

**Article 19 You have the right to be protected from violence, abuse and being neglected by anyone who looks after you.**

**Article 34 You have the right to be protected from sexual exploitation (being taken advantage of) and sexual abuse.**

## 1. Aims of the policy

- To ensure that staff are able to recognise that children are capable of abusing another child, what child on child abuse is and the different forms it can take.
- That it is clear that this is abuse and will not be tolerated.
- To ensure staff are clear as to the school policy and procedures for managing allegations made against other children/young people.
- To ensure there are clear procedures linked to how all children involved and affected will be supported in school.
- To ensure that the safeguarding arrangements the school have in place minimise the risk of child-on-child abuse.
- To ensure our children are taught how to keep themselves safe, particularly online, and are aware of safeguarding risks including child on child abuse, through planned teaching and learning opportunities, as part of a broad and balanced curriculum.

## 2. Introduction

At Langtoft Primary School we believe that all children have a right to attend school and learn in a safe environment. Pupils should be free from harm which includes harm from other pupils.

As a school, we promote positive behaviour and encourage relationships based on respect, where empathy and tolerance is shown towards others and where each individual is valued.

We recognise that children and young people's behaviours can and do exist on a wide continuum from normal and developmentally appropriate to problematic. Behaviour is often a form of communication of need and we must recognise that a child's problematic or inappropriate behaviour could be a sign that s/he is upset and that something is not right. Problematic behaviours in a child may be non-verbal techniques to try to get their unmet needs resolved. Therefore, it is crucial that staff respond to all witnessed or reported instances of inappropriate behaviour.

We recognise that individual children's behaviour can have a negative impact on the wellbeing of others. Generally, these incidents can be dealt with under our Behaviour & Rewards Policy and Procedures which in most cases, impacts on and deescalates incidents of unwanted behaviour. These cases are not generally seen as child-on-child abuse.

However, all staff recognise

- that children are capable of abusing another child and that this may be happening in person or in an online context.
- that such abuse may well be taking place and is simply not being reported.

There is not always a clear boundary between incidents that could be regarded as abusive and incidents that are more properly dealt with as behaviour issues. This is a matter of professional judgement and circumstances involved in each case.



Children may be harmful to one another in several ways which would be classified as child-on-child abuse and must be dealt with as a safeguarding issue if some of the following features are found.

- There is an imbalance in power causing a vulnerability (for example age, size, ability, development) between the young people concerned
- The pupil being complained about has repeatedly tried to harm one or more other children
- There are concerns about the intention of the pupil being complained about
- The incident/s are of a serious nature, possibly including a criminal offence
- The incident/s raise risk factors for other children in the school and beyond

If the evidence suggests that there was an intention to cause severe harm to another child or children, this should be regarded as abusive whether or not severe harm was actually caused.

The Lincolnshire Safeguarding Children Partnership (LSCP) thresholds offer further information and signposting to services to help practitioners distinguish developmentally appropriate and/or harmful behaviours. If at any stage you are worried that a child or young person has been harmed or is at risk of harm, follow normal child procedures in school. (See Child Protection and Safeguarding Policy).

### 3. Types of abuse

There are many forms of abuse that may occur between peers and this list is not exhaustive. 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 child. 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 accidentally, before considering the action or consequence to be undertaken.

#### **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 child or sexual assault/abuse.

#### **Bullying (physical, name calling, homophobic etc.)**

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

In order to be considered bullying, the behaviour must be aggressive and include:

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



## Cyberbullying

Cyberbullying is the use of phones, instant messaging, e-mail, chat rooms or social networking sites 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.

## Consensual or Non-Consensual Sharing of Nude or Semi-Nude Images or Videos

Consensual or Non-Consensual Sharing of Nude or Semi-Nude Images or Videos 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 happen in any relationship and 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, children may not even be aware that they could be breaking the law as stated, as these are offences under the Sexual Offences Act 2003.

## Initiation/Hazing

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

## 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).

## 4. Recognising the risk

School staff should never dismiss child-on-child abusive behaviour as normal 'banter' between young people or develop high thresholds before taking action.

We recognise that although all children are potentially vulnerable to abuse by their peers, some children are more vulnerable such as those children:

- receiving statutory care/support or known to have experienced harm, abuse or exploitation;
- with a disability, ill-health or developmental difficulties – including mental ill health and special educational needs;



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- living in households or families with characteristics that may indicate higher levels of risk such as poverty, substance abuse, domestic abuse or where they may be a young carer;
- who are vulnerable or of concern by virtue of their identity or nationality – including LGBTQ+ children and young people and refugees.

Children's Commissioner Vulnerability report 2018

It is also recognised that the abuse between children may happen beyond the school environment and online spaces can be a place where abusive behaviour between young people is played out.

*Contextual Safeguarding is an approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships.*

The Contextual Safeguarding Network

Evidence suggests that such children displaying harmful behaviours may have suffered considerable disruption in their lives, may have witnessed or been subjected to physical or sexual abuse, may have problems in their educational development and may have committed other offences.

Our school will always consider that the pupil being complained about is likely to have considerable unmet needs themselves as well as posing a significant risk of harm to other children. They may therefore be suffering, or at risk of suffering, significant harm and in need of protection themselves. Any long-term plan to reduce the risk posed by the pupil being complained about must also address their individual and specific needs.

## 5. Expected action taken from all staff

Although the type of abuse may have a varying effect on the victim and initiator 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 child-on-child abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get the true facts around what has occurred as soon after the child(ren) may have 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 child-on-child 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.
- Gather the Facts. 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 – Tell, explain, describe (TED). 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?)
- Consider the Intent (begin to Risk Assess). Has this been a deliberate or contrived situation for a young person to be able to harm another?
- 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 will likely need to make a safeguarding referral to social care immediately (where a crime has been committed the police should be involved also). Seek advice from DSL/DDSL.



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- A record of the concern, the discussions and any actions/outcome will be kept on the pupil files (all pupils involved in the allegation) using My Concern system.
- If social care and/or 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 be that social care feel that it does not meet their criteria in which case you may challenge that decision with support from DSL/DDSL, with that individual or their line manager. If on discussion however, you agree with the decision, you may then be left to inform parents if they have not been part of the process at this time.
- If the allegations indicate a potential criminal offence has taken place, the police should be contacted at the earliest opportunity. However, in school we are mindful that the age of criminal responsibility in England is 10 years old meaning that children under 10 can't be arrested or charged with a crime. There are other punishments that can be given to children under 10 who break the law. Further advice can be sought regarding this from agencies involved.
- Parents, of both the pupil being complained about and the child/ren affected, should be informed and kept updated on the progress of any referrals, actions and/or interventions.
- If the case does not meet thresholds for other services to be involved, school will continue to deal with the matter using the school's usual disciplinary procedures.
- The needs and wishes of the affected child/ren should be taken into account as much as is reasonably possible but DSLs and deputy DSLs will also need to consider if they have suffered significant harm and the need to protect others. Affected pupils should be offered support from specialist services.
- In situations where the school considers an ongoing safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan. The plan should be monitored and a date set for a follow up evaluation with everyone concerned.

If the incident/s are of a sexual nature, school staff will follow the DfE advice on Sexual Violence and Sexual Harassment between children in schools and colleges, September 2021. The guiding principles for dealing with these situations are outlined below:

- Basic safeguarding principles should apply throughout.
- The needs of the children affected and the needs of the pupil being complained about must be considered separately.
- The pupil being complained about is likely to have considerable unmet needs and actions must include addressing this person's behaviour and its causes.
- All agencies involved must consider whether the pupil being complained about poses a risk to other children including but not limited to school, the community or online.
- There should be a co-ordinated approach by children's social care, education and health agencies. No agency should start a course of action that has implications for any other agency without appropriate consultation.
- School will only engage staff and agencies who are required to support the children involved and or be involved in any investigations.

## 6. Prevention

It is not enough to respond to incidents as they arise. At Langtoft Primary School we strive to create an environment that actively discourages abuse and challenges the attitudes which underlie it. In our school this includes

- A clear Behaviour & Rewards Policy.
- Ensuring we have an open environment where children feel safe to share information about anything that is upsetting or worrying them.
- A strong consistent PSHE and SMSC curriculum which specifically teaches children about the different types of abuse they may be at risk from and what to do if they are worried about themselves or a friend.
- A whole school, consistent approach to rewards and sanctions.



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- Whole staff training and CPD around abusive behaviour and talking to young people in a way that continues to create an open and honest environment without prejudice.
- A resource board with support services on a wide range of issues so children can seek their own solutions should they wish to.
- Having a school council and pupil voice and encourage children to support changes and develop rules of acceptable behaviour
- Work with other agencies such as NSPCC, Be Safe

This policy forms part of our Safeguarding arrangements in school and must be read in conjunction with the following school policies for:

- Safeguarding and Child Protection
- Behaviour
- Anti-Bullying
- E-Safety
- PSHE and RSE

Please see the school's Safeguarding and Child Protection policy for full details of the Designated Safeguarding Lead, Deputy DSL and Locality Teams contact details.



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