumstance whereby it may not be appropriate to report such behaviour in this way.
- All concerns or allegations are assessed on a case by case basis and considering the wider context:
 - Behaviour which is not abusive at first may potentially become abusive quickly or over time. Intervening early and addressing any inappropriate behaviour which may be displayed by a child is vital and could potentially prevent their behaviour from progressing on a continuum to become problematic, abusive and/or violent - and ultimately requiring (greater/more formal) engagement with specialist external and/or statutory agencies.

Informing parents

If, once appropriate advice has been sought from police/social care you have agreement to inform parents or have been allocated that role from the other services involved then you need to inform the parents as soon as possible.

If services are not going to be involved then equally, this information may need to be shared with parents. Parents would not be informed if by doing so the child was put at further risk of significant harm.

Safety Plan / Risk Assessment

St Joseph's will always consider a safety plan/risk assessment in respect of

- Any child who is alleged to have behaved in a way that may be considered to be abusive or violent.
- Any child who has reportedly been abused or affected by the alleged abuse or violent behaviour by another child, or
- Any child who may be at risk due to the alleged abusive or violent behaviour by another child as deemed appropriate by the DSL and Safeguarding team.

Key Considerations

What is the age of the children involved?

Where did the incident or incidents take place?

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

What was the explanation by all children involved of what occurred?

Can each of the young people give the same explanation of the incident and also what is the effect on the young people involved?

Is the incident seen to be bullying for example, in which case regular and repetitive? Is the version of one young person different from another and why?

What is each of the children's own understanding of what occurred? Do the young people know/understand what they are doing? E.g. do they have knowledge of body parts, of privacy and that it is inappropriate to touch?

Is the young person's explanation in relation to something they may have heard or been learning about that has prompted the behaviour?

Is the behaviour deliberate and contrived?

Does the young person have understanding of the impact of their behaviour on the other person?
Repetition Has the behaviour been repeated to an individual on more than one occasion

Preventative Strategies

At St Joseph's, we feel it is important to develop appropriate strategies in order to **prevent the issue** of peer on peer abuse rather than manage the issues in a reactive way.

Firstly, all staff are trained to recognise that peer on peer abuse can and will occur anywhere even with the most stringent of policies and support mechanisms. It is important as a school to continue to recognise and manage such risks and learn how to improve and move forward with strategies in supporting young people to talk about any issues and through sharing information with all staff.

We ensure this by creating an open environment where our young people feel safe to share information about anything that is upsetting or worrying them. This is strengthened through our strong and positive PHSE/SMSC curriculum that tackles such issues as prejudiced behaviour and gives children an open forum to talk things through rather than seek one on one opportunities to be harmful to one another. This is further enriched through our nurture and wellbeing programme. Space is provided in school where children can 'escape' to talk openly about anything. We are very proud of our lovely Willow Room provided for this purpose.

To guarantee and enable such an open and honest environment we feel it necessary to ensure the whole workforce and governing body feels confident and enabled to talk about issues and challenge perceptions of young people including use of inappropriate language and behaviour towards one another.

Training

Whole staff training and CPD around abusive behaviours and talking to young people in a way that continues to create an open and honest environment without prejudice is delivered regularly and updates provided. It is incredibly important that staff do not dismiss issues as 'banter' or 'growing up' or compare them to their own experiences of childhood. It is necessary that staff consider each issue and each individual in their own right before taking action. If staff minimise the concerns raised it may result in a young person seeking no further help or advice.

This policy was:

- discussed by Safeguarding Team on Friday 31st January 2020
- shared with Safeguarding Governor on Tuesday 4th February 2020
- ratified by Full Governors on Tuesday 11th February 2020