

Child-on-Child Abuse Policy

Brooke House College

2023/24 Version

1. Introduction

1.1 What is Child-on Child Abuse?

All children are capable of abusing their peers. This can manifest itself in a whole spectrum of behaviours including -

- Bullying including cyberbullying
- Sexual violence and harassment
- Physical abuse
- Sexting [including requests for or transmission of nude and semi-nude images]
- Upskirting (now a criminal offence and has reporting requirements) & Downblousing
- Initiation /hazing type violence and rituals

1.2 Brooke House College's child protection and safeguarding policies and procedures are made aware to all staff and pupils to ensure they are part of their everyday practice. Furthermore, pupils need to know how to report concerns and know that they will be listened to and supported. To this end all pupils receive annual instruction and all new pupils receive induction as well as clear instruction within PSHE and clear messages in assemblies. The processes covered include:

- Procedures to minimise the risk of Child-on Child abuse
- How allegations are recorded, investigated and dealt with
- Clear processes as to how victims, perpetrators and any other pupil affected will be supported
- Recognition of the gendered nature of Child-on Child abuse but recognising, that all forms of this behaviour are unacceptable and will be taken seriously

2. Aim of policy

2.1 Brooke House College recognises that children are vulnerable to and capable of abusing their peers. We take such abuse as seriously as abuse perpetrated by an adult. This includes verbal as well as physical abuse. Child-on Child abuse will not be tolerated or passed off as part of "banter" or "growing up".

We are committed to a whole-College approach to ensure the prevention, early identification and appropriate management of child-on-child abuse within our College and beyond. In cases where Child-on Child abuse is identified we will follow our child protection procedures, taking a contextual approach to support all children and young people who have been affected by the situation.

We recognise that child-on-child abuse can manifest itself in many ways such as:

- Child Sexual Exploitation
- Sexting or youth produced digital imagery
- Upskirting & downblousing
- Bullying
- Radicalisation
- Abuse in intimate relationships
- Children who display sexually harmful behaviour
- Gang association and serious violence (County Lines)
- Technology can be used for bullying and other abusive behaviour

This policy would need to be read in conjunction with:

- 2.1.1 the behaviour policy,
- 2.1.2 anti-bullying policy,
- 2.1.3 child protection policy and online safety policy,
- 2.1.4 acceptable use of ICT,
- 2.1.5 RSE Policy

2.2 Prevention & Contextual approach

- 2.2.1 This policy sets out our strategies for preventing, identifying and managing Child-on-Child abuse
- 2.2.2 We take a contextual approach to safeguarding all children and young people involved. Acknowledging that children who have allegedly abused their peers or displayed harmful sexual behaviour are themselves vulnerable and may have been abused by peer, parents or adults in the community.

2.3 Prevention

As well as having strategies for dealing with incidents the College will do all that is can do to foster healthy and respectful relationships between boys and girls including through Relationship and Sex Education (RSE) and Personal Social Health and Economic education (PSHE). We will adopt a whole-College approach that prepares pupils for life. The College will have a clear set of values and standards, and these will be upheld and demonstrated throughout all aspects of College life. This will be underpinned by the College's behaviour policy and pastoral support system, and by a planned programme of evidence-based content delivered through the whole curriculum. Such a programme will be developed to be age and stage of development appropriate (especially when considering SEND children and their cognitive understanding), and may tackle such issues as:

- Healthy and respectful relationships;
- What respectful behaviour looks like?
- Consent;
- Gender roles, stereotyping, and equality;
- Body confidence and self-esteem;
- Prejudiced behaviour;
- That sexual violence and sexual harassment is always wrong; and
- Addressing cultures of sexual harassment.

Our approach will be to take seriously all forms of Child-on-Child abuse (no matter how low level they may appear) and ensuring that no form of Child-on-Child abuse is ever dismissed as horseplay or teasing. We will do this by educating pupils

- about the nature and prevalence of Child-on-Child abuse via PSHE / RSE and the wider curriculum.
- ensuring pupils are frequently told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse.
- Regularly informing the pupils about the College's approach to such issues, including its zero-tolerance policy towards all forms of Child-on-Child abuse.
- Engaging parents on this issue by:

- (a) Talking about it with parents where appropriate, both in groups and one to one.
- (b) Asking staff and pupils what they perceive to be the risks facing pupils and how they would like to see the College address those risks.
- (c) Using the annual review of College policies to keep all aspects of child-on-child abuse as up to date as possible; and
- (d) Encouraging all stakeholders to hold the College to account on this issue.
 - Ensuring that all child-on-child abuse issues are fed back to the College's safeguarding leads so that they can spot and address any concerning trends and identify pupils who maybe in need of additional support.
 - Challenging the attitudes that underlie such abuse (both inside and outside the classroom);
 - Working with directors, Senior Leadership Team, and all staff to address equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the College community.
 - Creating conditions in which our pupils can aspire to and realise safe and healthy relationships.
 - Creating a culture in which our pupils feel able to share their concerns openly, in a non-judgmental environment, and have them listened to; and
 - Responding to cases of Child-on Child abuse promptly and appropriately.

2.4 Contextual Safeguarding

All staff, but especially the designated safeguarding lead (or deputy) should be considering the context within which incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a pupil's life that are a threat to their safety and/or welfare.

3. Understanding Child-on Child abuse

Sexual violence and sexual harassment can occur between two children of any age and sex or a group of children sexually assaulting or sexually harassing a single child or group of children. The impact of this behaviour on children can be very distressing and have an impact on academic achievement and emotional health and wellbeing. Sexual harassment and sexual violence may also occur online and offline. All behaviour takes place on a spectrum. Understanding where a child's behaviour falls on a spectrum is essential to being able to respond appropriately to it. In this policy we recognise the importance of distinguishing between problematic and abusive sexual behaviour (Harmful Sexual Behaviour HSB).

4. Vulnerable groups

The College recognises that all children can be at risk however we acknowledge that some groups are more vulnerable. This can include:

- experience of abuse within their family.
- living with domestic violence.
- young people in care.
- children who go missing.
- children with additional needs (SEND).
- children who identify or are perceived as LGBT and/or have other protected
- characteristics under the Equalities Act 2010.

Whilst research tells us girls are more frequently identified as being abused by their peers and, girls are more likely to experience unwanted sexual touching in schools this is not confined to girls. Boys are less likely to report intimate relationship abuse and may display other behaviour such as antisocial behaviour. Boys report high levels of victimisation in areas where they are affected by gangs. We recognise that both boys and girls experience child-on child abuse, but they do so in gendered ways.

All staff need to 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 College, 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.

5. Responding to Alleged Incidents Responding to reports of sexual violence and sexual Harassment

5.1 All reports of child-on-child abuse will be made on a case-by-case basis with the designated safeguarding lead or their deputy taking a leading role using their professional judgement and supported by other agencies such as social care or the police as required.

5.2 The immediate response to a report

- The College or college will take all reports seriously and will reassure the victim that they will be supported and kept safe.
- All staff will be trained to manage a report.
- Staff will not promise confidentiality as the concern will need to be shared further (for example, with the designated safeguarding lead or social care) staff will however only share the report with those people who are necessary to progress it.
- A written report will be made as soon after the interview as possible recording the facts as presented by the child. These may be used as part of a statutory assessment if the case is escalated later.
- Where the report includes an online element the College will follow advice on searching, screening and confiscation. The staff will not view or forward images unless unavoidable and only if another member of staff (preferably the DSL) is present.
- The DSL will be informed as soon as possible.

5.3 Risk Assessment

When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) will make an immediate risk and needs' 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 their protection and support.
- The alleged perpetrator; and
- All the other children (and, if appropriate, adult students and staff) at the College, especially any actions that are appropriate to protect them.

Risk assessments will be recorded (written or electronic say where these are filed) and be kept under review. The designated safeguarding lead (or a deputy) will ensure they are engaging with other agencies

5.4 Action following a report of sexual violence and/or sexual harassment

Following an incident, we will consider

- 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.
- The nature of the alleged incident(s), including whether a crime may have been committed and consideration of harmful sexual behaviour.
- 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 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.
- Are there ongoing risks to the victim, other children, adult students or College staff, and other related issues and wider context?

6. Follow up Actions

6.1 Children sharing a classroom:

Whilst the College establishes the facts of the case and starts the process of liaising with children's social care and the police:

- The perpetrator will be removed from any classes they share with the victim.
- We will consider how best to keep the victim and alleged perpetrator a reasonable distance apart on College premises and on transport to and from the College.

These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of the alleged perpetrator.

Options to manage the report

6.2 Manage internally

6.2.1 In some cases of sexual harassment, for example, one-off incidents, we may decide that the pupils concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising the behaviour and anti-bullying policies and by providing pastoral support. This decision will be made based on the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated. All decisions, and discussions around making these decisions will be recorded and stored.

6.2.2. In line with 6.2.1 above, we may decide that the pupils involved do not require statutory interventions but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a pupil's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

6.2.3. Where a pupil has been harmed, is at risk of harm, or is in immediate danger, we will make a referral to the local safeguarding agencies following locally agreed protocols. Where statutory assessments are appropriate, the designated safeguarding lead or a deputy will be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other children that require support.

6.2.4 Reporting to the Police

Any report to the police will generally be made through the local child safeguarding partnership. The designated safeguarding lead (and their deputies) will follow local processes for referrals. Where a report of rape, assault by penetration or sexual assault is made, the starting point is this will be passed on to the police. The police will take a welfare, rather than a criminal justice, approach. Where a report has been made to the police, the College will consult the police and agree what information can be disclosed to staff and others, the alleged perpetrator and their parents. They will also discuss the best way to protect the victim and their anonymity. Where there is a criminal investigation, we will work closely with the relevant agencies to support all pupils involved (especially potential witnesses). Where required, advice from the police will be sought in order to help us.

6.2.5 Whilst protecting pupils and/or taking any disciplinary measures against the alleged perpetrator, we will work closely with the police (and other agencies as required), to ensure any actions the College take do not jeopardise the police investigation.

6.2.6 The end of the criminal process

If a child is convicted or receives a caution for a sexual offence, the College will update its risk assessment, ensure relevant protections are in place for all pupils. We will consider any suitable action following our behaviour policy. If the perpetrator remains in College 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 we think are reasonable and proportionate about the perpetrator's timetable. Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils or pupils in the College. We will ensure all pupils involved are 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 continue to support all parties in this instance.

7. Support for Children Affected by Sexual-Assault

7.1 Support for victims of sexual assault is available from a variety of agencies. We will support the victim of sexual assault to remain in College but if they are unable to do so we

will enable them to continue their education elsewhere. This decision will be made only at the request of the pupil and their family. If they are moved, we will ensure the new school is aware of the ongoing support they may need.

7.2 Responsibility for separation.

Where there is a criminal investigation the alleged perpetrator will be removed from any shared classes with the victim and we will also consider how best to keep them a reasonable distance apart on the College premises or on College transport. This is in the best interest of the pupils concerned and should not be perceived to be a judgement of guilt before any legal proceedings.

7.3 We will work closely with the police.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, we may take suitable action, if we have not already done so. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in the same College would seriously harm the education or welfare of the victim (and potentially other pupils). Where a criminal investigation into sexual assault leads to a conviction or caution, we may, if we have not already done so, consider any suitable sanctions using our behaviour policy, including consideration of permanent exclusion.

Where the perpetrator is going to remain at the College, the principle would be to continue keeping the victim and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact on College premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the police (for a variety of reasons). In some cases, rape, assault by penetration, sexual assault or sexual harassment are reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict. None of this means the offence did not happen or that the victim lied. The process will have affected both victim and alleged perpetrator. Appropriate support will be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis. All the above will be considered with the needs and wishes of the victim at the heart of the process (supported by parents as required). Any arrangements will be kept under review.

8. Physical Abuse

While a clear focus of child-on child abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals from pupils to pupils can also be abusive. These are equally not tolerated and if it is believed that a crime has been committed, will be reported to the police.

The principles from the anti-bullying policy will be applied in these cases, with recognition that any police investigation will need to take priority. When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, staff can draw on aspects of their professional experience or seek advice to assess where the alleged behaviour falls on a spectrum and to decide how to respond. This could include, for example, 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.
- involves a misuse of power.

9. Online Behaviour

Many forms of child-on child abuse have an element of online behaviour including behaviours such as cyberbullying and sexting.

Policies and procedures concerning this type of behaviour can be found in the College's acceptable use of ICT and behaviour policies.

10. Multi-agency working

The College actively engages with its local partners in relation to child-on-child abuse, and works closely with, Leicestershire & Rutland Safeguarding Children Partnership (LRSCP), children's social care, and/or other relevant agencies, and other schools.

The relationships the College has built with these partners are essential to ensuring that the College is able to prevent, identify early and appropriately handle cases of child-on child abuse. They help the College:

- (a) To develop a good awareness and understanding of the different referral pathways that operate in its local area, as well as the preventative and support services which exist.
- (b) To ensure that our [pupils/students] can access the range of services and support they need quickly.
- (c) To support and help inform our local community's response to child-on child abuse.
- (d) To increase our awareness and understanding of any concerning trends and emerging risks in our local area to enable us to take preventative action to minimise the risk of these being experienced by our pupils.

The College actively refers concerns/allegations of child-on child abuse where necessary to Leicestershire & Rutland children's social care, and/or other relevant agencies.

11. NSPCC Helpline

Dedicated NSPCC helpline 0800 136 663

This new helpline will provide both children and adults who are potential victims of sexual abuse in schools with the appropriate support and advice. This includes how to contact the police and report crimes if they wish. The helpline will also provide support to parents and professionals too.

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| Authorised by | resolution of the Board of Directors |
| Signed | |
| On behalf of the Board of Directors | |
| Date | August 2023 |

Schedule of Updates

| Date document updated | Document updated by | Summary update/comments | Location of saved file |
|-----------------------|---------------------|---|------------------------------------|
| April 2021 | MCO | Written to elaborate existing child protection policies in the light of 'Everyone's Invited' | Dropbox – SMT – Policies Final |
| July 2021 | MCO | Appendix 4 added-Pupil guide on what happens when a report is made | Dropbox – SMT – Policies 2021-2022 |
| Aug 2022 | IMS | Policies that refer to "child-on-child" abuse need to be updated to "child-on-child" to reflect the new KCSIE guidance. | MS Teams |
| Aug 2023 | IMS | No changes | |
| | | | |

Schedule of Review

| Date of document review | Reviewed by | Scheduled date of next review |
|-------------------------|-------------|-------------------------------|
| April 2021 | MCO | July 2021 |
| July 2021 | MCO | July 2022 |
| Aug 2022 | IMS | Aug 2023 |
| Sep 2023 | IMS | Aug 2024 |

Appendix 1

Some useful definitions:

Sexual Harassment

This can be defined as ‘unwanted conduct of a sexual nature’ that can occur online and offline. In the context of this guidance this means 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. It 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.

Sexual harassment and sexual violence can be driven by wider societal factors such as everyday sexist stereotypes and everyday sexist language. Therefore, we place emphasis on building a preventative culture through the curriculum. It is important that students develop a good understanding of what makes relationships safe and healthy. “Given the increasing concerns around child sexual abuse and exploitation and the growing risks associated with growing up in a digital world, there is a particularly compelling case to act in relation to pupil safety.” (DfE Guidance, Relationship and Sex Education 2020).

Child-on-Child; Sexual Violence and Harassment:

Child-on-Child 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. We place emphasis on the importance of raising awareness that as a community we have the following expectations:

- Sexual violence and sexual harassment are not acceptable, will never be tolerated and is not an inevitable part of growing up.
- We do not tolerate or dismiss sexual violence or sexual harassment as “banter.”
- We will challenge and report behaviors (potentially criminal in nature) that falls short of our Code of Conduct.

The College works collaboratively with external organisations to challenge, sanction, record and report behaviors that are exploitative and unsafe in line with the DfE Keeping Children Safe in Education guidelines. “Schools and colleges should be made aware of making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated.”

Sexting

Sexting is when someone shares or requests sexual, nude or semi-nude images or videos of themselves or others or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops - any device that allows you to share media and messages. This is also known as youth produced sexual imagery. The UK Council for Internet Safety (UKCIS) Education Group has published Advice for schools and Colleges on Responding to Sexting Incidents.

www.gov.uk/government/publications/sexting-in-Colleges-and-college

Upskirting

This typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is now a criminal offence and may constitute sexual harassment. Cases of 'up skirting' have a mandatory requirement for being reported.

Downblousing

'Downblouse' refers to the practice of making unauthorised photographs down the top of a female's dress, capturing an image of her breasts. The practice is regarded as a form of sexual fetishism or voyeurism and is similar in nature to upskirting.

Sexual Violence

This refers to sexual violence in the context of child-on-child sexual violence.

Children can and do abuse other children. Sexual violence covers a spectrum of behaviour. It can refer to sexual offences under the Sexual Offences Act 2013. This includes: -

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.

Consent

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. It is important to know that: -

- 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.

The College understands the need to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion or exploitation. Due to their additional training, the designated safeguarding lead (or deputy) will be involved and leading

the College response. If in any doubt, they should seek expert advice. The College will also consider sexual harassment in broad terms. Sexual harassment (as set out above) creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Harmful Sexual Behaviour (HSB)

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. A useful umbrella term is "harmful sexual behaviour". The term has been widely adopted in child protection and is used in this advice. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context. Useful guidance can be found in: -

NSPCC's and Research in Practice's Harmful Sexual Behaviour Framework:

www.nspcc.org.uk/globalassets/documents/publications/harmful-sexual-behaviourframework.pdf

The Brook Sexual Behaviours Traffic Light Tool can also be very helpful in identifying sexual behaviours by children. See Appendix 3 or

www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool

Hazing/Initiation

The practice of rituals, challenges, and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group.

Appendix 2

Useful Publications and Websites

Government Publications

Sexual harassment and sexual violence in Colleges

www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-betweenchildren-in-Colleges-and-colleges

Keeping Children safe in Education

www.gov.uk/government/publications/keepingchildren-safe-in-education

Preventing youth violence and gang involvement

www.gov.uk/government/publications/advice-to-Colleges-and-colleges-on-gangs-and-youthviolence

Preventing and tackling bullying in Colleges

www.gov.uk/government/publications/preventing-and-tackling-bullying

Other useful documents

Sexting

Sexting in schools and colleges-Responding to incidents and safeguarding young people

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Colleges_FINAL_Update_Jan17.pdf

Child-on-child abuse

Farrer &Co - Child-on-child abuse toolkit, guidance on child-on-child abuse policy and template child-on-child abuse policy

www.farrer.co.uk/Global/Child-on-child%20abuse%20toolkit%202014.pdf

Anti-bullying alliance

There are some useful links on the section on sexual bullying: -

Sexual bullying: developing effective anti-bullying practice- A guide for College staff

www.antibullyingalliance.org.uk/sites/default/files/field/attachment/Sexual%20bullying%20-%20antibullying%20guidance%20for%20teachers%20and%20other%20professionals%20-%20Feb17_1.pdf

Preventing abuse among children and young people-guidance from Stop it Now

www.stopitnow.org.uk/files/stop_booklets_childs_play_preventing_abuse_among_children_and_young_people01_14.pdf22

What is Age appropriate?

<http://www.stopitnow.org/ohc-content/what-is-age-appropriate>

other useful resources from Stop It Now! here:

<https://www.stopitnow.org.uk/resources/>

Brook Traffic lights

<https://www.brook.org.uk/our-work/using-the-sexual-behaviours-traffic-light-tool>

NSPCC-Harmful sexual behaviour

<https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/harmful-sexualbehaviour/>

NCB Harmful sexual behaviour

<https://www.ncb.org.uk/resources-publications/resources/workforce-perspectives-harmfulsexual-behaviour>

NSPCC –Is this sexual abuse?

<https://www.nspcc.org.uk/globalassets/documents/research-reports/nspcc-helplinesreport-peer-sexual-abuse.pdf>

Online sexual harassment

Project deSHAME- Digital Exploitation and Sexual Harassment Amongst Minors in Europe

Understanding, Preventing, Responding

<https://www.childnet.com/our-projects/project-deshame>

Sexism

It's Just Everywhere- a study on sexism in Colleges –and how we tackle it

<https://ukfeminista.org.uk/wp-content/uploads/2017/12/Report-Its-just-everywhere.pdf>

Relationship Education , Relationship and Sex Education HMSO

www.gov.uk/government/news/relationships-education-relationships-and-se

Useful resources to support child-on-child abuse

Update 1: <https://www.brownejacobson.com/education/training-and-resources/legal-updates/2021/03/everyones-invited-managing-reports-of-child-on-child-assault-and-harassment>

Update 2: <https://www.brownejacobson.com/education/training-and-resources/legal-updates/2021/04/everyones-invited-ofsted-to-review-safeguarding-policies>

Levers for addressing harmful sexual behaviour in Colleges (Contextual Safeguarding Network)

<https://www.csnetwork.org.uk/en/beyond-referrals-levers-for-addressing-harmful-sexual-behaviour-in-Colleges>

Child-on-child abuse toolkit (Farrer and Co)

<https://www.farrer.co.uk/news-and-insights/child-on-child-abuse-toolkit/>

Harmful sexual behaviour prevention toolkit (Lucy Faithfull Foundation)

Download the toolkit here: <https://www.stopitnow.org.uk/wp-content/uploads/2020/10/Stop-It-Now-harmful-sexual-behaviour-prevention-toolkit-Oct-2020.pdf>

Appendix 3 Sexual Behaviours Traffic Light Tool

Behaviours: For pupils aged 11 to 18, All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability and reflective of natural curiosity, experimentation, consensual activities and positive choices

What can you do?

Green behaviours provide opportunities to give positive feedback and additional information.

Green behaviours

- solitary masturbation
- sexually explicit conversations with peers
- obscenities and jokes within the current cultural norm
- interest in erotica/pornography
- use of internet/e-media to chat online
- having sexual or non-sexual relationships
- sexual activity including hugging, kissing, holding hands
- consenting oral and/or penetrative sex with others of the same or opposite gender who are of similar age and developmental ability
- choosing not to be sexually active

What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur

What can you do?

Amber behaviours signal the need to take notice and gather information to assess the appropriate action.

Amber behaviours

- accessing exploitative or violent pornography
- uncharacteristic and risk-related behaviour, e.g., sudden and/or provocative changes in dress
- withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing
- concern about body image
- taking and sending naked or sexually provocative images of self or others
- single occurrence of peeping, exposing, mooning or obscene gestures
- giving out contact details online

- joining adult- only social networking sites and giving false personal information
- arranging a face-to-face meeting with an online contact alone

What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur

What can you do?

Red behaviours indicate a need for immediate intervention and action.

Red behaviours

- exposing genitals or masturbating in public
- preoccupation with sex, which interferes with daily function
- sexual degradation/humiliation of self or others
- attempting/forcing others to expose genitals
- sexually aggressive/exploitative behaviour
- sexually explicit talk with younger children
- sexual harassment
- non-consensual sexual activity
- use of/acceptance of power and control in sexual relationships
- genital injury to self or others
- sexual contact with others where there
- is a big difference in age or ability
- sexual activity with someone in authority and in a position of trust
- sexual activity with family members
- involvement in sexual exploitation and/or trafficking
- sexual contact with animals
- receipt of gifts or money in exchange for sex

Appendix 4 Pupil Guide on reporting sexual abuse

What can I expect if I report a sexual harassment or sexual abuse incident?



Here at Brooke House College, we will always carefully consider every report of sexual violence and/or sexual harassment. The designated safeguarding lead or deputy [DSL or DDSL] has been trained to deal with these incidents and will have a complete safeguarding picture and is the most appropriate person to advise on the college's initial response.

How do I report what has happened?

You may want to confide in a friend, a trusted teacher, your residential tutor, the College nurse or any other suitable person, if an incident has happened. If you confide in a member of the College's staff, they have been trained to make a record of the conversation. In doing so they will aim to reassure you that what has happened is not your fault and you should not be scared of reporting the incident. These things are so important that it is not regarded as being a 'snitch' or telling tales about another person. You will also be told that what you have just said cannot always be kept confidential. The incident might be so serious that action has to be taken.

The record will be purely factual. No investigation will take place at this stage. Once written, the record will go to the DSL, who will know what to do next.

Important considerations will include:

- the wishes of you in terms of how you want to proceed. This is especially important in the context of sexual violence and sexual harassment. The College accepts that you should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that you will be offered.
- the nature of the alleged incident(s), including whether a crime may have been committed and consideration of harmful sexual behaviour.
- the ages of those involved.
- the developmental stages of those involved.
- any power imbalance between those involved. For example, is the alleged perpetrator significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- is the alleged incident is a one-off or a sustained pattern of abuse?

- are there ongoing risks to you, other children, or college staff?; and
- other related issues and wider context.

You need to understand that the College will do what is in the best interests of keeping you safe, and that may well mean contacting the police and local authority agencies like social services. Indeed, if a crime has taken place, the College is obliged to contact the police.

As an immediate step, we will look to support you in every way we can. We understand that any report of sexual violence is likely to be traumatic for you. Please be assured that the College has a policy for child-on-child abuse in particular, but for other abuse as well, and that many considerations will be considered as the incident you have reported is progressed. For instance, pupils sharing a classroom.

We understand that reports of rape and assault by penetration are likely to be especially difficult with regard to you being in close proximity with the alleged perpetrator. Whilst the College establishes the facts of the case and starts the process of liaising with children's social care and the police, the alleged perpetrator will be removed from any classes they share with you. The College will also consider how best to keep you and the alleged perpetrator a reasonable distance apart on College premises and on transport to and from the College, where appropriate.

We will take these actions in the best interests of both you and the alleged perpetrator. This should not be perceived to be a judgment on the guilt of the alleged perpetrator.

For other reports of sexual violence and sexual harassment, the proximity of you and the alleged perpetrator regarding shared classes, sharing College premises or transport, will be very carefully considered immediately. If the abuse has been perpetrated by a College member of staff or a family member, we will apply suitable consideration to keep you safe.

In all cases, the wishes of you, the nature of the allegations and the protection of all children in the College will be especially important when considering any immediate actions.

What happens next?

We would consider every record submitted on a case-by-case basis but would be obliged to always follow the law and any mandatory requirements placed on us. For instance, if a crime has been committed, we will inform the police. If you were assaulted at home by a family member, Children's Social Services would be informed. If you have been forced to have FGM, we would again be legally obliged to tell the police.

We would also need to inform the alleged perpetrator of the incident. If it is a pupil, we also have a duty of care for the alleged perpetrator as well, but would, without prejudice, look to separate you and the alleged perpetrator according to our child-on-child abuse policy.

There are four likely scenarios to consider when managing any reports of sexual violence and/or sexual harassment.

1. Manage internally
2. Early help
3. Refer the incident to Children's Social Services
4. Inform the police

Manage internally would mean we would have considered the incident and after due consideration and investigation, it would be best if we dealt with the incident by applying our College policies such as anti-bullying, use of ICT and so on.

Early Help would be put in place if again the College felt that no police or other external agency needed to be involved. We would seek to support you and possibly even the alleged perpetrator through educating one or possibly both of you.

Children's Social Services would be contacted when the College feels that you have been harmed, are at risk of harm, or are in immediate danger. This is more likely to be for a day pupil in term time, but could apply to a boarder before returning home in the College holidays

Inform the police. This would take place if a criminal offence has taken place. If this course of action happens, we would almost certainly involve Children's Social Services as well.

In all four cases we would have to let your parents know but would of course take your wishes into consideration.

Waiting for the outcome.

If dealing with the situation internally or applying early help has been the course of action taken, the outcome will happen quickly. The College may well sanction the alleged perpetrator if found guilty of breaking College rules. Alternatively, for early help, any support we would seek to organise would have to be dependent upon the provider.

If Social Services or the police are involved, they will work at their own pace, which might seem slow at times. Whilst they do their work, the College will do everything it can to help and support you.

A police investigation has to be thorough, because the alleged perpetrator could go to jail and a court case would have to take place. The police have specialists working on the cases who will also support and help you. If you are over 18, and still at College, the police will treat you as an adult and are not allowed to tell us anything of their investigation, nor will they tell your parents, so please be aware of that aspect of their work.

For those under 18, the situation would be considered in two categories, O16 and U18 or U16. This is because the age of consent (the age you can legally have sex) means that if the incident took place when you were 16 or 17, other factors have to be considered. For everyone U16, any sexual act performed on you is illegal.

A police investigation is serious. You would almost certainly be asked to surrender all of your electronic devices such as mobile phone and laptop. You might have to undergo a physical and quite a daunting medical inspection. You will also be interviewed. The interview would be recorded and could be used in evidence at a court case.

If the incident goes to court, you would be called to give evidence and answer questions. This is done in a manner such that you won't have to face your alleged perpetrator, but it is still a difficult thing to go through.

However, if a serious wrong has happened to you, you will be supported to help you get through the process.

Other factors to consider

Whilst your identity would never be leaked by the College into the public domain, it could be the case that your alleged perpetrator tells their friends your name. This could mean these friends then approach you to possibly say you made a mistake, they might also try to intimidate you or post things on social media or just be very unpleasant with text messaging, or comments.

Likewise, you and the College would keep the alleged perpetrator's name confidential so that the nastiness that is highlighted in the paragraph above does not happen to them.

Finally, if your allegation turns out to be malicious, you would be the one subsequently investigated and facing prosecution.

What will the College do?

Throughout, the College will support you (and the alleged perpetrator). If you need any help or counselling, you only have to ask. We have policies in place that guide us in how to deal with these incidents, so we can and will help.

Remember if something truly horrible has happened to you, it is not your fault, you are not to blame.

Appendix 5



BROOKE HOUSE COLLEGE

Checklist -for use when DSL is considering whether or not an allegation of child-on-child abuse should be reported to the police against a victim's wishes

Points which need to be considered: -

- Where a report of rape, assault by penetration or sexual assault* is made, this should be referred to the police; and
- The College should consider the wishes of the victim in terms of how they want to proceed, and victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and about support that they will be offered. The College is required to balance the victim's wishes against their duty to protect the victim and other children. Decisions should be made on a case-by-case basis with the DSL taking a leading role. **This checklist is designed to assist that process for completion after discussion with pupils and not as a list of questions to be asked of them.** As is usual with safeguarding matters, staff should, as far as possible, adhere to the following basic principles:
 - Listen to the victim.
 - Reassure them that they are being taken seriously, will be supported and will be kept safe.
 - Do not promise confidentiality.
 - Do not stop them if they are freely recalling significant events.
 - Where necessary to ask questions, they should be open-ended and limited to those needed to take immediate action.
 - Make a comprehensive note of the discussion afterwards, recording the timing, setting, people present and demeanour, as well as factually recording what was said.

* 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.

| | Factual detail | Comments |
|---|-----------------------|-----------------|
| The Offence | | |
| Nature and circumstances of the offence & who was involved? | | |
| Is the alleged perpetrator a pupil at the school? In the same year group/class? | | |
| Does the allegation involve one of rape, assault by penetration or sexual assault? Is it serious? e.g., was physical violence used? Degree? | | |
| Is there any evidence which needs to be preserved? | | |
| Is it a one-off allegation [if so, when?] or a series? [if so, when and is it ongoing?] | | |
| Where did the incident take place? [& was the school responsible for the pupil at the relevant time?] | | |
| Were alcohol or drugs involved? | | |
| Was the incident or its aftermath witnessed by anyone? | | |
| Is there an online element? e.g. have images been taken and shared? | | |
| The victim | | |
| Age of victim [now and at the time of the incident or start of the abuse]? | | |
| Do they have any protected characteristics? And what are their health, capacity, confidence & SEND/language skills to make an informed decision on these issues | | |
| Parental reaction [if parents have been informed]? Their home residence, social, racial, cultural & religious background? | | |
| Any suggestion of intimidation of the victim or witnesses? | | |

| | | |
|--|--|--|
| Do you consider the victim or alleged perpetrator (a) to be at immediate risk of danger or are likely to suffer harm or (b) have suffered harm? [if so, a referral should be made to First Response Team of LRSCP] | | |
| What does the victim want? If they do not want it referred to the police, what reasons have they given for that? Have the implications of this been explained? | | |
| What was their demeanour? And your assessment of the likely impact of this being progressed against their wishes? | | |
| The report | | |
| When was it first reported, by who and to whom? | | |
| Who else knows? [e.g. is it widely discussed among the pupil's cohort/on social media? is the member of staff who has been told, the only person supporting the pupil at this stage?] | | |
| Consultation/advice | | |
| Has this matter been discussed with the pupil's parent(s) or guardian/educational agent? | | |
| Have you taken advice from external agencies such as the police, CSC, local safeguarding partnership, NSPCC? | | |
| Have you discussed this with other key stakeholders within the pupil's pastoral network e.g. Principal/Director of Boarding? | | |
| Have you referred the victim to other avenues of support which may be available about their decision e.g. NSPCC helpline for professionals 0808 800 5000 or Sexual Abuse helpline | | |

0800136663

[help@nspcc.org.uk?](mailto:help@nspcc.org.uk)

Childline 0800 1111

Made arrangements to support
all those involved?

Appendix 6



BROOKE HOUSE COLLEGE

Dealing with a concern raised by or on behalf of pupil(s) or third parties of discrimination, victimisation or harassment.

Risk Assessment

✓/X

| | | |
|----------|---|--|
| 1 | Is this a current or non-recent issue? Could others be at risk of harm? Is urgent action required? | |
| 2 | Consider if professional support is required and, if so, when (eg legal and PR advice) and budget accordingly. | |
| 3 | Should insurers be notified at this stage? Should this be kept under review? - For example, claims or circumstances potentially giving rise to civil claims may be mandatorily notifiable. The College may also have cover for external PR support and/or representation in regulatory or criminal proceedings. | |
| 4 | PR - establish early a co-ordinated approach to communications (including to correspondence with complainant and others affected), taking precautionary steps as required - eg preparing anticipatory statements to parents, pupils, staff and press. | |
| 5 | Consideration should be given at each stage of dealing with the matter to maintaining confidentiality and sharing information on a 'need to know' basis only, to ensure that procedures are not undermined. | |

Investigation and Response

✓/X

| | | |
|----------|---|--|
| 1 | Establish the appropriate policy/procedure that the College should be following (i.e., is this the safeguarding policy, anti-bullying policy, parental complaint policy) and whether this should be addressed informally or formally. Where no specific policy or procedure in place, ie where the complainant is a third party, consider who should lead the College's response and if and how the complaint can and will be considered. | |
| 2 | Refer internally as required, e.g., to DSL/Principal/Safeguarding Director | |
| 3 | Consider external reporting - e.g., to LADO, Local Authority, police, if allegation made against staff member or there are concerns about a current pupil. | |

| | | |
|-----------|---|--|
| 4 | Consider whether any support needs to be put in place for affected individuals - counselling lines, nominated pastoral support. | |
| 5 | Consider scope and nature of any College investigation, methodology and whether/how the output should be reported, with regard to: <ul style="list-style-type: none"> •viability of any investigation; (e.g., historic allegations may be more difficult to investigate) •timing. •permission to do so from regulatory authorities. •specific policy requirements; (e.g., complaints policy stages, timetable and personnel) •scope - this issue or wider consideration of policy or procedure, values and culture? •investigator - internal or external? To investigate only or decide the issue too? •report - Anonymised? Shared? | |
| 6 | Identify roles and responsibilities with a view to ensuring that all roles in investigatory and subsequent procedures can be fulfilled by suitable individuals. | |
| 7 | Appoint an investigating officer. Provide written terms of reference to ensure clarity about the scope and aim of the investigation, timescales and who may have access to it. | |
| 8 | Consider ongoing correspondence with the complainant and others affected concerning the process that is to be followed, likely timescales, manage expectations as required concerning possible outcomes. | |
| 9 | Consider further policy requirements or procedures arising from investigation findings, e.g., staff or pupil disciplinary. | |
| 10 | Consideration should be given to remedial action (e.g., training, changes to policies and procedures) and ongoing monitoring oversight of any identified issues (eg through Directors' sub committees, SMT or Faculty level). | |