BARNARDISTON HALL PREPARATORY SCHOOL

PEER ON PEER ABUSE

(SEXUAL VIOLENCE AND SEXUAL HARASSMENT)

Children can abuse other children. This is generally referred to as 'Peer on Peer Abuse' and can take many forms. This can include (but is not limited to):

- Bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals. Please see the Government publication 'Advice for Schools and Colleges on Responding to Sexting Incidents'. https://www.safeguardinginschools.co.uk/wp-content/uploads/2016/08/Sexting-in-schools-and-colleges-UKCCIS-August-2016.pdf
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm is dealt with in other policies. This Policy addresses sexual violence and sexual harassment.
- Sexual violence and sexual harassment (see below).
- Initiation / hazing type violence and rituals.

Keeping Children Safe in Education 2019 states that 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.

Staff should be aware of the importance of:

• 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 as "banter", "Part of growing up", "just having a laugh" or "boys being boys".

• Challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

To minimise the risk of peer on peer abuse

- We have PSHE lessons throughout the School which tackles issues of bullying, appropriate use of the internet,
- Boarder's mobile phones are periodically checked to ensure messages are 'kind' and contents are correct. Contracts are signed by children for acceptable use.
- Computers are monitored and we us Impero which takes a 'screen shot' and emails it to the Head of IT (Angela Dobson) if any message is deemed to be possibly unacceptable.
- We hold assemblies where different types of abuse and issues are highlighted.

- We identify any children who may be especially vulnerable, for example, children who are adopted, fostered or in care or who may have a learning disability or have parents who are separated or divorced.
- We have a policy of 'Early Help' where we aim to identify any vulnerable children in the School.
- We pay particular attention to equality and diversity within the School and celebrate the difference in our cultures, beliefs and abilities.
- We recognise that girls may be particularly vulnerable to peer on peer abuse.

What is the difference between Sexual Violence and Sexual Harassment?

Sexual Violence (refers to sexual offences under the Sexual Offences Act 2003)

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) 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.

What is consent?

Keeping Children Safe in Education, 2019 describes consent in the following way:

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 Harassment

Sexual harassment means 'unwanted conduct of a sexual nature' that can occur online and offline. When referring to sexual harassment, we are referencing this in the context of 'child on child' sexual harassment. This 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 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 (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and

• **Online sexual harassment**. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:

• **Non-consensual** sharing of sexual images and videos;

• S**exualised online bullying**;

• **Unwanted sexual comments** and messages including on social media.

• **Sexual exploitation**; coercion and threats.

How we deal with this at Barnardiston Hall

The initial response to any report from a child is very important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment, nor should they be made to feel ashamed for making a report.

The following are guidelines which should be followed should a child make a disclosure:

• Do not promise confidentiality at this initial stage as it is very likely that a concern will have to be shared further (for example, with the Designated Safeguarding Lead or Children's Social Care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to.

• Recognise that a child is likely to disclose to someone they trust. This could be anyone on the School staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust.

• They should be supportive and respectful of the child and listen carefully to the child, be non-judgmental, being clear about boundaries and how the report will be progressed, not ask leading questions and only prompt the child where necessary with open questions – where, when, what, etc;

• Consider the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote his/her full attention to the child and to listen to what the child is saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note-taking. Either way, it is essential a written record is made.

• Only record the facts as the child presents them. The notes should not reflect the personal opinion of the note-taker. They should be aware that notes of such reports could become part of a statutory assessment by Children's Social Care and/or part of a criminal investigation. Where the report includes an online element, be aware of searching screening and confiscation advice (for schools) and UKCCIS sexting advice (for schools and colleges). The key consideration is for staff not to view or forward illegal images of a child.

• If possible, manage reports with two members of staff present (preferably one of them being the Designated Safeguarding Lead or a Deputy). However, this might not always be possible.

• Inform the Designated Safeguarding Lead (or Deputy), as soon as practically possible, if the Designated Safeguarding Lead (or Deputy) is not involved in the initial report

What next?

Following receipt of the report, the DSL should make an immediate Risk Assessment. Where there has been a report of sexual harassment, the need for a Risk Assessment should be considered on a case-by-case basis. The Risk and Needs Assessment should consider:

• the victim, especially his/her protection and support,
• the alleged perpetrator and

• all the other children (and, if appropriate, adult students and staff) at the School, especially any actions that are appropriate to protect them.

Risk Assessments should be recorded and should be kept under review.

The DSL (or Deputy) should ensure that they are engaging with Children's Social Care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional Risk Assessments by Social Workers and / or sexual violence specialists will be required.

Options to Manage the Report

When a report is going to be made to Children's Social Care and / or the Police, the DSL should speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of

the allegations. However, this will not stop the DSL taking immediate action to safeguard the child, where required.

KCSIE gives details of four likely scenarios for schools to consider when managing a report of sexual violence and / or sexual harassment. These can be found at Paragraph 249 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/835733/Keeping_children_safe_in_education_2019.pdf   In brief, these are:

1   **Manage internally** (possibly for a one-off incident were the DSL believes the children concerned are not in need of early help or statutory intervention

2   **Early Help.** In line with (1) above, the DSL may decide that the children involved do not require statutory intervention but may benefit from early help (providing immediate support).

3   **Referrals to Children's Social Care**. At this stage the DSL will generally inform parents or carers unless there is a compelling reason not to. Any such decision should be made with the support of Children's Social Care.

4   **Reporting to Police.** Any report to the Police will be in parallel with a referral to Children's Social Care (as above) and will be made by the DSL or Alternate DSL.

Ongoing Response

The DSL will refer to Paragraph 253 of KCSIE and the School will do everything it can to support the victim. In addition, the perpetrator will be need to be educated and receive safeguarding support as appropriate.

This policy should be read in conjunction with Part 5 and Annex A of KCSIE (June 18)

Further Reading

DfE Sexual Violence and Sexual Harassment between children in schools and colleges (May 18)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719902/Sexual_violence_and_sexual_harassment_between_children_in_schools_and_colleges.pdf

Policy introduced 1/9/18

Reviewed 1/11/19