

Child-on-Child Abuse Policy

Approved by Governor committee:
Reviewed by Laura Malkin – Safeguarding governor

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Responsibility of:
Bernie Whittle, Senior Vice Principal and Designated Safeguarding Lead

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Statement of intent

Chelsea Academy is committed to Safeguarding and promoting the welfare of every student, both inside and outside of the Academy premises, and is aware that abuse against children can be inflicted by other children. We implement a whole-Academy preventative approach to managing Child-on-Child abuse, ensuring that the wellbeing of students is at the forefront of all action taken.

Children and young people have a fundamental right to be protected from harm. Our students have the right to expect us to provide them with a secure and safe environment. **Chelsea Academy has a zero-tolerance approach to all forms of abuse.** We acknowledge that staff at Chelsea Academy are in a unique position to identify and support vulnerable children and young people. We also recognise that the protection of our students is a shared responsibility. Safeguarding is everyone's responsibility.

This policy sets out a clear and consistent framework for delivering this promise, in line with Safeguarding legislation and statutory guidance.

It will be achieved by:

- Creating a culture of mutual respect amongst students, irrespective of protected characteristics
- Teaching students about behaviour that is acceptable and unacceptable
- Identifying and making provision for any student that has been subject to abuse
- Ensuring that members of the Governing Board, the Principal and staff members understand their responsibilities under Safeguarding legislation and statutory guidance, are alert to the signs of Child-on-Child abuse, and know to refer concerns to the DSL.

The DSL is Bernie Whittle. In the absence of the DSL, Child Protection and Safeguarding matters will be dealt with by David Whitley, the DDSL.

1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Equality Act 2010
- Human Rights Act 1998
- Sexual Offences Act 2003
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Voyeurism (Offences) Act 2019
- DfE (2018) 'Working together to safeguard children'
- DfE (2023) 'Keeping Children Safe in Education 2023' (KCSIE)

The policy also has regard to the following non-statutory guidance:

- DfE (2015) 'What to do if you're worried a child is being abused'
- DfE (2018) 'Information sharing'
- DfE (2021) 'Sexual violence and sexual harassment between children in Academics and colleges'
- DSIT, DCMS and UK Council for Internet Safety (2020) 'Sharing nudes and semi-nudes: advice for education settings working with children and young people'
- National Police Chief's Council (2020) 'When to call the police: guidance for schools and colleges'

This policy operates in conjunction with the following Academy policies:

- Anti-Bullying Policy
- Attendance Policy
- Behaviour Policy
- Data Protection Policy
- Electronic Information and Communications Systems Policy
- Safeguarding and Child Protection Policy
- Staff Code of Conduct
- Suspension and Exclusion Policy

2. Definitions

Child-on-Child abuse is defined, for the purposes of this policy, as any form of abuse inflicted by one child or a group of children (ie individuals under the age of 18) against another child or group of children. This policy covers Child-on-Child abuse both in and outside of the Academy, and both in person and online.

Harmful sexual behaviour is defined as any sexual behaviour which:

- Does not observe and respect any individuals on the receiving end of the behaviour (touching someone without their consent)
- Is inappropriate for the age or stage of development of the student
- Is problematic, abusive or violent
- May cause developmental damage

NB: Harmful sexual behaviour can occur online and / or face-to-face, and can also occur simultaneously between the two

For the purposes of this policy, **consent** is defined as having the freedom and capacity to choose to engage in sexual activity. Consent may be given to one sort of sexual activity but not another, and can be withdrawn at any time during sexual activity and each time activity occurs. A person only consents to a sexual activity

if they agree by choice to that activity, and has the freedom and capacity to make that choice. Children under the age of 13 can never consent to any sexual activity. The age of consent is 16.

For the purposes of this policy, **sexual violence** refers to the following offences as defined under the Sexual Offences Act 2003:

- **Rape:** A person (A) commits an offence of rape if they intentionally penetrate the vagina, anus or mouth of another person (B) with their 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 they intentionally penetrate the vagina or anus of another person (B) with a part of their 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 they intentionally touch another person (B), the touching is sexual, B does not consent to the touching, and A does not reasonably believe that B consents
- **Causing someone to engage in sexual activity without consent:** A person (A) commits an offence if they intentionally cause another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party

For the purposes of this policy, **sexual harassment** refers to unwanted conduct of a sexual nature that occurs online or offline, inside or outside of the Academy. Sexual harassment is likely to violate a student's dignity, make them feel intimidated, degraded or humiliated, and create a hostile, offensive, or sexualised environment. If left unchallenged, sexual harassment can create an atmosphere that normalises inappropriate behaviour and may lead to sexual violence. Sexual harassment can include, but is not limited to:

- Sexual comments, such as sexual stories, lewd comments, sexual remarks about clothes and appearance, and sexualised name-calling
- Sexual "jokes" and taunting
- Physical behaviour, such as deliberately brushing against someone, interfering with someone's clothes, and displaying images of a sexual nature
- Online sexual harassment, which may be standalone or part of a wider pattern of sexual harassment and / or sexual violence. This includes:
 - The consensual and non-consensual sharing of nude and semi-nude images and/or videos
 - Sharing unwanted explicit content
 - Upskirting
 - Sexualised online bullying
 - Unwanted sexual comments and messages, including on social media
 - Sexual exploitation, coercion, and threats

The **'sharing of sexualised imagery'** can also constitute sexual harassment – this refers to the consensual and non-consensual sharing between students of sexually explicit content, including that which depicts:

- Another child posing nude or semi-nude
- Another child touching themselves in a sexual way
- Any sexual activity involving another child
- Someone hurting another child sexually

Staff will be aware that children creating, possessing, and distributing indecent imagery of other children is a criminal offence, even where the imagery is created, possessed, and distributed with the permission of

the child depicted, or by the child themselves. Incidents of sharing sexualised imagery will be handled in line with the Safeguarding and Child Protection Policy.

This policy will use the following terms to describe students involved in Child-on-Child abuse:

- **Victim(s)** – the individual(s) against whom the abuse has, or has allegedly, been inflicted
- **Perpetrator(s)** – the individual(s) exhibiting abusive behaviour against their peers
- **Alleged perpetrator(s)** – individual(s) against whom a report of abusive behaviour has been made, where guilt has not yet been ascertained

Note: The use of the word 'alleged' does not mean that the student in question is not guilty of Child-on-Child abuse, that the Academy does not believe the allegation or that the allegation will not be taken seriously. Staff will remember that the Academy has a legal duty of care to all perpetrators and alleged perpetrators who are students at the Academy, including a requirement to ensure they can access their education. Staff will think very carefully about terminology when speaking in front of students. Victims will be reassured that use of the term 'alleged perpetrator' is not an attempt to discredit their allegation

Staff will also be conscious of the fact that not everyone who has been subjected to abuse considers themselves a victim or would want to be described this way. Staff will be prepared to use any term which the individual child is most comfortable with. Staff will think very carefully about terminology when speaking in front of students, and the use of appropriate terminology will be determined on a case-by-case basis.

3. Roles and responsibilities

The **Governing Board** has a duty to:

- Ensure that the Academy complies with its duties under the above Child Protection and Safeguarding legislation
- Hold the Academy to account for its obligations under the Human Rights Act 1998, the Equality Act 2010 and their local multi-agency Safeguarding arrangements
- Guarantee that the policies, procedures and training opportunities in the Academy are effective and comply with the law at all times
- Guarantee that the Academy contributes to multi-agency working in line with the statutory guidance 'Working Together to Safeguard Children'
- Confirm that the Academy's arrangements for handling Child-on-Child abuse take into account the procedures and practices of the LA as part of the inter-agency Safeguarding procedures
- Appoint a member of staff from the LT to the role of DSL as an explicit part of the role-holder's job description
- Appoint one or more deputy DSL(s) to provide support to the DSL and ensure that they are trained to the same standard as the DSL, and that the role is explicit in their job description(s)
- Ensure that the DSL has the appropriate status and authority within the Academy to carry out the duties of the post
- Ensure the DSL is given the additional time, funding, training, resources and support needed to carry out the role effectively
- Make sure that students are taught about Child-on-Child abuse, including online (including when they are online at home), through teaching and learning opportunities, as part of providing a broad and balanced curriculum
- Ensure that staff members are appropriately trained to support students to be themselves at the Academy (eg if they are LGBTQ+)
- Ensure the Academy has clear systems and processes in place for identifying possible risk of harm in students, including clear routes to escalate concerns and clear referral and accountability systems
- Guarantee that there are procedures in place to handle students' allegations against other students
- Ensure that appropriate disciplinary procedures are in place, as well as policies pertaining to the behaviour of students

- Ensure that procedures are in place to eliminate unlawful discrimination, harassment and victimisation in relation to Child-on-Child abuse
- Make sure that students' wishes and feelings are taken into account when determining what action to take and what services to provide to protect individual students
- Guarantee that there are systems in place for students to express their views and give feedback
- Ensure that all governors receive appropriate Safeguarding and Child Protection training at induction that is regularly updated (including online safety), in order to equip them with the knowledge to provide strategic challenge to test and assure themselves that the Safeguarding policies and procedures in place are effective and support the delivery of a robust, whole-school approach to Safeguarding – this training should include, amongst other things, the expectations and responsibilities on staff in relation to filtering and monitoring

The **Principal** has a duty to:

- Safeguard students' wellbeing and maintain public trust in the teaching profession
- Ensure that the policies and procedures adopted by the Governing Board, particularly concerning referrals of cases of suspected abuse and neglect, are followed by staff members
- Provide staff, upon induction, with the Safeguarding and Child Protection Policy, Staff Code of Conduct, Part One and, where appropriate, Annex A of the 'Keeping children Safe in Education 2023' (KCSIE) guidance, the Behaviour Policy, the Attendance policy, online safety training and the identity of the DSL and any deputies.
- Ensure staff receive training on recognising indicators of abuse and handling disclosures or concerns about a student

The **DSL** has a duty to:

- Understand and keep up-to-date with local Safeguarding arrangements
- Act as the main point of contact with the three Safeguarding partners and the Child Death Review partner
- Make the necessary Child Protection referrals to appropriate agencies
- Understand when they should consider calling the police, in line with the National Police Chiefs' Council (NPCC) guidance
- Liaise with the Principal to inform them of Safeguarding issues and ongoing enquiries
- Liaise with the DDSL to ensure effective Safeguarding outcomes
- Act as a source of support for students who have been abused by, or who have abused, other students
- Lead the Academy in taking a preventative approach to Child-on-Child abuse

Other **staff members** have a responsibility to:

- Safeguard students' wellbeing and maintain public trust in the teaching profession as part of their professional duties
- Provide a safe environment in which students can learn
- Act in accordance with Academy procedures with the aim of eliminating unlawful discrimination, harassment and victimisation in relation to Child-on-Child abuse
- Maintain an attitude of '**it could happen here**' where Safeguarding is concerned
- Be aware of the signs of abuse and understand that children can be at risk of harm inside and outside of the Academy, inside and outside the home, and online
- Be aware of the Early Help process and understand their role in it
- Understand and adhere to the procedure to follow in the event that a child confides they are being abused by a peer
- Understand that technology is a significant component in many Safeguarding issues
- Support Social Workers in making decisions about individual children, in collaboration with the DSL
- Maintain appropriate levels of confidentiality when dealing with individual cases, and always act in the best interest of the child

- Understand the importance of challenging inappropriate behaviours between children that are abusive in nature
- Build trusted relationships with children and young people which facilitate communication

4. Types of Child-on-Child abuse

The Academy recognises that children are capable of abusing their peers. All staff will be aware that child-on-child abuse can occur between students of any age and gender, both inside and outside of the Academy, as well as online. All staff will be aware of the indicators of child-on-child abuse, how to identify it, and how to respond to reports. All staff will also recognise that even if no cases have been reported, this is not an indicator that child-on-child abuse is not occurring. All staff will speak to the DSL if they have any concerns about child-on-child abuse.

The forms of child-on-child abuse are outlined below:

- Domestic abuse – an incident or pattern of actual or threatened acts of physical, sexual, financial and / or emotional abuse, perpetrated by an adolescent against a current or former dating partner regardless of gender or sexuality
- Child Sexual Exploitation – children under the age of 18 may be sexually abused in the context of exploitative relationships, contexts and situations by peers who are also under 18
- Harmful Sexual Behaviour – children and young people presenting with sexual behaviours that are outside of developmentally 'normative' parameters and harmful to themselves and others
- Serious Youth Violence – any offence of most serious violence or weapon-enabled crime, where the victim is aged 1-19 i.e. murder, manslaughter, rape, wounding with intent and causing grievous bodily harm. 'Youth violence' is defined in the same way, but also includes assault with injury offences
- Upskirting - typically when a photo is taken under a person's clothing without them knowing, for sexual gratification or to cause the victim humiliation, distress or alarm

The term Child-on-Child abuse can refer to all of these definitions and a child may experience one or multiple facets of abuse at any one time. Therefore, our response will cut across these definitions and capture the complex web of their experiences

There are also different gender issues that can be prevalent when dealing with Child-on-Child abuse (i.e. girls being sexually touched / assaulted or boys being subjected to initiation / hazing type violence) Staff will familiarise themselves with the forms that Child-on-Child abuse can take, including:

Physical abuse

A form of abuse which may involve actions such as hitting, throwing, burning, drowning and poisoning, or otherwise causing physical harm to another child

Sexual abuse

A form of abuse involving sexual activity between children – sexual abuse, for the purposes of this policy, is divided into two categories: sexual violence and sexual harassment (**see definitions of both above**).

Bullying

Many kinds of behaviour can be considered bullying, and bullying can be related to almost anything.

Bullying is acted out through the following mediums:

- Verbally
- Physically
- Emotionally
- Online (cyberbullying)

Bullying will generally be handled in line with the Anti-Bullying Policy. However, particularly severe instances will be handled in line with this policy and the Safeguarding and Child Protection Policy.

Online Abuse

This involves the use of technology and the internet in order to harass, threaten or intimidate another child. Instances of online abuse will be managed in line with this policy, the Electronic Information and Communications Systems Policy and the Anti-Bullying Policy.

Discriminatory Behaviour

Discriminatory behaviour encompasses abuse inflicted on a student because of their protected characteristics (eg religion, ethnicity, gender, sexual orientation, culture, or any SEND). Discriminatory behaviour is never acceptable, and all cases will be handled in line with this policy and the Safeguarding and Child Protection Policy.

Intimate Partner Abuse

This involves a romantic partnership between children in which one or both partners are emotionally, physically or sexually abusive to the other (sometimes known as 'teenage relationship abuse'). This could include:

- Repetitive insults
- Controlling behaviour (eg preventing a child from socialising with others or deliberately isolating them from sources of support)
- Sexual harassment
- Threats of physical or sexual abuse

The Academy will manage intimate partner abuse in the same way as a case of abuse between any other children, i.e. via the processes outlined in [section 9](#) of this policy, and in line with the Safeguarding and Child Protection Policy.

5. A Whole-Academy Approach to Child-on-Child Abuse

Chelsea Academy aims to reduce the likelihood of Child-on-Child abuse through:

- the established ethos of respect, friendship, courtesy and kindness
- having a zero-tolerance approach to all forms of abuse
- challenging any form of derogatory or sexualised language or behaviour, including requesting or sending sexual images
- having high expectations of behaviour
- being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female students, and initiation or hazing type violence with respect to boys
- having clear consequences for unacceptable behaviour
- providing a developmentally appropriate Pastoral Curriculum which develops students' understanding of healthy relationships, acceptable behaviour, consent and keeping themselves safe
- having systems for any student to raise concerns with staff confidentially, knowing that they will be listened to, valued and believed
- ensuring staff are trained to understand that a student harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy
- having robust risk assessments and providing targeted work for students identified as being a potential risk to other students and those identified as being at risk

The Academy will continue to involve all members of the Academy community, including the Governing Board, staff, students, parents and other stakeholders, in creating a whole-Academy approach to Child-on-Child abuse.

The Governing Board will ensure that keeping children safe and protected from harm, including Child-on-Child abuse, is central to all policies and procedures implemented across the Academy. The Academy will ensure that procedures for handling Child-on-Child abuse are transparent, clear and understandable, and are readily accessible to any member of the Academy community who wishes to access them.

The Academy will implement a contextual approach to Safeguarding students against Child-on-Child abuse, and will ensure that all procedures take into account incidents of Child-on-Child abuse that occur outside of Academy or online.

The Principal will ensure that all staff receive adequate training on handling Child-on-Child abuse.

Academy Culture

The Academy prioritises cultivating a safe and respectful environment amongst students, and ensures that all students are aware that the Academy adopts a **zero-tolerance stance** on Child-on-Child abuse of any kind. All staff will have **a zero-tolerance approach to all forms of abuse**. All staff will understand the importance of challenging inappropriate behaviour between peers.

The Academy promotes respectful interactions amongst students, and all staff model appropriate and respectful behaviour. Staff will take care to avoid normalising harmful behaviour, particularly harmful sexual behaviour (eg by refraining from the use of phrases such as 'boys will be boys' or describing such behaviour as 'just having a laugh' or 'part of growing up'), as these phrases can lead to a culture of unacceptable behaviours and normalised abuse.

Staff will always challenge abuse and will not tolerate abuse, or pass it off as being 'banter', 'having a laugh' or 'part of growing up'.

The Academy will ensure that wider societal factors that exacerbate the problem of Child-on-Child abuse are reflected in its approach to creating a preventative culture. This means that individuals who are more likely to be abused (eg girls or LGBTQ+ students) or who are at increased risk of acting as a perpetrator in abusive situations (eg due to abusive home situations or anger management issues) are given additional support from an early stage. The Academy has a clear set of values and standards that are upheld and demonstrated throughout all aspects of Academy life and are underpinned by the Academy's policies, procedures and curriculum.

The Academy manages all Early Help and intervention for students showing early signs of harmful behaviour, or early signs of being the victim of harmful behaviour, in line with the Safeguarding and Child Protection Policy.

Curriculum

Students will be taught how to recognise, keep themselves safe and report Child-on-Child abuse, sexual violence and harassment. The Academy maintains the position that education surrounding respectful and healthy attitudes and behaviour towards others is the best way to combat Child-on-Child abuse in the Academy. All staff, not just teaching staff, are responsible for passing this knowledge on to students.

In order to prevent Child-on-Child abuse and address the wider societal factors that can influence behaviour, the Academy will educate students about abuse, its forms and the importance of discussing any concerns and respecting others through the curriculum and extra-curricular activities.

The Academy will also ensure that students are taught about Safeguarding, including online safety, as part of a broad and balanced curriculum. This will be delivered through regularly timetabled Citizenship lessons, a weekly planned programme of Pastoral Curriculum sessions and during Coaching Time. Such content will be fully inclusive, age and stage of development appropriate (especially when considering the needs of pupils with SEND), and tackle issues such as the following:

- Healthy and respectful relationships
- How to recognise an abusive relationship, including coercive and controlling behaviour
- Respectful behaviour
- Boundaries and consent
- Stereotyping, prejudice and equality
- Prejudiced behaviour
- LGBTQ+ identities and relationships
- Body confidence and self-esteem
- The concepts of, the laws relating to and how to access support for the following:
 - Sexual consent
 - Sexual exploitation
 - Abuse
 - Grooming
 - Coercion
 - Harassment
 - Rape
 - Domestic abuse
 - So called honour-based violence (eg forced marriage or FGM)
- What constitutes as sexual violence and sexual harassment and why these are always unacceptable
- Addressing cultures of sexual harassment

Students will be allowed an open forum to talk about concerns and sexual behaviour. They are taught how to raise concerns and make a report, including concerns about their friends or peers, and how a report will be handled.

The curriculum will ensure that students of all ages are taught about and understand the concept of consent and its importance in an age-appropriate way.

6. Channels for Reporting Abuse

Students will be taught how to recognise, keep themselves safe and report Child-on-Child abuse, sexual violence and harassment. Students will be made aware of how to raise concerns or make a report and how any reports will be handled. This includes the process for reporting concerns about friends or peers. It will be explained to students, in such a way that avoids alarming or distressing them, that the law is in place to protect children and young people rather than criminalising them.

Research indicates that young people rarely disclose Child-on-Child abuse and that if they do, it is likely to be to their friends. Therefore, Chelsea Academy will also educate students about how to support their friends if they are concerned about them, that they should talk to a trusted adult in the Academy and what services they can contact for further advice.

Students will always be reassured that they will be taken seriously, be supported, and kept safe

Students will be able to report incidents of Child-on-Child abuse or concerns about the behaviour of their peers through the following channels:

- Filling out an information slip and placing it in one of four drop-boxes around the Academy. These are monitored by the DSL and the Pastoral Team
- Completing the confidential Google Form. This is monitored by the DSL and the Pastoral Team

- Speaking to a trusted adult, for example their Learning Coach, (Deputy) Head of Year, the Academy Chaplain or Academy Mental Health Lead

All channels for reporting abuse will be promoted and publicised throughout the Academy, and all students will be made aware of how, and to whom, to report incidents of abuse. The Academy will also ensure students are aware of the type of behaviour that should be reported, ranging from criminal behaviour (eg rape or sexual assault) to everyday harassment (eg sexualised jokes or inappropriate comments) to ensure that victims do not view their experience as 'not serious enough' to report.

The Academy will maintain a culture that promotes reporting abuse, whether the individual reporting is the victim, a bystander, or a friend or relative of the victim. Staff will address any incidents of students equating reporting abuse to 'snitching' or being a 'tattle-tale', and will convey to these students how important it is to report abuse to help tackle the wider problem of Child-on-Child abuse in schools.

7. Protecting students with increased vulnerability to Child-on-Child abuse

The Academy is aware that, while Child-on-Child abuse can be perpetrated by, and against, anyone, there are certain groups of students who are at an increased risk of being on the receiving end of Child-on-Child abuse.

Staff will be careful to acknowledge the increased risk certain students face while refraining from making assumptions about the nature of any reported, witnessed or suspected abuse. Staff will be aware that students who are generally at increased risk of abuse can also be perpetrators of abuse.

The Academy will ensure that action is taken, where possible, before major concerns arise; therefore, incidents of low-level abuse related to the characteristics of the below groups will be handled in line with Early Help procedures, which are laid out within the Safeguarding and Child Protection.

Females

Staff will be aware that females are more likely to be on the receiving end of Child-on-Child sexual abuse than their male counterparts, and that sexual violence and harassment against females is very common and accounts for the majority of cases.

Taking into account that sexual harassment against females is widespread in society, and largely based in gender inequality, the Academy will aim to encourage gender equality in all aspects of its operations. The Academy will aim to promote and nurture healthy attitudes and relationships amongst students of all genders (eg by challenging and working to deconstruct gender stereotypes in the Academy).

Staff will challenge any incidents of misogynistic language or gender-based abuse, whether of a sexualised nature or not, as holding misogynistic viewpoints can make a student more likely to commit sexualised violence in the future.

LGBTQ+ Students

The fact that a child or a young person may be LGBTQ+ is not in itself an inherent risk factor for harm. However, all staff will be aware of the heightened vulnerability of LGBTQ+ students, who evidence suggests are also more likely to be targeted by their peers (eg for discriminatory bullying). In some cases, a child who is perceived by other children to be LGBTQ+ (regardless of whether they are or not) can be just as vulnerable as children who identify as LGBTQ+. Risks can be compounded where children who are LGBTQ+ lack a trusted adult with whom they can be open. All Academy staff will therefore endeavour to reduce the additional barriers faced by LGBTQ+ students (and those who may be perceived by other students to be LGBTQ+) and provide a safe space for them to speak out or share their concerns with members of staff. The Academy's response to sexual violence and sexual harassment between students of the same sex will be equally as robust as it is for incidents between students of the opposite sex.

The Academy holds a zero-tolerance policy towards students using homophobic, biphobic or transphobic language, regardless of whether or not the language is being directed at another individual. Every staff member is individually responsible for challenging such behaviour and making clear to all students that any abuse towards students who are LGBTQ+, or who are perceived to be, is unacceptable.

Students with SEND

Staff will be aware that students with SEND are at increased risk of Child-on-Child abuse, as they are three times more likely to be abused than their peers. The Academy will ensure that there are mechanisms in place to support students with SEND in reporting abuse, with due regard paid to the fact that these students may face additional barriers to reporting abuse and that spotting signs of abuse in these students may be harder.

Staff will avoid assuming that changes in the behaviour of students with SEND are as a result of their needs or disability, and will report any concerns to the DSL. The DSL and the SENDCo will collaborate in the handling of instances of abuse towards students with SEND to ensure that barriers to communication can be effectively managed.

Black, Asian and Minority Ethnic (BAME) Students

Staff will be aware that minority ethnic students, particularly black students, may be less likely to report abuse committed against them, and may be more likely to be misidentified as perpetrators of abuse.

The Academy holds a zero-tolerance policy towards students using racist language, regardless of whether the language is being directed at another individual. Every staff member is individually responsible for challenging such behaviour and making clear to all students that any abuse towards students from BAME backgrounds is unacceptable.

Staff will also be aware that BAME females, BAME students with SEND, or BAME LGBTQ+ (or perceived LGBTQ+) students, are likely to face increased abuse due to the intersection of these identities. Staff will be vigilant with regard to these students and the ways in which other students behave towards them, in order to ensure any incidents or potential incidents can be handled as soon as they occur.

8. Staff Identifying and Reporting Concerns

Staff will receive Safeguarding training as part of their induction, and annual refresher training. This training will include guidance on how to recognise indicators of Child-on-Child abuse of all kinds, and how to distinguish between behaviour, particularly sexual behaviour, that is developmentally appropriate and that which is harmful.

When identifying students at risk of potential harm or who have been harmed by their peers, staff members will look out for a number of indicators including, but not limited to, the following:

- Injuries in unusual places, such as bite marks on the neck, that are also inconsistent with their age
- Lack of concentration and acting withdrawn
- Knowledge ahead of their age (eg sexual knowledge)
- Use of explicit language
- Fear of abandonment
- Depression and low self-esteem
- Changes to their social group (eg spending time with older students or social isolation)
- Alcohol or substance misuse

Where a student is displaying signs of being impacted by Child-on-Child abuse, or perpetrating Child-on-Child abuse, staff will report this to the DSL as soon as is reasonably practical.

Staff will challenge all instances of abusive or harmful behaviour displayed by students that they witness or are reported to them. Staff will not wait for concerns or situations between students to escalate before intervening; minor or singular instances of abusive behaviour will still be brought to the attention of the DSL and the student will always be spoken to about their behaviour and disciplined, where appropriate, in line with the Behaviour Policy.

Staff will enforce the Academy's policy that no known and substantiated incident of abusive or harmful behaviour between students will occur without consequences for the perpetrator(s), although these consequences will be decided on a case-by-case basis and will take into account the views of any victims involved, the context of the behaviour and the severity of the incident.

Staff will be aware that just because a victim of abusive behaviour does not report the behaviour or react to the behaviour negatively, this does not mean that the behaviour is not still harmful; some students will be uncomfortable challenging their peers on inappropriate behaviour, or may not be aware themselves that the behaviour is abusive. Staff have a responsibility to ensure that both the perpetrator(s), or alleged perpetrator(s), and the victim(s) understand that such behaviour inflicted by or against them was unacceptable; failing to challenge a student on unacceptable behaviour can normalise that behaviour not just for the student in question, but for all students who see the behaviour going unchallenged.

Staff will remain cognisant that downplaying abusive behaviour can lead to a culture of unacceptable behaviour throughout the Academy and, as such, will treat all displays or reports of abusive behaviour with the utmost severity and sensitivity in order to reinforce to all students that such behaviour will not be tolerated, and to prevent further instances of this behaviour in the future.

9. Handling Allegations of Abuse Against Students

Staff will always, when handling an incident of alleged abuse, take the report of the victim seriously, reassure them, support them and work to keep them safe. Victims will never be made to feel like they are causing a problem by reporting **any** form of abuse, be made to feel ashamed or have their experience minimised by staff at the Academy. Staff will be aware of the importance of not downplaying any reports of abuse; however, they will ensure that they remain sympathetic, and observant of the duty of care, to both the alleged perpetrator(s) and victim(s).

If a friend of a victim makes a report or a member of staff overhears a conversation, staff will take action – they will never assume that someone else will deal with it, or wait for a disclosure. The basic principles remain the same as when a victim reports an incident; however, staff will consider why the victim has not chosen to make a report themselves, and the discussion will be handled sensitively and with the help of Children's Social Care where necessary. If staff are in any doubt, they will speak to the DSL. All staff will be aware that students may not feel ready or know how to tell someone that they are being abused, and / or they may not recognise their experiences as harmful. This will not prevent staff from having a professional curiosity and speaking to the DSL if they have any concerns.

Where an alleged incident took place away from the Academy or online but involved students from the Academy, the Academy's duty to safeguard students remains the same, and the incident will be treated equally as seriously and investigated in the same way as an incident that took place in the Academy.

All staff will be trained to handle disclosures. Effective Safeguarding practice includes:

- Never promising confidentiality at the initial stage
- Only sharing the report with those necessary for its progression
- Explaining to the victim what the next steps will be and who the report will be passed to
- Recognising that the person the student chose to disclose the information to is in a position of trust
- Being clear about boundaries and how the report will be progressed
- Not asking leading questions and only prompting the student with open questions

- Waiting until the end of the disclosure to immediately write a thorough summary. If notes must be taken during the disclosure, it is important to still remain engaged and not appear distracted
- Understanding that victims may not disclose the whole picture immediately and may be more comfortable providing information on a step-by-step basis
- Ensuring that dialogue is kept open and encouraged
- Only recording the facts as the student presents them – not the opinions of the note taker
- Where the report includes an online element, being aware of searching, screening and confiscation advice
- Wherever possible, managing disclosures with two staff members present (preferably with the DSL or DDSL)
- Informing the DSL or DDSL as soon as possible after the disclosure if they could not be involved in the disclosure

The DSL will be informed of any allegations of abuse against students with SEND. They will record the incident in writing and, working with the SENDCo, decide what course of action is necessary, with the best interests of the student in mind at all times.

Confidentiality

The Academy will only engage staff and agencies required to support the victim and / or be involved in any investigation. If a victim asks the Academy not to tell anyone about the disclosure, the Academy cannot make this promise. Even without the victim's consent, the information may still be lawfully shared if it is in the public interest and protects children from harm.

The DSL will consider the following when making confidentiality decisions:

- Parents will be informed unless it will place the victim at greater risk
- If a student is at risk of harm, is in immediate danger or has been harmed, a referral will be made to Children's Social Care
- Rape, assault by penetration and sexual assault are crimes – reports containing any such crimes will be passed to the police

The DSL will weigh the victim's wishes against their duty to protect the victim and others. If a referral is made against the victim's wishes, it will be done so extremely carefully and the reasons for referral will be explained to the victim. Appropriate specialist support will always be offered.

Anonymity

There are legal requirements for anonymity where a case is progressing through the criminal justice system. The Academy will do all it can to protect the anonymity of children involved in any report of sexual violence or sexual harassment. It will carefully consider, based on the nature of the report, which staff will be informed and what support will be in place for the children involved. When deciding on the steps to take, the Academy will consider the role of social media in potentially exposing victims' identities and facilitating the spread of rumours.

Risk Assessment

The DSL or DDSL will make an immediate risk and needs assessment any time there is a report of sexual violence. For reports of sexual harassment, a risk assessment will be considered on a case-by-case basis. Risk assessments are not intended to replace the detailed assessments of experts, and for incidents of sexual violence it is likely that a professional risk assessment by a social worker or sexual violence specialist will be required.

Risk and needs assessments will consider:

- The victim, especially their protection and support
- Whether there may have been other victims
- The alleged perpetrator
- Other students at the Academy, especially any actions that are appropriate to protect them
- The time and location of the incident, and any action required to make the location safer

Risk assessments will be recorded (either on paper or electronically) and kept under review in accordance with the Academy's Data Protection Policy.

Taking action following a disclosure

The DSL or DDSL will decide the Academy's initial response, taking into consideration:

- The victim's wishes
- The nature of the incident
- The ages and developmental stages of the students involved
- Any power imbalance between the students
- Whether the incident is a one-off or part of a pattern
- That sexual violence and sexual harassment can take place within intimate personal relationships between children
- The importance of understanding intra familial harms and any necessary support for siblings following incidents
- Any ongoing risks
- Any related issues and the wider context, such as whether there are wider environmental factors in a student's life that threaten their safety and / or welfare
- The best interests of the student
- That sexual violence and sexual harassment are always unacceptable and will not be tolerated

Immediate consideration will be given as to how to support the victim, alleged perpetrator and any other students involved.

For reports of rape and assault by penetration, the alleged perpetrator will be removed from any classes shared with the victim whilst the Academy establishes the facts. The Academy will consider how to keep the victim and alleged perpetrator apart on Academy premises, and on transport where applicable. These actions will not be seen as a judgement of guilt on the alleged perpetrator.

For reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator and the suitability of shared classes, premises and transport will be considered immediately. In all cases, the initial report will be carefully evaluated and the wishes of the victim, nature of the allegations and requirement to protect all children will be taken into consideration.

Where a student is found to have been involved in harmful sexual behaviour (eg non-consensually sharing indecent imagery of another student) the Academy will help the student to move forward from the incident by supporting them in adopting more positive behaviour patterns and attitudes.

Managing the report

The decision of when to inform the alleged perpetrator of a report will be made on a case-by-case basis. If a report is being referred to Children's Social Care or the police, the Academy will speak to the relevant agency to discuss informing the alleged perpetrator.

There are four likely outcomes when managing reports of sexual violence or sexual harassment:

- Managing internally
- Providing Early Help support
- Referring to Children's Social Care

- Reporting to the police

Whatever outcome is chosen, it will be underpinned by the principle that sexual violence and sexual harassment are never acceptable and will not be tolerated. All concerns, discussions, decisions and reasons behind decisions will be recorded either on paper or electronically.

The following situations are statutorily clear and do not allow for contrary decisions:

- The age of consent is 16
- A child under the age of 13 can **never** consent to sexual activity
- Sexual intercourse without consent is **always** rape
- Rape, assault by penetration and sexual assault are defined in law
- Creating and sharing sexual photos and videos of children under 18 is illegal – including children making and sending images and videos of themselves

Managing internally

In some cases (eg one-off incidents) the Academy may decide to handle the incident internally through their Behaviour and Anti-Bullying policies and by providing pastoral support.

Providing Early Help support

The Academy may decide that statutory interventions are not required, but that students may benefit from Early Help support – providing support as soon as a problem emerges. This approach can be particularly useful in addressing non-violent harmful sexual behaviour and may prevent the escalation of sexual violence.

All staff will be aware of their local Early Help process and understand their role in it.

Referral to Children's Social Care

If a student has been harmed, is at risk of harm or is in immediate danger, the Academy will make a referral to Children's Social Care. Parents will be informed unless there is a compelling reason not to do so (eg if the referral will place the victim at risk). This decision will be made in consultation with Children's Social Care.

The Academy will not wait for the outcome of an investigation before protecting the victim and other children.

The DSL will work closely with Children's Social Care to ensure that the Academy's actions do not jeopardise any investigation. Any related risk assessment will be used to inform all decisions. If Children's Social Care decide that a statutory investigation is not appropriate, the Academy will consider referring the incident again if they believe the student to be in immediate danger or at risk of harm. If the Academy agrees with the decision made by Children's Social Care, they will consider the use of other support mechanisms such as Early Help, pastoral support and specialist support.

Reporting to the police

Reports of rape, assault by penetration or sexual assault will be passed on to the police – even if the alleged perpetrator is under 10 years of age. Generally, this will be in parallel with referral to Children's Social Care. The DSL and DDSL will follow the local process for referral.

Parents will be informed unless there is a compelling reason not to do so. Where parents are not informed, it is essential for the Academy to support the student with any decision they take, in unison with Children's Social Care and any appropriate specialist agencies.

If it is necessary for a student to be questioned or detained by the police at the Academy, the DSL will ensure that the requirement for the student to have an Appropriate Adult present (usually a parent, guardian or social worker) while being questioned or detained by the police is met. The Appropriate Adult will “support, advise and assist” the young person, and also “observe whether the police are acting properly and fairly to respect [the student’s] rights and entitlements, and inform an officer of the rank of inspector or above if they consider that they are not” (PACE Code C 2019)

The DSL and the Principal will agree what information will be disclosed to staff and others, in particular the alleged perpetrator and their parents. They will also discuss the best way to protect the victim and their anonymity. The DSL will be aware of local arrangements and specialist units that investigate child abuse.

In some cases, it may become clear that the police will not take further action, for whatever reason. In these circumstances, the Academy will continue to engage with specialist support for the victim as required.

Bail conditions

Students against whom further action is taken by the police may be released under bail conditions or ‘released under investigation’ (RUI) in circumstances that do not warrant the application of bail. Where this occurs and the perpetrator returns to Academy, the Academy’s primary focus will be conducting an assessment of the risk the perpetrator poses to the victim or other students and staff at the Academy, both physically and in terms of trauma or emotional stress, and implementing any mitigating measures necessary to reduce the harm caused.

The Academy will work with Children’s Social Care and the police to support the victim, alleged perpetrator and other students (especially witnesses) during criminal investigations. The Academy will seek advice from the police to ensure they meet their Safeguarding responsibilities.

The Academy will liaise with police investigators to develop a balanced set of arrangements whereby both the alleged perpetrator and the victim can continue to receive a suitable education without compromising any ongoing investigations or the emotional state of the victim.

Managing delays in the criminal justice system

The Academy will not wait for the outcome (or even the start) of criminal proceedings before protecting the victim, alleged perpetrator and other children. The associated risk assessment will be used to inform any decisions made. The DSL will work closely with the police to ensure the Academy does not jeopardise any criminal proceedings, and to obtain help and support as necessary.

The end of the criminal process

Risk assessments will be updated if the alleged perpetrator receives a caution or is convicted. If the perpetrator remains at the Academy as well as the victim, the Academy will set out clear expectations regarding the perpetrator, including their behaviour and any restrictions deemed reasonable and proportionate with regards to the perpetrator’s timetable. The Academy will ensure that the victim and perpetrator remain protected from bullying and harassment (including online).

Where an alleged perpetrator is found not guilty or a case is classed as requiring “no further action”, the Academy will offer support to the victim and alleged perpetrator for as long as is necessary. The victim is likely to be traumatised and the fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. The Academy will discuss decisions with the victim and offer support. The alleged perpetrator is also likely to require ongoing support, as they have also been through a difficult and upsetting experience.

The Principal will carefully consider, on a case-by-case basis, whether allowing the victim and the alleged perpetrator to share classes or attend the same activities is conducive to either party’s effective education,

and will implement alternative arrangements, in consultation with the DSL (and SENDCo where the victim or alleged perpetrator has SEND), where necessary.

Ongoing support for the victim

Any decisions regarding Safeguarding and supporting the victim will be made with the following considerations in mind:

- The terminology the Academy uses to describe the victim
- The age and developmental stage of the victim
- The needs and wishes of the victim
- Whether the victim wishes to continue in their normal routine
- The victim will not be made to feel ashamed about making a report
- What a proportionate response looks like

Victims may not disclose the whole picture immediately and they may be more comfortable talking about the incident on a piecemeal basis; therefore, a dialogue will be kept open and the victim can choose to appoint a designated trusted adult.

Victims may struggle in a normal classroom environment. Whilst it is important not to isolate the victim, the victim may wish to be withdrawn from lessons and activities at times. This will only happen when the victim wants it to, not because it makes it easier to manage the situation. The Academy will provide a physical space for victims to withdraw to.

Victims may require support for a long period of time and the Academy will be prepared to offer long-term support in liaison with relevant agencies. Everything possible will be done to prevent the victim from bullying and harassment as a result of any report they have made. If the victim is unable to remain in the Academy, alternative provision or a move to another school will be considered – this will only be considered at the request of the victim and following discussion with their parents. If the victim does move to another school, the DSL will inform the school of any ongoing support needs and transfer the Child Protection file.

Ongoing support for the alleged perpetrator

Any decisions made regarding the support required for an alleged perpetrator will be made with the following considerations in mind:

- The terminology the Academy uses to describe the alleged perpetrator
- The balance of safeguarding the victim and providing the alleged perpetrator with education and support
- The reasons why the alleged perpetrator may have abused the victim – and the support necessary
- Their age and developmental stage
- What a proportionate response looks like
- Whether the behaviour is a symptom of their own abuse or exposure to abusive practices and / or materials
- What the outcome of the investigation was

When making a decision, advice will be taken from Children's Social Care, specialist sexual violence services and the police as appropriate. If the alleged perpetrator moves to another school (for any reason), the DSL will inform the destination school of any ongoing support needs and transfer the Child Protection file.

If the reported abuse is found to have taken place, the Academy will work with professionals, as required, to understand why the abuse took place and provide a high level of support to help the student understand and overcome the reasons for their behaviour and reduce the likelihood of them abusing again.

Disciplining the alleged perpetrator

Disciplinary action can be taken whilst investigations are ongoing and the fact that investigations are ongoing does not prevent the Academy reaching its own conclusion and imposing an appropriate penalty.

The Academy will make such decisions on a case-by-case basis, with the DSL taking a leading role. The Academy will take into consideration whether any action would prejudice an investigation and / or subsequent prosecution. The police and Children's Social Care will be consulted where necessary. The Academy will also consider whether circumstances make it unreasonable or irrational for the Academy to make a decision about what happened while an investigation is considering the same facts.

Disciplinary action and support can take place at the same time. The Academy will be clear whether action taken is disciplinary, supportive or both.

Shared classes

Once the DSL has decided to progress a report, they will again consider whether the victim and alleged perpetrator will be separated in classes and on Academy premises – balancing the Academy's duty to educate against its duty to safeguard. The best interests of students will always come first.

Where there is a criminal investigation into rape or assault by penetration, the alleged perpetrator will be removed from classes with the victim and potential contact on Academy premises will be prevented.

Where a criminal investigation into rape or assault by penetration leads to a conviction or caution, in all but the most exceptional circumstances, this will constitute a serious breach of discipline and result in the view that allowing the perpetrator to remain in the Academy would harm the education or welfare of the victim and potentially other students.

Where a criminal investigation into sexual assault leads to a conviction or caution, the Academy will consider suitable sanctions and permanent exclusion. If the perpetrator remains at the Academy, the Academy will keep the victim and perpetrator in separate classes and manage potential contact on Academy premises. The nature of the conviction or caution, alongside the wishes of the victim, will inform any decisions made.

Where a report of sexual assault does not lead to a police investigation, this does not mean that the offence did not happen or that the victim has lied. Both the victim and alleged perpetrator will be affected and appropriate support will be provided. Considerations regarding sharing classes and potential contact will be made on a case-by-case basis.

In all cases, the Academy will record its decisions and be able to justify them. The needs and wishes of the victim will always be at the heart of the process.

Working with parents

In most sexual violence cases, the Academy will work with the parents of both the victim and alleged perpetrator. For cases of sexual harassment, these decisions will be made on a case-by-case basis.

The Academy will meet the victim's parents with the victim present to discuss the arrangements being put in place to safeguard the victim, and to understand their wishes in terms of support arrangements and the progression of the report.

The Academy will also meet with the parents of the alleged perpetrator to discuss arrangements that will impact their child, such as moving them out of classes with the victim. Reasons behind decisions will be explained and the support being made available will be discussed. The DSL or DDSL will lead such meetings, with agencies invited as necessary.

Clear policies regarding how the Academy will handle reports of sexual violence and how victims and alleged perpetrators will be supported will be made available to parents.

Safeguarding other children

Children who have witnessed sexual violence, especially rape and assault by penetration, will be provided with support. It is likely that children will 'take sides' following a report, and the Academy will do everything in its power to protect the victim, alleged perpetrator and witnesses from bullying and harassment.

The Academy will keep in mind that contact may be made between the victim and alleged perpetrator, and that harassment from friends of both parties could take place via social media, and will do everything in its power to prevent such activity.

As part of the Academy's risk assessment following a report, transport arrangements will be considered, as it is a potentially vulnerable place for both the victim and alleged perpetrator. The Academy will consider any additional support that can be put in place.

10. Monitoring and review

This policy is reviewed annually by the DSL and the Principal.

Any changes made to this policy will be communicated to all members of staff. All members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme and annual Safeguarding refresher training.

The next scheduled review date for this policy is September 2024..