

# Ellwood Community Primary School

Believe, Achieve, Belong



## Child-On-Child Abuse Guidance

Date reviewed: July 2023

Next renew date: July 2024

### Introduction

At Ellwood Community Primary School, safety and well-being of our pupils is paramount.

Keeping Children Safe in Education [KCSIE] states that 'Governing bodies and proprietors should ensure there are appropriate policies and procedures in place to ensure appropriate action is taken in a timely manner to safeguard and promote children's welfare'.

This means schools having an effective **child protection policy** which:

- should describe procedures which are in accordance with government guidance;
- refer to locally agreed multi-agency safeguarding arrangements put in place by the three safeguarding partners;
- include other policies such as online safety, SEND and behaviour policy which help to keep children safe, healthy and supports their mental health and well-being.

Our staff have an awareness of safeguarding issues that can put children at risk of harm.

Behaviours linked to issues such as drug taking, alcohol abuse, deliberately missing education and sexting [also known as youth produced sexual imagery] put children in danger.

Our staff are aware that safeguarding issues can manifest themselves via Child-On-Child Abuse.

This is most likely to include, but may not be limited to:

- Bullying [including cyberbullying, prejudice-based and discriminatory bullying]

- Physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm [this may include an online element, which facilitates, threatens and/or encourages physical abuse].
- Abuse in intimate relationships between peers.
- Sexual violence and sexual harassment.
- Causing someone to engage in sexual activity without consent.
- Upskirting, which typically involves taking a picture under a person's clothing without their permission, to obtain sexual gratification or cause the victim humiliation, distress or alarm.
- Consensual and non-consensual sharing of nude and semi-nude images and/or videos [also known as sexting or youth produced sexual imagery].
- Initiation/hazing type violence and rituals, which could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group, and may also include an online element.

### Prevention

At Ellwood Community Primary School, we are committed to the prevention, early identification and appropriate management of Child-On-Child Abuse. We continue to ensure that any form of abuse or harmful behaviour is dealt with immediately and consistently to reduce the extent of harm to the young person.

Our guidance includes a clear strategy taking a contextual whole-school approach to preventing and responding to Child-On-Child Abuse, which includes a clear understanding to staff, children and young people and their parents about everyone's responsibility in managing any Child-On-Child Abuse incidents. This will include both our prevention measures as well as our response to any incidents of harm.

### Purpose and Aim

Children and young people may be harmful to one another in a number of ways which would be classified as Child-On-Child Abuse. The purpose of this guidance is to explore the many forms of Child-On-Child Abuse and include a planned and supportive response to the issues.

At Ellwood Community Primary School, we have the following policies [not exhaustive] in place that should be read in conjunction with this policy:

- Child Protection and Safeguarding Policy
- Anti-Bullying Policy and Hate Crime
- Online Safety and Acceptable Use Policy
- 'Children who are absent from education' Policy
- Behaviour Policy
- Personal Social Health Education [PSHE] [Life Skills] + Relationships and Sex Education [RSE] Policy

### Framework and Legislation

This policy is supported by the key principles of the Children's Act 1989 that the child's welfare is paramount. Another key document that focuses adult thinking towards the views of the child is 'Working Together to Safeguard Children', highlighting that every assessment of a child, should '*reflect the unique characteristics of the child within their family and community context*' [Working Together to Safeguard Children, 2018]. This is clearly echoed in Keeping Children Safe in Education [KCSIE].

#### What is Child-On-Child Abuse?

For these purposes, Child-On-Child Abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between children and within children's relationships [both intimate and non-intimate].

Child-On-Child Abuse can take various forms, including: serious bullying [including cyber-bullying], relationship abuse, domestic violence, child sexual exploitation, youth and serious youth violence, harmful sexual behaviour, and/or gender-based violence. Children's experiences of abuse and violence are rarely isolated events, and they can often be linked to other things that are happening in their lives and spaces in which they spend their time. Any response to Child-On-Child Abuse therefore needs to consider the range of possible types of Child-On-Child Abuse set out above and capture the full context of children's experiences.

**Abuse is abuse and should never be tolerated or passed off as 'banter' or 'part of growing up'.**

#### Children with Special Educational Needs

Children with special educational needs [SEN] and disabilities can face additional safeguarding challenges. These can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- Being more prone to peer group isolation than other children;
- The potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- Communication barriers and difficulties in overcoming these barriers.

Extra pastoral support for children with SEND and disabilities may be required when investigating any form of Child-On-Child Abuse with SEND pupils.

#### 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 person. There may be many reasons why a child harms another and it is important to understand why a young person has engaged in such behaviour, including accidentally before considering the action or punishment 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, sexual assault, rape or abuse.

### **Sexual violence and sexual harassment**

Sexual violence and sexual harassment can occur between two children of **any age and sex**. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence refers to sexual offences under the Sexual Offences Act 2003.

### **Serious violence**

**All** staff should be aware of indicators, which may signal that children are at risk from, or are involved with, serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation.

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

### **Bullying [inclusive of all types]**

Bullying is behaviour by an individual or group, **repeated over time**, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms [for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video] and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.

Bullying involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological [knowing what upsets someone], derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online.

Low-level disruption and the use of offensive language can in itself have a significant impact on its target. If left unchallenged or dismissed, as banter or horseplay, it can also lead to reluctance to report other behaviour.

### **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 if it courses; offense, threat, anxiety, annoyance and/or inconvenience.

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.

### **Sexting [Youth Produced Imagery]**

Sexting is when someone sends or receives a sexually explicit text, image or video. This includes sending 'nude pics', 'rude pics' or 'nude selfies'. Pressuring someone into sending a nude picture can occur in any relationship, to anyone, whatever their age, gender or sexual preference.

However, once the image is taken and sent, the sender has lost control of the image and these images could end up anywhere. By having in their possession, or distributing, indecent images of a person under 18 on to someone else, young people are not even aware that they could be breaking the law as stated as these are offences under the Sexual Offences Act 2003.

### **Initiation/Hazing**

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies. Many rituals involve humiliation, embarrassment, abuse, and harassment.

### **Upskirting**

The Voyeurism [Offences] Act 2019 which criminalise the act of 'upskirting'. The [Criminal Prosecution Service \[CPS\]](#) defines 'upskirting' as a colloquial term referring to the action of placing equipment such as a camera or mobile phone beneath a person's clothing to take a voyeuristic photograph without their permission. This which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks.

### **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].

### **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.

### Measuring the behaviour

Simon Hackett's Continuum of Behaviour [taken from Farrer and Co. 2017] can be a useful guide to measure the behaviour that has occurred and consider the circumstances around the incident[s].

The continuum looks at whether it:

- is socially acceptable.
- involves a single incident or has occurred over a period of time.
- is socially acceptable within the peer group.
- is problematic and concerning.
- involves any overt elements of victimisation or discrimination e.g., related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability.
- involves an element of coercion or pre-planning.
- involves a power imbalance between the child/children allegedly responsible for the behaviour and the child/children allegedly the subject of that power.
- involves a misuse of power.

Behaviour which is not abusive at first may potentially become abusive quickly or over time.

**Intervening early** and addressing any inappropriate behaviour which may be displayed by a child is vital and could potentially prevent their behaviour from progressing on a continuum to become problematic, abusive and/or violent - and ultimately requiring [greater/more formal] engagement with specialist external and/or statutory agencies.

### Gather the Facts

In cases specifically relating to sexual violence and sexual harassment, part of KCSIE [2023] states that two members of staff [one being the Designated Safeguarding Lead] should be present to manage the report, *where possible*.

In all circumstances, staff need to speak to all the young people involved separately, gain a statement of facts from them and use **consistent language** and **open questions** for each account. The easiest way to do this is not to have a line of questioning but to ask the young people to tell you what happened. Only interrupt the young person from this to gain clarity with open questions, 'where, when, why, who' [what happened? who observed the incident? what was seen? what was heard? did anyone intervene?].

A full and clear record of exactly what the young person has said in their own language should be made and stored on 'My Concern'.

### Risk Assessment (Intent)

Has this been a deliberate or contrived situation for a young person to be able to harm another?

### Course of Action

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



### Informing parents

If, once appropriate advice has been sought from police/social care, you have agreement to inform parents or have been allocated that role from the other services involved then you need to inform the parents as soon as possible. If services are not going to be involved then equally, this information may need to be shared with parents. Parents would not be informed if by doing so the child was put at further risk of significant harm.

### Questions to consider when gathering information:

- What is the age of the children involved?
- Where did the incident or incidents take place?
- What was the explanation by all children involved of what occurred?
- What is each of the children's own understanding of what occurred?

### Repetition

Has the behaviour been repeated to an individual on more than one occasion?

### Outcomes

The outcome of the investigation will follow local threshold guidance. For example, full or further investigation or early help or school support. This will be confirmed by the MASH team.

In any of the above outcomes the school has a duty of care to manage the education needs of both children/young people.

### Next Steps

Once the outcome of the incident[s] has been established it is necessary to ensure future incidents of abuse do not occur again and consider the support and intervention required for those involved.

### For the young person who has been harmed [alleged victim]

What support they require depends on the individual/young person. It may be that they wish to seek one to one support via a family support worker [FSW]. It may also be that they feel able to deal with the incident[s] on their own or with support of family and friends. In which case it is necessary that this young person continues to be monitored and offered support should they require it in the future. If it is a serious incident, external professionals may come into school.

If bullying, other interventions that could be considered may target a whole class or year group for example; a speaker on cyber bullying, friendship, protective measures, circle time, peer relationships. It may be that through the continued curriculum of PHSE and SMSC that certain issues can be discussed more frequently. If the young person feels particularly vulnerable it may be that additional support and a risk assessment can be put in place for them whilst in school.

### For the young person who has displayed harmful behaviours [alleged perpetrator]

In this circumstance it is important to find out why the young person has behaved in such a way. It may be that the young person is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases one to one support may also be necessary. Particular support from identified services may be necessary through an early help referral.

Once the support required to meet the individual needs of the young person has been met, it is important that young person receives a consequence for their behaviour. This may be in the form of restorative justice type of activities e.g., making amends with the young person they have targeted if

this has been some form of bullying. One to one work with a particular service or agency [if a crime has been committed this may be through the police or youth offending service]. Even following the conclusion of any investigation, the behaviour that the young person has displayed may continue to pose a risk to others in which case an individual risk assessment may be required. This should be completed via a multi-agency response to ensure that the needs of the young person and the risks towards others are measured by all of those agencies involved including the young person and their parents. This may mean additional supervision of the young person, depending on the incident and age of the child.

The school may also choose a punishment as a consequence such as suspension or internal suspension or a period of time to allow the young person to reflect on their behaviour.

#### After care

It is important that following the incident the young people involved continue to feel supported and receive help even if they have stated that they are managing the incident. Sometimes the feelings of remorse, regret or unhappiness may occur at a much later stage than the incident.

#### Disciplinary Action

Ellwood Community Primary School will need to consider whether disciplinary action may be appropriate for any child/children involved – any such action should address the abuse, the causes of it, and attitudes underlying it. Disciplinary action may sometimes be appropriate, including [a] to ensure that the child/children take[s] responsibility for and realise[s] the seriousness of their behaviour; [b] to demonstrate to the child/children and others that Child-On-Child Abuse can never be tolerated; and [c] to ensure the safety and well-being of other children. However, these considerations must be balanced against the child's/children's own potential unmet needs and any safeguarding concerns. Before deciding on appropriate action our school will always consider its duty to safeguard all children from harm; the underlying reasons for a child's behaviour; any unmet needs, or harm or abuse suffered by the child; the risk that the child may pose to other children; and the severity of the Child-On-Child Abuse and the causes of it.

Our school will, where appropriate, consider the potential benefit, as well as challenge, of using exclusion as a response, and not as an intervention, recognising that even if this is ultimately deemed to be necessary, some of the measures referred to in this policy may still be required. Exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the other children in the school.

#### Review of Circumstances

Following any incident of harm, it is necessary for our School to consider if anything could have been done differently.

#### Preventative Strategies for Schools and Settings

It is important for us to develop appropriate strategies in order to prevent the issue of Child-On-Child Abuse rather than manage the issues in a reactive way. Firstly, and most importantly we recognise that Child-On-Child Abuse can occur on any site even with the most stringent of policies.

We strive to have an environment where children feel safe to share information about anything that is upsetting or worrying them. We have a strong and positive PHSE [Life Skills] and RSE curriculum that tackles such issues as prejudiced behaviour and gives children an open forum to talk things through.

At Ellwood Community Primary School, our PSHE Curriculum incorporates:



- Healthy and respectful relationships.
- What respectful behaviour looks like?
- Gender roles, stereotyping and equality.
- Mental health and well-being.
- Keeping safe.
- Harmful behaviour.

To enable such an open and honest environment it is necessary to ensure the whole workforce and governing body feels confident and enabled to talk about issues and challenge perceptions of young people including use of inappropriate language and behaviour towards one another. It is incredibly important that staff do not dismiss issues as 'banter' or 'growing up' or compare them to their own experiences of childhood.

It is important that signposting is available to young people and parents in the event that they don't feel confident raising an issue to staff or a peer.

Multi-agency working can consolidate the school's procedures. By accessing advice, support and guidance, effective decisions can be made in collaboration to improve outcomes for children who may be at risk of harm. Seeking advice and guidance can act as a preventative measure so that the right course of action is taken at the earliest opportunity. It is also necessary that our school actively refers concerns/allegations of Child-On-Child Abuse where necessary to the MASH team/children's social care and the police where appropriate. This is particularly important because Child-On-Child Abuse can be a complex issue, and even more so where wider safeguarding concerns exist. It is often not appropriate for one single agency [where the incident cannot be managed internally] to try to address the issue alone – it requires effective partnership working.

We know that schools which excel at tackling bullying [and peer abuse] have created an ethos of good behaviour where pupils treat one another and the school staff with respect because they know that this is the right way to behave. That culture extends beyond the school gates including travel to and from school. Values of respect for staff and other pupils, an understanding of the value of education, and a clear understanding of how our actions affect others permeate the whole school environment through staff and pupils.