

## **P16 Peer-on-Peer Abuse Policy Including Youth Produced Sexual Imagery Policy**

Please also refer to: Behaviour and Sanctions Policy, Anti-Bullying including Anti-Cyber-Bullying Policy, Child Protection Policy, Code of Conduct, Acceptable Use of Technology.

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## 1. The School's Responsibilities

### 1. 1 Introduction

The Governors, Senior Leadership Team, and all staff and volunteers at The Purcell School **(the 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 children, all Schools should (a) be aware of the level and nature of risk to which their students 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 emerging guidance, and are committed to implement both policy and latest guidance in order to ensure that our students are safe;
- Encourage parents to hold us to account on this issue, so that if their child is feeling unsafe as a result of the behaviour of any of their peers, they should inform the School so that it can ensure that appropriate and prompt action is taken in response.
- The School recognises that peer on peer abuse can and may involve any children of any age and who may not necessarily be within their own peer group.

This policy sets out our strategy for preventing, identifying and appropriately managing peer-on-peer abuse. The policy:

- Applies to all Governors, Senior Leadership Team, staff, volunteers, contractors etc. It is reviewed annually, and updated in the interim, as may be required, to ensure that it continually addresses the risks to which students are or may be exposed. A number of staff are involved in each annual review, which involves and is informed by an assessment of the impact and effectiveness of this policy over the previous year;
- It is the School's overarching policy for any issue that could constitute peer-on-peer abuse. It relates to, and should be read alongside, the School's Child Protection and Safeguarding Policy (P1) and any other relevant policies including, but not limited to, bullying (including cyber-bullying), youth produced sexual imagery, online safety, Students missing in education, students behaviour and discipline, and exclusions;

- Does not use the term ‘victim’ and/or ‘perpetrator’. This is because our School 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 work that may also be required for the latter. Research has shown that many students 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 term students, which is defined for the purposes of this policy as a person registered as a student at the school.
- Is compliant with the statutory guidance on peer-on-peer abuse as set out in Keeping Students Safe in Education (September 2021);
- 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 Students in Schools and Colleges (DfE's Advice, September 2021), and any other advice and guidance referred to within it, as appropriate;
- Should be read in conjunction with, Hertfordshire Children Safeguarding Partnership, Child Protection Policy and Procedures, and any relevant Practice Guidance issued by it.

## 2. Understanding Peer-on-Peer Abuse

### 2.1 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 students 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.

These types of abuse rarely take place in isolation and often indicate wider safeguarding concerns. For example, a teenage girl may be in a sexually exploitative relationship with a teenage boy who is himself being physically abused by a family member or by older boys. Equally, sexual bullying in schools and other settings can result in the sexual exploitation of students by their peers. For 16 and 17 year olds who are in abusive relationships, what may appear to be a case of domestic violence may also involve sexual exploitation. 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.

The 2021 Ofsted Review of Sexual Abuse in Schools (the Review) revealed how prevalent sexual harassment and online sexual abuse are for children and young people and their reluctance to report incidents of abuse for a wide variety of reasons. The Review recommends that all schools act as though sexual harassment and online sexual abuse are happening, even when there are no specific reports.

### 2.2 Specific forms of Peer-on-Peer Abuse

There are many forms of abuse that may occur between peers and this list is not exhaustive. It should be read in conjunction with the School's Anti-Bullying, Online Safety and Child Protection Policies.

#### a. Bullying

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 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.

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 it can also lead to reluctance to report other behaviour.

The term prejudice-based and discriminatory bullying refers to a range of hurtful behaviour, physical or emotional or both and online, 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.

The School has a separate policy which gives further information and guidance: **P2 Anti-Bullying Policy (including Anti-Cyber Bullying)**

**b. Online Safety**

Inappropriate use of technology, including commerce (gambling) and sexting can form part of abuse or bullying, and it is important that all staff are aware that peer-on-peer abuse can often take place using social media.

The School has an appropriate level of security to protect users and data. All information connected with online safety is reviewed at least annually, if not more often, to ensure safety and protection for all users.

The School has separate policies which give further information and guidance: **P2 Anti-Bullying Policy (including Anti-Cyber Bullying)** and **H10 Online Safety Policy**

**c. Sexual Violence and Harassment**

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.

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 to the young person it is intended towards.

Sexually harmful behaviour may include

- i. inappropriate sexual language;
- ii. inappropriate role-play;

- iii. sexual touching;
- iv. sexual assault/abuse.

Sexual violence also includes any online element which facilitates, threatens and/or encourages sexual violence.

Sexual harassment can include:

- i. sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- ii. sexual 'jokes' or taunting;
- iii. physical behaviour, such as deliberately brushing against someone, interfering with someone's clothes and displaying pictures, photos or drawings of a sexual nature.

Online sexual harassment can include:

- i. consensual and non-consensual sharing of nude and semi-nude images and videos;
- ii. sharing of unwanted explicit content
- iii. Upskirting;
- iv. sexualised online bullying;
- v. unwanted sexual comments and messages, including, on social media;
- vi. sexual exploitation; coercion and threats.

#### **d. Abuse in Intimate Personal Relationships Between Peers**

Abuse in intimate personal relationships between peers 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 abuser uses this pattern of violent and coercive behaviour, in a relationship between young people of any gender, in order to gain power and maintain control over the partner. Abuse in intimate personal relationships between peers is bullying, as is causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.

### **2.3 Understanding Consent**

Consent is defined by section 74 of the Sexual Offences Act 2003 and is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

It is important to know that:

- a. a child under the age of 13 can never consent to any sexual activity;

- b. the age of consent is 16; and
- c. sexual intercourse without consent is rape

### 3. What is Contextual Safeguarding?

This policy encapsulates a Contextual Safeguarding approach, which:

- Is an approach to safeguarding students that recognises their experiences of significant harm in extra-familial contexts, and seeks to include these contexts within prevention, identification, assessment and intervention safeguarding activities;
- Recognises that as students enter adolescence they spend increasing amounts of time outside of the home in public environments (including on the internet) within which they may experience abuse; and
- Considers interventions to change the systems or social conditions of the environments in which abuse has occurred. For example, rather than move a child from a school, professionals could work with the school leadership and students body to challenge harmful, gendered school cultures, thus improving the pre-existing school environment.

#### 4. How Prevalent is Peer-on-Peer Abuse?

Research suggests that peer-on-peer abuse is one of the most common forms of abuse affecting students in the UK. For example, more than four in ten teenage school girls aged between 13 and 17 in England have experienced sexual coercion (Barter et al 2015). Two thirds of contact sexual abuse experienced by Students aged 17 or under was committed by someone who was also aged 17 or under (Radford et al 2011).

##### 4.1 When Does Behaviour Become Problematic or Abusive?

All behaviour takes place on a spectrum. Understanding where a child's behaviour falls on a spectrum is essential to being able to respond appropriately to it.

##### 4.2 Sexual Behaviours

As the NSPCC explains 'children's sexual behaviours exist on a wide continuum, from normal and developmentally expected to highly abnormal and abusive. Staff should recognise the importance of distinguishing between problematic and abusive sexual behaviour. As both problematic and abusive sexual behaviours are developmentally inappropriate and may cause developmental damage, a useful umbrella term is harmful sexual behaviours or HSB.' This term has been adopted widely in the field, and is used throughout the NSPCC's and Research in Practice's Harmful Sexual Behaviour Framework, as well as this policy.

For the purpose of the NSPCC's and Research in Practice's Harmful Sexual Behaviour Framework, and as adopted in this policy, harmful sexual behaviours are defined as 'Sexual behaviours expressed by children ... that are developmentally inappropriate, may be harmful towards self or others, or be abusive towards another child... or adult.'

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



NORMAL	INAPPROPRIATE	PROBLEMATIC	ABUSIVE	VIOLENT
Developmentally expected	Single instances of inappropriate sexual behaviour	Problematic and concerning behaviour	Victimising intent or outcome	Physically violent sexual abuse
Socially acceptable	Socially acceptable behaviour within peer group	Developmentally unusual and socially unexpected	Includes misuse of power	Highly intrusive Instrumental violence which is psychologically and/or sexually arousing to the child responsible for the behaviour
Consensual, mutual, reciprocal	Context for behaviour may be inappropriate	No overt elements of victimisation	Coercion and force to ensure compliance	
Shared decision making	Generally consensual and reciprocal	Consent issues may be unclear	Intrusive	Sadism
		May lack reciprocity or equal power	Informed consent lacking or not able to be freely given	
		May include levels of compulsivity	May include elements of expressive violence	

Hackett's continuum relates exclusively to sexual behaviour and is not exhaustive. The Brook Sexual Behaviours Traffic Light Tool can also be very helpful in identifying sexual behaviours by children. Staff should always use their professional judgment and discuss any concerns with the DSL. Where an (alleged) incident involves a report of sexually harmful behaviour, staff should consult the DfE's Advice.

### 4.3 Other Behaviour

When dealing with other alleged behaviour, which involves reports of, for example, emotional and/or physical abuse, staff can draw on aspects of Hackett's continuum to assess where the alleged behaviour falls on a spectrum and to decide how to respond. This could include, for example, whether it:

- 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/ren allegedly responsible for the behaviour and the child/ren allegedly the subject of that power
- Involves a misuse of power

It should be borne in mind that there are some aspects of Hackett's continuum, which may not of course be relevant or appropriate to consider in response to other alleged behaviour involving reports of other types of abuse. For example, the issue of consent and the nuances around it, is unlikely to apply in the same way in cases where the alleged

behaviour is reported to involve emotional and/or physical abuse, as it could in cases of alleged sexual behaviour which is reported to involve harmful sexual behaviour.

In addition, the School could be required to deal with cases involving a range of alleged behaviours including sexual behaviour, emotional, physical behaviour and digital behaviour.

It should also be recognised that the same behaviour presented by different students may be understood at different points on a spectrum, depending on the particular context. For example, an incident involving youth produced sexual imagery may be inappropriate in one context, for example, when exchanged between two students in a consenting relationship, and abusive in another, for example, when it is (a) shared without the consent of the child in the image; (b) produced as a result of coercion; or (c) used to pressure the child into engaging in other sexual behaviours.

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. For example, a physical fight between two students may not constitute peer-on-peer abuse where the fight is a one-off incident, but may be abusive where the child/ren's behaviour subsequently deteriorates into a pattern of bullying behaviour and requires a safeguarding response from a multi-agency partnership – including a statutory assessment of whether this has led, for example, to a risk of significant harm to a child.

The importance of intervening early and addressing any inappropriate behaviour does not just apply on an individual student's basis, but could also apply across the student body.

Behaviour generally considered inappropriate may in fact indicate emerging concerning behaviour to which schools need to take a whole-school approach in order to prevent escalation. For example, where multiple boys are making inappropriate comments about girls, one-off sanctions are unlikely to be effective and wider actions should be considered, such as arranging for an external person to deliver a year group intervention exercise; revising the school's SRE programme; and/or a discussion around whether anything is happening within the wider community that might be affecting the students' behaviour.

It will also be important to consider the wider context in which the alleged behaviour is reported to have occurred, and which may trigger the need for a referral. For example, some behaviour that is considered inappropriate may be capable of being dealt with internally. However, if there are wider safeguarding concerns relating to the child/ren in question, a referral to statutory agencies may be necessary. Where the behaviour which is the subject of the concern(s)/allegation(s) is considered or suspected by the DSL to constitute peer-on-peer abuse, the School will follow the procedures set out below.

## 5. How Can a Child who is Being Abused by Their Peers Be Identified?

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

Signs that a child may be suffering from peer-on-peer abuse can also overlap with those indicating other types of abuse (please see Appendix 1 (Types of Abuse and Neglect) of the Child Protection Policy for indicators of abuse) of the child protection policy for indicators of abuse) and can include:

- a. Failing to attend School, disengaging from classes or struggling to carry out School related tasks to the standard ordinarily expected;
- b. Physical injuries;
- c. Experiencing difficulties with mental health and/or emotional wellbeing;
- d. 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;
- e. Broader changes in behaviour including alcohol or substance misuse;
- f. Changes in appearance and/or starting to act in a way that is not appropriate for the child's age;
- g. Abusive behaviour towards others.

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

The power dynamic that can exist between students is also very important when identifying and responding to their behaviour: in all cases of peer-on-peer abuse, a power imbalance will exist within the relationship. This inequality will not necessarily be the result of an age gap between the child responsible for the abuse and the child being abused. It may, for example, be the result of their relative social or economic status. Equally, while students who abuse may have power over those who they are abusing, they may be simultaneously powerless to others.

### **5.1 Are Some Students Particularly Vulnerable to Abusing or Being Abused By Their Peers?**

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

Research suggests that peer-on-peer abuse may affect boys differently from girls, and that this difference may result from societal norms (particularly around power, control and the way in which femininity and masculinity are constructed) rather than biological make-up. Barriers to disclosure will also be different. As a result, schools need to explore the gender dynamics of peer-on-peer abuse within their settings, and recognise that these will play out differently in single sex, mixed or gender imbalanced environments.

## 6. A Whole School Approach – How Can the School Raise Awareness of and Prevent Peer-on-Peer Abuse?

### 6.1 School Environment

The School actively seeks to raise awareness of and prevent all forms of peer-on-peer abuse by:

- Educating all Governors, Senior Leadership Team, staff and volunteers, students and parents about this issue. This includes:
- Training all Governors, Senior Leadership Team, staff and volunteers on the nature, prevalence and effect of peer-on-peer abuse, and how to prevent, identify and respond to it. This includes (a) Contextual Safeguarding; (b) the identification and classification of specific behaviours; and (c) the importance of taking seriously all forms of peer-on-peer abuse (no matter how low level they may appear) and ensuring that no form of peer-on-peer abuse is ever dismissed as horseplay or teasing. Training includes case studies which the staff design themselves;
- Educating students about the nature and prevalence of peer-on-peer abuse via PSHEE and the wider pastoral curriculum. For example, by addressing gender inequality in a statistics class, or by reviewing literature in an English class which addresses bullying and its effect on mental health. Students are frequently told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse. They are regularly informed about the School's approach to such issues, including its zero tolerance policy towards all forms of peer-on-peer abuse;
- Embedding RSE within the context of a wide ranging and high quality PSHE/Pastoral Curriculum both within the formal classroom and beyond. The Sixth Form will be provided with significant opportunities for PSHE education through assemblies, the Sixth Form Personal Development Programme, a series of focussed sessions addressing consent, sexual harassment and sexual violence and engagement with external experts;
- Providing additional support to SEN and EAL students where necessary such that they are able to understand the concepts within their own contexts;
- Educating students about consent. This will include teaching them basic facts such as:
  - (i) a child under the age of 13 can never consent to any sexual activity;
  - (ii) the age of consent is 16; and
  - (iii) sexual intercourse without consent is rape;
- Engaging parents on this issue by:
  - a. Talking about it with parents, both in groups and one to one;
  - b. Asking parents what they perceive to be the risks facing their child and how they would like to see the School address those risks;

- c. Involving parents in the review of School policies and lesson plans; and
  - d. Encouraging parents to hold the School to account on this issue.
  - e. Ensuring that all peer-on-peer abuse issues are fed back to the School's safeguarding team through MyConcern so that they can spot and address any concerning trends and identify students who may be in need of additional support. This is done by way of a weekly staff meeting at which all concerns about students (including peer-on-peer abuse issues) are discussed;
- Challenging the attitudes that underlie such abuse (both inside and outside the classroom);
  - Working with Governors, Senior Leadership Team, all staff and volunteers, students and parents to address equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the School community;
  - Creating conditions in which our students can aspire to and realise safe and healthy relationships;
  - Providing opportunities for less formal exploration/discussion with a suitably qualified member of staff during boarding time;
  - Creating a culture in which our students feel able to share their concerns openly, in a non-judgmental environment, and have them listened to; and
  - Responding to cases of peer-on-peer abuse promptly and appropriately.

## 6.2 Multi Agency Working

The School actively engages with its local partners in relation to peer-on-peer abuse, and works closely with, for example, children's social care, and/or other relevant agencies, and other Schools.

The relationships the School has built with these partners are essential to ensuring that the School is able to prevent, identify early and appropriately handle cases of peer-on-peer abuse. They help the School (a) to develop a good awareness and understanding of the different referral pathways that operate in its local area, as well as the preventative and support services which exist; (b) to ensure that our students are able to access the range of services and support they need quickly; (c) to support and help inform our local community's response to peer-on-peer abuse; (d) to increase our awareness and understanding of any concerning trends and emerging risks in our local area to enable us to take preventative action to minimise the risk of these being experienced by our students.

The School actively refers concerns/allegations of peer-on-peer abuse where necessary to relevant agencies, such as the Hertfordshire Children's Safeguarding Partnership. This is particularly important because peer-on-peer abuse can be a complex issue, and even more so where wider safeguarding concerns exist. It is often not appropriate for

one single agency (where the incident cannot be managed internally) to try to address the issue alone – it requires effective partnership working.

## 7. Responding to Concerns or Allegations of Peer-on-Peer Abuse – General Principles

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

Any response should:

- Include a thorough investigation of the concerns/allegations and the wider context in which they may have occurred (as appropriate);
- Treat all students 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. Schools should ensure a safeguarding response is in place for both the child who has allegedly experienced the abuse, and the child who has allegedly been responsible for it, and additional sanctioning work may be required for the latter;
- Take into account:
  - a. That the abuse may indicate wider safeguarding concerns for any of the Students involved, and consider and address the effect of wider socio-cultural contexts - such as the child's/children's peer group (both within and outside the School); family; the School environment; their experience(s) of crime and victimisation in the local community; and the child/children's online presence. Consider what changes may need to be made to these contexts to address the child/ren's needs and to mitigate risk; and
  - b. The potential complexity of peer-on-peer abuse and of children's experiences and consider the interplay between power, choice and consent. While Students may appear to be making choices, if those choices are limited they are not consenting;
  - c. The views of the child/ren affected. Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSL should discuss the proposed action with the child/ren and their parents and obtain consent to any referral before it is made. The School should manage the child/ren's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so.

### **7.1 What Should You Do If You Suspect Either That A Child May Be At Risk Of Or Experiencing Abuse By Their Peer(s), Or That A Child May Be At Risk Of Abusing Or May Be Abusing Their Peer(s)?**

If a student is in immediate danger, or at risk of significant harm, a referral to children's social care (if the student is aged under 18) and/or the police should be made immediately. Anyone can make a referral. Where referrals are not made by the DSL, the DSL should be informed as soon as possible that a referral has been made (see section 3.7

(if a child is in immediate danger or risk of harm) and 3.9 (Making a referral) of the Child Protection policy).

If a member of staff thinks for whatever reason that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should discuss their concern with the DSL without delay (in accordance with section 3.6 (Concerns about a child) of the Child Protection and Safeguarding policy) so that a course of action can be agreed.

If a child speaks to a member of staff about peer-on-peer abuse that they have witnessed or are a part of, the member of staff should listen to the child and use open language that demonstrates understanding rather than judgement. For further details please see the procedure set out in Appendix 5 (Guidance on how to Deal with a Disclosure) of the Child Protection and Safeguarding Policy.

## **7.2 How Will the School Respond to Concerns or Allegations of Peer-on-Peer Abuse?**

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

DSLs should always use their professional judgement to determine whether it is appropriate for alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required. In borderline cases, the DSL may wish to consult with children's social care and/or any other external agencies on a no-names basis to determine the most appropriate response. The DSL will discuss the allegations/concerns with the Students and families Hub, and agree on a course of action, which may include:

**a. Manage internally with help from external specialists where appropriate and possible.**

Where behaviour between peers is abusive or violent (as opposed to inappropriate or problematic), scenarios B, C or D should ordinarily apply. However, where support from local agencies is not available, the School may need to handle allegations/concerns internally. In these cases, the School will engage and seek advice from external specialists (either in the private and/or voluntary sector).

**b. Undertake/contribute to an inter-agency early help assessment, with targeted early help services provided to address the assessed needs of a child/Students and their family.**

These services may, for example, include CAMHS, a specialist harmful sexual behaviour team, and/or youth offending services

**c. Refer child/Students to children's social care for a section 17 and/or 47 statutory assessment.**

As a matter of best practice, if an incident of peer-on-peer abuse requires referral to and action by children's social care and a strategy meeting is convened, then the School will hold every professional involved in the case accountable for their safeguarding response, including themselves, to both the student who has

experienced the abuse, and the student who was responsible for it, and the contexts to which the abuse was associated.

d. **Report alleged criminal behaviour to the Police.**

Alleged criminal behaviour will ordinarily be reported to the Police. However, there are some circumstances where it may not be appropriate to report such behaviour to the Police. For example, where the exchange of youth produced sexual imagery does not involve any aggravating factors (please see Appendix C below). All concerns/allegations will be assessed on a case by case basis, and in light of the wider context.

### **7.3 Individual Risk and Needs Assessment**

Where there is an incident of peer-on-peer abuse, the School will carry out a robust risk and needs assessment in respect of each child affected by the abuse. These risk assessments will:

- a. Assess and address the nature and level of risks that are posed and/or faced by the child;
- b. Engage the child's parents and draw upon local services and agencies to ensure that the child's needs are met in the long-term. Consider whether any targeted interventions are needed to address the underlying attitudes or behaviour of any child; and
- c. Be reviewed at regular intervals in light of the child's on-going needs to ensure that real progress is being made which benefits the child.

### **7.4 Record Keeping and Monitoring**

School staff maintain records of the welfare and development of individual students. In addition, every complaint or report of bullying is recorded centrally and monitored. The Pastoral Team monitor these records in order to enable patterns to be identified, both in relation to individual students and across the School as a whole and to evaluate the effectiveness of the School's approach.

## 8. Disciplinary Action

The School will consider whether disciplinary action may be appropriate for any students involved – any such action should address the abuse, the causes of it, and attitudes underlying it. Disciplinary action may sometimes be appropriate, including (a) to ensure that the student take(s) responsibility for and realise(s) the seriousness of their behaviour; (b) to demonstrate to the student and others that peer-on-peer abuse can never be tolerated; and (c) to ensure the safety and wellbeing of other students. However, these considerations must be balanced against the student's own potential unmet needs and any safeguarding concerns. Before deciding on appropriate action the School will always consider its duty to safeguard all students from harm; the underlying reasons for a child's behaviour; any unmet needs, or harm or abuse suffered by the student; the risk that the student may pose to other students; and the severity of the peer-on-peer abuse and the causes of it.

The School will, where appropriate, consider the potential benefit, as well as challenge, of using managed moves or exclusion as a response, and not as an intervention, recognising that even if this is ultimately deemed to be necessary, some of the measures referred to in this policy may still be required. Exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the other students in the School. Engaging in Fair Access Panel Processes to assist with decision-making associated to managed moves and exclusions can also be beneficial. Disciplinary interventions alone are rarely able to solve issues of peer-on-peer abuse, and the School will always consider the wider actions that may need to be taken, and any lessons that may need to be learnt going forwards, as set out above and below.

### 8.1 On-Going Proactive Work To A Contextual Whole-School Approach

The School's response to concerns/allegations of peer-on-peer abuse should be part of on-going proactive work by the School to embed best practice and take a contextual whole-School approach to such abuse. As such the School's response can become part of its wider prevention work. This response may include the School asking itself a series of questions about the context in which an incident of peer-on-peer abuse occurred in the School, the local community in which the School is based, and the wider physical and online environment - such as:

- a. What protective factors and influences exist within the School (such as positive peer influences, examples where peer-on-peer abuse has been challenged etc.) and how can the School bolster these?
- b. What protective factors and influences exist within the School (such as positive peer influences, examples where peer-on-peer abuse has been challenged etc.) and how can the School bolster these?
- c. Did wider gender norms, equality issues and/or societal attitudes contribute to the abuse?
- d. What was the relationship between the abuse and the cultural norms between staff and students, and how can these be addressed going forwards?
- e. Does the abuse indicate a need for staff training on, for example, underlying attitudes, a particular issue or the handling of particular types of abuse?
- f. How have similar cases been managed in the past and what effect has this had?
- g. Does the case or any identified trends highlight areas for development in the way in which the School works with students to raise their awareness of and/or prevent peer-on-peer abuse, including by way of the School's PSHEE curriculum and lessons that address underlying attitudes or behaviour such as gender and

equalities work?

- h. Are there any lessons to be learnt about the way in which the School engages with parents to address peer-on-peer abuse issues?  
Are there underlying issues that affect other schools in the area and is there a need for a multi-agency response?
- i. Does this case highlight a need to work with certain students to build their confidence and teach them how to identify and manage abusive behaviour; and were there opportunities to intervene earlier or differently and/or to address common themes amongst the behaviour of other students in the School?

Answers to these questions can be developed into an action plan that is reviewed on a regular basis by the School leadership Team and the DSL.

<i>Policy author /reviewer:</i>	<i>Policy date /review date:</i>	<i>Next review due:</i>
Pastoral Team	8/1/2020	1/9/2020
T Burns	01/09/2020	01/09/2021
T Burns	01/09/2021	01/09/2022
Z Szafranski	29/11/2021 & 12/12/21	01/09/2022

## Appendix A: Examples of Further Resources and Peer-on-Peer Abuse Statistics

### The Crime Survey Data from 2013:

- [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/214970/sexualoffending-overview-jan-2013.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/214970/sexualoffending-overview-jan-2013.pdf).
- This includes information around sexual violence; and street based violence perpetrated by young men.

### NSPCC:

<https://www.nspcc.org.uk/globalassets/documents/research-reports/partner-exploitation-violenceteenage-intimate-relationships-report.pdf>

- This 2009 report explores partner exploitation and violence in teenage intimate relationships.
- The Centre for Social Justice: <http://www.centreforsocialjustice.org.uk/core/wp-content/uploads/2016/11/>
- Bullying-RT-Report-1.pdf  
This 2016 roundtable report looks at how the education sector can best support Students who self-exclude due to bullying. It sets out a number of important statistics.

### Parliamentary and government publications:

- **The scale and impact of sexual harassment and sexual violence in schools**  
<https://publications.parliament.uk/pa/cm201617/cmselect/cmwomeq/91/9105.htm>  
This 2016 publication examines the scale and impact of sexual harassment and sexual violence in Schools.
- **Ofsted Review of sexual abuse in schools and colleges (10 June 2021)**
  - <https://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges>  
This 2021 publication summarises the findings and recommendations of the rapid review of sexual abuse in schools and colleges that the Government asked Ofsted to carry out
- [Department for Education Guidance “Sexual violence and sexual harassment between children in schools and colleges: Advice for governing bodies, proprietors, headteachers, principals, senior leadership teams and designated safeguarding leads” September 2021.](#)
- The school has issued its own response to the Ofsted Review and DfE Guidance which can be found appended to the following policies:
  - P1 Child Protection and Safeguarding Policy
  - PSHE Policy
  - RSE Policy

## 1. Identifying, Assessing and Responding to Behaviour

The following links are designed to help professionals working with Students to identify, categorise and respond appropriately to sexual behaviours by children:

- NSPCC's and Research in Practice's Harmful Sexual Behaviour Framework: <https://www.nspcc.org.uk/services-and-resources/research-and-resources/2016/harmful-sexualbehaviour-framework/>, which contains the continuum model proposed by Simon Hackett (2010), and provides Schools with information about what to expect from local partnerships.
- NSPCC guidance on the stages of normal sexual behaviour: <https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/healthy-sexual-behaviourchildren-young-people/>
- NSPCC: <https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/harmfulsexualbehaviour/research-resources/>
- Brook Sexual Behaviours Traffic Light Tool: <https://www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool>
- Here is a Fair Access Panel Referral form to capture peer-on-peer abuse as a reason for a move or exclusion, and accompanying practitioner video.

## 2. Educating Staff and Students

- Serious Youth Violence – Home Office 'This is abuse campaign for Schools': [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/410010/2015-03-08\\_This\\_is\\_Abuse\\_campaign\\_summary\\_report\\_2\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/410010/2015-03-08_This_is_Abuse_campaign_summary_report_2_.pdf)
- New youth produced imagery guidance: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609874/6\\_2939\\_SP\\_NCA\\_Sexting\\_In\\_Schools\\_FINAL\\_Update\\_Jan17.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf)
- Anti-bullying guidance: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/623895/Preventing\\_and\\_tackling\\_bullying\\_advice.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/623895/Preventing_and_tackling_bullying_advice.pdf)
- Cyber bullying: <http://www.childnet.com/ufiles/Cyberbullying-guidance2.pdf>
- Learning project briefing on the role of Schools in preventing, and responding to, peer-on-peer abuse
- AVA Prevention platform has produced guidance for Schools on how to develop students' understanding and skills to prevent violence against women and girls (VAWG): <http://www.preventionplatform.co.uk/>
- Tender works with Schools providing educational programmes for Students and staff

training aimed at preventing domestic abuse and sexual violence and promoting healthy relationships based on equality and respect: <http://tender.org.uk/>

- Childnet: <http://www.childnet.com/resources/pshetoolkit>

### 3. Support and Interventions

- The charity, the Lucy Faithful Foundation (LFF), provides services to agencies working with Students and their families – for those with problematic sexual behaviour on the internet and in the ‘real world’:  
[http://www.lucyfaithfull.org.uk/files/inform\\_yp\\_agencies\\_leaflet.pdf](http://www.lucyfaithfull.org.uk/files/inform_yp_agencies_leaflet.pdf)
- LFF also provides information for parents and carers of children:  
[http://www.lucyfaithfull.org.uk/files/inform\\_yp\\_parents\\_leaflet.pdf](http://www.lucyfaithfull.org.uk/files/inform_yp_parents_leaflet.pdf)
- Red Balloon Learning Centres: <http://www.redballoonlearner.org/>
- Leap Confronting Conflict: <http://www.leapconfrontingconflict.org.uk/>
- Barnardo's:  
[https://www.barnardos.org.uk/what\\_we\\_do/our\\_work/sexual\\_exploitation/cse-professionals/csecan-you-see-it.htm](https://www.barnardos.org.uk/what_we_do/our_work/sexual_exploitation/cse-professionals/csecan-you-see-it.htm)

### 4. General

- Contextual Safeguarding Practitioners’ Network: [www.contextualsafeguarding.org.uk](http://www.contextualsafeguarding.org.uk)

## Appendix B: Protocols

### Refer

- Refer the matter as soon as possible and in any event within 24 hours, with all relevant details including records and evidence to the DSL/DDSL
- The DSL/DDSL will ask you for the key facts in the forms contained at the end of this policy
- A decision will then be made whether to refer further by the DSL/DDSL
- Records will be kept of the action taken and by whom.

If a student is in **immediate** danger or is at risk of harm, a referral should be made to children's social care and/or the police immediately. Anybody can make a referral in these circumstances.

All action is taken in accordance with the following guidance;

- Hertfordshire Children Safeguarding Board procedures
- Keeping Students Safe in Education (DfE, 2021)
- Working Together to Safeguard Students (DfE, 2019)
- PREVENT Duty - Counter-Terrorism and Security Act (HMG, 2015)

## Appendix C: Youth Produced Sexual Imagery Policy

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

This policy only covers the sharing of sexual imagery by children. Creating and sharing sexual photos and videos of under-18s is illegal, and therefore causes the greatest complexity for schools (amongst other agencies) when responding. It also presents a range of risks which need careful management.

On this basis, this policy introduces the phrase 'youth produced sexual imagery' and uses this instead of 'sexting'. This is to ensure clarity about the issues this advice addresses.

### 1. What is Youth Produced Sexual Imagery?

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

- 'Youth produced' includes students sharing images that they, or another child, have created of themselves.
- 'Sexual' is clearer than 'indecent'. A judgement of whether something is 'decent' is both a value judgement and dependent on context.
- 'Imagery' covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the policy).

#### 1.1 What Types of Incidents Are Covered By This Policy?

##### YES:

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

##### NO:

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

## 1. 2 Disclosure

Disclosure about youth produced sexual imagery can happen in a variety of ways. The child affected may inform a class teacher, the DSL in School, or any member of the School staff. They may report through an existing reporting structure, or a friend or parent may inform someone in school or colleague, or inform the police directly.

All members of staff (including non-teaching staff) should be aware of how to recognise and refer any disclosure of incidents involving youth produced sexual imagery. This will be covered within staff training and within the School's child protection policy.

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

## 1. 3 Handling Incidents

All incidents involving youth produced sexual imagery should be responded to in line with the School's Child Protection policy.

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

- The incident should be referred to the DSL as soon as possible.
- The DSL should hold an initial review meeting with appropriate School staff.
- The DSL will follow the procedures and guidance set out in *Sexting in schools and colleges: responding to incidents and safeguarding children*.
- There should be subsequent interviews with the students involved (if appropriate).
- Parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the child at risk of harm.
- At any point in the process if there is a concern a child has been harmed or is at risk of harm a referral should be made to children's social care and/or the police immediately.

## 1. 4 Education

Teaching about safeguarding issues in the classroom can prevent harm by providing students with skills, attributes and knowledge to help them navigate risks. The School will provide students with opportunities to learn about the issue of youth produced sexual imagery, as part of its commitment to ensure that they are taught about safeguarding, including online, through teaching and learning opportunities – as also referred to in the School's ICT Acceptable Use Policy.

## Appendix D: Risk Assessment Template

Where there has been a report of sexual violence, the DSL (or a deputy) should make an immediate risk and needs assessment, considering:

- The victim, especially their protection and support
- Whether there may have been other victims
- The alleged perpetrator(s)
- All other children at the school (and adult students and staff, if appropriate), especially any actions that are appropriate to protect them

Where there's been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis.

Record these risk assessments and keep them under review.

The DSL (or a deputy) will engage with children's social care and specialist services as required:

- Where there's been a report of sexual violence, your risk assessment will likely need input from social workers or sexual violence specialists within the school's local multi-agency safeguarding team
- The school will use any MAST assessments to inform your school's approach and update their own risk assessment accordingly. This is outlined in paragraphs 445 to 447 of KCSI

The following risk assessment can act as a template in these situations:

AREA OF RISK	CONSIDERATIONS	CHILD 'A'	CHILD 'B'	NOTES	ACTIONS
Details of the incident	<ul style="list-style-type: none"> <li>• How serious is the incident? Was it a crime?</li> <li>• Were there any other victims? [If yes, add extra columns for each other child]</li> </ul>			Use this column to record additional information that may be relevant	

Record details of the incident from the point of view of both children	<ul style="list-style-type: none"> <li>• 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)</li> <li>• How did the school find out about it? Was it reported directly or by someone else with knowledge of the incident?</li> <li>• Did the incident take place within an intimate relationship between the children?</li> <li>• Are there any related issues, including links to child sexual exploitation and child criminal exploitation?</li> </ul>			For example, previous, unrelated behaviour incidents	
Social risks	<ul style="list-style-type: none"> <li>• Do the children share a peer group? Are people in their friend group likely to take sides?</li> <li>• Do they both attend your school?</li> <li>• Do other people know about the incident? Do those people understand: <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> </li> <li>• Are they likely to be the subject of gossip, bullying or further harassment?</li> <li>• Have there been previous incidents of sexually inappropriate behaviour within their peer group(s)?</li> <li>• Do they risk being alienated from their friend group(s) as a result of this incident?</li> </ul>				
Physical risks	<ul style="list-style-type: none"> <li>• Do they feel, or continue to feel, physically threatened by the other child?</li> </ul>				

	<ul style="list-style-type: none"> <li>• 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?</li> <li>• Is either party at risk of physical harm as a result of this incident (for example, bullying or 'retribution' by peers)</li> <li>• Do they share classes/break times/etc.?</li> <li>• 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?</li> </ul>				
Environmental risks	<ul style="list-style-type: none"> <li>• Do they live in a home where violence or abuse has occurred?</li> <li>• Do they live in or near an area or location known to police to be high risk for sexual harassment or assault?</li> <li>• Are they active on social media? If so, how? Do they know how to protect themselves from online grooming?</li> <li>• What activities do they take part in outside of school?</li> <li>• Are parents clear about: <ul style="list-style-type: none"> <li>○ How the school (and partner agencies) are handling the incident?</li> <li>○ Confidentiality?</li> <li>○ The conduct expected of them while an investigation is ongoing?</li> </ul> </li> </ul>				

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