



## **ASPIRE: Lifeskills Learning Centre**

### **PEER ON PEER ABUSE POLICY AND PROCEDURES**

#### **SUMMARY**

Keeping Children Safe in Education, 2018 states that *‘Governing bodies and proprietors should ensure their child protection policy includes procedures to minimise the risk of peer on peer abuse and sets out how allegations of peer on peer abuse will be recorded, investigated and dealt with’ (page 24)*. The document also states it is most important to ensure opportunities of seeking the voice of the child are heard, *‘Governing bodies, proprietors and school or college leaders should ensure the child’s wishes and feelings are taken into account when determining what action to take and what services to provide.*

Systems should be in place for children to express their views and give feedback. Ultimately, any system and processes should operate with the best interests of the child at their heart.

At ASPIRE: Lifeskills we uphold a zero tolerance to any form of abuse. We ensure that any form of abuse or harmful behaviour is dealt with immediately and consistently to reduce the extent of harm to the young person, with full consideration given to the impact on that individual young person’s emotional and mental health and well-being.

#### **PURPOSE AND AIMS**

Definition of peer on peer abuse:

There is no clear boundary between incidents that should be regarded as abusive and incidents that are more properly dealt with as bullying, sexual experimentation etc. This is a matter of professional judgement.

If one young person causes harm to another, this should not necessarily be dealt with as abuse: bullying, fighting and harassment between children are not generally seen as child protection issues. However, it may be appropriate to regard a young person’s behaviour as abusive if:

- There is a large difference in power (for example age, size, ability, development) between the young people concerned; or
- The perpetrator has repeatedly tried to harm one or more other children; or
- There are concerns about the intention of the alleged perpetrator.

If the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive whether or not severe harm was actually caused.

Young people may be harmful to one another in a number of ways which would be classified as peer on peer abuse. The purpose of this policy is to explore the many forms of peer on peer abuse and include a planned and supportive response to the issues.

At ASPIRE: Lifeskills we have the following policies in place that should be read in conjunction with this policy:

Anti-Bullying Policy, Safeguarding & Child Protection Policy and E-Safety Policy.

Our commitment to safeguarding and promoting the welfare of our students is defined as:

- protecting children from maltreatment;
- preventing impairment of children's mental and physical health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

## **FRAMEWORK AND LEGISLATION**

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 (2015)*, highlighting that every assessment of a child, '*must be informed by the views of the child*' and within that '*It is important to understand the resilience of the individual child when planning appropriate services.* (Working Together, 2015:23) This is clearly echoed by *Keeping Children Safe in Education (2021)*, through ensuring procedures are in place in schools and settings to hear the voice of the child. '*It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe. Abuse that occurs online or outside of the school or college should not be downplayed and should be treated equally seriously. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report or their experience minimized.*'

## **INTRODUCTION TO ABUSE AND HARMFUL BEHAVIOUR**

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

## **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.

### **SEXUAL VIOLENCE AND SEXUAL HARASSMENT**

Sexual violence refers to sexual offences under the Sexual Offences Act 2003 including Rape, Assault by Penetration or Sexual Assault. Sexual harassment means 'unwanted conduct of a sexual nature' that can occur online and offline.

Sexual violence and sexual harassment can occur between two children of **any age and sex**. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

### **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 or sexual assault/abuse.

### **BULLYING (physical, name calling, homophobic etc.)**

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. Both young people who are bullied and who bully others may have serious, lasting problems.

In order to be considered bullying, the behaviour must be aggressive and include:

- **An Imbalance of Power:** Young people who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- **Repetition:** Bullying behaviours happen more than once or have the potential to happen more than once.

Bullying includes 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.

## **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**

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 happen in any relationship and 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, 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.

## **UPSKIRTING**

'Upskirting' is a criminal offence (under the Voyeurism (Offences) Act 2019) and typically involves taking a picture under a person's clothing (not necessarily a skirt) without them knowing, in order to obtain sexual gratification or to cause humiliation, distress or alarm (anyone of any gender can be a victim).

## **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).

## **TEENAGE RELATIONSHIP ABUSE**

Teenage relationship abuse is defined as a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teen uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner.

## **EXPECTED ACTION TAKEN BY ALL STAFF**

Although the type of abuse may have a varying effect on the victim and initiator of the harm, these simple steps can help clarify the situation and establish the facts before deciding the consequences for those involved in perpetrating harm.

It is important to deal with a situation of peer abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get the true facts around what has occurred as soon after the child(ren) may have forgotten. It is equally important to deal with it sensitively and think about the language used and the impact of that language on both the children and the parents when they become involved. For example; do not use the word perpetrator, this can quickly create a 'blame' culture and leave a child labelled.

In all cases of peer on peer abuse it is necessary that all staff are trained in dealing with such incidents, talking to young people and instigating immediate support in a calm and consistent manner. Staff should not be prejudiced, judgemental, dismissive or irresponsible in dealing with such sensitive matters.

### **1. Gather the Facts**

Speak to all the young people involved separately, gain a statement of facts from them and use **consistent language** and **open questions** for each account. The easiest way to do this is not to have a line of questioning but to ask the young people to tell you what happened. Only interrupt the young person from this to gain clarity with open questions, 'where, when, why, who'. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?)

## **2. 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?

## **3. Decide on your next course of action**

If, from the information that you gather, you believe any young person to be at risk of significant harm you must make a safeguarding referral to Social Care immediately (where a crime has been committed the police should be involved also). If this is the case, once social care has been contacted and made a decision on what will happen next then you will be informed of your next steps.

If Social Care and the police intend to pursue this further, they may ask to interview the young people in school or they may ask for parents to come to school to be spoken to also. It is important to be prepared for every situation and the potential time it may take.

It may also be that Social Care feel that it does not meet their criteria in which case you may challenge that decision, with that individual or their line manager. If on discussion however, you agree with the decision, you may then be left to inform parents.

## **4. 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. If a young person is deemed to be 'Gillick Competent' following the 'Fraser' guidelines and does not wish you to share the information with parents, then the school must consider this, especially, for example, if the young person is pregnant and this is why they are being bullied (unless this has occurred through significant harm in which case a criminal/Social Care case is likely or the young person is under the age of 13).

In all circumstances where the risk of harm to the child is evident then the school should encourage the young person to share the information with their parent or even with them (they may be scared to tell parents that they are being harmed in any way). Where school can evidence they are acting in the best interests of the young person they would not be criticised, however this would be the case if they actively breached the rights and choices of the young person.

The best way to inform parents is face to face. Although this may be time consuming, the nature of the incident and the type of harm/abuse a young person may be suffering can cause fear and anxiety to parents whether their child is the child who was harmed or who harmed another.

## **POINTS TO CONSIDER:**

### **1. What is the age of the children involved?**

How old are the young people involved in the incident and is there any age difference between those involved? (In relation to sexual exploration, children under the age of 5, in particular 1-4 year olds who are learning toileting skills may show a particular interest in exploration at around this stage. This, however should not be overlooked if other issues arise (see following)

### **2. 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?

### **3. 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?

### **4. 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?

In dealing with an incident of this nature the answers are not always clear cut. If you are concerned or unsure as to whether or not there is any risk involved, please seek advice from Children's Services Social Care.

### **5. Repetition**

Has the behaviour been repeated to an individual on more than one occasion? In the same way it must be considered has the behaviour persisted to an individual after the issue has already been discussed or dealt with and appropriately resolved?

## **NEXT STEPS**

Once the outcome of the incident(s) has been established it is necessary to ensure future incidents of abuse do not occur again and consider the support and intervention required for those involved.

In line with the recommendations set out in paragraphs 441 to 447 of Keeping Children Safe in Education (KCSIE). ASPIRE: Lifeskills assesses the risks to the children involved in an incident of peer-on-peer sexual abuse and all forms of peer and peer abuse to inform best practice. (see Appendix 1)

## **For the young person who has been harmed**

What support they require depends on the individual young person. 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 young person continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the young person may need support in improving peer groups/relationships with other young people 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 PHSE and SMSC that certain issues can be discussed and debated more frequently.

If the young person feels particularly vulnerable it may be that a risk assessment can be put in place for them whilst in school so that they have someone named that they can talk to, support strategies for managing future issues and identified services to offer additional support.

## **For the young person who has displayed harmful behaviour**

In this circumstance it is important to find out why the young person has behaved in such a way. It may be that the young person is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support such as one to one mentoring or counselling may also be necessary. Particular support from identified services may be necessary through a CAF/strengthening families/early help referral and the young person may require additional support from family members.

Once the support required to meet the individual needs of the young person has been met, it is important that the young person receives a consequence for their behaviour. This may be in the form of restorative justice e.g. making amends with the young person they have targeted if this has been some form of bullying. In the cases of sexually harmful behaviour it may be a requirement for the young person to engage in one to one work with a particular service or agency (if a crime has been committed this may be through the police or youth offending service). If there is any form of criminal investigation ongoing it may be that this young person cannot be educated on site until the investigation has concluded. In which case, the young person will need to be provided with appropriate support and education whilst off site.

Even following the conclusion of any investigation the behaviour that the young person has displayed may continue to pose a risk to others in which case an individual risk assessment may be required. This should be completed via a multi- agency response to ensure that the needs of the young person and the risks towards others are measured by all of those agencies involved including the young person and their parents. This may mean additional supervision of the young person or protective strategies if the young person feels at risk of engaging in further inappropriate or harmful behaviour.

The Learning Centre may also choose a punishment as a consequence such as exclusion or internal exclusion/inclusion/seclusion for a period of time to allow the young person to reflect on their behaviour.



## **After care**

It is important that following the incident the young people involved continue to feel supported and receive help even if they have stated that they are managing the incident. Sometimes the feelings of remorse, regret or unhappiness may occur at a much later stage than the incident. It is important 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). In which case, regular reviews with the young people following the incident(s) are imperative.

## **PREVENTATIVE STRATEGIES FOR SCHOOLS AND SETTINGS**

For all schools and settings, 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, and most importantly for schools and settings is recognition that peer on peer abuse can and will occur on any site even with the most stringent of policies and support mechanisms. In which case it is important 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.

This can be supported by ensuring that each school/setting has an open environment where young people feel safe to share information about anything that is upsetting or worrying them. This can be strengthened through a 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.

To enable such an open and honest environment it is necessary to ensure the whole workforce feels confident and enabled to talk about issues and challenge perceptions of young people including use of inappropriate language and behaviour towards one another. In order to create such an environment, it is necessary for 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. 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.

It is important that signposting is available to young people in the event that they don't feel confident raising an issue to staff or a peer. It is useful to have a resource board with support services on a wide range of issues so young people can seek their own solutions should they wish to. In the same way external services or support programmes could be brought in to talk to young people about specific issues in support of the prevention of peer on peer abuse.

Finally, it is useful to ensure young people are part of changing their circumstances and that of the procedures within schools. Each half term within a designated PSHE lesson pupils are encouraged to participate in a 'Pupil Voice' forum to support changes and develop 'rules of acceptable behaviour', this enables us to create a positive ethos in school and one where all young people understand the boundaries of behaviour before it becomes abusive.

**REFERENCES**

Whatis.com <http://whatis.techtarget.com/definition/cyberbullying>

New Choices Inc <https://newchoicesinc.org/resources/>

This is abuse campaign

<https://www.gov.uk/government/publications/this-is-abuse-summary-report>

Stop bullying.gov

<https://www.stopbullying.gov/what-is-bullying/index.html>

Holding Together: equalities, difference and cohesion, a resource for school improvement planning, published for Derbyshire Education Authority by Trentham Books, summer 2009.


EACH resources for LGBT

NSPC

<https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/sexting/>

**POLICY REVIEW STATEMENT**

This policy will be reviewed every year or earlier should legislative change or other event require it.

SIGNED:... 

POSITION:.....DIRECTOR

DATE:.....1<sup>st</sup> August 2021

REVIEW DATE:...1<sup>st</sup> August 2022

FOR & ON BEHALF OF

ASPIRE: Lifeskills



# ASPIRE: Lifeskills Learning Centre

## Peer-on-peer sexual abuse: risk and needs assessment and version record

This risk and needs assessment is used to:

Assess the risks to the children involved in an incident of peer-on-peer sexual abuse

Meet the recommendations set out in [paragraphs 441 to 447 of Keeping Children Safe in Education \(KCSIE\)](#).

### How to use this risk and needs assessment

- (1) “Child A” and “Child B” has been used to signify the children involved, rather than saying “victim” and “alleged perpetrator(s)”. This is because you should avoid assigning guilt until a formal investigation has been conducted by the appropriate authorities.
- (2) Consider each question/consideration from the perspective of both students, and be sure to do this in collaboration with them. Also consider the impact on, and needs of, the wider school community, and record any concerns or actions in the most appropriate column.
- (3) Work with our local multi-agency safeguarding team when conducting this risk assessment, and update it in response to any advice they provide. Some of the prompts may require input from other MAST agencies. Add specific questions and considerations based on the nature of each incident and on the advice provided.
- (4) Keep track of the changes you make:
  - Create a new copy of the document
  - Update the version number at the top of the risk assessment
  - Record what has changed in the update log (at the end of the document)
  - Save the most recent version of the risk assessment in the appropriate places (for example, the child’s safeguarding file)
- (5) This should be a living document – you may need to update it as often as daily based on conversations with, and feedback from, the children and parents involved, feedback from staff, guidance from the MAST, or information from the police and children’s social care.
- (6) Delete out the guidance highlighted in yellow and save the document relevant to each version of this risk and needs assessment.

**Risk assessment – version [number]**

AREA OF RISK	CONSIDERATIONS	CHILD 'A'	CHILD 'B'	NOTES	ACTIONS
<p>Details of the incident</p> <p>Record details of the incident from the point of view of both children</p>	<p>How serious is the incident? Was it a crime?</p> <p>Were there any other victims? [If yes, add extra columns for each other child]</p> <p>Do we need to make arrangements to limit contact between the children involved, other than keeping them a reasonable distance apart on school premises including at before and after-school activities? (If the allegation relates to rape, assault by penetration, or sexual assault, the answer is automatically yes)</p> <p>How did the school find out about it? Was it reported directly or by someone else with knowledge of the incident?</p> <p>Did the incident take place within an intimate relationship between the children?</p> <p>Are there any related issues, including links to child sexual exploitation and child criminal exploitation?</p>			<p>Use this column to record additional information that may be relevant</p> <p>For example, previous, unrelated behaviour incidents</p>	

AREA OF RISK	CONSIDERATIONS	CHILD 'A'	CHILD 'B'	NOTES	ACTIONS
Social risks	<p>Do the children share a peer group? Are people in their friend group likely to take sides?</p> <p>Do they both attend your school?</p> <p>Do other people know about the incident? Do those people understand:</p> <ul style="list-style-type: none"> <li>○ Who they can talk to if they have concerns about the people involved, or about their own safety and wellbeing</li> <li>○ The importance of confidentiality</li> <li>○ If, and how, they may need to be involved in any further investigations</li> </ul> <p>Are they likely to be the subject of gossip, bullying or further harassment?</p> <p>Have there been previous incidents of sexually inappropriate behaviour within their peer group(s)?</p> <p>Do they risk being alienated from their friend group(s) as a result of this incident?</p>				
Physical risks	<p>Do they feel, or continue to feel, physically threatened by the other child?</p> <p>Do you have reason to believe there is a continued risk to the safety and wellbeing of the children involved, or other pupils and staff?</p> <p>Is either party at risk of physical harm as a result of this incident (for example, bullying or 'retribution' by peers)</p> <p>Do they share classes/break times/etc.?</p> <p>Are they likely to come into contact with each other (or anyone else involved in/with knowledge of the incident) outside of school? How can such contact be limited?</p>				

AREA OF RISK	CONSIDERATIONS	CHILD 'A'	CHILD 'B'	NOTES	ACTIONS
Environmental risks	<p>Do they live in a home where violence or abuse has occurred?</p> <p>Do they live in or near an area or location known to police to be high risk for sexual harassment or assault?</p> <p>Are they active on social media? If so, how? Do they know how to protect themselves from online grooming?</p> <p>What activities do they take part in outside of school?</p> <p>Are parents clear about:</p> <ul style="list-style-type: none"> <li>o How the school (and partner agencies) are handling the incident?</li> <li>o Confidentiality?</li> <li>o The conduct expected of them while an investigation is ongoing?</li> </ul>				

DATE	UPDATES MADE	REASONS FOR UPDATES	UPDATES MADE BY
	E.g, "Updated lunchtime arrangements"	E.g, "Feedback from Child A"	