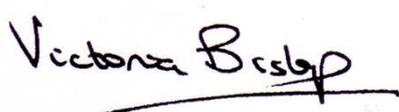


Title	Peer on Peer Abuse Policy
Reviewed	April 2018
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Associated Policies	Trust Child Protection Policy and Procedures Trust Safeguarding Handbook Trust Anti-bullying policy (including cyber-bullying) Academy Behaviour Policy HAT E Safety Policy
Originator	C Hinds V.Bishop
Approved	

Contents

1. Introduction	3
2. Policy Aims	4
3. Links to other policies	4
4. Identifying Abusive and Harmful Behaviour	4
5. Types of Abuse	5
5.1 Physical Abuse.....	5
5.2 Sexually Harmful Behaviour / Sexual Abuse	5
5.3 Bullying.....	5
5.4 Cyber-bullying	6
5.5 Sexting.....	6
5.6 Initiation / Hazing.....	6
5.7 Prejudiced Behaviour	7
5.8 Teenage Relationship Abuse	7
6. Action to be taken by all staff	7
6.1 Initial Action to be taken by all staff in receipt of an allegation	7
6.2 Further actions to be taken by the Designated Senior Person or Senior Academy Staff only	8
7 Other points to consider	9
8 Next steps: support and intervention	10
8.1 For the young person who has been harmed	10
8.2 For the young person who has displayed harmful behaviour	10
9 After Care	11
10 Preventative Strategies.....	11

Peer to Peer Abuse Policy

1. Introduction

Hatton Academies Trust gives absolute priority to its statutory responsibility to safeguard and promote the welfare of children in its academies and aims to foster a culture where safeguarding and child protection are embedded in policy and practice within all Trust academies.

The Trust also recognises its additional legal responsibility to protect every student's right to an effective education and additionally;

- to have in place a behaviour policy which prevents all forms of bullying
- to teach sex and relationship education in secondary school settings
- to act in accordance with the European Convention on Human Rights Article 3¹, Article 8² and Article 14³
- to comply with the Public Sector Equality Duty (PSED) to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity and to foster good relations between different groups with protected characteristics.

This policy forms an important part of the Trust's Safeguarding Handbook and underpins the Peer on Peer abuse section on page 13 and section A9 on page 15 of the Trust's Child Protection Policy and Procedures.

The statutory guidance document "Keeping Children Safe in Education 2016 states that "Governing Bodies and proprietors should ensure their child protection policy includes procedures to minimise the risk of peer on peer abuse and sets out how allegations of peer on peer abuse will be investigated and dealt with".

This policy is also written with due regard to the Department for Education (DfE) advice document "Sexual Violence and Sexual Harassment between children in schools and colleges" published in December 2017 and the statutory DfE guidance "Working Together to Safeguard Children".

It is essential that all staff and directors of the Trust receive regular training, support and information to enable them to fulfil our collective responsibility to safeguard children in our care and to ensure that education of children plays a key role in the prevention of peer to peer abuse.

¹ Article 3: the right to freedom from inhuman and degrading treatment

² Article 8: the right to respect for private and family life including a duty to protect individuals' physical and psychological integrity

³ Article 14: requires that all rights and freedoms are protected and applied without discrimination

2. Policy Aims

Children and young people may harm each other in different ways which could be categorised as peer on peer abuse. This policy will identify the varying forms of abuse and provide clear guidance to staff on how to identify and report concerns, and what action to take with reported allegations received.

The policy will identify ongoing training requirements for staff and directors.

3. Links to other policies

The following policies within the Trust should be read in conjunction with this policy:

- Trust Child Protection Policy and Procedures
- Trust Safeguarding Handbook
- Academy Anti-bullying policy (including cyber-bullying)
- Academy Behaviour policy
- Trust E-Safety Policy

It is required that leadership teams within Academies monitor this form of abuse and work across the Trust to develop age-specific strategies for the prevention of sexual violence and harassment between children.

It is also essential that front-line staff have clear guidance to follow in the event of any reported allegation of sexual violence and sexual harassment between children.

It is paramount that all students in Trust academies must be made aware of the processes to follow to raise any concerns or make a report.

4. Identifying Abusive and Harmful Behaviour

Abusive behaviour can happen to any pupil in a school setting and may be perpetrated by a child of the same or different sex.

Abusive behaviour must never be tolerated or passed off as 'banter' or 'part of growing up'. Abuse can sometimes be gender specific, e.g. girls being sexually touched/assaulted or boys being subject to initiation/hazing type violence (KCSIE 2016).

Children are vulnerable to abuse by their peers. Such abuse should be dealt with as seriously as abuse by an adult and must be subject to the same child protection procedures.

Trust staff must not dismiss abusive behaviour witnessed or reported as a normal interaction between young people, nor should staff develop high thresholds of acceptance before taking action.

Staff must be aware that abuse (physical and verbal) can take place in online form (e.g. through misuse of social media and technology). This form of abuse may take place during or outside of school hours, however all reports of this form of abuse should be treated seriously regardless of when it occurs.

Staff should be aware of the vulnerability of children and young people who have been victims of violent crime (for example mugging), including the risk that they might respond to their own abusive experience by abusing younger, weaker or vulnerable children and young people.

The alleged perpetrator is likely to have considerable vulnerability and unmet needs as well as posing a risk of harm to other children. It is likely that perpetrators will have suffered considerable disruption in their lives and may have witnessed or been subject to physical or sexual abuse. They may have committed other similar offences and may have problems with their educational development. They may therefore also be at risk of harm and in need of protection and any plans to reduce the risk posed by the perpetrator must take in account their own needs.

5. Types of Abuse

There are many forms of abuse and this section will identify the majority of abusive behaviours but is not exhaustive.

5.1 Physical Abuse

Physical abuse may involve hitting, kicking, nipping, shaking, biting, hair pulling or otherwise causing physical harm to another person. There may be underlying reasons why a child harms another and it is important to understand why a young person has engaged in such behaviour, including the possibility of the harm being accidental, before considering the next action or sanction to be taken.

5.2 Sexually Harmful Behaviour / Sexual Abuse

Sexually harmful behaviour includes incidents of inappropriate sexual language, touching, sexual assault, sexual violence and sexual harassment and inappropriate role play. This form of behaviour 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 perpetrator as it is for the victim.

Sexual harassment can include sexual comments (e.g. telling sexual stories, making lewd comments, making sexual remarks about clothes or appearance or calling someone sexualised names), sexual jokes or taunting, physical behaviour (e.g. brushing up against someone, displaying pictures photos or drawings of a sexual nature), online sexual harassment (see 5.5 Sexting)

Children with SEND and deaf children are 3 times more likely to be abused than their peers and their vulnerability should be protected and supported to the fullest extent.

5.3 Bullying

Bullying is unwarranted, aggressive and inappropriate behaviour among children that

involves either a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated over time. Both young people who are bullied and who bully others may have serious, lasting problems. Bullying includes actions such as making threats, spreading rumours, attacking someone physically or verbally or based on their appearance or other characteristics, e.g. size, hair colour, gender, sexual orientation, religion, appearance and deliberately excluding someone from a group.

5.4 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 stated in 5.3 above. Staff should understand that cyber-bullying is a criminal act under the Malicious Communications Act 1988 which states that electronic communications that are indecent or grossly offensive, convey a threat or false information or demonstrate that there is an intention to cause distress or anxiety to a victim would be a criminal offence. 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 for the purpose of causing annoyance, inconvenience, or needless anxiety to another could 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, this is also a criminal offence under the Sexual offences Act 2003. Over and above the immediate support that young people may require in these instances, the Academy must involve the Police to investigate these situations.

5.5 Sexting

Sexting occurs when someone sends or receives a sexually explicit text, image or video. This includes sending nude pictures, rude pictures or nude selfies. Pressuring someone into sending a nude picture can happen in any relationship and to anyone, whatever their age, gender or sexual preference. Once the image is taken and sent, the sender loses all 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, young people may be committing offences under the Sexual Offences Act 2003.

5.6 Initiation / Hazing

Hazing is a form of initiation ceremony which may be used to induct newcomers into a sports team, group or gang. Forms of initiation/hazing can vary from relatively mild rituals to severe and violent ceremonies. This practice is intended to create a bond between the newcomer and the existing members and is often deemed a rite of passage. Rituals often involve some form of humiliation, embarrassment, abuse or harassment.

5.7 Prejudiced Behaviour

The term prejudice-related bullying refers to a range of hurtful behaviour, both physically and emotionally, which causes the victim to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society. Specifically, prejudices surrounding disability, special educational needs, ethnic, cultural or religious backgrounds, gender, home life (e.g. in relation to issues of care, parental occupation, poverty and social class) and sexual identity (homosexual, bisexual, transsexual).

5.8 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 gender relationship, in order to gain power and maintain control over a partner.

6. Action to be taken by all staff

Although the types of abuse may have a different effect on the victim and perpetrator of the harm, and indeed, different staff may interpret different actions in different ways based on their own personal thresholds of what is unacceptable behaviour, the following steps must be followed to ensure the situation is clarified and the facts objectively established, before any decision on consequences or sanctions for the perpetrator of the harm.

It is essential that reports of peer to peer abuse are dealt with immediately and in a sensitive manner. This will ensure that the information gathered is fresh in young people's minds and more likely to establish the truth.

It is paramount that young people who have made a disclosure are taken seriously and reassured that they will be supported and kept safe. They should never be made to feel that they are causing a problem or be made to feel ashamed.

In all circumstances, the Trust's child protection policy and procedures should be followed for the management of all disclosures of child abuse, including peer to peer abuse.

It is necessary that all staff are trained in dealing with such incidents and it is the responsibility of the Principal of each Academy to ensure that training occurs on a regular basis. Staff should not be prejudiced, judgemental, dismissive or irresponsible in dealing with alleged reports of abuse.

6.1 Initial Action to be taken by all staff in receipt of an allegation

Step 1: Inform the Academy's designated senior person for child protection with any allegation of peer on peer abuse.

It is essential that the designated senior person for child protection (DSP) in the Academy is aware of all allegations of peer on peer abuse. Staff should share with them their initial concerns and evidence using the Academy's referral process and they will guide staff on the most appropriate course of action. In most cases they may decide to deal with the investigation of the concerns. Staff should use the referral form in the Safeguarding handbook; Child protection policy and procedures to notify the DSP of their concerns or electronic referral systems (e.g. CPOMS) as applicable

6.2 Further actions to be taken by the Designated Senior Person or Senior Academy Staff only

The following steps must be undertaken by the DSP / Senior Leader in your Academy or a designated representative who has undertaken designated person safeguarding training.

Step 2: Investigate the Facts

Speak to all young people involved separately, gain a statement of the facts from them individually and use consistent language and open questions for each account (e.g. ask the young person to tell you what happened). Do not interrupt the young person unless to gain clarity with open questions e.g. when, why where, who.

Step 3: Consider the intent (begin to risk assess)

Consider whether the evidence suggests that this has been a deliberate or contrived situation for one young person to harm another.

Step 4: Deciding on a course of action (Designated Safeguarding Person only)

If from the information gathered the Designated Safeguarding Person believes that any young person is at risk of significant harm, a safeguarding referral to social services must be made immediately. Furthermore where you believe that a crime has been committed, the Police must be contacted. It is essential to retain and preserve all evidence gathered in a secure place.

Social Services and the Police will then advise on next steps, which may include the interviewing of young people in school or they may wish to meet with parents.

In circumstances where social services feel that it does not meet their threshold criteria, then the DSP should consider whether that decision should be challenged with that individual or their line manager. If you agree with their view, then it will be left to the Academy to inform the parents.

Step 5: Informing parents

If, once appropriate advice has been sought from Police/Social services, there is agreement to inform parents then the DSP / Senior Leader must inform the parents as soon as possible, if the Police and Social Services have not already done so. If other agencies or services are not going to be involved then you should share this information

with the parents. Advice should be sought from relevant Trust or LA professionals as necessary.

In all circumstances where the risk of harm to the child is evident, then the Academy should encourage the young person to share the information. Where the child still does not wish to share this information with parents, and where the Academy can evidence that it is acting in the best interests of the young person, then parents should be informed.

It is advised that parents are informed face to face. Whilst more time consuming, the nature of abusive incidents can cause fear and anxiety for parents and a face to face meeting will provide more reassurance.

Step 6: Recording the Whole Incident

The DSP or Senior Leader should record all details of the incident on the Academy's monitoring system for safeguarding incidents (e.g. CPOMs or equivalent system).

7 Other points to consider

a) What is the age of children involved

Consider how old the children are and any age difference between them. In relation to sexual exploitation children under the age of five (who may be learning toileting skills may show a particular interest in exploration). This should not be overlooked if other issues arise.

b) Where did the incident(s) take place?

Was the incident in an open, visible space to others? Were there witnesses or CCTV cameras in the vicinity? If not, is this an area where more supervision is required on the Academy premises.

c) What was the explanation by all children involved of what occurred?

Did all children involved give the same explanation? Do their stories corroborate? What is the effect on the young people involved? Is/are the incident(s) considered to be bullying (regular and repetitive). If their stories differ, what might the reasons for this be?

d) What is each of the children's understanding of what occurred?

Consider whether the young people know and understand what they are doing e.g. do they have knowledge of body parts, of privacy and that it is inappropriate to touch? Is the young person's explanation in relation to something they may have seen or heard that has prompted this behaviour. Is the behaviour deliberate and contrived? If there is an age difference, is one child's understanding more mature than the other? Does the young person understand the impact of their behaviour on the other person?

Answers to the above questions are rarely clear cut. It is advised to seek support and

advice from Children's service social care if you are concerned or unsure as to whether or not there is any risk involved.

e) Repetition

Has the school had previous reports of similar/repeated behaviours for the young person. It must also be monitored whether the behaviour persists after the issue has been discussed and resolved.

8 Next steps: support and intervention

8.1 For the young person who has been harmed

The level of support they require will depend on the individual and the circumstances. Counselling or 1:1 mentorship support may be appropriate or they may wish to deal with the incidents within the support of their family and friends. In either case, it is essential for the young person to continue to be monitored regularly and offered support in the future should they require it.

If the incidents are of a bullying nature, then the young person may require further support to improve peer group relationships or a restorative justice approach may be required.

Other interventions that could be considered may target a whole class or group for example a speaker on cyberbullying, relationship abuse etc.

It may be through the curriculum of PHSE and SMSC that certain issues and current topics arising from incidents may need to be discussed in class more regularly.

If the young person feels vulnerable then a risk assessment should be put in place whilst in school so that they have a named person to talk to and support strategies can be put in place.

8.2 For the young person who has displayed harmful behaviour

It is important to understand why the young person has behaved in this way. They may be experiencing their own difficulties and may have been harmed themselves in a similar way. In such cases counselling or 1:1 mentoring may also be necessary. Particular support from identified services through a CAF/early help referral may be necessary and the young person may require support from family members.

Once the support required to meet the individual needs of the young person has been put in place, it is important that the young person receives a proportionate sanction for their behaviour. This may be in the form of restorative justice for example.

In cases of sexually harmful behaviour it may be a requirement for the young person to engage in one to one work with a particular agency. If there is any form of criminal investigation ongoing, then it may be that the young person cannot be educated on site until the conclusion of the investigation. In this case, arrangements for support and education off site will need to be provided.

A risk assessment should be undertaken of the young person's risk to others in the future. This may require a multi-agency response and the involvement of the young person and parents. Protective strategies or additional supervision may also be required if the young person feels at risk of engaging in further harmful behaviour.

In serious cases, a punishment such as exclusion or internal inclusion may be appropriate to allow the young person to reflect on their behaviour.

9 After Care

It is important that following the incident the young people involved continue to feel supported and receive help even if they feel that they are coping with the incident. Feelings of remorse or regret or unhappiness can surface at a later stage. It is therefore important to ensure that young people do not engage in further harmful behaviour as a coping mechanism (e.g. self harm). Regular reviews with young people following incidents of peer to peer abuse are imperative.

10 Preventative Strategies

Academies must focus on the development of appropriate strategies to prevent peer on peer abuse rather than rely on managing incidents in a reactive way as they occur.

Academy staff must recognise that peer on peer abuse can and will occur in their school regardless of the most stringent policy and support mechanisms. Staff must recognise and manage the risks, implement strategies and talk about issues through training and information sharing sessions with other staff.

Academy staff should foster a culture of openness where young people feel confident to share information about anything that is worrying them. This can be strengthened with a strong and positive age appropriate PHSE / SMSC curriculum (including relationships education in primary academies and Sex and Relationships Education in secondary academies) where children openly discuss issues with peers. The curriculum might include the following issues:

- healthy and respectful relationships
- what respectful behaviour looks like
- gender roles, stereo-typing and equality
- body confidence and self-esteem

- prejudiced behaviour
- that sexual violence and sexual harassment is always wrong
- addressing cultures of sexual harassment

Academy leaders must foster a culture of openness and honesty among their staff to ensure the whole workforce feels confident and enabled to talk about issues and challenge perceptions of young people e.g. inappropriate language, prejudiced behaviour etc.

Academy leaders must put in place programmes for whole staff training and CPD around abusive behaviours and talking to young people to ensure that peer to peer abuse has a consistently high focus in staff minds and to ensure that concerns raised by young people are dealt with consistently.

Academy leaders should ensure that school councils are encouraged to actively participate in the development and review of 'rules of acceptable behaviour' which will aid the creation of a positive and consistent ethos in the school and one where all young people understand the boundaries of behaviour before it becomes abusive.