



CHILD ON CHILD ABUSE/SEXUAL HARASSMENT AND VIOLENCE POLICY

This policy is available on our school website and is available on request from the school office.

Date written: October 2023

Date of next review: October 2024

Member of Staff Responsible: Designated Safeguarding Lead - S Palmer

This policy will be reviewed at least annually and/or following any updates to national and local guidance and procedures

Signed:

Luke Geary (Chair of Governors)

Date: 04/02/2024

INTRODUCTION

The Academy of Woodlands recognises that children and young people are vulnerable to and capable of abusing their peers.

All staff understand that even if there are no reports in the school, it does not mean it is not happening, it may be the case that it is just not being reported. Any incidents of alleged or suspected abuse by children or young people will be taken seriously and reported to the safeguarding leads immediately. This includes verbal as well as physical abuse. All staff advised to maintain an attitude of 'it could happen here', and this is especially important when considering child-on-child abuse.

The Academy of Woodlands has a zero-tolerance approach to abuse, and it should never be passed off as "banter", "just having a laugh", "part of growing up" or "boys being boys" as this can lead to a culture of unacceptable behaviours and an unsafe environment for children.

We are committed to a whole school approach to ensure the prevention, early identification and appropriate management of child-on-child abuse within our school and beyond.

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

- bullying (including cyberbullying, prejudice-based and discriminatory bullying) All allegations of verbal abuse will be investigated and dealt with appropriately and must not be tolerated or passed off as 'banter' or 'part of growing up';
- 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)
- Sexual violence and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence)
- sexual harassment such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse
- abuse in intimate personal relationships between children (sometimes known as 'teenage relationship abuse')
- Via the use of ICT e.g. sexting, 'revenge pornography' -staff should be particularly mindful of the potential for the misuse of information technology for bullying and abusive purposes;
- Grooming by peers as part of child sexual exploitation;
- Abuse linked to gang-related activity or initiation-type violence/rituals.
- Upskirting which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm
- Initiation/hazing 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)
- consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery)

Research indicates that children with SEN, additional or complex needs are particularly vulnerable. All staff should be mindful of the added vulnerability of children and young people who have been the victims of violent crime, including the risk that they may respond to this by abusing younger or weaker children. Some of these behaviours will need to be handled with reference to other policies in school such as the behaviour policy, anti-bullying policy,

Safeguarding policy and online safety policy. This policy concentrates on child-on-child abuse in the context of sexual harassment and sexual violence. It is compliant with the statutory guidance on child-on-child abuse as set out in Keeping Children Safe in Education (September 2023) and has been developed alongside the DfE guidance 'Sexual Violence and Sexual Harassment between Children in Schools and Colleges' (published May 2018)

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Education Act 1996
- Equality Act 2010
- The Education (Pupil Registration) (England) Regulations 2006 (as amended)
- DfE (2020) 'School attendance'
- DfE (2016) 'Children missing education'
- DfE (2023) 'Keeping children safe in education'
- DfE (2021) Improving School Attendance support for schools and local authorities

This policy operates in conjunction with the following school policies:

- Complaints Procedures Policy
- Child Protection and Safeguarding Policy
- Behaviour Policy

This policy operates in conjunction with the following Medway LA policy

- Medway Children Missing Education Policy 2019

AIMS

The policy will:

- Set out our strategies for preventing, identifying and managing child-on-child abuse
- Take a contextual approach to safeguarding all children and young people involved
- Acknowledge that children who have allegedly abused their peers or displayed harmful sexual behaviour are themselves vulnerable and may have been abused by peer (child), parents or adults in the community.

CONTEXT

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

Grabbing breasts, bottoms and genitalia are potentially criminal in nature. 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. LGBT Young People are vulnerable, as well as children with special educational needs and disabilities (SEND) being three times more likely to be abused than their peers.

The impact of this behaviour on children can be very distressing and have an impact on academic achievement and emotional health and wellbeing. All victims should be taken seriously. It is not just part of growing up. It is not banter, just having a laugh or boys being boys.

Sexual Violence

When referring to sexual violence, we are referring to sexual offences under the Sexual Offences Act 2003¹³ 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 Harassment

Whilst not intended to be an exhaustive list, sexual harassment can include:

- Sexual comments, such as: telling sexual stories
- Upskirting
- 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
- Displaying pictures, photos or drawings of a sexual nature;
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.
- Non-consensual sharing of sexual images and videos.
- Sexualised online bullying;
- Unwanted sexual comments and messages, including, on social media;
- Sexual exploitation; coercion and threats

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.

In this policy we recognise the importance of distinguishing between problematic and abusive sexual behaviour (Harmful Sexual Behaviour HSB). We are adopting the NSPCC definition of HSB 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."

We will also use the Brook Traffic Lights Tool <https://www.brook.org.uk> and the Hacketts Continuum [Responding to children who display sexualised behaviour \(nspcc.org.uk\)](https://www.nspcc.org.uk) to support our judgements. Hacketts continuum can be found in Appendix 1.

VULNERABLE GROUPS

We recognise that all children and young people can be at risk however we acknowledge that some groups are more vulnerable due to:

- experience of abuse within their family;
- living with domestic violence;
- young people in care;
- children who go missing;
- children with additional needs (SEN and/or disabilities);
- children who identify or are perceived as LGBT and/or have other protected characteristics under the Equalities Act 2010.

Whilst research tells us girls are more frequently identified as being abused by their peers (children) and, girls are more likely to experience unwanted sexual touching in schools, this is not confined to girls. Boys are less likely to report intimate relationship abuse and may display other behaviour such as antisocial behaviour. Boys report high levels of victimisation in areas where they are affected by gangs. We recognise that both boys and girls experience child on child abuse, but they do so in gendered ways.

All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

RESPONDING TO ALLEGED INCIDENTS /REPORTS OF SEXUAL VIOLENCE AND HARASSMENT

The immediate response to a report:

- The school will take all reports seriously and will reassure the victim that they will be supported and kept safe
- All staff will be trained to manage a report
- Staff will not promise confidentiality as the concern will need to be shared further (for example, with the designated safeguarding lead or social care) staff will however, only share the report with those people who are necessary to progress it.
- A written report will be made on MyConcern as soon after the interview as possible, recording the facts as presented by the child. These may be used as part of a statutory assessment if the case is escalated later.
- Where the report includes an online element, the school will follow advice on searching, screening and confiscation. The staff will not view or forward images unless unavoidable and only if another member of staff (preferably the DSL) is present.
- The DSL will be informed as soon as possible

Responding to Allegations of Child on Child Abuse

The school recognises the need for sensitivity and proportionality when dealing with these difficult issues. The following general rules will apply to their management:

- The safeguarding leads will seek appropriate and timely advice wherever necessary and contact Medway Children's Safeguarding Partnership where there are concerns, or the equivalent, if the child lives in a different Local Authority. The safety and best interests of victim(s) will be the paramount consideration at all times. The safeguarding leads will also consider the possibility and take account of any wider and / or ongoing risk(s) to others
- The needs of the victim and the needs of the alleged perpetrator will be considered separately.
- In addition to safeguarding the identified victim, the school will consider (i) whether the alleged perpetrator seems to pose a risk to any other learners; and (ii) how best to manage that risk;
- Children and young people who abuse others are responsible for their abusive behaviour, and safeguarding action must include addressing their behaviour and its causes;
- The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other children and young people;
- Where necessary, the school will participate fully in a co-ordinated approach by child welfare/ protection, youth offending, education and health agencies.

Action following a report sexual violence and/or sexual harassment

Reports of sexual violence or harassment are often particularly complex and difficult and so the DSL will always look to talk through any cases such as this with Medway social services.

In cases where a crime has been committed the DSL will also contact the police.

Within the school, a disclosure of sexual violence or harassment will be treated like any other safeguarding disclosure and in addition in this case it is also essential to emphasise to the victim and reassure them that they are being taken seriously, they are being supported and will be kept safe.

One important point to emphasise is that in cases where illegal images of a child or young person have been taken and/or circulated the teacher should be careful not to view or forward these images but to retain the device the pictures are on for external agencies.

A victim should never be given the impression that they are creating a problem by reporting sexual violence or harassment and they should certainly not be made to feel ashamed by making a report. The school will also offer counselling to the victim. If an allegation does go through the criminal justice system, there will be anonymity offered in the legal system, and The Academy of Woodlands will do all it can to reasonably protect the anonymity of any children involved in a report of sexual violence or harassment.

As ever with safeguarding, only appropriate and relevant staff will be informed about the

report.

The Lead DSL's (Headteacher or Deputy Headteacher) will normally be the person to decide on the School's response to a report of sexual violence or harassment. In all cases, the initial report will be carefully evaluated.

The School's approach will consider:

- The wishes of the victim on how to proceed where possible. Victims should be given as much control as reasonably possible over how the investigation will proceed and what support is offered to them;
- The nature of the alleged incident;
- The ages and developmental stages of the children involved. In particular, if there are any power imbalances for instance if an older child is the perpetrator;
- If this is a one-off incident or part of a pattern;
- Any ongoing risks to the children involved including the wider protection of all the learners in The Academy of Woodlands;
- Wider environmental factors where incidents or behaviour is associated with issues outside school and environmental factors are present that are a threat to the one or more of the children's health or welfare. This contextual understanding can be very important if a safeguarding referral is made.

Given the distress caused by potential close proximity of a victim and an alleged perpetrator at school, the alleged perpetrator will be removed immediately from any classes they share with the victim. Risk assessments should be updated as appropriate. Separation is done to support both learners and is not a judgement on the guilt of the alleged perpetrator. More widely, the DSL will look to see how the learners involved can be kept a reasonable distance apart outside while the facts of the case are established either by school or social services or the police.

If a criminal investigation leads to a conviction or caution, The Academy of Woodlands will then take disciplinary action. In most situations like this, the incident would be a serious breach of discipline and lead to the view that allowing the perpetrator to remain at The Academy of Woodlands would seriously harm the education and welfare of the victim. Above and beyond this, behaviour of this sort would lead to a consideration of permanent exclusion. The DSL will record decisions made on MyConcern both to record the events and explain decision making.

Decisions regarding safeguarding support for the victim should be based on the following principles:

- As above, the needs and wishes of the victim should be paramount within the context of protecting the child. Wherever possible the victim should be able to continue with their normal routine so that The Academy of Woodlands remains a safe place for them.
- Also, as above, consider the age and developmental stage of the victim, especially as there will often be a power/age imbalance between the victim and alleged perpetrator.
- Support should be on a case-by-case basis so that there is a proportionality to the school response as well as effective support for the victim.

Decisions regarding safeguarding support for the perpetrator should be based on the following principles:

- While needing to safeguard the victim and wider student body, the alleged perpetrator will also need support and they should be provided with education, ongoing safeguarding support and information about any disciplinary sanctions.
- Consideration of the developmental stage and age of the alleged perpetrator. Schools should be aware of their obligations under the Human Rights Act [HRA 1998] and the

Equality Act 2010.

Physical Abuse

While a clear focus of child on child abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals from pupils to pupils can also be abusive. These are equally not tolerated and if it is believed that a crime has been committed, will be reported to the police. The principles from the Trust anti-bullying policy will be applied in these cases, with recognition that any police investigation will need to take priority.

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 (Appendix 1) 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 (child) group
- is problematic and concerning
- involves any overt elements of victimisation or discrimination e.g. related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability
- involves an element of coercion or pre-planning
- involves a power imbalance between the child/children allegedly responsible for the behaviour
- involves a misuse of power

Online Behaviour

Many forms of child on child abuse have an element of online behaviour including behaviours such as cyberbullying and sexting. Policies and procedures concerning this type of behaviour can be found in the online safety policy, and Safeguarding policy.

PREVENTION

As a school, we recognise that it is not enough 'just' to respond to incidents should they arise.

Therefore, we actively seek to raise awareness of and minimise the possibility of child on child abuse by:

- Creating and maintaining an environment which is safe, caring, respectful and stimulating, and which seeks to promote the social, physical and moral development of all of our pupils;
- Actively discouraging and challenging all unacceptable behaviour, including all forms of bullying and abuse. We will also challenge the attitudes and behaviours which underpin it;
- Strike an appropriate balance between pupil's right to privacy and the need for proportionate supervision to keep them safe in and around school;
- Have in place clear strategies for promoting positive behaviour, including a system of rewards and sanctions that is clear to staff, pupils and parents/carers;
- Maximise opportunities within the curriculum, via PSHE and RSE, assemblies and focused workshops to deliver key keeping safe and associated behavioural, spiritual, moral, social and cultural messages - including the use of external resources and the expertise of external speakers and groups;
- Ensuring that all adults associated with our school understand their role and responsibilities as role models;

- Ensuring that staff and any volunteers are trained to look for and respond appropriately to any potential indicators of child on child abuse.
- Seeking appropriate and timely advice where uncertainty exists and / or concerns arise.
- Ensuring that children, and parents/carers know how to raise any worries or concerns with adults / staff in school and by signposting them to appropriate sources of advice and support outside school.

MUTLI-AGENCY WORKING

The Academy of Woodlands actively engages with its local partners in relation to Child on Child abuse, and works closely with Medway Safeguarding Children Partnership (MSCP), Medway Multi-Agency Safeguarding Hub (MASH), 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 child on child 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 pupils can access the range of services and support they need quickly; (c) To support and help inform our local community's response to child on child 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 learners.

The School actively refers concerns/allegations of child on child abuse where necessary to Medway MASH children's social care, and/or other relevant agencies. Children resident out of county but attending The Academy of Woodlands will be reported to their home MASH or equivalent Social Care. In cases involving children who are subject to risk, harm and abuse and who have LAC status, the children's social worker will be informed immediately and a coordinated approach to address any incidents or concerns will be required.

Appendix 1

Hacketts continuum

Responding to children who display sexualised behaviour

It's important to be able to distinguish developmentally typical sexual behaviours from those that may be problematic or harmful, and make sure children get appropriate support. Always consider the child's holistic needs and safeguarding concerns alongside any sexualised behaviour and follow due procedures accordingly. This guide is a tool to support objective decision making about a child or young person's sexual behaviour and does not replace professional judgement or policy and legislation. Visit nspcc.org.uk/hsb for more information.

Need advice?

Contact our helpline for advice and support:

- Call **0808 800 5000**
- Email help@nspcc.org.uk
- Visit nspcc.org.uk/helpline

Childline

For children who need further support our free, confidential helpline is available 24/7:

- Call **0800 1111**
- Visit childline.org.uk

Developmentally typical		Problematic		Harmful	
Hackett Continuum					
Normal	Inappropriate	Problematic	Abusive	Violent	
<ul style="list-style-type: none">• Developmentally expected and socially acceptable behaviour• Consensual, mutual and reciprocal• Decision making is shared	<ul style="list-style-type: none">• Single instances of developmentally inappropriate sexual behaviour• Behaviour that may be socially acceptable within a peer group but not in wider society• May involve an inappropriate context for behaviour that would otherwise be considered normal	<ul style="list-style-type: none">• Developmentally unusual and socially unexpected behaviour• May be compulsive• Consent may be unclear and the behaviour may not be reciprocal• May involve an imbalance of power• Doesn't have an overt element of victimisation	<ul style="list-style-type: none">• Intrusive behaviour• May involve a misuse of power• May have an element of victimisation• May use coercion and force• May include elements of expressive violence• Informed consent has not been given (or the victim was not able to consent freely)	<ul style="list-style-type: none">• Physically violent sexual abuse• Highly intrusive• May involve instrumental violence which is physiologically and/or sexually arousing to the perpetrator• May involve sadism	
How to respond <ul style="list-style-type: none">• Although green behaviours are not concerning, they still require a response• Listen to what children and young people have to say and respond calmly and non-judgementally• Talk to parents about developmentally typical sexualised behaviours• Explain how parents can positively reinforce messages about appropriate sexual behaviour and act to keep their children safe from abuse• Signpost helpful resources like our 'Talk PANTS' activity pack: nspcc.org.uk/pants• Make sure young people know how to behave responsibly and safely		How to respond <ul style="list-style-type: none">• Amber behaviours should not be ignored• Listen to what children and young people have to say and respond calmly and non-judgementally• Consider the child's developmental age as well as their chronological age, alongside wider holistic needs and safeguarding concerns about the problematic sexualised behaviour• Follow your organisation's child protection procedures and make a report to the person responsible for child protection• Your policy or procedure should guide you towards a nominated child protection lead who can be notified and will provide support• Consider whether the child or young person needs therapeutic support and make referrals as appropriate		How to respond <ul style="list-style-type: none">• Red behaviours indicate a need for immediate intervention and action• If a child is in immediate danger, call the police on 999• Follow your organisation's child protection procedures and make a report to the person responsible for child protection• Your policy or procedure should guide you towards a nominated child protection lead who should be notified and will provide support• Typically referrals to children's social care and the police would be required. Referrals to therapeutic services should only be made once statutory services have been informed and followed due procedures	

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