



Managing Allegations Against Other Pupils Policy

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education



Managing allegations against other pupils

“Safeguarding is everyone’s responsibility”

Keeping Children Safe in Education, 2018 states that ‘Governing bodies and proprietors should ensure their child protection policy includes procedures to minimise the risk of peer on peer abuse and sets out how allegations of peer on peer abuse will be investigated and dealt with’ (page 22). The document also states it is most important to ensure opportunities of seeking the voice of the child are heard, ‘Governing bodies, proprietors and school or college leaders should ensure the child’s wishes and feelings are taken into account when determining what action to take and what services to provide. Systems should be in place for children to express their views and give feedback. Ultimately, any system and processes should operate with the best interests of the child at their heart.’ While it is recommended that Peer on Peer abuse is part of the Child Protection Policy, due to the sensitive nature and specific issues involved with peer on peer abuse we have completed this separate policy guidance template.

In Keeping Children Safe in Education September 2018 (page 62), Part Five has been added to include child on child sexual violence and sexual harassment. We have therefore incorporated the key guidance from this section which should be accessed for more information.

There is additional advice available to schools in the guidance [‘Sexual violence and sexual harassment between children in schools and Colleges’ DoE May 2018.](#)

Policy

At School we believe that all children have a right to attend school and learn in a safe environment. Children should be free from harm by adults in the school and other students.

We have the following policies in place that should be read in conjunction with this policy:

Safeguarding and Child Protection Policy

What is Peer on Peer Abuse

Peer on peer abuse occurs when a young person is exploited, bullied and /or harmed by their peers who are the same or a similar age; everyone directly involved with peer on peer abuse is under the age of 18 which defines the legal definition for a child in England.

There is no clear boundary between incidents that should be regarded as abusive and incidents that are more properly dealt with as bullying, sexual experimentation etc. This is a matter of professional judgement. If one child or young person causes harm to another, this should not necessarily be dealt with as abuse: bullying, fighting and harassment between children are not generally seen as child protection issues. However, it may be appropriate to regard a child's behaviour as abusive if:

- There is a large difference in power (for example age, size, ability, development) between the children concerned; or
- The perpetrator has repeatedly tried to harm one or more other children; or
- There are concerns about the intention of the alleged child. If the evidence suggests that there was an intention to cause severe harm to the victim or to exploit them, this should be regarded as abusive whether or not severe harm was actually caused.

Reports of sexual violence and sexual harassment are extremely complex to manage. It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other children, and school and staff are supported and protected as appropriate.

Prevention

As a school we will minimise the risk of allegations against other children by:-

- Providing a developmentally appropriate PSHE syllabus which develops children's understanding of acceptable behaviour and keeping themselves safe.

- Having a robust Online and Mobile Technology safety programme which develops children's knowledge, understanding and skills, to ensure personal safety and self-protection when using the internet and social networking.
- Having robust monitoring and filtering systems in place to ensure pupils are safe and act appropriately when using information technology in school.
- Having systems in place for any child to raise concerns with staff, knowing that they will be listened to, believed and valued.
- Delivering targeted work on assertiveness and keeping safe to those children identified as being at risk
- Developing robust risk assessments & providing targeted work for pupils identified as being a potential risk to other children
 - We will ensure that there are clear and consistent boundaries to what is considered to be acceptable behaviour and children will understand the consequences of unacceptable behaviour or language.
 - The school will ensure that parents have a clear understanding of behaviours and language that are not acceptable within school.

Allegations against other children which are safeguarding issues.

Occasionally, allegations may be made against children by other children in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse, teenage relationship abuse and sexual exploitation, bullying, cyber bullying and sexting, sexual violence or sexual harassment. It should be considered as a safeguarding allegation against a child if some of the following features are present.

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
- Indicates that children outside the school may be affected by this child

Examples of safeguarding issues against a child could include:

Physical Abuse: 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 child has engaged in such behaviour, including accidentally, before considering the action or sanctions to be undertaken.

Bullying: 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 children 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:** Children 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, race, gender, sexual orientation, and excluding someone from a group on purpose.

Sexting: 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 happen in any relationship and to anyone, regardless of 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

Emotional Abuse: Can include blackmail or extortion and may also include threats and intimidation. This harmful behaviour can have a significant impact on the mental health and emotional well-being of the victim and can lead to self-harm.

Sexual Abuse: Sexually harmful behaviour from young people is not always contrived or with the intent to harm others. There may be many reasons why a child engages in sexually harmful behaviour and it may be just as distressing to the child who instigates it as well as the child it is intended towards. Sexually harmful behaviour may range from inappropriate sexual language, inappropriate role play, to sexually touching another or sexual assault/abuse. It can also include indecent exposure, indecent touching /serious sexual assaults or forcing others to watch pornography or take part in sexting.

Teenage Relationship Abuse: Teenage relationship abuse is defined as a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teen uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner.

Sexual Exploitation: This can include encouraging other children to engage in inappropriate sexual behaviour or grooming and recruiting members of the peer group into being sexually exploited by other children or adults. It can also include photographing or videoing other children performing indecent acts.

Child 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.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This is likely to adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physically and verbally) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support. Examples of what would constitute sexual violence and sexual harassment can be found on pages 84 and 85 of KCSIE September 2018. Any forms of sexual violence and harassment should not be passed off as 'banter' or 'part of growing up' or a bit of fun' and must always be taken seriously.

Procedure for Dealing with Allegations of Peer on Peer Abuse

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 (DSL) should be informed.

A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances.

The Designated Safeguarding Lead should contact the MARU to discuss the case.

The Designated Safeguarding Lead 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, the police will become involved.

Parents, of both the child/ren being complained about and the alleged victim/s, should be informed and kept updated on the progress of the referral.

The Designated Safeguarding Lead will make a record of the concern, the discussion and any outcome and keep a copy in the Secure Safeguarding records.

If the allegation highlights a potential risk to the school and the child, the school will follow the school's behaviour policy and procedures and take appropriate action.

In situations where the school considers a 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.

Best practice in relation to record keeping and confidentiality should be adhered to at all times.

If the child has disclosed any potential harm staff need to ensure the principles and best practice of dealing with a disclosure of abuse are followed.

Risk Assessment

Where there has been a report of physical or sexual violence the Designated Safeguarding Lead should make an immediate risk and needs assessment.

If the allegation is of a verbal nature, then the need for a risk assessment should be decided on a case by case basis.

All decisions need to be carefully documented and these records kept securely by the Designated Safeguarding Lead.

It is important to consider the wishes and feelings of the alleged victim, but these should not override any actions in relation to potential safeguarding risks to other children. The potential for ongoing risk of harm towards children and staff should be considered. Sensitivity however is key.

Other related issues and the wider context should be considered as part of the risk assessment

Consideration about how best to support and protect the alleged perpetrator will also be considered. Referrals where appropriate will be made to Early Help or Children's Social Care through the Designated Safeguarding Lead.

If it is considered necessary to involve the police, this will be done in parallel with a referral to children's social care.

Manage Internally

In some cases, the Designated Safeguarding Lead may make the decision that this is a one-off incident with no significant harm to the child and deal with it internally. The behaviour and bullying policy may be referred to in these incidents.

Support for Children

The age and developmental stage of the alleged victim need to be considered and the risk of any further harm. It is likely that a power imbalance may have been created between the victim and the alleged perpetrator.