Hawkley Hall High School



Child on Child Abuse Policy

February 2022

**Introduction**

Keeping Children Safe in Education 2022 states that ‘ schools and governing bodies should ensure there are appropriate policies and procedures in place to ensure appropriate action is taken in a timely manner to safeguard and promote children’s welfare.

These should include individual schools and colleges having:

 • An effective **child protection policy** which:

• should describe procedures which are in accordance with government guidance;

• refer to locally agreed multi-agency safeguarding arrangements put in place by the school and Local Authority

• include policies as reflected elsewhere in Part two of this guidance, such as online safety, child on child abuse and SEND;

Our staff have an awareness of safeguarding issues that can put children at risk of harm. Behaviours linked to issues such as drug taking, alcohol abuse, deliberately missing education and sexting (also known as youth produced sexual imagery) put children in danger.

Our staff are aware that safeguarding issues can manifest themselves via Child on child abuse. This is most likely to include, but may not be limited to:

• Bullying (including cyberbullying, prejudice-based and discriminatory bullying)

• 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)

• Abuse in intimate relationships between peers

• Sexual violence and sexual harassment

• Causing someone to engage in sexual activity without consent

• Up skirting, which typically involves taking a picture under a person’s clothing without their permission, to obtain sexual gratification or cause the victim humiliation, distress or alarm

• Consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery)

• Initiation/hazing type violence and rituals, which 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

**What is Child on child Abuse?**

**Child on child abuse can take various forms including:**

* serious bullying (including cyber-bullying),
* relationship abuse,
* domestic violence,
* child sexual exploitation,
* youth and serious youth violence,
* harmful sexual behaviour, and/or gender-based violence

Any response to Child on child abuse therefore needs to consider the range of possible types of child on child abuse set out above and capture the full context of children's experiences. This can be done by adopting a Contextual Safeguarding approach and by ensuring that our response to incidents of peer-on-peer abuse takes into account any potential complexity.

Abusive behaviour can happen to pupils in schools and settings, and it is necessary to consider what abuse is and looks like, how it can be managed and what appropriate support and intervention can be put in place to meet the needs of the individual and what preventative strategies may be put in place to reduce further risk of harm.

Abuse is abuse and should never be tolerated or passed off as ‘banter’ or ‘part of growing up’. Equally, abuse issues can sometimes be gender specific e.g., girls being sexually touched/assaulted and boys being subject to initiation/hazing type violence. It is important to consider the forms abuse may take and the subsequent actions required.

**Children with Special Educational Needs**

Children with special educational needs (SEN) and disabilities 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 than other children;

• The potential for children with SEN and disabilities being disproportionally impacted by behaviours such as bullying, without outwardly showing any signs

• Communication barriers and difficulties in overcoming these barriers.

**To address these additional challenges, schools and colleges should consider extra pastoral support for children with SEND and disabilities particularly when investigating any form of child on child abuse.**

**Types of abuse**

There are many forms of abuse that may occur between children. Each form of abuse or prejudiced behaviour is described in detail followed by advice and support on actions to be taken.

**Physical abuse e.g. (biting, hitting, kicking, hair pulling etc.)**

Physical abuse may include, hitting, kicking, nipping, shaking, biting, hair pulling, or otherwise causing physical harm to another person. There may be many reasons why a child harms another and it is important to understand why a young person has engaged in such behaviour, including accidently before considering the action or punishment to be undertaken.

**Bullying (inclusive of all types)**

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 often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.

**Cyber bullying**

Cyberbullying is the use of phones, instant messaging, e-mail, chat rooms or social networking sites such as Facebook and Twitter to harass threaten or intimidate someone for the same reasons as stated above.

It is important to state that cyber bullying can very easily fall into criminal behaviour under the Malicious Communications Act 1988 under section 1 which states that electronic communications which are indecent or grossly offensive, convey a threat or false information or demonstrate that there is an intention to cause distress or anxiety to the victim would be deemed to be criminal. This is also supported by the Communications Act 2003, Section 127 which states that electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience or needless anxiety to another could also be deemed to be criminal behaviour.

If the behaviour involves the use of taking or distributing indecent images of young people under the age of 18 then this is also a criminal offence under the Sexual Offences Act 2003. Outside of the immediate support young people may require in these instances, the school will have no choice but to involve the police to investigate these situations.

**Sexually harmful behaviour/sexual abuse e.g. (inappropriate sexual language,**

**Touching, sexual assault etc.)**

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

**Sexual violence and sexual harassment**

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

Sexual violence refers to sexual offences under the Sexual Offences Act 2003 as described below:

**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 means ‘unwanted conduct of a sexual nature’ that can occur online and offline. 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 2019).

**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.

**Serious violence**

**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 and may be at risk of criminal exploitation.

**All** staff should be aware of the associated risks and understand the measures in place to manage these.

**Sexting (Youth Produced Imagery)**

Sexting is when someone sends or receives a sexually explicit text, image or video. This includes sending ‘nude pics’, ‘rude pics’ or ‘nude selfies’. Pressuring someone into sending a nude picture can 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, young people are not even aware that they could be breaking the law as stated as these are offences under the Sexual Offences Act 2003.

**Up Skirting**

The Voyeurism (Offences) Act 2019 which criminalise the act of 'up skirting'. The Criminal Prosecution Service (CPS) defines 'up skirting' as a colloquial term referring to the action of placing equipment such as a camera or mobile phone beneath a person’s clothing to take a voyeuristic photograph without their permission. This 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; sexting (also known as youth produced sexual imagery)

**Prejudiced Behaviour**

The term prejudice-related bullying refers to a range of hurtful behaviour, physical or

emotional or both, which causes someone to feel powerless, worthless, excluded or

marginalised, and which is connected with prejudices around belonging, identity

and equality in wider society – in particular, prejudices to do with disabilities and special educational needs, ethnic, cultural and religious backgrounds, gender, home life, (for example in relation to issues of care, parental occupation, poverty and social class) and sexual identity (homosexual, bisexual, transsexual)

**Initiation/Hazing**

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies. Many rituals involve humiliation, embarrassment, abuse and harassment. After hazing is over, the newcomers also have something in common with older members of the organisation, because they have all experienced it as part of a rite of passage.

**Teenage relationship abuse**

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

**Expected action taken from all staff**

All staff should be alert to the well-being of children and young people and to signs of abuse, and should engage with these signs, as appropriate, to determine whether they are caused by child on child abuse. However, staff should 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.

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

It is important to deal with a situation of peer abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get 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 think about the language used and the impact of that language on both the children and the parents when they become involved. For example; do not use the word perpetrator, this can quickly create a ‘blame’ culture and leave a child labelled.

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

In all circumstances, staff need to speak to all the young people involved separately, gain a statement of facts from them and use **consistent language** and **open questions** for each account. The easiest way to do this is not to have a line of questioning but to ask the young people to tell you what happened. Only interrupt the young person from this to gain clarity with open questions, ‘where, when, why, who’. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?) A full and clear record of exactly what the young person has said in their own language should be made and stored on the students safeguarding record.

**Decide on your next course of action**

If from the information that you gather you believe any young person to be at risk of significant harm you must make a safeguarding referral to social care immediately (where a crime has been committed the police should be involved also). This action would, in most circumstances be undertaken by the Designated Safeguarding Lead but in the event of their absence the referral can be made by another member of staff. If this is the case, once social care has been contacted and made a decision on what will happen next then you will be informed on your next steps.

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

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

**Outcomes**

The outcome of the investigation will follow our local threshold guidance. Therefore either a referral has been made to either the police or Social Care for a full investigation (Level 4). It may have resulted in Children’s services undertaking a further assessment (Level 3) or as a school you may have identified additional services or intervention that are non- statutory and in which case can be completed as an Early Help assessment (Level 2).

In any of the above outcomes the school has a duty of care to manage the education needs of all students involved. A risk assessment plan may be needed irrespective of the outcome.

**After Care**

It is important that following the incident the young people involved continue to feel supported and receive help even if they have stated that they are managing. Sometimes the feelings of remorse, regret or unhappiness may occur at a later date. It is important to ensure that the young people do not engage in any harmful behaviour either towards someone else or to themselves as a way of coping (e.g self-harm). In which case, regular reviews with the young people following the incident are imperative.

**Preventative Strategies for Schools and Settings**

It is important to develop appropriate strategies in order to prevent the issue of peer on peer abuse rather than manage the issue in a reactive.

Ensuring that our school has an environment where young people feel safe to share information about anything that is upsetting or worrying them. This can be strengthened by a strong and positive PSHE curriculum.

At Hawkley Hall High School we tackle the following topics during our PSHE lessons and assemblies:

* Physical and sexual abuse
* Healthy and respectful relationships
* Sexual harassment and violence- **Yes matter’s** an external agency will be delivering content to all year groups including up skirting, sexting, sending and receiving nudes, domestic violence
* Consent
* LGBT support- **Just like us** an external agency will be delivering an assembly on respecting individuality and being tolerant of others
* Body confidence and promoting positive self esteem
* On and offline bullying
* Teenage relationship abuse- including drug and alcohol influences
* County lines

Schools which excel at tackling bullying and peer 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. That culture extends beyond the classroom to the corridors, dining hall, the playground and beyond the school gates including travel to and from school.

At Hawkley Hall High School our ethos is Mutual respect “*Right to teach, right to learn*”.

*We believe that good behaviour based on mutual respect is crucial to the success of every member of our school community***.**

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