

Thomas Telford School



Child on Child Abuse Policy

Prepared by Jamie Norman September 2022

Review date: September 2023



Child on Child Abuse at Thomas Telford School- Guidance

All staff are aware that children can abuse other children. This can happen inside or outside of our setting and online.

All staff will be trained in our policy and procedures with regard to child-on-child abuse and the important role they have to play in preventing it and responding to where they believe a child may be at risk from it.

All staff understand that even if there are no reports in our setting it does not mean it is not happening, it maybe it is just not being reported. If staff have **any** concerns regarding child on child abuse, even if there are no reports in our setting, they should still speak to the DSL (or deputy).

All staff are expected to challenge inappropriate behaviours between peers, many of which are listed below, that are actually abusive in nature. Downplaying certain behaviours, for example dismissing sexual harassment as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys” can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

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

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between children (sometimes known as ‘teenage relationship abuse’);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an element of online which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- consensual and non-consensual sharing of nudes and semi nudes images and or videos (also known as sexting or youth produced sexual imagery);
- up-skirting, which typically involves taking a picture under a person’s clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm, and

- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

We will actively seek to raise awareness of and prevent all forms of child-on-child abuse by:

- educating all governors, our senior leadership team, staff, students, and parents about this issue;
- educating children about the nature and prevalence of child-on-child abuse, positive, responsible and safe use of social media, and the unequivocal facts about consent, via the curriculum;
- engaging parents on these issues;
- supporting the on-going welfare of the student body by drawing on multiple resources that prioritise student mental health, and by providing in-school/college counselling and therapy to address underlying mental health needs;
- working with governors, senior leadership team, and all staff, students and parents to address equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the school/college community;
- creating conditions in which our students can aspire to, and realise, safe and healthy relationships fostering a whole-school/college culture;
- responding to cases of child-on-child abuse promptly and appropriately; and
- ensuring that all child-on-child abuse issues are fed back to the DSL and deputies so that they can spot and address any concerning trends and identify students who may be in need of additional support.

Thomas Telford School will actively engage with TWSP, and other relevant safeguarding teams in relation to child-on-child abuse, and work closely with, for example, children's social care, the police and other education settings. The relationships our setting has built with these partners is essential to ensuring that we are able to prevent, identify early, and appropriately handle cases of child-on-child abuse. The DSL (or deputy) will regularly review behaviour incident logs which can help to identify any changes in behaviour and/or concerning patterns or trends at an early stage.

We recognise that any child can be vulnerable to child-on-child abuse due to the strength of peer influence, especially during adolescence, and staff should be alert to signs of such abuse amongst all children. Individual and situational factors can increase a child's vulnerability to abuse by their peers. We know that research suggests:

- child-on-child abuse may affect boys differently from girls (i.e. that it is more likely that girls will be victims and boys perpetrators). However, all child-on-child abuse is unacceptable and will be taken seriously;

- children with Special Educational Needs and/or Disabilities (SEND) are three times more likely to be abused than their peers without , and
- some children may be more likely to experience child-on-child abuse than others as a result of certain characteristics such as sexual orientation, ethnicity, race or religious beliefs.

Allegations against other children which are safeguarding issues

Some allegations may be of such a serious nature that they may raise safeguarding concerns. These allegations may include physical abuse, emotional abuse, sexual abuse, sexual violence and harassment and sexual exploitation, causing someone to engage in sexual activity without consent; and consensual and non-consensual use of nude and semi-nude images/videos.

We understand the gendered nature of child on child abuse (it is more likely that girls will be victims and boys will be perpetrators) but all peer on peer abuse is unacceptable and will be taken seriously. Other gender issues that can be prevalent when dealing with peer on peer abuse could, for example, include girls being sexually touched or assaulted or boys being subject to initiation or hazing type violence. It is also likely that incidents may involve older students and their behaviour towards younger students or those who are vulnerable. It is likely that, to be considered a safeguarding allegation against a child, some of the following features will be found.

If the allegation:

- Is made against an older child and refers to their behaviour towards a younger child or a more vulnerable child;
- Is of a serious nature, possibly including a criminal offence;
- Raises risk factors for other children in the school;
- Indicates that other children may have been affected by this child; and
- Indicates that young children outside the school may be affected by this child.

Prevention, assessing and minimising the risks

We will minimise the risk of allegations against other children by:

- Providing a developmentally age appropriate PSHE, RSE, British Values curriculum which develops children's understanding of acceptable behaviour and keeping themselves safe;
- Having clear systems in place for any child to raise concerns with staff, knowing that they will be taken seriously
- Delivering targeted work on assertiveness, protective behaviours and keeping safe those children identified as being at risk;
- Developing robust risk assessments & providing targeted work for children identified as being a potential risk to other children; and
- Training and awareness sessions will be provided for staff.
- Staff recognising, acknowledging, or understanding the scale of harassment and abuse and not downplaying some behaviours related to abuse which can lead to a culture of unacceptable behaviour, an unsafe environment and in

worst case scenario a cultural that normalises abuse and leading to children accepting it as normal and not coming forward to report it.

Procedure to manage and record child on child allegations

- When an allegation is made by a child against another child, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern the designated safeguarding lead or deputy will be informed;
- A factual record will be made of the allegation, but no attempt at this stage should be made to investigate the circumstances;
- The designated safeguarding lead or deputy will contact social care/multi-agency agency safeguarding hub (MASH) to discuss the allegation and seek advice;
- The designated safeguarding lead or deputy will follow through the outcomes of the discussion and make a referral where appropriate;
- If the allegation indicates that a potential criminal offence has taken place, this will be referred to the multi-agency agency safeguarding hub MASH where the police will become involved;
- Following advice from Social Care and/or the police, parents of both the child being complained about and the alleged victim, should be informed and kept updated on the progress of the referral;
- The designated safeguarding lead or deputy will make a record of the concern, the discussion and any outcome and keep a copy in the files of both children's files;
- It may be appropriate to exclude the pupil being complained about for a period of time according to the school's behaviour policy and procedures;
- Where neither social services nor the police accept the complaint, a thorough school investigation should take place into the matter using the school's usual behaviour procedures;
- In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan; and
- The plan should be monitored and a date set for a follow-up evaluation with everyone concerned.
- Abuse that occurs online or outside of school will not be downplayed and will be treated equally seriously

At Thomas Telford School we recognise and understand that child on child allegations will be very distressing situations for all concerned – the victim, perpetrator, other children, family members and staff. We will seek to provide any support required and make any necessary referrals for counselling and support services.

Child-on-child sexual violence and sexual harassment

All those who are part of our community believe that sexual violence and sexual harassment is not acceptable and will not be tolerated.

We understand that sexual violence and sexual harassment can occur between two children **of any age and sex**. It can occur online. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap.

We recognise that children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends our setting.

Staff at Thomas Telford School are aware that some groups are potentially more at risk. We know that evidence shows girls, children with SEND and LGBTQ+ children are at greater risk.

We will work to ensure our whole-school/college community are aware of the importance of:

- challenging inappropriate behaviours;
- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment; and,
- challenging physical behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

For the purpose of this policy, we use the term 'victim', 'alleged perpetrator(s)' or where appropriate 'perpetrator(s)'. Ultimately, the use of appropriate terminology will be determined, as appropriate, on a case-by-case basis.

Along with providing support to children who are victims of sexual violence or sexual harassment, we will provide the alleged perpetrator(s) with an education, safeguarding support as appropriate and implement any disciplinary sanctions. We recognise that a child abusing another child may be a sign they have been abused themselves or a sign of wider issues that require addressing within the culture of our setting. Taking disciplinary action and providing appropriate support, can, and should, occur at the same time if necessary.

We understand that reports of sexual violence and sexual harassment are extremely complex to manage. We know it is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. We also know it is also important that other children, adult students and our staff are supported and protected as appropriate.

We will try to be aware of, and respond appropriately to **all reports and concerns**, including those outside of our setting, and or online.

Whilst the focus of this policy is on protecting and supporting children, we will of course protect any adult students and engage with adult social care, support services and the police as required.

Sexual violence

Thomas Telford School staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way both inside and outside of our setting. We refer to sexual violence as 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.

Causing someone to engage in sexual activity with consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

We believe that **consent** is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

Sexual consent

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16;
- sexual intercourse without consent is rape.

Sexual harassment

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline both inside and outside of our setting. When we

reference sexual harassment, we do so 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
- displaying pictures, photos or drawings of a sexual nature,
- upskirting, and
- on-line sexual harassment.

We will follow the guidance set out in [UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people](#).

Upskirting

The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. We recognise 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any sex, can be a victim.

Harmful sexual behaviour

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. We use the term "harmful sexual behaviour" (HSB). **HSB can occur online and/or face to face and can also occur simultaneously between the two.** We will consider HSB in a child protection context.

We will follow the specialist support and advice on HSB available from the specialist sexual violence sector. Our DSL will undertake training in HSB and incorporate this into our approach to managing sexual violence and sexual harassment.

Addressing inappropriate behaviour **can** be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. Children displaying HSB have often experienced their own abuse and trauma. We understand it is important that they are offered appropriate support.

Our approach to preventing child-on-child abuse

We will undertake pre-planning, training for staff and implement an effective child-on-child abuse policy to help us develop the foundation for a calm, considered and appropriate response to any reports. We will review these regularly. The DSL (or a deputy) will engage with the local response to child-on-child abuse.

We understand the best responses to child-on-child abuse are based on a whole setting approach to safeguarding and child protection and we will involve our whole community in this.

Systems are in place, well promoted throughout our setting, and understandable and accessible for our pupils to confidently report abuse, sexual violence and sexual harassment, knowing their concerns will be treated seriously, and that they can safely express their views and give feedback.

As part of our commitment to our pupils, we have identified the following deputy DSL's, who are not part of our setting's senior leadership team, as staff in our setting, pupils can report child-on-child abuse to, if they choose not to report directly to a member of the senior leadership team.

Heledd Jones

Claire Nock

All staff in Thomas Telford School will undertake training in how to respond to child-on-child abuse, including reports of sexual violence or sexual harassment. Our DSL will undertake training to manage a report.

We accept the most effective preventative education programme will be through a whole setting approach that prepares pupils for life in modern Britain. Thomas Telford School has a clear set of values and standards, and these will be upheld and demonstrated throughout all aspects of school life. This is underpinned by our behaviour policy and pastoral support system, and by our planned programme of evidence-based content delivered through the whole curriculum. Our programme is developed to be age and stage of development appropriate. The DSL will support teachers in their delivery of this part of our curriculum. We recognise good practice allows children an open forum to talk through things. Such discussions can lead to increased safeguarding reports. Children will be made aware of the processes to raise their concerns or make a report and how any report will be handled. This will include processes when they have a concern about a friend or peer. All staff at Thomas Telford School are aware of how to support children and how to manage a safeguarding report from a child.

The DSL will consider if external support or intervention is necessary as part of our approach to sexual violence and sexual harassment. We recognise specialist organisations can offer a different perspective and expert knowledge.

Our response to child-on-child abuse, including reports of sexual violence or sexual harassment

It is our aim to always recognise, acknowledge and understand the scale of harassment and abuse. We aim to never downplay some behaviours related to abuse that can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Where necessary Thomas Telford School will work with other professionals, agencies and partners in our response. This may include the TWSP partners, the relevant local authority children's social care departments, the police and other services.

We recognise that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react. In some cases, the victim may not make a direct report.

The immediate response to a report

If a member of staff thinks for whatever reason that a child may be at risk of or experiencing abuse by another child/ren, or that a child may be at risk of abusing or may be abusing another child/ren, they should discuss their concern with the DSL (or deputy) without delay.

We will 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 our setting will not be downplayed and will be treated equally seriously. We will never give a victim the impression that they are creating a problem by reporting child-on-child abuse, including sexual violence or sexual harassment. Nor will we make a victim feel ashamed for making a report. We will 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 alarming or distressing them.

Risk assessment and safety planning & support

We take the view that child-on-child abuse does happen even if it is not reported. Therefore, on the advice of the TWSP we have implemented a risk assessment to help to minimise the risk of child-on-child abuse.

As per the advice of TWSP we refer to safety planning and support which is used for individual children in response to an alleged or actual incident child-on-child abuse, including sexual violence and where appropriate, incidents of sexual harassment.

When there has been a report of sexual violence, the DSL (or a deputy) will implement an immediate safety and support plan to identify risk and need. Where there has been a report of sexual harassment, the need for a safety and support plan will be considered on a case-by-case basis, but as good practice should be completed.

The risk and needs assessment should consider:

- the victim, especially their protection and support;
- whether there may have been other victims;

- the alleged perpetrator(s);
- all the other children, (and, if appropriate, adult students and staff) at the school or college, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms, and
- the time and location of the incident, and any action required to make the location safer.

If any of the children involved has SEND, the DSL will liaise with the SENDCO to assist in the management of the report. If the report involves an online safety element, the DSL will liaise with the online safety lead if this is not the DSL.

Safety and support plans must be recorded (written or electronic) and will be kept under review. At all times, we will be actively considering the risks posed to all of our pupils and students and put adequate measures in place to protect them and keep them safe.

The DSL (or a deputy) will engage with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional safety and support plans by social workers and or sexual violence specialists will be required. Our safety and support plan is not intended to replace the detailed assessments of expert professionals. Any such professional assessments will be used to inform our approach to supporting and protecting our pupils and students and updating our own risk assessment.

Action following a report of child-on-child abuse, including sexual violence and/or sexual harassment

Our DSL (and deputies) have a complete safeguarding picture and they are the most appropriate people to advise on our initial response. Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims 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. This will however need to be balanced with our duty and responsibilities to protect other children;
- the nature of the alleged incident(s), including whether a crime may have been committed and/or whether HSB has been displayed;
- the ages of the children involved;
- the developmental stages of the children involved;

- any power imbalance between the children. For example, is the alleged perpetrator(s) significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?;
- if the alleged incident is a one-off or a sustained pattern of abuse (sexual abuse can be accompanied by other forms of abuse and a sustained pattern 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 school or college staff; and,
- other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation.

As always when concerned about the welfare of a child, all staff will act in the best interests of the child. In all cases, we will follow general safeguarding principles. Immediate consideration will be given as to how best to support and protect the victim and the alleged perpetrator(s) (and any other children involved/impacted).

The starting point regarding any report will always be that there is a zero-tolerance approach to sexual violence and sexual harassment and it is never acceptable and it will not be tolerated.

As a matter of effective safeguarding practice, we will do all we reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment, especially where a case is progressing through the criminal justice system.

Options to manage the report

When to inform the alleged perpetrator(s) 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(s) will be informed of the allegations. However, as per general safeguarding principles, this does not and will not stop us taking immediate action to safeguard our children, where required.

Thomas Telford School will regularly review our decisions and actions, consider our relevant policies and any lessons learnt. We will look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, we will decide on a course of action. Consideration will be given to whether there are wider cultural issues within our setting that enabled the inappropriate behaviour to occur and

where appropriate extra teaching time and/or staff training could be delivered to minimise the risk of it happening again.

The DSL (or deputy) will use their professional judgement to: (a) assess the nature and seriousness of the alleged behaviour, and (b) determine whether it is appropriate for the alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required. The DSL and their deputies will consult the relevant local partnership threshold guidance to support their decision making and will engage in discussions with the statutory safeguarding partners to agree the levels for the different types of assessment and services to be commissioned and delivered, part of the local arrangements.

In borderline cases the DSL (or deputy) may consult with Family Connect, and/or other relevant agencies on a no-names basis (where possible) to determine the most appropriate response.

Where the DSL (or deputy) considers or suspects that the alleged behaviour in question might be abusive or violent on a spectrum or where the needs and circumstances of the individual child/children in question might otherwise require it, the DSL (or deputy) will contact Family Connect or the local social care team for the child and/or the police immediately and, in any event, within 24 hours of the DSL (or deputy) becoming aware of the alleged behaviour. The DSL (or deputy) will discuss the concern(s) or allegation(s) with the agency and agree on a course of action, which may include:

1. manage internally;
2. early help;
3. referral to children's social care; and
4. reporting to the police.

All concerns, discussions, decisions, and reasons for decisions will be recorded (written or electronic).

If bail conditions are in place, we will consider what additional measures may be necessary to manage any assessed risk of harm that may arise within our setting.

There may be delays in any case that is being progressed through the criminal justice system. We will not wait for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator(s) and other children and adult students in the school or college. The DSL (or a deputy) will work closely with the police (and other agencies as required), to ensure any actions we take do not jeopardise the police investigation.

If a child is convicted or receives a caution for a sexual offence, we will update our risk assessment. We understand it is important that we ensure both the victim and alleged perpetrator(s) remain protected. Where cases are classified as “no further action” (NFA’d) by the police or Crown Prosecution Service, or where there is a not guilty verdict, we will continue to offer support to the victim and the alleged perpetrator(s).

If a report is determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider whether the child and/or the person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to Family Connect or the relevant children’s social care team may be appropriate. If a report is shown to be deliberately invented or malicious, we will consider whether any disciplinary action is appropriate against the individual who made it as per our own behaviour policy.

Ongoing response to child-on-child abuse, including sexual violence or sexual harassment

We will consider the principles based on effective safeguarding practice and to help shape any decisions regarding safeguarding and supporting the victim and the alleged perpetrator(s). We will consider what support is the most appropriate to support all children involved.

Victims may not talk about the whole picture immediately. It is essential that dialogue is kept open and encouraged. We will offer victims a designated trusted adult in our setting to talk about their needs.

A victim of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. We will avoid any action that would have the effect of isolating the victim, in particular from supportive peer groups, there may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This will be because the victim wants to, not because it makes it easier to manage the situation. If required, we will provide a physical space for victims to withdraw.

Whilst we will give all the necessary support to victims to remain in our setting, if the trauma results in the victim being unable to do this, alternative provision or a move to another setting 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).

Please refer to our policy and procedures with regard to child-on-child abuse.

We will always check in with all children involved or alleged to have been involved in child-on-child abuse that are in our school. This is to ensure our procedures have been followed and to understand their perception of the effectiveness of our procedures.

Managing any delays in the criminal process

- There may be delays in any case that is being progressed through the criminal justice system. Our School 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. We will use a risk assessment to help inform any decision.
- Whilst protecting children and/or taking any disciplinary measures against the alleged perpetrator, our designated safeguarding lead or deputy will work closely with the police (and other agencies as required), to ensure any actions our school take do not jeopardise the police investigation.
- If our school has questions about the investigation, we will ask the police.

The end of the criminal process

- If a child is convicted or receives a caution for a sexual offence, we will update our risk assessment, ensure relevant protections are in place for all the children at our school and, we will consider any suitable action in light of our behaviour policy. If the perpetrator remains in our school with the victim we will be very clear as to our expectations regarding the perpetrator now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions the school thinks are reasonable and proportionate regarding the perpetrator's timetable.
- We will ensure both the victim and alleged perpetrator remain protected, especially from any bullying or harassment (including online).
- Where cases are classified as "no further action" (NFA'd) by the police or Crown Prosecution Service, or where there is a not guilty verdict, we will continue to offer support to the victim and the alleged perpetrator for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for the victim. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. We will discuss any decisions with the victim in this light and continue to offer support. The alleged perpetrator is also likely to require ongoing support for what will have likely been a difficult experience.

Unsubstantiated, unfound, false and malicious reports

All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing.

Safeguarding and supporting the victim. Records will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified, and addressed.

If a report is determined to be unsubstantiated, unfounded, false or malicious, the designated safeguarding lead will consider whether the child and/or the person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to children's social care may be appropriate.

If a report is shown to be deliberately invented or malicious, we will consider whether any disciplinary action is appropriate against the individual who made it as per our behaviour policy.

Safeguarding and supporting the victim

The following principles are based on effective safeguarding practice and will help shape any decisions regarding safeguarding and supporting the victim.

- The age and the developmental stage of the victim
- The needs and wishes of the victim will be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. Overall, the priority will be to make the victim's daily experience as normal as possible, so that our school is a safe space for them.
- The victim should never be made to feel they are the problem for making a report or made to feel ashamed for making a report.
- Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape. Support can include: Children and Young People's Independent Sexual Violence Advisors (ChISVAs), Rape Crisis, The Survivors Trust, CAMHS, Rape Crisis centres and the Internet Watch Foundation, The Male Survivors Partnership, NHS, Childline, Rape and assault referral centres

Victims may not disclose the whole picture immediately. They may be more comfortable providing information on a piecemeal basis. It is essential that dialogue is kept open and encouraged. When ongoing support will be required, we will ask the victim if they would find it helpful to have a designated trusted adult (for example, their form tutor or designated safeguarding lead) to talk to about their needs. The choice of any such adult should be the victim's. We will respect and support this choice.

We are aware that sexual assault can result in a range of health needs, including physical, mental and sexual health problems and unwanted pregnancy.

We understand that a victim of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. While we will avoid any action that would have the effect of isolating the victim, in particular from supportive peer groups, there may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This should be because the victim wants to, not because it makes it easier to manage the situation. If required, we will provide a physical space for victims to withdraw.

We will do everything we reasonably can to protect the victim from bullying and harassment as a result of any report they have made.

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

If the victim does move to another educational institution (for any reason), the new educational institution will be made aware of any ongoing support needs. The designated safeguarding lead will take responsibility to ensure this happens (and should discuss with the victim and, where appropriate their parents or carers as to the most suitable way of doing this) as well as transferring the child protection file.

Safeguarding and supporting the alleged perpetrator(s) and children and young people who have displayed harmful sexual behaviour

The following principles are based on effective safeguarding practice and will help shape any decisions regarding safeguarding and supporting the alleged perpetrator:

We will have a difficult balancing act to consider. On one hand, they need to safeguard the victim (and the wider pupil/student body) and on the other hand provide the alleged perpetrator(s) with an education, safeguarding support as appropriate and implement any disciplinary sanctions. Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time if necessary.

The age and the developmental stage of the alleged perpetrator(s) and nature of the allegations. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them.

Consider the proportionality of the response. Support (and sanctions) will be considered on a case-by-case basis. An alleged perpetrator(s) may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other children. Harmful sexual behaviours in young children may be (and often are) a symptom of either their own abuse or exposure to abusive practices and or materials. We will seek advice, as appropriate, from children's social care, specialist sexual violence services and the police.

It is important that the perpetrator(s) is/are also given the correct support to try to stop them re-offending and to address any underlying trauma that may be causing this behaviour. Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

Advice on behaviour and discipline in schools is clear that teachers can discipline pupils whose conduct falls below the standard which could be reasonably expected of them. If the perpetrator(s) is to be excluded the decision must be lawful, reasonable and fair.

School can be a significant protective factor for children who have displayed HSB, and continued access to school, with a comprehensive safeguarding management plan in place, is an important factor to consider before final decisions are made.

It is important that if the alleged perpetrator(s) does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs and where appropriate, potential risks to other children and staff. The designated safeguarding lead will take responsibility to ensure this happens as well as transferring the child protection file.

If **staff** have a concern about a child or a child makes a report to them, they should follow the School referral process. As is always the case, if staff are in any doubt as to what to do they should speak to the Designated Safeguarding Lead- Jamie Norman- JNorman@ttsonline.net.

If **parents/students** have a concern about a child or a child makes a report to them they should contact the school immediately 01952 200 000 and ask to speak to one of the Safeguarding Lead teacher:

Mr Norman: JNorman@ttsonline.net

Alternatively a referral can be made using the online referral form that is available on the safeguarding page on the school website.

Toolkits and Guidance

NSPCC ADVICE AND SUPPORT

The dedicated NSPCC helpline number is 0800 136 663

This helpline is to support potential victims of sexual harassment and abuse. Run by the NSPCC it aims to provide advice and support to both children and adults who are victims of abuse in school. It will also include how to contact the police to report crimes.

The advice line is also available to support professionals and parents.

Ask Ava

The Ask Ava prevention platform has been created to support education practitioners across the UK to develop and deliver a comprehensive programme to stop Violence Against Women and Girls.

Lucy Faithfull Foundation HSB Toolkit

Provides support, advice, and information on how to prevent it, links to organisations and helplines, resources about HSB by children, internet safety, sexual development and preventing child sexual abuse.