



THE ST. BART'S
ACADEMY
— TRUST —

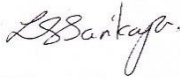
Child-on-Child Abuse Policy

**Including Sexual Violence
and Sexual Harassment between children**

September 2023

The St. Bart's Academy Trust

Child-on-Child Abuse Policy

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Date	Section Amended	Signature
July 2022	Updated and reviewed July 2022 – previously Peer-on-Peer Abuse Policy	K. Webb
July 2022	The term “Peer on Peer” amended to “Child-on-Child” throughout document	S. Jones
September 2023	Updated and reviewed in line with KCSiE 2023. Section added Unsubstantiated, unfounded, false or malicious reports	S Cope



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1. Purpose of the Policy

'Research from Farrer and Co has shown that many children who present with harmful behaviour towards others, in the context of child on child abuse, are themselves vulnerable and may have been victimised by peers, parents or adults in the community prior to their abuse of another child/other children' (Farrer and Farrer, 2022).

The purpose of this policy is to;

- Provide clarity on what is meant by child-on-child abuse in all its forms
- Understand the culture within our settings
- Evidence how ALL staff support the children in our settings
- Give children confidence that they will be supported and informed
- Give parents/carers the assurance that staff know how to deal with this abuse
- Evidence how our safeguarding staff handle reports/concerns/disclosures
- Inform of the post incident management process/ongoing support/safety planning

This policy is supported by the key principles of the Children's Act 1989 that the child's welfare is paramount. Another key document that focuses adult thinking towards the views of the child is Working Together to Safeguarding Children 2018, highlighting that every assessment of a child, should 'reflect the unique characteristics of the child within their family and community context' (Working Together to Safeguard Children, 2018:28). This is clearly echoed by Keeping Children Safe in Education 2023 through ensuring procedures are in place in schools and settings to hear the voice of the child and to be mindful of the context's children live in.

2. Our Staff

ALL St. Bart's Multi-Academy Trust staff:

- recognise the increasing national concern regarding this issue as highlighted in the KCSiE 2023
- are aware of the level and nature of risk that our pupils are or may be exposed to
- understand the important role that they play in ensuring a culture of vigilance
- recognise child-on-child abuse of all types
- are confident and competent in responding promptly and appropriately with timely challenge of the attitudes and behaviours of child-on-child abuse (both inside and outside the classroom)
- listen to children, capture their voice, and help to create a culture in which our children feel able to share their concerns openly, in a non-judgemental environment
- have a zero-tolerance approach to abuse and will not downplay behaviours and dismiss them as 'just banter', 'having a laugh' or 'part of growing up'
- understand that by dismissing unacceptable behaviours it can lead to an unsafe environment for children and, in worst case scenarios, a culture that normalises abuse leading to children accepting it as normal and not having the confidence to come forward, speak out and report what has happened to them.
- report and record their concerns following our safeguarding referral processes
- understand that even if there are no reports of this type of abuse that it 'does happen here'

- are committed to a whole setting, whole staff approach, to ensure the prevention, early identification, and appropriate management of child-on-child abuse within our academies and beyond
- recognise and understand that children who harm others, may have additional or complex needs of their own, e.g. significant disruption in their own lives, exposure to domestic abuse, witnessing/ suffering abuse as well as educational under-achievement and possibly an involvement in criminal activity and therefore they too, will need support
- encourage parents to communicate with us so that we can work together to ensure and enable a prompt and appropriate response to any type of child-on-child abuse
- know that putting a stop to child-on-child abuse of any type and ensuring the safety of our children is a priority in our education setting
- regard the implementation of this policy as a positive, proactive, and preventative measure

St. Bart's Multi-Academy Trust are committed to ensuring that children can:

- Grow and learn in a safe and harmonious environment where everybody is treated equally and with dignity and mutual respect amongst all.
- Confidently communicate or disclose concerns they may have through a well-promoted and easily accessible system.
- Always know that concerns raised are taken seriously by adults.
- Know that the adults who care for them in each academy will challenge any inappropriate behaviours.
- Know that support will be given to them and the perpetrators.
- Know that the school will work with other professionals and family to help keep them safe from harm.

St. Bart's Multi-Academy Trust work hard to create a culture where Child-on-Child abuse does not happen. We strive to create an ethos of mutually respectful behaviour. However, if this type of abuse is seen, heard or reported **ALL** staff are confident in their actions and subsequent support.

St. Bart's Multi-Academy Trust have a culture of vigilance, where staff are competent to challenge immediately and understand the importance of language used. They effectively record what they see to ensure that a full and current picture of child-on-child abuse is known. Staff knowledge, skills and local knowledge are developed through the use of regular planned safeguarding briefings and safeguarding scenarios.

3. Our Children

ALL children are at risk of child-on-child abuse, but some groups are more vulnerable than others to abuse and include the following:

- A child with additional needs and disabilities
- A child living with domestic abuse
- A child who is at risk of/suffering significant harm
- A child who is at risk of/or has been exploited or at risk of being exploited, criminally / sexually
- A looked after child
- A child who goes missing from school/home or is missing education
- Children who identify as or are perceived as LGBTQI+

- Black, Asian and minority ethnic (BAME) pupils

Research tells us that girls are more frequently identified as being abused by their peers and more likely to experience unwanted sexual touching, sexual violence and/or sexual harassment. They often are exploited into gangs and are victims of sexual violence when in those gangs. However, we are aware that these are behaviours not just confined to girls.

Boys are less likely to report intimate relationship abuse and may display other behaviour such as antisocial/criminal behaviours. Boys are more likely to be exploited / entrapped into gangs and subject to violence because of gang culture.

It is critical to be aware of the role that inequality and discrimination can play in child-on-child abuse. Socio-economic inequality within a school or college can increase bullying, and racial and ethnic minority status can be a risk factor for victimisation by peers. Children from minoritised groups are at much higher risk for poor health and behavioural outcomes as a result of discriminatory bullying. LGBTQ children may also be at greater risk of abusive behaviour from their peers. (Farrer and Co, 2022)

St. Bart's Multi-Academy Trust encourage our children to talk to us and tell us when they are worried and what they are worried about, be it about themselves or another child. We are confident that our children know:

- who to speak to and/or where to go for support
- that they will be listened to, taken seriously and not dismissed
- that they will receive the right help at the right time
- that they will receive ongoing support
- that they will be supported to feel safe in school
- that they will be supported to continue to access their education

We also inform our children that there are other ways to report abuse if they are worried about themselves or other children and for whatever reason don't feel that they can speak to staff in school. For example:

[NSPCC](https://www.nspcc.org.uk) Helpline on 0808 800 5000 or by emailing help@nspcc.org.uk. [Get Support | Childline](#)

Children are educated about Child-on-Child abuse in all its forms through the regular PSHE curriculum. In addition, children are empowered to be informed and understand that they have a voice.

Our children are educated at an age-appropriate stage about harmful sexual behaviours, through a planned programme of evidence-based content delivered through the PSHE / RSE curriculum:

- Healthy and respectful relationships, including consent
- What respectful behaviour looks like
- Gender roles, stereotyping, equality
- Body confidence and self-esteem
- Prejudiced behaviour
- That sexual violence and sexual harassment is always wrong and addressing cultures of sexual harassment

4. Language

For the purposes of this policy the language used will refer to 'victims'. It is a widely recognised term; however, all children may not recognise themselves as a victim or want to be described in this way. The term alleged

perpetrators will also be used, this is to ensure that children are not given 'labels' about their behaviour unfairly and without any full and thorough conclusive investigation and because they themselves found the abusive behaviour harmful or may have been a victim of previous harm.

The language used is to support victims so that they understand that they will always be believed, supported, listened to and taken seriously. The language used to children and parents in the reporting of any incidents that may have occurred could impact on any future rehabilitation of children following any investigations that may occur. The use of certain words can be both inflammatory and distressing for children and their parents, so care will be taken in the discussion of incidents with parents to ensure they are factual and accurate.

5. Child-on-Child Abuse - What is it?

"Child-on-child abuse" is defined, for the purposes of this policy, as any form of physical, sexual, emotional and financial abuse using coercion/power and/or control by an individual child or group of children and is exercised between children and within their relationships (both intimate and non-intimate)

All staff in our setting recognise that children can abuse their peers and are aware of the different forms that these safeguarding issues take:

- Bullying-emotional/physical so habitually **repeated** behaviour which is intended to hurt someone either emotionally or physically (hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm)
- Online/Cyber bullying
- Prejudiced based and discriminatory bullying
- Sexual Violence, Sexual Harassment and Harmful Sexual Behaviour. "Harmful sexual behaviour" which is defined as any sexual behaviour which:
 - Does not observe and respect any individuals on the receiving end of the behaviour, e.g. touching someone without their consent.
 - Is inappropriate for the age or stage of development of the pupil.
 - Is problematic, abusive or violent.
 - May cause developmental damage.
- Consensual and non-consensual sharing of nude and semi-nude images and/or videos⁴² (also known as sexting or youth produced sexual imagery) Abuse in intimate relationships, including teenage relationship abuse
- upskirting,
- Initiation/hazing type violence and rituals.
- Hate crime
- Child Criminal Exploitation
- Child Sexual Exploitation
- Gang association and serious violence - County Lines
- Radicalisation

This abuse can be motivated by perceived differences. e.g. on grounds of race, religion, gender, sexual orientation, disability or other differences and result in significant, long lasting, and traumatic isolation, intimidation, and/or violence to the victim.

We will record all instances of Child-on-child Abuse and inform parents/carers of such incidents.

6. What is Bullying?

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 unwanted, aggressive behaviour among school aged children that involves a real or perceived power imbalance. The behaviour is **repeated**, or has the potential to be repeated over time. Children and young people who are bullied and/or who bully others may have serious and lasting problems.

To be considered bullying, the behaviour must be aggressive and include the following:

- an imbalance of power such as physical strength, access to embarrassing information, or popularity to control or harm others. These imbalances can change over time and in different situations, even if they involve the same people.
- Repetition as these behaviours happen more than once or have the potential to happen more than once.
- actions such as making threats, spreading rumours, attacking someone physically or verbally or for a particular reason, e.g. size, hair colour, gender, sexual orientation, and excluding someone from a group on purpose.

Any behaviours that may need to be handled with sanctions will be in line with our policies: **Behaviour Policy/ Anti-bullying Policy/Safeguarding and Child Protection Policy/Online Safety Policy**.

7. What is Online Bullying?

Online bullying is the use of technology (social networking, messaging, text messages, e- mail, chat rooms, etc.) to harass, threaten or intimidate someone for the same reasons as stated above. It can take many forms and this list is not exhaustive:

- Abusive or threatening texts, emails, or messages
- Posting abusive comments on social media sites
- Sharing humiliating videos or photos of someone else
- Stealing someone's online identity
- Spreading rumours online
- Trolling-sending menacing or upsetting messages through social networks, chat rooms or games
- Developing hate sites about another person
- Prank calls or messages
- Group bullying or exclusion online
- Anonymous messaging
- Encouraging a young person to self-harm
- Pressuring children to send sexual messages or engaging in sexual conversations.

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 sexual images of children under the age of 18 then this is also a criminal offence under the Sexual Offences Act 2003. Outside of the immediate support children may require in these instances, the school will have no choice but to involve the police to investigate these situations.

8. What is Prejudiced Related Bullying?

Prejudiced 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, e.g. 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. This can also be described as a hate incident or crime.

9. Sexual Violence, Sexual Harassment and Harmful Sexual Behaviour (HSB)

Sexual Violence, Sexual Harassment and Harmful Sexual Behaviour (HSB) can occur between two children of any age and sex or with groups of children by sexually assaulting or sexually harassing a single child or group of children.

We recognise that this behaviour can take place in a school or any setting where pupils are together and that the impact of this behaviour on children can be extremely distressing, impacting on their emotional health and wellbeing as well as affecting their academic achievement.

Sexual Violence and Sexual Harassment **must be referred immediately** to the Designated Safeguarding Lead (DSL). Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face-to-face (both physically and verbally) and are never acceptable.

Sexual Violence - It is important that staff are aware of sexual violence and the fact children can, and sometimes do, abuse other children in this way and that it can happen both inside and outside of school. When referring to sexual violence in this advice, we do so in the context of child-on-child sexual violence. When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

- **Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
- **Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.
- **Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.
- **Causing someone to engage in sexual activity without consent:** A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (NOTE – this could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party).

Consent is when someone **agrees by choice** and has the **freedom** and **capacity** to make that choice. It is important to note that:

- A child under the age of 13 can never consent to any sexual activity
- The age of consent is 16
- Sexual intercourse without consent is rape

10. Sexual Harassment

- For this policy we mean ‘unwanted conduct of a sexual nature’ that can occur online and offline and both inside and outside school. We refer to this 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. Whilst not intended to be an exhaustive list, sexual harassment can include: Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, and calling someone sexualised names
- Sexual “jokes” or taunting
- upskirting which typically involves taking a picture under a person’s clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm. . It is now a criminal offence.
- Displaying pictures, photos or drawings of a sexual nature
- Physical behaviour, such as deliberately brushing against someone, interfering with someone’s clothes and displaying pictures, photos, or drawings of a sexual nature; and
- Online sexual harassment, which might include consensual and non-consensual sharing of sexual images and videos (often referred to as sexting); sharing of unwanted explicit content; sexualised online bullying and inappropriate sexual comments on social media; exploitation; coercion and threats. Online sexual harassment may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence

It is important that we consider sexual harassment in broad terms. Sexual harassment (as set out above) creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

11. Harmful Sexual Behaviour (HSB)

Children’s sexual behaviour exists on a wide continuum, ranging 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. HSB can occur online and/or face-to-face and can also occur simultaneously between the two. Harmful sexual 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 harmful sexual behaviour, and it may be just as distressing to the young person who instigates it as to the young person it is intended towards. It may include:

- inappropriate sexual language
- inappropriate role play
- sexual touching
- sexual assault/abuse

Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. Children displaying HSB have often experienced their own abuse and trauma. It is important that they are offered appropriate support.

12. Sexting - the sharing of nude or indecent imagery

The term 'sexting' relates to the sending of indecent images, videos and/or written messages with sexually explicit content; these are created and sent electronically. They are often 'shared' via social networking sites and instant messaging services. These images may have been because of up-skirting.

13. Initiation/Hazing

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as sports team, etc. There are several different forms, from relatively mild rituals to severe and sometimes violent ceremonies. The ceremony 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 passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.

14. Hate Crime

Hate crimes happen because of race, gender identity, religion, sexual orientation, and disability. They can happen anywhere, home, school and in the community and can be frightening for both victim and witnesses and is an offence. Hate crimes can include:

- physical attacks - physical assault, damage to property, offensive graffiti, neighbour disputes and arson
- threat of attack - offensive letters or emails, abusive or obscene telephone calls, groups hanging around to intimidate you and unfounded, malicious complaints
- verbal abuse or insults - harassment over the phone, by text or face to face, abusive gestures, and remarks, bullying and threats

15. Indicators that a child may be suffering from Child-on-Child abuse

Indicators and signs that a child may be suffering from child-on-child abuse can also overlap with those indicating other types 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 our children and their presenting behaviours in different ways and the list above is not exhaustive. Children who present with one or more of these signs are not necessarily victims of abuse and their behaviour will depend on their individual circumstances.

All staff are alert to behaviour that may cause concern and think about what the behaviour might signify. We actively encourage children to share with us 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 and understood with the appropriate support in place.

16. Responding to a concern/incident/disclosure of child-on-child abuse

Child-on-Child abuse may occur in our education setting, on the way to or from our setting or out in the community.

Consideration will be given to many aspects of the abuse and here are a few examples:

- Does it involve a single incident or has occurred over time?
- Is the behaviour problematic and concerning?
- Does it involve any overt elements of victimisation or discrimination, e.g. related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability?
- Is there any element of coercion or pre-planning?
- Does it involve a power imbalance between the child/children allegedly responsible for the behaviour and the child/children allegedly the subject of that power?
- Has there been a misuse of power?

It is also important that we:

- ascertain if there were there any witnesses to the abuse
- make notes and record ALL conversations with children spoken to as well as parents/carers/other professionals, including any actions taken
- 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
- ensure that a safeguarding response is in place for both victim and alleged perpetrator

Consideration should also be given to supporting children who have witnessed child-on-child abuse of any kind. This is likely to be traumatic and support may be required. We will signpost to agencies and support services available where needed.

We will do all that we can to ensure both the victim and alleged perpetrator, and any witnesses, are not being bullied or harassed following this. Social media is likely to play a part in the fall out from any incident and friends from either side could well harass the victim or alleged perpetrator online as well as face to face. Any evidence we have of students using social media or inappropriately will be sanctioned according to our existing policies.

17. Responding to all reports and concern of sexual violence and/or sexual harassment between children.

We have covered above what we do when responding to child-on-child abuse concerns/disclosures and these **all** apply to sexual violence and sexual harassment between children disclosures; however, we recognise complexity and challenges that we face following the report of this particular type of abuse.

Guidance is clear in that it does not attempt to provide (nor would it be possible to provide) detailed advice on what we should do in any or every particular case; it provides effective safeguarding practice and principles for us to consider in our decision making process and on a case by case basis.

Our Designated Safeguarding Lead (DSL) and deputies (DDSLs) will take the lead role when dealing with this type of abuse using their professional judgement and working together practices. Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure and it is important to maintain a calm, considered and appropriate response to any reports.

We understand that it is not easy for children to tell us about this type of abuse and they may struggle to make a direct verbal report. Therefore, observations of changes in presenting behaviours is key.

We understand the importance of our initial response to a report and how this can encourage or undermine the confidence of future victims of sexual violence and sexual harassment. The culture in our setting is key to this.

Staff taking a report should never promise confidentiality as it is very likely that it will be in the best interests of the victim to seek advice and guidance from others in order to provide support and engage appropriate agencies.

On occasions the victim may not wish for their identity to be known and there are no easy or definitive answers when this is requested. If the victim does not give consent to share information, we may still lawfully share it, if it can be justified to be in the public interest. For example, to protect children from harm and to promote the welfare of children.

The Designated Safeguarding Lead will consider the following:

- Consider the Intent (begin to Risk Assess). Has this been a deliberate or contrived situation for a young person to be able to harm another?
- The wishes of the victim in terms of how they want to proceed. The victim(s) should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered - we will balance this aspect and the need to balance our duty and responsibility to protect other children
- The nature of the alleged incident(s) including might a crime have been committed and consideration of any display of harmful sexual behaviour
- The ages of the pupils involved
- The developmental stages of the pupils involved
- Any power imbalance between the pupils (e.g. Is the alleged perpetrator significantly older? Does the victim have a disability or learning difficulty?)
- If the alleged incident is a one off or a sustained pattern of abuse (the sustained pattern of abuse may not just be of a sexual nature)
- That sexual violence and sexual harassment can take place within intimate personal relationships between peers
- Whether there are ongoing risks to the victim, other children, or staff
- Other related issues and wider context, including links to any forms of child exploitation

When we talk about Sexual Violence and Sexual Harassment between children, we will refer to 'victim' and 'alleged perpetrator'. This does not mean that we are taking sides nor making any judgement, but for the purpose of this policy we will refer to children involved in this way.

Victim - When we speak to the 'victim' we will:

- listen carefully and take any disclosure seriously
- never make them feel that they are creating a problem or be ashamed

- reassure them that they will be kept safe
- handle the situation with sensitivity
- use proper names for body parts but record exactly any language or vocabulary used by the child
- ask open questions and not lead the victim
- ascertain where the abuse occurred as this may highlight 'hot spots' or vulnerable locations in our setting or within the community which may need to be revisited by either ourselves (in school) or by alerting police/partners if it is in the community
- ascertain if other children witnessed this abuse
- consider ongoing support within our setting
- consider any referrals for external support
- consider the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, it is essential a written record is made only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. Staff should be aware that notes of such reports could become part of a statutory assessment by local authority children's social care and/or part of a criminal investigation, and informing the designated safeguarding lead (or a deputy), as soon as practically possible, if the designated safeguarding lead (or a deputy) is not involved in the initial report.

Parents or carers of the victim will be informed (unless this would put the victim at greater risk). Rape, assault by penetration and sexual assaults are crimes and the DSL will have to balance the victim's wishes against their duty to protect the victim and other children within the school setting. The basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to local authority children's social care. Rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. If we do decide to make a referral to children's social care and/or a report to the police against the victim's wishes, this will be handled extremely carefully, the reasons will in most cases be explained to the victim and appropriate specialist support offered.

We will also consider the following:

- The wishes of the victim in terms of how they want to proceed
- That the victim(s) should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. (We will balance this aspect and the need to balance our duty and responsibility to protect other children)
- The nature of the alleged incident(s) including might a crime have been committed and consideration of any display of harmful sexual behaviour.
- The ages of the pupils involved
- The developmental stages of the pupils involved
- Any power imbalance between the pupils (e.g. is the alleged perpetrator significantly older? Does the victim have a disability or learning difficulty?)
- If the alleged incident is a one off or a sustained pattern of abuse (the sustained pattern of abuse may not just be of a sexual nature)

- That sexual violence and sexual harassment can take place within intimate personal relationships between children
- importance of understanding intra familial harms and any necessary support for siblings following incidents
- Are there ongoing risks to the victim, other children, or staff
- Other related issues and wider context, including links to any forms of child exploitation

We will give all the necessary support for the victim to remain in school; however, if the trauma results in the victim being unable to do this, alternative provision or a move to another school will be considered to enable them to continue to receive suitable education. This will only be at the request of the victim (and following discussion with their parents or carers).

Alleged perpetrator - When we speak to the ‘alleged perpetrator’ we will:

- listen to what they say and not dismiss their account
- handle the situation with sensitivity and a non-judgemental approach
- offer ongoing support
- record all conversations and all action taken
- consider any referrals for external support, e.g. Youth Offending Service/Catch 22

When to inform the alleged perpetrator will be a decision that will be carefully considered. Where a report is going to be made to children’s social care and/or the police, then, as a general rule, we will speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of the allegations.

There are four likely scenarios we will need to consider when managing any reports of sexual violence and/or sexual harassment:

- a) Manage internally - In some cases of sexual harassment (for example, one-off incidents), we may take the view that the pupils concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally using our own sanctions in line with the behaviour/anti-bullying policies and by providing pastoral intervention and support.
- b) Early Help - We may decide that the children involved do not require statutory interventions but may benefit from early help where we are the lead professional. Early help means providing support as soon as a problem emerges, at any point in a child’s life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence. This will help to evidence the support that we have given, the work undertaken and if desired outcomes have been achieved. Referral to the police - See below
- c) Referral to the Children’s social care - See below

Whatever the response, it should be underpinned by the principle that there is a zero-tolerance approach to sexual violence and sexual harassment, and it is never acceptable and will not be tolerated. All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

18. Reporting to the Police

St. Bart’s Multi-Academy Trust understands its responsibilities to call the Police and reporting forms of Child-on-Child abuse. This does not mean that we are looking to criminalise children, and this may not always be

necessary. Any report to the police will generally be in parallel with a referral to local authority children's social care.

The guidance that we follow is:

[When to call the police \(guidance for schools and colleges\)](#)

[Outcome 21 Sexting Guidance](#)

In any form of Child-on-Child abuse where it is believed that an offence has been committed, a report may be made to the Police.

Where a report has been made to the police, we will consult with the police and agree what information is appropriate to disclose to staff and others, in particular the alleged perpetrator and their parents or carers. We will also discuss the best way to protect the victim and their anonymity.

This may also include the development of a clear and robust safety and support plan as part of this early help process. However, as you will see further on in this policy, risk assessing and safety planning is a key aspect of all child-on-child abuse

With regard to sexual violence and sexual harassment between children, where there is a report of a rape, assault by penetration or sexual assault, the starting point is that this should be passed to the police who will advise and log according to their own guidelines: Whilst the age of criminal responsibility is ten, if the alleged perpetrator(s) is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach

19. Referring to Children's Social Care

In all cases of child-on-child abuse, but in particular with sexual violence and sexual harassment, consideration will be given to the reporting of the matter to the relevant Local Authority Children's Social Care Services. In making this decision, we must consider whether a child is at risk of harm or is in immediate danger.

In some cases, children's social care will review the evidence and decide that a statutory intervention is not appropriate and, in these circumstances, we will consider other support mechanisms, such as early help, specialist support/referrals and pastoral support within a formalised plan. We will consider starting an Early Help process where we are the lead professional.

However, if the DSL/DDSL feels that the child remains in immediate danger or at risk of harm, they may refer again. The threshold document will help and support our decision making.

At this referral stage, we will inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child at additional risk). Any such decision will be made with the support of children's social care.

If a referral is made, children's social care will then make enquiries to determine whether any of the children involved need protection or other services.

Where statutory assessments are appropriate, we will work alongside, and cooperate with, the relevant lead social worker. This collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other children requiring support.

We will not wait for the outcome, or even the start of a children's social care investigation before protecting the victim and other children in the school. It will be important for us to work closely with children's social care (and other agencies as required) to ensure any actions we take do not jeopardise a statutory investigation.

20. Working with our parents and carers

St. Bart's Multi-Academy Trust will, in most instances, engage with both the victim's and the alleged perpetrator's parents or carers when there has been a report of child-on-child abuse including sexual or sexual harassment. The exception to this rule is if there is a reason to believe that informing a parent or carer will put a child at additional risk.

We will carefully consider what information provided to the respective parents or carers about other children involved and when to do so.

In some cases, children's social care and/or the police will have a very clear view on this aspect, and it will be important for us to work with relevant agencies to ensure a consistent approach is taken to information sharing.

It should be the case that we will meet the victim's parents or carers with the victim present to discuss what arrangements are being put in place to safeguard the victim and understand their wishes in terms of support they may need and how the report will be progressed. (See Post Incident Management-Point 12)

It is also likely that we will meet with the alleged perpetrator's parents or carers to discuss any arrangements that are being put into place that impact the alleged perpetrator, such as, for example, moving them out of classes with the victim and what this means for their education.

We will be clear and transparent and explain the reason behind any decisions. Support for the alleged perpetrator will be discussed including any referrals, if appropriate.

We realise that parents and carers may well struggle to cope with a report that their child has been the victim of an assault or is alleged to have assaulted another child. Details of organisations that support parents are provided on the school website and at the end of the policy.

21. Sanctions

We will decide appropriate sanctions on a case by case basis in line with our Behaviour Policy and any graduated response required. As already mentioned in this Policy, it may be that other children in our setting start to 'take sides' and become involved and may behave in ways that cause upset and distress to other children.

We will take their behaviour seriously and again use a graduated response to this, whilst also educating them the importance of resolving any conflict in a respectful and restorative way.

If there is police involvement, we will work closely with them to ensure that any disciplinary action taken by us, as a result of the incident, does not jeopardise the police investigation.

22. Post Incident Management

It is vital that all children involved in child-on-child abuse are given appropriate and ongoing support for as long as it is required/needed. This may include referrals to other agencies/professionals outside our setting and this decision will be made in conjunction with the children, their parents/carers, and other professionals.

If there are other professionals involved, then we will liaise with those colleagues to ensure that we are working together and understand one another's role in this support.

There may be delays in any case that is being progressed through the criminal justice system. However, we will not wait for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator, and other children in the school and moving forward with our post incident management.

Support planning is vital, and it is imperative that following any incident the children involved continue to feel supported and receive help even if they tell us that they are coping and managing. Sometimes feelings of

embarrassment, remorse, regret, or unhappiness may occur at a much later stage. We will do our best to ensure that the young people do not engage in any further harmful behaviour either towards someone else or to themselves as a way of coping (e.g. self-harm).

What support they require depends on the individual child. It may be that they wish to seek counselling or one to one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends. In which case it is necessary that this child continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the child may need support in improving peer groups/relationships with other children or some restorative justice work with all those involved may be required.

Other interventions that could be considered may target a whole class or year group for example a speaker on cyber bullying, relationship abuse etc. It may be that through the continued curriculum of Relationship / Relationship and Sex Education and Health Education, PHSE and SMSC that certain issues can be discussed and debated more frequently.

Referrals may have already happened as mentioned previously in this policy, but it is important to establish which professionals continue to work with ALL children involved in this process and this is helped with robust planning.

23. Safety planning/Risk assessment

Integral to post incident management is robust safety planning/risk assessment and this is an invaluable and necessary process. It is one of our key priorities as part of the post incident management. When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. When looking at this process, consideration should be given to the following:

- if this is an ongoing police investigation, we will ask the police if we have any questions about the progress of the matter for example, are there any bail conditions in place or has there been a charging decision. It is key to have a central point of contact with the police for updates and progress. Where required, advice from the police will be sought to help us to manage our safeguarding responsibilities. Where bail is deemed proportionate and necessary, as above, we will work with children's social care and the police to manage any implications and safeguard our children
- the importance in ensuring that the victim can continue in their normal routine, including continuing to receive a suitable education
- the importance of the alleged perpetrator in continuing to access education and support
- do the victim and alleged perpetrator share classes
- what measures need to be put in place when children move between lessons/classes
- what measures need to be put in place for unstructured time (break and lunchtimes)
- what measures need to be put in place for the arrival at the start of the school day and leaving at the end of the school day
- do the victim and alleged perpetrator travel to and from school using the same form of transport
- appropriate information sharing with staff in our setting in order that the plan is manageable and as successful as possible
- if it is the case that the alleged perpetrator is moved to another educational institution (for any reason), then we will ensure that the new educational institution is made aware of any ongoing support needs.

In all cases, we will record our decision making together with the rationale behind those decisions. All the above will be considered with the needs and wishes of the victim at the heart of all that we do as part of this process (supported by parents and carers as required). Our safety plan/risk assessment will be kept under review.

24. Unsubstantiated, unfounded, false or malicious reports

If a report is determined to be unsubstantiated, unfounded, false or malicious, the designated safeguarding lead should consider whether the child and/or the person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to local authority children's social care may be appropriate. If a report is shown to be deliberately invented or malicious, the school should consider whether any disciplinary action is appropriate against the individual who made it as per their own behaviour policy.

25. Additional support and guidance

- [Keeping children safe in education 2023](#)
- [Working Together to Safeguard Children 2018](#)
- [Permanent Exclusion from maintained schools, academies and pupil referral units in England](#)
- [Staffsccb-Responding to Sexting Guidance](#)
- [Relationships and sex education \(RSE\) and health education](#)
- [Mental health and behaviour in schools 2018](#)
- [Children missing education](#)
- [CEOP-Safety centre](#)
- [Disrespect Nobody](#)
- [Behaviour and discipline in schools](#)
- [UKCIS Guidance: Sharing Nudes and Semi-Nudes](#)
- [Searching, screening and confiscation](#)
- [Sharing nudes and semi-nudes: advice for education settings working with children and young people](#)
- [Preventing sexual bullying](#)
- [Preventing Bullying](#)
- [Cyberbullying advice](#)
- [Equality and human rights commission](#)
- The NSPCC email help@nspcc.org.uk
- Specialist Sexual Violence [Rape Crisis](#)
- The UK safer internet centre email at helpline@saferinternet.org.uk
- [Internet Watch Foundation](#)
- [UK Council for Child Internet Safety \(UKCCIS\)](#)
- [Think u know](#)

Appendix 1 - Risk Assessment / Safety Planning Guidance

Basic information	
Referrer Name and role	
Referrer Contact details (email address and phone number)	
Name of school(s) for victim(s)	
Name of school(s) for child/ren alleged to have caused harm	
Did incident occur on school premises? If not, where did the incident occur?	
Date for risk assessment/safety plan review	

CONSIDERATIONS	RISK (CONSIDER VICTIM, CHILD ALLEGED TO HAVE CAUSED HARM, OTHER PUPILS AND STAFF)	RISK LEVEL (HIGH, MEDIUM OR LOW)	ACTIONS TO REDUCE RISK	REVISED RISK LEVEL (HIGH, MEDIUM OR LOW)
<ul style="list-style-type: none"> What is the incident? Who was involved? Where did it happen 				
<ul style="list-style-type: none"> Does this incident constitute a crime? Assault, sexual assault, rape, sharing of indecent images of children, etc. etc. As such has this been referred to the police? 				

CONSIDERATIONS	RISK (CONSIDER VICTIM, CHILD ALLEGED TO HAVE CAUSED HARM, OTHER PUPILS AND STAFF)	RISK LEVEL (HIGH, MEDIUM OR LOW)	ACTIONS TO REDUCE RISK	REVISED RISK LEVEL (HIGH, MEDIUM OR LOW)
<ul style="list-style-type: none"> Is it necessary to limit contact between the children involved? Refer to KCSiE and DFE guidance on sexual harassment and sexual violence in schools and colleges. 				
<ul style="list-style-type: none"> Is there an actual or perceived threat from the child alleged to have caused harm to the victim and/or others? 				
<ul style="list-style-type: none"> Is either the victim or the child alleged to have caused harm at risk of physical harm because of this incident (for example, bullying or 'retribution' by peers)? 				
<ul style="list-style-type: none"> Do they share any classes/lessons? 				
<ul style="list-style-type: none"> Do they share break times? Do they share peer/friendship groups? 				
<ul style="list-style-type: none"> Do they share transport to/from school? 				

CONSIDERATIONS	RISK (CONSIDER VICTIM, CHILD ALLEGED TO HAVE CAUSED HARM, OTHER PUPILS AND STAFF)	RISK LEVEL (HIGH, MEDIUM OR LOW)	ACTIONS TO REDUCE RISK	REVISED RISK LEVEL (HIGH, MEDIUM OR LOW)
<ul style="list-style-type: none"> Are they likely to meet each other (or anyone else involved in/with knowledge of the incident) outside of school? 				
<ul style="list-style-type: none"> How can this contact be limited? 				
<ul style="list-style-type: none"> Is there a risk of harm from social media and gossip? 				

Further action taken by the school or college: Please complete for each child involved.

ACTION	YES/NO	DATE
Police informed		
Referral to MASH		
Referral to external support services		
Referral to internal support services		
Referral to CAMHS		
Referral to early help		
Other		

ACTION	YES/NO	DATE
Police informed		
Referral to MASH		
Referral to external support services		
Referral to internal support services		
Referral to CAMHS		
Referral to early help		
Other		



THE ST. BART'S ACADEMY

TRUST

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