

Hart Primary School



Child on Child Abuse Policy

ADDENDUM to the Child Protection Policy

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Approved: NLLT Board and Local Governing Body

Signature Chair Local Governing Body: Date of

Renewal: Autumn 2023

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Child-on-Child Abuse Policy

Introduction

Keeping Children Safe in Education 2022 states that *‘Governing Bodies and Proprietors should ensure they facilitate a whole school approach to safeguarding. This means involving everyone in the school, and ensuring safeguarding and child protection are at the forefront and underpin all relevant aspects of process and policy development. Ultimately, all systems, processes and policies should operate with the **best interests** of the child at their heart.’* Furthermore, *‘Where there is a safeguarding concern, Governing Bodies, Proprietors and school leaders should ensure the child’s wishes and feelings are taken into account when determining what action to take and what services to provide. The school safeguarding policies and procedures should be transparent, clear and easy to understand for staff, pupils, students, parents and carers. Systems should be in place, and they should be well promoted, easily understood and easily accessible for children to confidently report, any form of abuse, exploitation or neglect, knowing their concerns will be treated seriously, and knowing they can safely express their views and give feedback.’*

All staff are aware that children can abuse other children (child-on-child abuse) and that it can happen both inside and outside of school and online (extra familial harm). It is important that all staff recognise indicators and signs of child-on-child abuse and know how to identify it and respond to reports.

All staff understand that even if there are no reports of this type of harm, it does not mean it is not happening, it may be the case that it is just not being reported. As such, it is important that if staff have any concerns regarding child-on-child abuse they will speak to their Designated Safeguarding Lead (or Deputy).

This means that ALL staff will take a ‘zero-tolerance’ approach to any unacceptable behaviour including ‘banter’ and will seek to prevent, challenge and take action so that all children understand that any concerns regarding their welfare and safety will be taken seriously. This will encourage and promote a culture of acceptable behaviour and a safe educational environment for all children.

All staff must ensure that they reassure any victims that they are being taken seriously and that they will be supported and kept safe. No victim should ever be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment. Nor should they ever be made to feel ashamed for making a report.

Child-on-child abuse is most likely to include, but may not be limited to:

- bullying (including online bullying, prejudice-based and discriminatory bullying);
- Hate incidents and hate crimes which may also include an online element
- abuse in intimate personal relationships between children (sometimes known as teenage relationship abuse);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- Racism
- Initiation type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).
- Harmful sexual behaviour (HSB) which is developmentally inappropriate sexual behaviour which is displayed by children and young people which is harmful or abusive. HSB can occur online and/or face to face, and can also occur simultaneously between the two – and includes, for example:
 - sexual violence such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence); and 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;
 - sexual harassment such as sexual comments, remarks, jokes and online sexual harassment which may be stand-alone or part of a broader pattern of abuse; and
 - Upskirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm
 - online sexual harassment this may be stand-alone or part of a wider pattern of sexual violence and/or harassment. It may include; consensual and non-consensual sharing of nudes and semi-nudes images and or videos (also known as sexting or youth produced sexual imagery); sharing of unwanted explicit content, sexualised online bullying, unwanted sexual comments and messages, including on social media, sexual exploitation, coercion and threats, and coercing others into sharing images of themselves or performing acts they are not comfortable with online.

(Farrer and Co, 2022).

At Hart Primary School we are committed to the prevention, early identification and appropriate management of child-on-child abuse. We hold the ethos of 'it could happen here' and all staff are aware that it is everyone's responsibility.

This policy will be updated annually.

Purpose and Aim

'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 other children, parents or adults in the community, prior to their abuse of another child/other children. (Farrer and Farrer, 2022)

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

This policy should be read in conjunction with the Child Protection Policy.

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 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 2022 through ensuring procedures are in place in school to hear the voice of the child and to be mindful of the contexts children live in.

At Hart Primary School we are committed to the following described preventative strategies to protect and support children from child-on-child abuse.

Preventative Strategies for Schools

Recognition

At Hart Primary School we have appropriate strategies in place in order to prevent the issue of child-on-child abuse rather than responding reactively.

At Hart Primary School we recognise that child-on-child abuse can and will occur on any site even with the most stringent of policies and support mechanisms and that even if incidents are not being reported it does not mean that they are not happening. 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 children to talk about any issues and through sharing information with all staff. All staff are also aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. (KCSIE, 2022).

School Culture and Ethos and 'Zero-Tolerance' Approach

In Hart Primary School we take a 'zero-tolerance' approach to abuse, harm or bullying between children. It is made clear that sexual violence and sexual harassment is never acceptable and it will not be tolerated and never passed off as 'banter', 'just having a laugh', 'as part of growing up' or 'boys being boys', as failure to do so can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Therefore, in school, we recognise, acknowledge and understand the scale of harassment and abuse. This means that all staff at Hart Primary will challenge any form of behaviour both on or off line, from language and comments to physical behaviour. All staff will also ensure that any information is shared directly with the Designated Safeguarding Lead (or Deputies) and recorded factually and accurately as soon as possible so that any action required to prevent further incidents occurs immediately.

A whole school approach is taken as part of our preventative education. (Keeping Children Safe in Education 2022, Part 5)

A Safe Environment to Share Concerns Alongside a Positive Curriculum

It is therefore important that in school we have an open environment where children feel safe to share information about anything that is upsetting or worrying them. This is strengthened through a strong and positive PHSE/SMSC/RSE curriculum that tackles such issues as prejudiced-based and discriminatory behaviour and gives children an open forum to talk things through rather than seek one on one opportunities to be harmful to one another. Our curriculum is tailored to the specific needs and vulnerabilities of individual children, including children who are victims of abuse and children with special educational needs or disabilities.

All staff are aware that children may not feel ready, or know how, to tell someone that they are being abused, exploited, or neglected and they may not recognise their experiences as harmful. E.g., children may feel embarrassed, humiliated, or threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This will not prevent staff from having professional curiosity and speaking to the DSL (or Deputy) if they have concerns about a child.

To enable such an open and honest environment we ensure that the Local Governing Bodies feel confident that the whole workforce are supported and enabled to talk about issues and challenge perceptions of children including use of inappropriate language and behaviour towards one another. Hart Primary has created such an environment, through whole staff training and CPD around abusive behaviours and talking to children in a way that continues to create an open and honest environment without prejudice. This is in line with school's legal obligations under the Human Rights Act 1998, the Equality Act 2010 (including the Public Sector Equality Duty) and local multi-agency safeguarding arrangements.

All our staff are aware that technology is a significant component in many safeguarding and well-being issues. Children can also abuse other children online, this can take the form of many forms of abuse such as; abusive, harassing, the non-consensual sharing of indecent images, especially around chat groups and the sharing of abusive images and pornography, to those who do not want to receive such content. (KCSIE, 2022)

At Hart Primary School we deliver online safety through the curriculum and we have an Online Safety/Acceptable Use Policy.

Signposting

Although every effort is made for children to have a variety of opportunities to seek support and advice, signposting is available to children in the event that they don't feel confident raising an issue directly to staff or a peer. We have displayed the phone number for NSPCC across school.

Forums for Children to Make Changes/Have Their Voice Heard

We recognise and understand that children are part of changing their circumstances and that of the procedures within school. At Hart Primary School we have a school council where we encourage pupil voice and encourage children to support changes and develop 'rules of acceptable behaviour' this helps to create a positive ethos in school and one where all children understand the boundaries of behaviour before it becomes abusive. In school, children are able to effectively communicate how to improve the school's culture and ethos around acceptable behaviour so that they feel confident and empowered to identify unacceptable behaviours that can be dealt with accordingly and in the longer term eradicated. This will be strengthened through our Junior Leadership Team and members of the Trust wide Pupil Parliament.

Partnership Working

Multi agency working consolidate in house procedures in school. By accessing advice, support and guidance, effective decisions can be made in collaboration to improve outcomes for children who may be at risk of harm. Seeking advice and guidance can act as a preventative measure so that the right course of action is taken at the earliest opportunity. It is also necessary that we actively refer concerns/allegations of child-on-child abuse where necessary to Local Authority Children's Social Care and the police where appropriate. This is particularly important because child-on-child abuse can be a complex issue, and even more so where wider safeguarding concerns exist. (Farrer and Co. 2022).

We recognise that schools which excel at tackling bullying (child-on-child abuse) have created an ethos of good behaviour where pupils treat one another and the school staff with respect because they know that this is the right way to behave. Values of

respect for staff and other pupils, an understanding of the value of education, and a clear understanding of how our actions affect others permeate the whole school environment and are reinforced by staff and older pupils who set a good example to the rest. We fully believe this is the ethos and culture at Hart primary School.

Children with Special Educational Needs

Children with special educational needs or disabilities (SEND) or certain health conditions can face additional safeguarding challenges. These can include:

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

Staff are fully aware of the potential vulnerabilities of SEND pupils and are vigilant in their care.

(KCSIE, 2022)

OTHER ASPECTS for knowledge, information and understanding:

Children Who Are Lesbian, Gay, Bi or Trans (LGBT)

Children who are LGBT can be targeted by other children and risks can be compounded where children who identify as LGBT lack a trusted adult with whom they can be open. As part of the ethos and culture within school children know that they can share with a trusted adult in a safe space. (KCSIE 2022).

Intersectionality

Intersectionality is the recognition that people's experiences are shaped by their multi-layered identities. A person's interactions with the world are shaped by their ethnicity, age, gender, sexuality, class and abilities, and these aspects of a person's identity interrelate. Someone may experience racism, sexism and ageism collectively or individually at different times and in different environments. The effect of a child's experiences may influence whether he/she is comfortable accessing support if they are a victim of child-on-child abuse (Farrer and Co, 2022)

Adultification

This is a form of racial prejudice in which children from minoritised groups are treated as more mature than they actually are by a reasonable social standard of development. This may lead to failure to recognise victims of child-on-child abuse and to respond appropriately to the experiences of children from minoritised ethnic groups. Whilst adultification can impact all children in certain ways it is important that there is an acknowledgement that it specifically affects Black children. (Farrer and Co, 2022)

At Hart Primary School the specific needs of all our children will be considered and supported in all incidents.

Types of Abuse

There are many forms of abuse that may occur between children and this list is not exhaustive. Each form of abuse or prejudiced behaviour is described in detail below followed by advice and support on actions to be taken.

Bullying (including Cyberbullying, Prejudice-Based and Discriminatory 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 behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is can be 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.

Low-level disruption and the use of offensive language can in itself have a significant impact on its target. If left unchallenged or dismissed it can also lead to reluctance to report other behaviour.

Online/Cyber- Bullying

Online/Cyber- bullying 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. Many children have unlimited and unrestricted access to the internet via mobile phone networks (i.e. 3G, 4G and 5G). . (KCSIE, 2022)

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.

Prejudiced-Based and Discriminatory Bullying (including hate incidents and hate crimes which may also include an online element)

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 (homosexual, bisexual, transsexual). This can also be described as a hate incident or crime.

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 child has engaged in such behaviour, including accidentally before considering the action or punishment to be undertaken.

Racism

Racism occurs when a person is treated less favourably because of their skin colour, nationality, ethnicity, or cultural group. Racist behaviour can include verbal abuse, physical attacks, exclusion from activities or opportunities and microaggressions, which can be conscious and unconscious. It can occur in person or online

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. It can include activities involving harassment, abuse, or humiliation used as a way of initiating a person into a group and may also include an online element.

Sexual Violence

Sexual violence refers 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. (Sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent, or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)

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. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

What is consent? Consent 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.

- 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

Sexual Harassment

Sexual harassment means 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school/college. In referencing sexual harassment, it is in the context of child-on-child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment (KCSIE 2022).

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;
- Physical behaviour, such as; deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature;
- Displaying pictures, photos or drawings of a sexual nature
- Upskirting (this is a criminal offence)
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

It may include:

- Consensual and non-consensual sharing of nude and semi-nude images and videos;
- Sharing of unwanted explicit content
- Sexualised online bullying;
- Unwanted sexual comments and messages, including, on social media;
- Sexual exploitation; coercion and threats and;
- Coercing others into sharing images of themselves or, performing acts they're not comfortable with online.

Sexual violence and sexual harassment can occur between two children of any age and sex from primary through to secondary stage and college. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. 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. Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school or college. Safeguarding incidents and/or behaviours can be associated by factors outside the school, including intimate

personal relationships. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. 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. Staff should be aware that it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys (KCSIE, 2022).

Upskirting

'Upskirting' typically involves taking a picture under a person's clothing without them knowing, 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.

Online Sexual Harassment including Consensual and Non-Consensual Sharing of Nudes and Semi-Nudes Images and/or Videos

This is also known as sexting or youth produced sexual imagery. 'Youth Involved/Produced' includes children sharing images that they, or another child, have created themselves.

'Imagery' covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the policy).

Sexting (more commonly known as) is when someone sends or receives a sexually explicit text, image or video. This includes sending 'nude pics', 'rude pics' or 'nude selfies'. Pressuring someone into sending a nude picture can occur in any relationship, to anyone, whatever their age, gender or sexual preference.

However, once the image is taken and sent, the sender has lost control of the image and these images could end up anywhere. By having in their possession, or distributing, indecent images of a person under 18 on to someone else, children are not even aware that they could be breaking the law as stated as these are offences under the Sexual Offences Act 2003.

Harmful Sexual Behaviour

Children's sexual behaviour exists on a wide continuum, 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. The umbrella term is 'harmful sexual behaviour' (HSB). Harmful Sexual Behaviour can occur online and/or face to face and can also occur simultaneously between the two.

When considering Harmful Sexual Behaviour, ages and stages of development of children are critical factors. Sexual behaviour between children can be considered

harmful if one of the children is much older, particularly if there is more than two years difference or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them, e.g., the child is disabled, or smaller in stature.

Harmful sexual behaviour from children is not always contrived or with the intent to harm others. There may be many reasons why a child engages in harmful sexual behaviour and it may be just as distressing to the child who instigates it as well as the child it is intended towards. Harmful sexual behaviour may range from inappropriate sexual language, inappropriate role play, to sexually touching another, sexual assault, rape or abuse.

Action that will be taken by all staff

All staff at Hart Primary School will be vigilant to the well-being of our children and to signs of abuse. We will engage with these signs, as appropriate, to determine whether they are caused by child-on-child abuse. However, staff will be mindful of the fact that the way(s) in which children will disclose or present with behaviour(s) as a result of their experiences will differ (Farrer and Co. 2022).

This will be done through:

- All staff will reassure victims that they are being taken seriously and that they will be supported and kept safe. We recognise it is important for all staff to deal with a situation of child-on-child abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get a true, accurate account of the facts around what has happened, so that nothing is forgotten. It is equally important to deal with it sensitively and confidentially and think about the language used and the impact of that language on both the children and the parents when they become involved.
- Staff will also be mindful that wider safeguarding concerns may influence the child's account of the event(s). Alongside this peer pressure and the impact of sharing information about the incident(s) may also influence a child's account.

Gather the Facts

In cases specifically relating to sexual violence and sexual harassment, part 5 of Keeping Children Safe in Education, 2022 states that two members of staff (preferably one being the Designated Safeguarding Lead) should be present to manage the report. We will adhere where possible to this.

Staff will not view or forward illegal images of a child and instead confiscate any devices to preserve any evidence and hand them to police for inspection. All our staff are aware of the requirement for children to have an Appropriate Adult (PACE Code C 2019) particularly when multi agency partners such as Local Authority Children's Social Care or the Police have to interview the child.

The most appropriate member of staff with the best relationship with the child will be the person alongside the child who wishes to disclose wherever possible. However,

our staff are aware that children may choose to disclose to any member of staff that they feel most comfortable. A full and clear record of exactly what the child has said in their own language should be made (and no individual interpretation of the facts made which could impact on the disclosure) after the child has finished the disclosure, so the child feels listened to.

Next Course of Action

If from the information that we gather we believe any child to be at risk of significant harm, a safeguarding referral to Local Authority Children's Social Care will be made immediately (where a crime has been committed the police will be involved also).

If Local Authority Children's Social Care and the police intend to pursue this further, we understand that they may ask to interview the children in school or they may ask for parents to come to school to be spoken to also. We are prepared for every situation and the potential time it may take.

Confidentiality and Anonymity

Any staff member taking a report should never promise confidentiality as it is very likely that it will be in the best interest of the victim to seek advice and guidance from others in order to provide support and engage appropriate agencies. Ultimately, the Designated Safeguarding Lead (or a deputy) will have to balance the victims wishes against their duty to protect the victim and other children.

Informing Parents

If, once appropriate advice has been sought from police/Local Authority Children's Social Care school have agreement to inform parents or have been allocated that role from the other services involved then parents will be informed as soon as possible. If services are not going to be involved then equally, this information may need to be shared with parents. Parents would not be informed if by doing so the child was put at further risk of significant harm.

The best way to inform parents is face to face and as a school we will endeavour to do this in a sensitive manner.

Points to Consider (Risk Assessment):

As a school we will take the following into account:

The Wishes and Feelings of the Victim

It is important to understand the next steps and how the victim wants to proceed to allow as much control as is reasonably possible over the decisions regarding how any investigation will be progressed. (This may be done alongside other agencies and parents/carers)

The Nature of the Alleged Incident

This includes consideration as to whether a crime may have been committed and/or whether Harmful Sexual Behaviour has been displayed.

What is the Age and Development of the Children Involved?

How old are the children 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. Any imbalance of power and control must be considered.

Are There Any Additional Vulnerabilities inclusive of any minoritised children?

Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers. Therefore, care must be taken to ascertain any changes in mood or behaviour without attributing that to the child's condition. Every effort must be made to overcome barriers to communication and ensure the voice of the child is heard. This includes any child that may be minoritised due to their life circumstances.

Where Did the Incident or Incidents Take Place?

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

What Was the Explanation by all Children Involved of What Occurred?

Can each of the children give the same explanation of the incident and also what is the effect on the children involved? Is the incident seen to be bullying for example, in which case regular and repetitive? Is the version of one child different from another and why?

What is Each of the Children's Own Understanding of What Occurred?

Do the children 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 child'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 child have understanding of the impact of their behaviour on the other child?

In dealing with an incident of this nature the answers are not always clear cut. If school are concerned or unsure as to whether or not there is any risk involved, advice will be sought immediately from Local Authority Children's Social Care.

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?

Ongoing Risks

Are there any ongoing risks to the victim, other children, adult students or school, college or other setting staff?

Contextual Safeguarding/Extra Familial Harm

Is there any other related or wider context involving the child, including any links to child sexual exploitation or child criminal exploitation?

Risk Assessment from KCSIE, 2022 (all risk assessments should consider:)

- The victim, especially their protection and support
- Whether there may have been other victims
- The alleged perpetrator
- All the other children at the school or college, especially any actions that are appropriate to protect them from the alleged perpetrators or from future harms and
- The time and location of the incident, and any action required to make the location safer.

Outcomes

The outcome of the investigation will follow local threshold guidance and safeguarding procedures.

We have a duty of care to manage the education needs of both children in which case a risk assessment plan may be needed irrespective of the outcome.

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.

For the Child Who Has Been Harmed (Victim)

Victims may not display the whole picture immediately. It is essential that dialogue is kept open and encouraged. Children who have experienced sexual violence display a wide range of responses to their experience, including, in some cases, clear signs of trauma, physical and emotional responses, or no overt signs at all. Therefore, we will remain alert to the possible challenges of detecting those signs and show sensitivity to the needs of the child irrespective of how overt the child's distress is.

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.

If the child feels particularly vulnerable it may be that a risk assessment/safety plan 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 Child Who Has Displayed Harmful Behaviour (Alleged Perpetrator)

In this circumstance it is important to find out why the child has behaved in such a way. It may be that the child 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 an early help referral and the child may require additional support from family members.

Once the support required to meet the individual needs of the child has been met, it is important that child receives a consequence for their behaviour. This may be in the form of restorative justice e.g., making amends with the child they have targeted if this has been some form of bullying. In the cases of harmful sexual behaviour it may be a requirement for the child 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).

Even following the conclusion of any investigation, the behaviour that the child 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 child and the risks towards others are measured by all of those agencies involved including the child and their parents. This may mean additional supervision of the child or protective strategies if the child feels at risk of engaging in further inappropriate or harmful behaviour.

Record-Keeping

Hart Primary School arrangements are in place that set out clearly the processes and principles for sharing information within school and with local authority children's social care, the safeguarding partners and other organisations, agencies, and practitioners as required. Information will be shared as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or where a child is already known to the local authority children's social care. The Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR) place duties on schools and to process personal information fairly and lawfully and to keep the information they hold safe and secure. Under the Data Protection Law, legitimate safeguarding concerns about a child allow school and professionals to record, share and retain even the most sensitive personal data as necessary to support school policies (even when it is not feasible to obtain consent. (Farrer and Co, 2022)

After Care

It is important that following the incident the children 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. In which case, regular reviews with the children following the incident(s) are imperative.

Safety Planning

Safety planning is a positive way of supporting a child who may benefit from a planned approach; this may be either the alleged victim or the alleged perpetrator. Safety plans support the child by considering the behaviours that may be risky and plan ways to

manage triggers and to seek support from adults and peers. They are inclusive of parents and staff and are a planned intervention to support children in feeling secure in the school, helping children identify behaviours that may leave them feeling anxious or at risk and have strategies that they can apply to keep themselves feeling safe. The language of safety planning is more positive than risk assessment and can give security to the child that a joined up approach is being followed by us as a school.

Consequences

Applying consequences and still providing support are not mutually exclusive actions. In some circumstances, the school may need to consider whether consequences may be appropriate for any child/children involved – any such action should address the abuse, the causes of it, and attitudes underlying it. However, these considerations must be balanced against the child's/children's own potential unmet needs and any safeguarding concerns. Before deciding on appropriate action school will always consider its duty to safeguard all children from harm; the underlying reasons for a child's behaviour; any unmet needs, or harm or abuse suffered by the child; the risk that the child may pose to other children; and the severity of the child-on-child abuse and the causes of it.

Review of Circumstances

Following any incident of harm, school will consider if anything could have been done differently. This will be acted upon and used as a learning review to improve.

This policy has been heavily supported by the key document:

Farrer and Co: Peer on Peer Abuse Toolkit 2022.

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/addressing-child-on-child-abuse.pdf>

This policy should be read in conjunction with:

Hart Primary School Child Protection Policy 2022 and the local safeguarding partnership arrangements.

Other supporting documents used:

DFE: Keeping Children Safe in Education September 2022

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

DFE: Preventing and Tackling Bullying: Advice for headteachers, staff and governing bodies. July 2017

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/623895/Preventing_and_tackling_bullying_advice.pdf

Working Together to Safeguard Children, 2018

<https://www.gov.uk/government/publications/working-together-to-safeguard-children-2>

Sharing nudes and semi nudes: advice for education settings working with children and young people, December 2020

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf