



# Wolgarston High School

## *Child on Child Abuse Policy*

Including Sexual Violence and Sexual Harassment between children

This policy is available on our school website and is available on request from the school office. The policy is provided to all staff (including temporary staff and volunteers) at induction alongside our Staff Code of Conduct.

This policy is based on the DfE Guidance included in

- [KCSIE 2024](#)

This policy will be reviewed in full by the Governing Body on an annual basis.

Signature *Jo Fairclough*

Headteacher

Signature *Kevin Maycock*

Chair of Governors

The minutes of the Governing body 6<sup>th</sup> December 2023 clearly demonstrate where this Policy has been developed with the staffing group using their expertise and knowledge.

Renewal Date: December 2024

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## 1. Purpose of the Policy

The purpose of this policy is to:

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

In addition to this policy, we have other policies that support this and that should be read in conjunction with this policy:

Anti-Bullying, ICT and Internet Use/Safeguarding/Whistleblowing /Behaviour Policy/Health and Safety Policy

## 2. Our staff

Given the mounting evidence that schools must actively help tackle this problem. Wolgarston does not accept sexual harassment and abuse as part of school life. **ALL staff at Wolgarston:**

- recognise the increasing national concern regarding this issue as highlighted in the Keeping children safe in education 2024.
- are aware of the level and nature of risk that our pupils are or may be exposed to
- understand the important role that they play in the culture of vigilance
- recognise child on child abuse of all types
- are confident and competent in responding promptly and appropriately with timely challenge of the attitudes and behaviours of child on child abuse (both inside and outside the classroom)
- listen to children, capture their voice, and help to create a culture in which our children feel able to share their concerns openly, in a non-judgemental environment
- will not downplay behaviours and dismiss them as 'just banter', 'having a laugh' or 'part of growing up'
- understand that by dismissing unacceptable behaviours it can lead to an unsafe environment for children and, in worst case scenarios, a **culture** that **normalises** abuse leading to children accepting it as normal and not having the confidence to come forward, speak out and report what has happened to them.
- report and record their concerns following our safeguarding referral processes
- understand that even if there are no reports of this type of abuse that it 'does happen here'
- are committed to a whole setting, whole staff approach, to ensure the prevention, early identification, and appropriate management of peer-on-peer abuse within our setting and beyond
- recognise and understand that children who harm others, may have additional or complex needs of their own, e.g. significant disruption in their own lives, exposure to domestic abuse, witnessing/ suffering abuse as well as educational under-achievement and possibly an involvement in criminal activity and therefore they too, will need support.

- encourage parents to communicate with us so that we can work together to ensure and enable a prompt and appropriate response to any type of child on child abuse.
- know that putting a stop to child on child abuse of any type and ensuring the safety of our children is a priority in our education setting.
- regard the introduction of this policy as a positive, proactive, and preventative measure

At **Wolgarston** we work hard to create a culture where Child on child abuse does not happen. We strive to create an ethos of mutually respectful behaviour. However, if this type of abuse is seen, heard or reported **ALL** staff are confident in their actions and subsequent support.

**Behaviour:** Staff will be expected to challenge students and report incidents of inappropriate sexual behaviour through the behaviour and safeguarding systems. The Behaviour Policy will be followed and the school will deal with those who commit sexual harassment or sexual violence, punishing them as necessary.

**Reporting:** Students will be able to report incidents to members of staff with Tutors, House Leaders and the Safeguarding Team available. In addition, a meeting request form (Appendix A) will be available at Student Reception. Students can submit this to request a meeting if they find approaching a member of staff difficult.

**Process:** These can be extremely complex and difficult situations within a school and the process set out is a guide only. Decisions will be made based on the circumstances of each individual case and the risk to individuals and the wider community. Where investigation does not lead to a clear conclusion the school will act on the balance of probability erring on the side of protecting the school as a whole.

When an incident is reported staff will separate the parties if needed and take statements, making an initial investigation on the report. Staff will reassure students that they have done the right thing in making a report, they will be taken seriously and that it is not a burden to do so.

Staff will then determine if this is a behaviour issue (guided by the flow chart in Appendix B), record it in CPOMS and allocate the case to a House Leader. The House Leader will further investigate, if necessary, determining an appropriate punishment in line with the behaviour policy We will look to educate the student responsible regarding the serious nature of their actions. We will support the victim as necessary. House Leaders will liaise with parents.

Where the flowchart indicates it is a safeguarding matter, the case will be allocated to a safeguarding lead and the victim given opportunity to make their disclosure, with two members of the safeguarding team present where possible. The safeguarding team will have access to all historic CPOMS referrals, including previous behaviour incidents. Support will be put in place for the victim as necessary.

Using the descriptions in Appendix C, as a guide to determine the nature of the incident, a decision will be made as to whether the matter will require a referral to First Response, Social Worker, other agencies, or a report to the Police, for formal investigation. Liaison will be maintained with parents as appropriate. Parents may not be informed where this might impede a subsequent Police investigation. Where the perpetrator has a history of inappropriate sexualised behaviour the SSCB risk matrix will be used to determine if the criteria for referral are met even if the individual incident itself does not merit referral. Appropriate action will be determined, and a risk assessment completed as necessary considering any Special Educational Needs and the vulnerability of victims and perpetrators.

Repetition of any incident type will lead to increased sanction and level of referral.

**Recording:** Incidents such as invading personal space/unwanted contact, sexualised gossip, inappropriate sexual comments “Laddish Culture” will be recorded in Classcharts. Any Child on Child Abuse Sexual Harassment or Assault will be recorded in CPOMS in the appropriate category in Appendix C as described previously. All these incidents are recorded in CPOMS and sent automatically to the safeguarding leads, so they are able to monitor even if the matter is dealt with by a House Leader as a behaviour matter.

Incidents will be recorded through the CPOMS system and coded as Harmful Sexual Behaviour, Sexual Harassment or Sexual Assault as appropriate. Where incidents are rare patterns of repetition will be analysed to ensure the same individual/s are involved. Where incidents are not one off then the information will be reviewed for patterns to inform policy and improve protection.

**Protection:** While accusations of harassment or violence are investigated support will be put in place to protect victims. This might include an alternative curriculum for the victim or accused, whichever is most appropriate. Class/House moves may be undertaken to prevent further interaction. The school may be zoned at social times to prevent mixing.

Once a punishment has been issued or the police have charged a student, in more serious cases, steps will be taken to further protect the victim. The burden of any changes in school will fall on the perpetrator, though support may be required for both parties.

Sometimes cases occur outside school and involve the police. The school will remain neutral in such cases supporting both the alleged victim and accused until the case is resolved. At such point the school will review the neutrality of its position.

**Parents:** The school will liaise with parents when incidents occur informing both the victim and perpetrators parents of what has happened or is accused. Parents can provide a protective role for victims and responsibility for perpetrators. Further information will be shared through the newsletter and bulletins including information from the pupils working group as necessary.

Note: Wolgarston may not always be able to give a parent a full disclosure of its actions to protect the privacy of victims and perpetrators. It may not be possible to be fully open in answering the question “what have you done”.

**Staff:** DSL and DDSL attend training provided by the Staffordshire Safeguarding Children Board and receive regular bulletins from organisations like the NSPCC and Police so they are aware of contextual safeguarding issues.

### **3. Our children**

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

- A child with additional needs and disabilities
- A child living with domestic abuse

- A child who is at risk of/suffering significant harm
- A child who is at risk of/or has been exploited or at risk of being exploited, criminally/sexually
- A looked after child
- A child who goes missing from school/home or is missing education
- Children who identify as or are perceived as LGBTQI+ (The fact that a child or a young person may be LGBT is not in itself an inherent risk factor for harm. However, children who are LGBT can be targeted by other children. In some cases, a child who is perceived by other children to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT. These risks can be compounded where children who are LGBT lack a trusted adult with whom they can be open. It is therefore vital that staff endeavour to reduce the additional barriers faced and provide a safe space for these children to speak out or share their concerns with members of staff).

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

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

At **Wolgarston** we encourage our children to talk to us and tell us when they are worried and what they are worried about, be it about themselves or another child. We are confident that our children know:

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

We reassure all victims that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe. Abuse that occurs online or outside of the school or college will not be downplayed and will be treated equally seriously. Victims will 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. We will ensure that we explain that the law is in place to protect children and young people rather than criminalise them, and this will be explained in such a way that avoids causing alarm or distress.

We also inform our children that there are other ways to report abuse if they are worried about themselves or other children and for whatever reason don't feel that they can speak to staff in school. For example: [NSPCC](https://www.nspcc.org.uk) Helpline on 0808 800 5000 or by emailing [help@nspcc.org.uk](mailto:help@nspcc.org.uk). [Get Support | Childline](#)

The school **RSE** curriculum will support the delivery of education through specific presentations on: Consent, Child Sexual Exploitation, Harmful Website Content – Pornography, Sexual Harassment, Health and Safe Relationships, Sexting and online safety and uses the services of RAISE to deliver some topics. The

House Focus will cover bullying and relationships and families. Other presentations will be provided as the need arises, specific to current situation.

**Pupils:** Pupil voice will be utilised to support in the understanding of the experience in Wolgarston High school rather than that portrayed elsewhere. This may occur through the student council, focus groups, subject student voice surveys. Wellbeing ambassadors, referrals to the inclusion hub, sixth form, suggestion boxes are also available. In this way the school will avoid complacency while avoiding creating an atmosphere of concern that is unjustified. Students will be best placed to guide and advise on the development of the policy. One of our aims is to change the culture around the language students use, particularly those words targeting female students which are slurs of a sexual nature.

## Supporting Information

### 4. Child on child abuse - What is it?

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

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

- Bullying-emotional/physical so **repeated** behaviour which is intended to hurt someone either emotionally or physically (hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm)
- Online/Cyber bullying
- Prejudiced relating bullying
- Sexual Violence, Sexual Harassment and Sexually Harmful behaviour.
- Sexting sharing of nude or indecent (youth produced sexual imagery).
- Abuse in intimate relationships, including teenage relationship abuse
- Initiation/hazing type violence and rituals.
- Hate crime
- Child Criminal Exploitation
- Child Sexual Exploitation
- Gang association and serious violence - County Lines
- Radicalisation

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

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

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

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

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

Any behaviours that may need to be handled with sanctions will be in line with our policies relating to [Behaviour Policy/Anti-bullying Policy/Safeguarding Policy/ICT & Internet Use](#)

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

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

**Prejudiced related bullying** refers to a range of hurtful behaviour, physical or emotional or both, which causes someone to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society, e.g. disabilities and special educational needs, ethnic, cultural and religious backgrounds, gender, home life (for example in relation to issues of care, parental occupation, poverty and social class) and sexual identity.

### **Sexual Violence, Sexual Harassment and Sexually Harmful Behaviour (SHB)**

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

We recognise that this behaviour can take place in a school or any setting where pupils are together and that the impact of this behaviour on children can be extremely distressing, impacting on their



emotional health and wellbeing as well as affecting their academic achievement.

Sexual Violence and Sexual Harassment **must** be referred **immediately** to the Designated Safeguarding Leads (DSL/DDSL) and recorded using CPOMS.

**Sexual Violence** - For this policy we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

- **Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
- **Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.
- **Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

**Sexual Harassment** - For this policy we mean 'unwanted conduct of a sexual nature' that can occur online and offline. We refer to this in the context of child on child sexual harassment. Sexual harassment is likely to violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Whilst not intended to be an exhaustive list, sexual harassment can include:

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, and calling someone sexualised names
- Sexual "jokes" or taunting
- Physical behaviour, such as deliberately brushing against someone, interfering with someone's clothes and displaying pictures, photos, or drawings of a sexual nature; and
- Online sexual harassment, which might include non-consensual sharing of sexual images and videos and sharing sexual images and videos (both often referred to as sexting); sexualised online bullying and inappropriate sexual comments on social media; exploitation; coercion and threats. Online sexual harassment may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence

**Sexually Harmful Behaviour (SHB)** In this policy we recognise the importance of distinguishing between healthy, problematic, and sexually harmful behaviour.

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. It may include:

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

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

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

### **Sexting - the sharing of nude or indecent imagery (youth produced sexual imagery)**

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

### **Initiation/Hazing**

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as sports team, etc. There are several different forms, from relatively mild rituals to severe and sometimes violent ceremonies. The ceremony welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.

### **Teenage relationship abuse**

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

### **Hate Crime**

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

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

### **5. Indicators that a child may be suffering from Child on child abuse**

Indicators and signs that a child may be suffering from peer-on-peer abuse can also overlap with those indicating other types of abuse and can include:

- failing to attend school, disengaging from classes, or struggling to carry out school related tasks to the standard ordinarily expected
- physical injuries
- experiencing difficulties with mental health and/or emotional wellbeing
- becoming withdrawn and/or shy; experiencing headaches, stomach aches, anxiety and/or panic attacks; suffering from nightmares or lack of sleep or sleeping too much
- broader changes in behaviour including alcohol or substance misuse.
- changes in appearance and/or starting to act in a way that is not appropriate for the child's age
- abusive behaviour towards others

Abuse affects our children and their presenting behaviours in different ways and the list above is not exhaustive. Children who present with one or more of these signs are not necessarily victims of abuse and their behaviour will depend on their individual circumstances.

**ALL** staff are alert to behaviour that may cause concern and think about what the behaviour might signify. We actively encourage children to share with us any underlying reasons for their behaviour, and, where appropriate, to engage with their parents/carers so that the cause(s) of their behaviour can be investigated and understood with the appropriate support in place.

All staff should be aware that children may not feel ready or know how to tell someone that they are being abused and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having a professional curiosity and speaking to the DSL if they have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication.

#### **6. Responding to a concern/incident/disclosure of child on child abuse**

Child on child abuse may occur in our education setting, on the way to or from our setting or out in the community. Consideration will be given to many aspects of the abuse and here are a few examples:

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

It is also important that we:

- ascertain if there were there any witnesses to the abuse
- make notes and record ALL conversations with children spoken to as well as parents/carers/other professionals, including any actions taken
- treat all children involved as being at potential risk - while the child allegedly responsible for the

abuse may pose a significant risk of harm to other children, s/he may also have considerable unmet needs and be at risk of harm themselves

- ensure that a safeguarding response is in place for both victim and alleged perpetrator

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

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

#### **7. Responding to all reports and concern of sexual violence and/or sexual harassment between children.**

We have covered at point 6 what we do when responding to child on child abuse concerns/disclosures and these **all** apply to sexual violence and sexual harassment between children disclosures; however, we recognise complexity and challenges that we face following the report of this particular type of abuse.

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

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

We understand that it is not easy for children to tell us about this type of abuse and they may struggle to make a direct verbal report. Therefore, observations of changes in presenting behaviours is key. See Point 5 above.

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

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

The Designated Safeguarding Lead will consider the following:

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

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

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

- listen and take any disclosure seriously
- never make them feel that they are creating a problem or be ashamed
- reassure them that they will be kept safe
- handle the situation with sensitivity
- use proper names for body parts but record exactly any language or vocabulary used by the child
- ask open questions and not lead the victim
- ascertain where the abuse occurred as this may highlight 'hot spots' or vulnerable locations in our setting or within the community which may need to be revisited by either ourselves (in school) or by alerting police/partners if it is in the community
- ascertain if other children witnessed this abuse
- consider ongoing support within our setting
- consider any referrals for external support

Parents or carers of the victim will be informed (unless this would put the victim at greater risk). Rape, assault by penetration and sexual assaults are crimes and the DSL/DDSL will have to balance the victim's wishes against their duty to protect the victim and other children within the school setting. If we do decide to make a referral to children's social care and/or a report to the police against the victim's wishes, this will be handled extremely carefully, the reasons will in most cases be explained to the victim and appropriate specialist support offered. We will also consider the following:

- The wishes of the victim in terms of how they want to proceed

- That the victim(s) should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. (We will balance this aspect and the need to balance our duty and responsibility to protect other children)
- The nature of the alleged incident(s) including might a crime have been committed and consideration of any display of harmful sexual behaviour.
- The ages of the students involved
- The developmental stages of the students involved
- Any power imbalance between the students (e.g. is the alleged perpetrator significantly older? Does the victim have a disability or learning difficulty?)
- If the alleged incident is a one off or a sustained pattern of abuse (the sustained pattern of abuse may not just be of a sexual nature)
- That sexual violence and sexual harassment can take place within intimate personal relationships between peers
- Are there ongoing risks to the victim, other children, adult students, or staff
- Other related issues and wider context, including links to any forms of child exploitation

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

**Alleged perpetrator** - When we speak to the 'alleged perpetrator' we will:

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

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

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

- a) **Manage internally** - In some cases of sexual harassment (for example, one-off incidents), we may take the view that the students concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally using our own sanctions in line with **behaviour and anti-bullying policies**) policies and by providing pastoral intervention and support.
- b) **Early Help** - We may decide that the children involved do not require statutory interventions but may benefit from early help where we are the lead professional. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly

useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence. This will help to evidence the support that we have given, the work undertaken and if desired outcomes have been achieved

- c) Referral to the police - See Section 8 below
- d) Referral to the police - See Section 9 below

## **8. Reporting to the Police**

At **Wolgarston** we understand our responsibilities to call the Police and reporting forms of Child on child abuse. This does not mean that we are looking to criminalise children, and this may not always be necessary.

The guidance that we follow is:

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

[Outcome 21 Sexting Guidance](#)

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

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

This may also include the development of a clear and robust safety and support plan as part of this early help process. However, as you will see further on in this policy, risk assessing and safety planning is a key aspect of all child on child abuse (see Post Incident Management section 12).

With regard to sexual violence and sexual harassment between children, where there is a report of a rape, assault by penetration or sexual assault, the starting point is that this should be passed to the police who will advise and log according to their own guidelines.

## **9. Referring to Staffordshire Childrens Advice and Support**

In all cases of child on child abuse, but in particular with sexual violence and sexual harassment, consideration will be given to the reporting of the matter to Childrens Social Care via Staffordshire Children's Advice and Support service on 0300 1313 126. In making this decision, we must consider whether a child is at risk of harm or is in immediate danger.

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

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

[Threshold Framework: Accessing the right help at the right time](#)

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

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

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

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

#### **10. Working with our parents and carers**

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

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

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

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

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

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

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



## **11. Sanctions**

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

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

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

## **12. Post Incident Management**

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

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

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

**Support planning** is vital, and it is imperative that following any incident the children involved continue to feel supported and receive help even if they tell us that they are coping and managing. Sometimes feelings of embarrassment, remorse, regret, or unhappiness may occur at a much later stage. We will do our best to ensure that the young people do not engage in any further harmful behaviour either towards someone else or to themselves as a way of coping (e.g. self-harm). For this reason, regular reviews with the young people following the incident(s) will happen as part of this plan.

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

### **Safety planning/Risk assessment**

Integral to post incident management is robust safety planning/risk assessment and this is an invaluable and necessary process. It is one of our key priorities as part of the post incident management. When looking at this process, consideration should be given to the following:

- if this is an ongoing police investigation, we will ask the police if we have any questions about the progress of the matter for example, are there any bail conditions in place or has there been a charging decision. It is key to have a central point of contact with the police for updates and progress. Where required, advice from the police will be sought to help us to manage our safeguarding responsibilities. Where bail is deemed proportionate and necessary, as above, we will work with children's social care and the police to manage any implications and safeguard our children

- the importance in ensuring that the victim can continue in their normal routine, including continuing to receive a suitable education
- the importance of the alleged perpetrator in continuing to access education and support
- do the victim and alleged perpetrator share classes
- what measures need to be put in place when children move between lessons/classes
- what measures need to be put in place for unstructured time (break and lunchtimes)
- what measures need to be put in place for the arrival at the start of the school day and leaving at the end of the school day
- do the victim and alleged perpetrator travel to and from school using the same form of transport
- appropriate information sharing with staff in our setting in order that the plan is manageable and as successful as possible
- if it is the case that the alleged perpetrator is moved to another educational institution (for any reason), then we will ensure that the new educational institution is made aware of any ongoing support needs.

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

# Appendix A

Sexual Harassment/Sexual Violence

Pupil Meeting Request Form

I would like to ask for a meeting to discuss a problem I am having or someone else is having.

Name:

Tutor:

I would like to discuss an incident with (circle your choice)

House Leader/Teacher/Safeguarding Team

My preferred member of staff to talk to is:

The incident involves (circle your choice)

Me/Someone else

This is regarding an incident (circle the best ones)

in school/out of school/over social media/via mobile phone/other

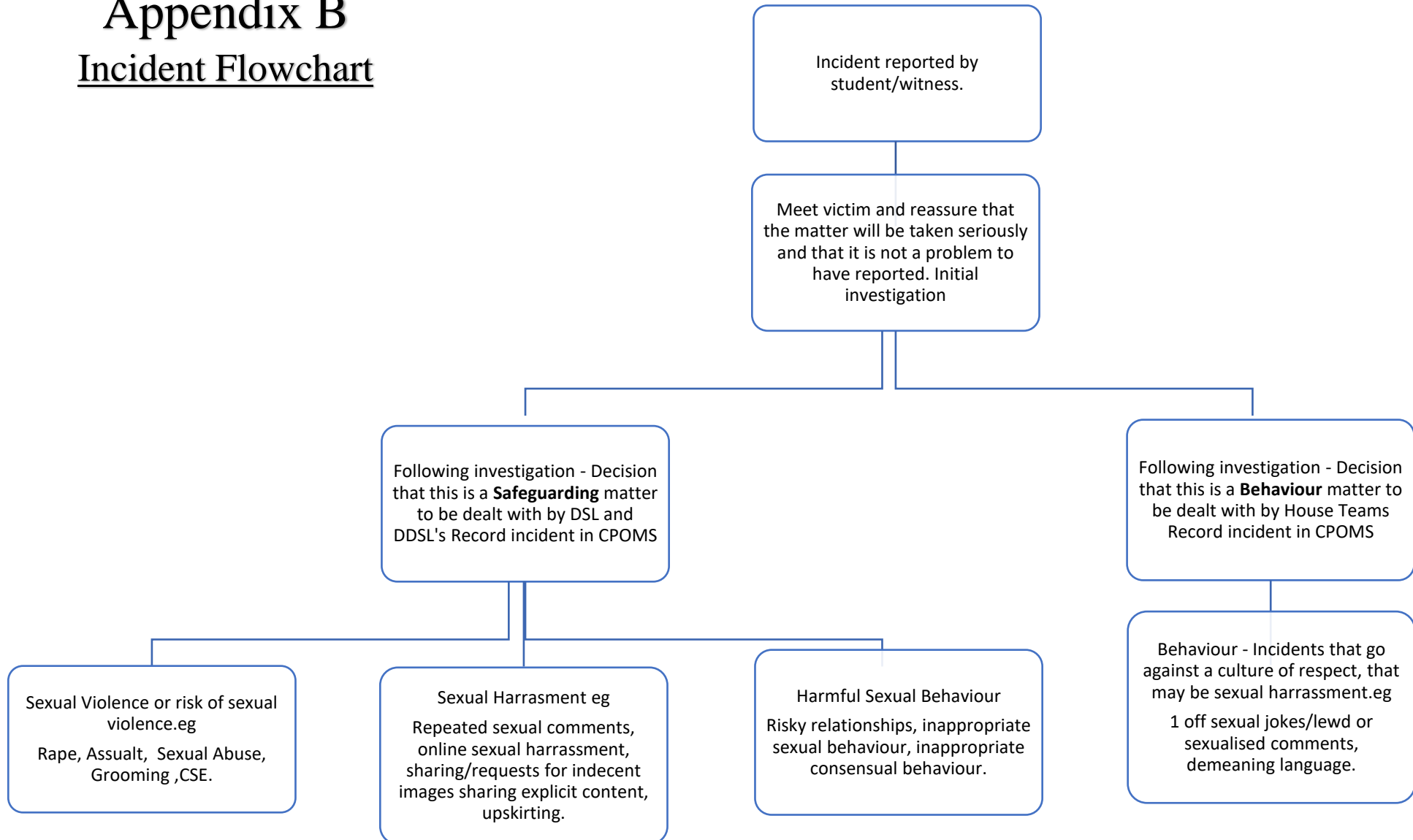
(Circle the most appropriate)

I don't feel safe now/I want help to know what to do/the person I am concerned about is not safe

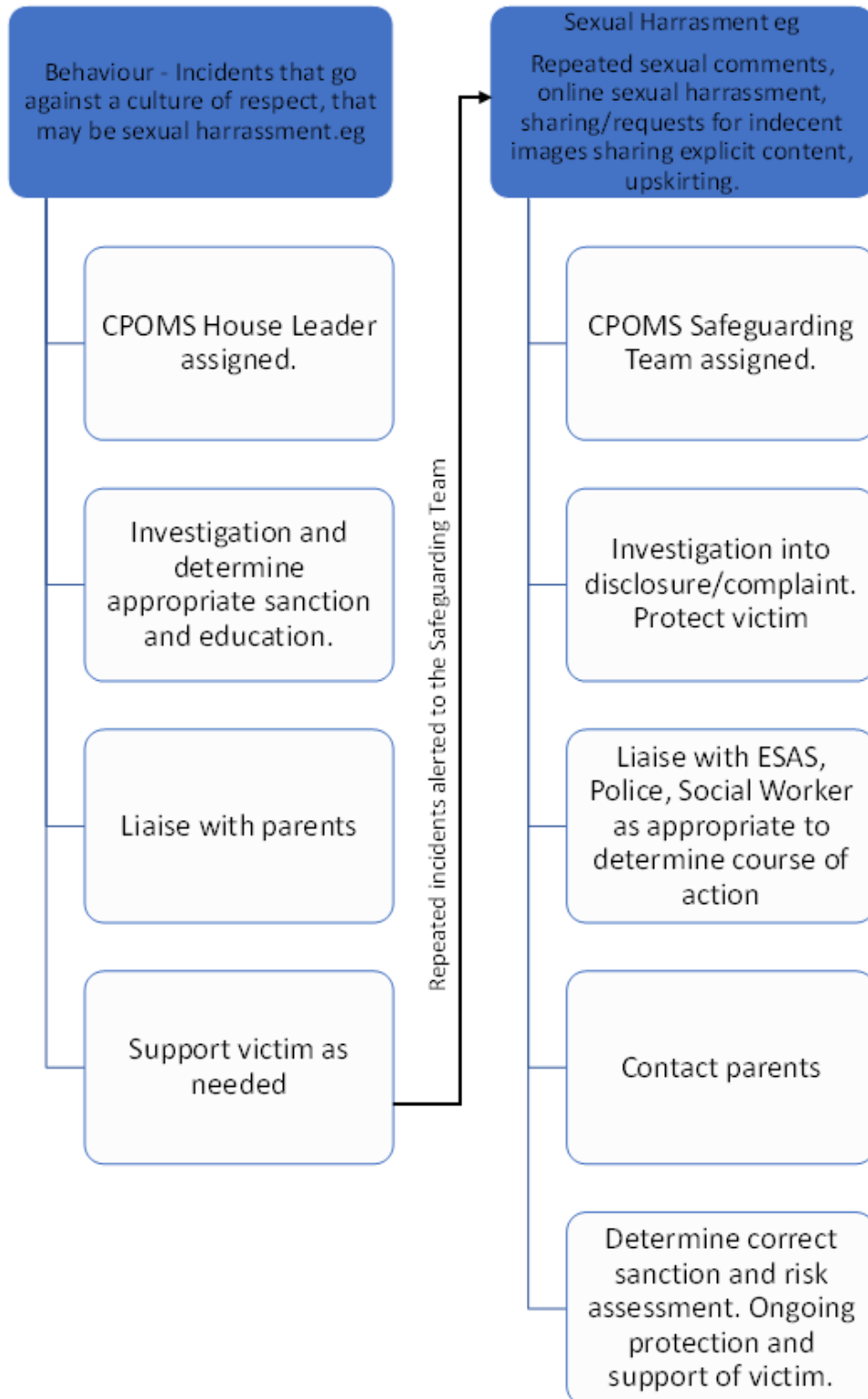
Additional Information

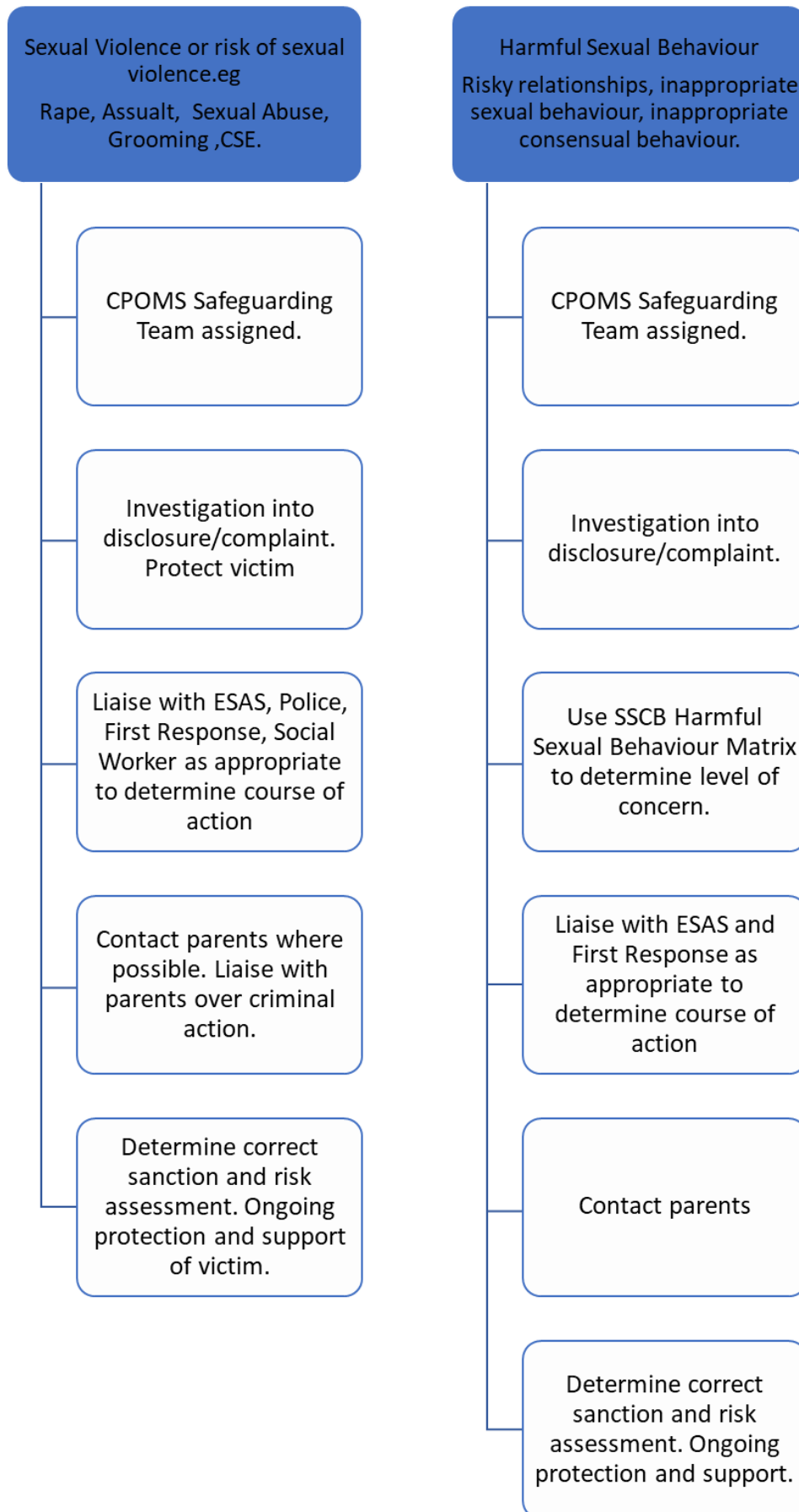
**Important - Please hand the request in yourself, by hand, to a member of staff in student reception.**

## Appendix B Incident Flowchart



## Appendix C - Incident Guidance





# Appendix D - Additional Sources of Guidance

## Additional support and guidance

- Keeping children safe in education 2021
- Working Together to Safeguard Children 2018
- Sexual violence and sexual harassment between children in schools and colleges
- Review of sexual abuse in schools and colleges
- Staffsccb-Responding to Sexting Guidance
- Relationships and sex education (RSE) and health education
- Mental health and behaviour in schools 2018
- Exclusion from maintained schools, academies, and pupil referral units
- Children missing education
- CEOP-Safety centre
- Disrespect NoBody
- Behaviour and discipline in schools
- UKCIS Guidance: Sharing Nudes and Semi-Nudes
- Searching, screening and confiscation
- Sharing nudes and semi-nudes: advice for education settings working with children and young people
- Preventing sexual bullying
- Preventing bullying
- Cyberbullying advice
- Equality & Human Rights Commission
- The NSPCC email [help@nspcc.org.uk](mailto:help@nspcc.org.uk)
- Specialist Sexual Violence Rape Crisis
- The UK safer internet centre email at [helpline@saferinternet.org.uk](mailto:helpline@saferinternet.org.uk)
- Internet Watch Foundation
- UK Council for Child Internet Safety (UKCCIS)
- Think u know

# Appendix E - Risk Assessment/Safety planning guidance

On completing an incident and subsequent actions in CPOMS consideration might be given to the following, the associated risks and resulting risk reduction. A risk assessment may then be required.

CONSIDERATIONS
<ul style="list-style-type: none"> <li>• What is the incident?</li> <li>• Who was involved?</li> <li>• Where did it happen</li> </ul>
<ul style="list-style-type: none"> <li>• Does this incident constitute a crime? Assault, sexual assault, rape, sharing of indecent images of children, etc. etc. As such has this been referred to the police?</li> </ul>
<ul style="list-style-type: none"> <li>• Is it necessary to limit contact between the children involved? Refer to KCSiE and DFE guidance on sexual harassment and sexual violence in schools and colleges.</li> </ul>
<ul style="list-style-type: none"> <li>• Is there an actual or perceived threat from the child alleged to have caused harm to the victim and/or others?</li> </ul>
<ul style="list-style-type: none"> <li>• Is either the victim or the child alleged to have caused harm at risk of physical harm because of this incident (for example, bullying or 'retribution' by peers)?</li> </ul>
<ul style="list-style-type: none"> <li>• Do they share any classes/lessons?</li> </ul>
<ul style="list-style-type: none"> <li>• Do they share break times?</li> <li>• Do they share peer/friendship groups?</li> </ul>
<ul style="list-style-type: none"> <li>• Do they share transport to/from school?</li> </ul>
<ul style="list-style-type: none"> <li>• Are they likely to meet each other (or anyone else involved in/with knowledge of the incident) outside of school?</li> </ul>
<ul style="list-style-type: none"> <li>• How can this contact be limited?</li> </ul>
<ul style="list-style-type: none"> <li>• Is there a risk of harm from social media and gossip?</li> </ul>



