

Child on Child Abuse Protocol 2023

Designated Safeguarding Lead:

James Brewster

Deputy DSLs:

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Equalities statement

In our Trust we work to ensure that there is equality of opportunity for all members of our community who hold a range of protected characteristics as defined by the Equality Act 2010, as well as having regard to other factors which have the potential to cause inequality, such as socio-economic factors. For further information, please see our Equalities Policy.

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Introduction

While it is recommended that Child on Child abuse is associated with the School Safeguarding Policy, due to the sensitive nature and specific issues involved with child on child abuse this separate protocol has been completed to annex our School Safeguarding Policy.

At The Whitstable School we are committed to ensure that any form of child on child abuse or harmful behaviour is dealt with immediately and consistently. This will reduce the extent of harm to the young person and minimise the potential impact on that individual child's emotional and mental health and well-being.

The DfE statutory guidance 'Keeping Children Safe in Education' is our first point of reference for child protection and child welfare issues in the school.

Extremism / Radicalisation

All staff and Governors are to be familiar with the indicators of vulnerability to extremism and radicalisation and the procedures for dealing with concerns. Staff are made aware of the potential indicating factors when a child is vulnerable to being radicalised or exposed to extreme views.

These include peer pressure, influence from other people or the internet, bullying, crime and anti-social behaviour, family tensions, race/hate crime, lack of self-esteem or identity, prejudicial (damaging) behaviour and personal or political grievances. Staff to report any concerns to the Designated Safeguard Lead, James Brewster.

Child on Child Abuse

- All members of staff at TWS recognise that children are capable of abusing their peers. Child on child abuse can take many forms, including (but not limited to) bullying, cyberbullying, gender-based abuse, hazing (initiation type violence), sexually harmful behaviour and violence and 'sexting'. The setting is mindful that some potential issues may be affected by the gender, age, ability and culture of those involved.
- TWS believes that abuse is abuse and it will never be tolerated, dismissed or minimised. Any incidents of child on child abuse will be managed in the same way as any other child protection concern in accordance with Kent Safeguarding Children Board procedures.
- The school will respond to cases of Youth Produced Sexual Imagery (or 'Sexting') in line with the UKCCIS "[Sexting in Schools and Colleges](#)" guidance and [KSCB guidance](#).
- Further information in relation to the schools approach to "sexting" can be found in our online safety policy.
- TWS is aware of and will follow the KSCB procedures (www.kscb.org.uk) for supporting children who are at risk of harm as a result of their own behaviour.

Prevention

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

- Providing a developmentally appropriate Values and Ethics syllabus which develops pupils' understanding of acceptable behaviour and keeping themselves safe.
- 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 pupil 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 pupils identified as being at risk
- Developing robust risk assessments & providing targeted work for pupils identified as being a potential risk to other pupils

Allegations against other pupils which are safeguarding issues

Occasionally, allegations may be made against pupils by other young people 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, cyberbullying and sexting. It should be considered as a safeguarding allegation against a pupil if some of the following features are present.

The allegation:-

- Is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- Is of a serious nature, possibly including a criminal offence
- Raises risk factors for other pupils in the school
- Indicates that other pupils may have been affected by this student
- Indicates that young people outside the school may be affected by this student

Examples of safeguarding issues against a pupil 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 young person 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 young people who are bullied and who bully others may have serious, lasting problems. In order to be considered bullying, the behaviour must be aggressive and include:

- **An Imbalance of Power:** Young people who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- **Repetition:** Bullying behaviours happen more than once or have the potential to happen more than once.

Bullying includes actions such as making threats, spreading rumours, attacking someone physically or verbally or for a particular reason e. g. size, hair colour, race, gender, sexual orientation, and excluding someone from a group on purpose.

Cyberbullying

Cyberbullying is the use of phones, instant messaging, e-mail, chat rooms or social networking sites such as Tik Tok and Twitter to harass, threaten or intimidate someone for the same reasons as stated above. It is important to state that cyberbullying can very easily fall into criminal behaviour under the Communications Act 2003, Section 127 which states that electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience or needless anxiety to another could be deemed to be criminal behaviour.

If the behaviour involves the use of taking or distributing indecent images of young people under the age of 18 then this is also a criminal offence under the Sexual Offences Act 2003. Outside of the immediate support young people may require in these instances, the school will have no choice but to involve the police to investigate these situations.

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

Procedure for Dealing with Allegations of Child on Child Abuse

When an allegation is made by a pupil against another student, 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 using MyConcern, but no attempt at this stage should be made to investigate the circumstances.
- If the allegation indicates that a potential criminal offence has taken place, the police may become involved. Parents, of both the student/s 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 pupil, 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.

Safeguarding and supporting the victim

The following principles are based on effective safeguarding practice and will help our decision-making process regarding safeguarding and supporting the victim. The DSL (or deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the school's initial response.

We will:

- consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse;
- consider the needs and wishes of the victim. The victim will be listened to and acknowledged. It is important they feel in as much control of the process as is possible.
Where a pupil feels able to deal with the incident on their own or with support of family and friends, the pupils will continue to be monitored and offered support should they require it in the future;
- ensure that the victim will never be made to feel they are the problem for making a report or made to feel ashamed for making a report;
- consider interventions that target a whole class or year group e.g. work on cyberbullying/relationship abuse etc.;
- support the child in improving peer group relationships where bullying is a factor in the abuse and consider restorative justice work with all those concerned;
- ensure that sensitive issues are explored through the use of the curriculum (PSHE and Sex and Relationships Education).

Safeguarding and supporting the alleged perpetrator

The following principles are based on effective safeguarding practice and will support our decision-making process regarding safeguarding and supporting the alleged perpetrator. In relation to this we will consider:

- how we will continue to provide the alleged perpetrator with an education, safeguarding support as appropriate and implementing any disciplinary sanctions. If there is any form of criminal investigation ongoing it may be that this young person cannot be educated on site until the investigation has concluded. In which case, the young person will need to be provided with appropriate support and education whilst off site. Even following the conclusion of any investigation, the behaviour that the pupil 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 the agencies involved including the pupil and their parents;
- The age and developmental stage of the alleged perpetrator and nature of the allegations. Any child will likely experience stress as a result of them being the subject of allegations and/or negative reactions by other children to the allegations made against them;
- the proportionality of the response. Support (and sanctions) will be considered on a case-by-case basis. An alleged perpetrator may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other children. Harmful sexual behaviour in young children may be a symptom of either their own abuse or exposure to abusive practices or materials.

Advice will be sought, as appropriate, from the Safeguarding Hub, the Police and any other agencies or specialist services in order to commission the right support for the child/children concerned.

Sanctions

Before deciding on appropriate action, the 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 abuse and the causes of it.

Sanctions may include additional supervision of the pupil or protective strategies if the pupil feels at risk of engaging in further inappropriate or harmful behaviour.

The school response might include a sanction (in accordance with the Whole School Behaviour Policy and procedures) such as a detention, time within the Pupil Support Provision, Pupil Support Provision Suspension or a fixed-term suspension to allow the pupil to reflect on their behaviour.

The school will, where appropriate, consider the potential benefit, as well as challenge, of using direct time out placement or suspensions 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.

A permanent exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of other children in the school or, where the Headteacher, in their absolute discretion, considered the actions of the pupil(s) has damaged the school's ethos or reputation.

Disciplinary interventions alone are rarely able to solve issues of child on child abuse, and the school will always consider the wider actions that may need to be taken, and any lessons that may need to be learnt going forward.