

Policy title	:	Harmful Sexual Behaviour / Peer on Peer Abuse
Date approved	:	September 2021
Review date*	:	September 2022

\*Please note that should any further national guidance be issued by external agencies that are relevant to this policy, it will be updated accordingly prior to the review date shown above and re-circulated.

#### Designated Persons

Liza Christofides	Designated Safeguarding Lead
Nathalie Jacob	Deputy Safeguarding Lead
Emma O'Connor	Headteacher
Carly Pearce	Chair of Governors / Safeguarding link Governor

#### Important Contact Details

Local Authority Designated Officer (LADO)	020 3373 3803/ lado@newham.gov.uk
Social Services Referrals/ Triage	020 3373 4600
Out of Hours Social Services	020 8430 2000
Police	0300 123 1212 999 – Emergencies only

#### Extended Safeguarding Team

Martin Stanley	Inclusion Manager
Julie-Anne Jennings	Family Support Officer
Shannel Duncan	Family Support Officer
Danielle Smith	Attendance Officer

Tollgate Primary School is committed to providing a happy, caring and safe learning environment for all within a values led context, where everyone feels valued and grows in confidence and independence.

We foster respect for all by establishing good relations between the school, home and community. Pupils are taught respect for themselves, others and the environment. They are also taught to take full responsibility for their own choices and responsibility for themselves and their community.

We encourage truth and honesty in all aspects of school life – relationships, work and the curriculum and learn to trust and accept others’ individuality and uniqueness.

## 1. Introduction

Sexualised behaviour between peers that has become harmful or abusive is unacceptable and must be addressed.

Tollgate recognises that children are vulnerable to and capable of abusing their peers sexually. We consider any allegation of peer on peer sexual abuse seriously and do not tolerate or pass off harmful sexual behaviour as ‘banter’, ‘just having a laugh’ or ‘part of growing up’. These allegations are managed in the same way as any other child protection concern and follow the same procedures, including seeking advice and support from other agencies as appropriate.

This policy is in line with the safeguarding requirements in Keeping Children Safe in Education (2021). This policy also links to the guidance issued by the DfE in 2018: Sexual Violence and Sexual Harassment Between Children in Schools and Colleges as well as Tollgate’s Child Protection and Safeguarding Policy (September 2021).

**Definition of sexual abuse:** Forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. **The sexual abuse of children by other children is a specific safeguarding issue in education.**

## Harmful sexual behaviour

Harmful sexual behaviour can manifest itself in many ways. This may include:

- inappropriate or unwanted sexualised touching;
- sexual violence and sexual harassment;
- upskirting, which 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;
- pressurising, forcing, or coercing someone to share nude and semi-nudes images. In cases where nudes or semi-nudes have been shared, Tollgate will follow guidance given to schools and colleges by the UK Council for Internet Safety (UKCIS): Sharing nudes and semi-nudes latest advice for schools and colleges (UKCIS, 2020)
- sharing sexual images of a person without their consent;
- bullying of a sexual nature online or offline, for example sexual or sexist name-calling.

As a school we also understand the different gender issues that can be prevalent when dealing with harmful sexual behaviour.

**All staff** recognise that children can experience harmful sexual behaviour in various settings. This includes within school, at home (or at another home), in public places, and online. At school, issues can occur in places which are supervised and unsupervised. For example, abuse may occur in toilets, corridors, changing areas, bridges, playgrounds and when children travel home alone. (Year 5 and 6)

### Tollgate's Principle Aim:

The principle aim of our approach is to foster the conditions in which Tollgate pupils can aspire to and **realise safe and healthy relationships**, at school and as they continue in life. We work to a culture in which the voice of every child is central, where pupils feel able to share their concerns openly, knowing that they will be listened to, and that they will not be judged.

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 pupils. We do not tolerate any harmful behaviour in school and will take swift action to intervene where this occurs. We use PSHE lessons and phase assemblies to help children understand, in an age-appropriate way, what abuse is and we encourage them to tell a trusted adult if someone is behaving in a way that makes them feel uncomfortable.

We use our curriculum to help our pupils understand, in an age-appropriate way, what harmful sexual behaviour is, including by peers. We teach them the knowledge they need to recognise and report abuse, including emotional, physical, and sexual abuse. We also teach them about the importance of making sensible decisions to stay safe (including online), whilst being clear that if a child is abused, it is never their fault.

Through a broad and balanced curriculum we teach children:

- how to recognise if relationships are making them feel unhappy or unsafe, and how to seek help or advice from others if needed
- how to recognise who to trust and who not to trust, how to judge when a friendship is making them feel unhappy or uncomfortable, managing conflict, how to manage these situations and how to seek help or advice from others, if needed.
- the importance of self-respect and how this links to their own happiness.
- the importance of permission-seeking and giving in relationships with friends, peers and adults
- the importance of self-respect and how this links to their own happiness.
- what sorts of boundaries are appropriate in friendships with peers and others (including a digital context).
- that each person's body belongs to them, and the differences between appropriate and inappropriate or unsafe physical, and other, contact
- how to report concerns or abuse, and the confidence needed to do so.
- where to get advice e.g. family, school and/or other sources

We help our pupils to develop the skills to understand:

- what constitutes harmful sexual behaviour;
- that such behaviour is not acceptable;
- the possible reasons for such behaviour, and vulnerability of perpetrators;
- that they must tell a trusted adult if someone is behaving in a way that makes them feel uncomfortable – and must tell a trusted adult if they witness such behaviour towards others.

We understand our pupils may not always feel able to talk to adults about peer-on-peer sexual abuse. To help them, we will encourage them to share their thoughts and opinions, respond to their concerns, and respect and listen to them. We want our pupils to feel confident that any concerns they raise will be responded to appropriately.

### **Tollgate Community Hub:**

It is important that parents and carers understand what is meant by harmful sexual behaviour, and reinforce key messages from school at home. Through the Tollgate Community Hub, we aim to work in partnership with parents to support our pupils to help them keep their children safe. Our carefully planned workshops provide parents/carers with information on:

- the nature of harmful sexual behaviour;
- the effects of harmful sexual behaviour on children;
- the likely indicators that such behaviour may be taking place;
- what to do if it is suspected that peer on peer sexual abuse has occurred;

Tollgate Family Support Officers provide further information to support parents and carers in relation to harmful sexual behaviour via websites/coffee mornings and guest speakers.

### **Tollgate Staff**

Our staff undertake annual safeguarding training where the different types of abuse and neglect are discussed; this includes information about harmful sexual behaviour and our expectations for staff vigilance about this and other potential types of abuse. Staff also receive updates on safeguarding issues throughout the school year, including about the nature and prevalence of harmful sexual behaviour, where appropriate.

Importantly, the training also ensures that our staff know what to do if they receive a report that harmful sexual behaviour may have occurred, including how to support children.

All staff are aware that children can abuse other children and that it can happen both inside and outside of school and online. All our staff recognise the indicators and signs of peer on peer abuse and know how to identify it and respond to reports.

All staff should understand, that even if there are no reports in their schools or colleges it does not mean it is not happening, it may be the case that it is just not being reported. As such it is important if staff have any concerns regarding peer on peer abuse they should speak to their DSL (Liza Christofides) or DDSs (Nathalie Jacob / Emma O' Connor). It is essential that all staff understand the importance of challenging inappropriate behaviours between peers, many of which are listed below, that are actually abusive in nature. Downplaying certain behaviours, for example dismissing sexual harassment as "just banter", "just having a laugh", "part of growing up" or "boys being boys" can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

### **Reporting Concerns:**

The wellbeing of our pupils is always central to our response to an allegation or incident of harmful sexual behaviour. Any child reporting a concern will be treated respectfully. We will reassure them that they are being taken seriously and that they will be supported and kept safe; no child will be given the impression that they are creating a problem by reporting abuse or made to feel ashamed.

Our staff will never promise confidentiality to the child as the concern will need to be shared further. Tollgate's Designated Safeguarding Lead will need to be informed as soon as possible of any incident and the details may also need to be shared with Children's Social Care / the police and other specialist agencies. We have in place effective working relationships with our safeguarding partners, which are essential to ensuring that concerns are appropriately managed.

We will explain next steps to the children so they understand what will happen, including who will be informed. Where the child already has Social Care involvement, such as a Looked After Child, a Child In Need or a child with a Child Protection Plan, we will inform the child's Social Worker and work in partnership with them as appropriate.

Whilst we establish the facts of the case and start the process of liaising with other agencies as appropriate, we will consider how best to keep the victim and alleged perpetrator *a reasonable distance apart on school premises*, and where applicable, on transport to and from the school.

Where an incident includes an online element, we will always work in accordance with appropriate guidance, taking advice from other partners as necessary. Staff will **not** view an indecent image of a child nor forward it for any reason.

### **Recording**

It is essential that information relating to allegations about harmful sexual behaviour are recorded in a timely manner. The record may form part of a statutory assessment by Children's Social Care or by another agency.

Any member of staff receiving a disclosure of harmful sexual behaviour or noticing signs or indicators of this, will record it on a *cause for concern form* noting what was said or seen (if appropriate, using a body map on Pg 2 to record), giving the date, time and location. The facts will be recorded as the child presents them.

The record will then be presented to the Designated Safeguarding Lead (or Deputy) without delay. The DSL (or Deputy) will decide on appropriate action and record this accordingly.

If a child is at immediate risk of harm, staff will speak with the Designated Safeguarding Lead or Deputy first, and deal with recording as soon as possible afterwards.

All related concerns, discussions, decisions, and reasons for decisions will be logged on Safeguard Software.

### **Investigation**

The Designated Safeguarding Lead will be responsible for leading investigations, and for liaising with other agencies as appropriate, for example Children's Social Care and the police. They will also be the main point of contact for parents and carers. The Designated Lead will ensure there are accurate records of each stage of the investigation and that any supporting information is included in the Child Protection files.

### **Risk Assessment**

The Headteacher and DSL will complete a risk assessment (working document) following a report of harmful sexual behaviour, considering **all** children involved in an incident. We will also consider all other pupils in our school and any actions that may be appropriate to protect them.

Risk assessments will be regularly reviewed to ensure they remain relevant and fit for purpose.

We will use a proportionate approach, basing our actions on the principle that harmful sexual behaviour is not acceptable and will not be tolerated.

All concerns will be considered carefully and on a case by case basis, underpinned by robust risk assessments. Our actions will not be judgemental about the guilt of the alleged perpetrator and will always be taken in the interests of all child concerned. The DSL will always take into account the wishes of the child in terms of how they want to proceed.

## **Supporting the child who has allegedly experienced harmful sexual behaviour**

We will assess what short-term and long-term support a child may need to help them manage the immediate aftermath of an incident, and to recover from what they have experienced. The child's existing support network will be central to this work; we will work with other partners as appropriate and in accordance with the child's wishes and, wherever appropriate, in discussion with parents / carers.

We will consider what is necessary to support the child straightaway, taking steps to protect them from attention or peer pressure they may experience due to making a report. This work will be guided by a robust risk assessment process.

Some children may not realise they have behaved abusively. We will avoid using language that may make them feel judged or criminalised and ensure that any intervention will be at the least intrusive level required to effectively address the behaviour. We will consider appropriate sanctions using our Tollgate behaviour policy, and work with the child and their support network to consider measures that may help to address the child's behaviour.

In some cases, for example, one-off incidents, we may take the view that the child concerned are not in need of early help or statutory intervention. In these cases, we will follow our other school policies in addressing matters, for example our behaviour/anti-bullying policies. These policies can be found on our school website.

We will also consider what support the child involved may need going forward - for example, pastoral support, counselling services, and ensuring that there is a trusted adult/ learning mentor for those affected to speak with if they wish to. We will also consider whether any intervention or support is required as part of a whole setting approach or with the wider school community.

### **Requests for support to Children's Social Care**

Where a child has been harmed, is at risk of harm, or is in immediate danger, we will make a request for support to MASH. We will generally inform parents and carers of this unless to do so may put a child at additional risk. We will seek advice from other partners on such matters.

In some cases, Children's Social Care will review the evidence and decide a statutory intervention is not appropriate. If a statutory assessment is not considered appropriate by Children's Social Care, we will consider what other support may be required. We will make further requests for support to Children's Social Care if we consider that a child remains in immediate danger or at risk of harm.

### **Reporting to the police**

Where a report of rape, assault by penetration or sexual assault is made, we will report this to the police. We will inform parents/carers about reports of sexual abuse, unless to do so may put a child at additional risk. We will seek advice from other partners in individual cases.

Where we have made a report to the police, we will consult with them and agree what information can be disclosed to staff and others, in particular the alleged perpetrator and their parents / carers. We 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 police and other agencies as appropriate to support all children involved (including potential witnesses). This will help to ensure that any actions we take do not jeopardise a police investigation. Sometimes the police will decide that further action is not required. In these circumstances we will continue to engage with other agencies to support the child involved.