

Child-on-Child Abuse Policy

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Heathermount School is owned and operated by Cavendish Education.

This policy is one of a series of school policies that, taken together, are designed to form a comprehensive statement of the school's aspiration to provide an outstanding education for each of its students and of the mechanisms and procedures in place to achieve this. Accordingly, this policy should be read alongside these policies. In particular, it should be read in conjunction with the policies covering equality and diversity, Health and Safety, safeguarding and child protection.

All of these policies have been written, not simply to meet statutory and other requirements, but to enable and evidence the work that the whole school is undertaking to ensure the implementation of its core value of building confidence and preparing students for life.

While this current policy document may be referred to elsewhere in Heathermount School documentation, including particulars of employment, it is non-contractual.

In the school's policies, unless the specific context requires otherwise, the word "parent" is used in terms of Section 576 of the Education Act 1996, which states that a 'parent', in relation to a child or young person, includes any person who is not a biological parent but who has parental responsibility, or who has care of the child. Department for Education guidance Understanding and dealing with issues relating to parental responsibility considers a 'parent' to include:

- all biological parents, whether they are married or not
- any person who, although not a biological parent, has parental responsibility for a child or young person - this could be an adoptive parent, a step-parent, guardian or other relative
- any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person.
- A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

The school employs the services of the following consulting companies to ensure regulatory compliance and the implementation of best practice:

- Peninsula BrightHR
- Peninsula BusinessSafe (Health and Safety)
- Atlantic Data (DBS)
- Educare (online CPD)

Heathermount School is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers, pupils and visitors to share this commitment.

All outcomes generated by this document must take account of and seek to contribute to safeguarding and promoting the welfare of children and young people at Heathermount School.

The policy documents of Heathermount School are revised and published periodically in good faith. They are inevitably subject to revision. On occasions a significant revision, although promulgated in school separately, may have to take effect between the re-publication of a set of policy documents. Care should therefore be taken to ensure, by consultation with the Senior Leadership Team, that the details of any policy document are still effectively current at a particular moment.

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1. Introduction

Heathermount School believes that all students and staff have a right to attend school and learn in a safe environment. All students should be free from harm by other students and adults in the school.

We acknowledge that some students will impact negatively and affect the learning and wellbeing of others in their school. When these behaviours are displayed most students will be dealt with under the school's behaviour policy. However, we recognise that there may be some allegations that are of such a serious nature that they become a safeguarding concern.

2. Aims of this policy

Heathermount has duty to provide a procedure to manage allegations of abuse where the individual carrying out the abuse and the recipient of the abuse are children.

At Heathermount we acknowledge that Child-on-child abuse can be a serious safeguarding issue but is also identified as being harmful to the child perpetrator as well as the victim, so it is important that a specific Child-on-child abuse policy is formulated to set out clear guidance and details of our process.

This will support the whole school community to have a better understanding of abuse and reflect the impact of peer pressure or influence on all students. This is of particular relevance to our students as the nature of their Autism diagnosis means they may be more vulnerable in peer interactions and social situations.

The aims of this policy are to set out to provide the definition and identification of Child-on-child abuse.; how to prevent Child-on-child abuse, within the school setting and the procedures in place should an allegation be made.

3. What is Child-on-child abuse?

Child-on-child abuse occurs when a young person is exploited, bullied and/or harmed by their peers who are the same or similar age; and everyone directly involved in Child-on-child abuse is under the age of 18. Abuse is abuse and should never be tolerated or passed off as "banter" or "part of growing up". It is important that all students are aware that there is a zero-tolerance approach and that it is never acceptable and will not be tolerated.

4. Definition of Child-on-child abuse

There is no clear definition of what Child-on-child abuse entails, but it can be captured in a range of different definitions as follows:

- 4.1. Bullying:** This is key area where early child-on-child abuse can develop. Bullying is defined as behaviour by an individual or group, usually repeated over time, which intentionally hurts another individual or group either physically or emotionally. It can present in the form of physical, racist, cyber, sexual, or verbal abuse.
- 4.2. Domestic/Relationship Abuse:** relates to young people aged 16 and 17 who experience physical, emotional, sexual and/or financial abuse, and coercive control in their intimate relationships;
- 4.3. Serious Youth Crime/Violence:** refers to offense (as opposed to relationships/contexts) and captures all those of the most serious in nature including murder, rape and GBH between young people under 18.
- 4.4. Sexual violence and Sexual Harassment:** relates to behaviours that can occur between children of any age or through a group of children sexually assaulting or sexually harassing a single child or group of children. Guidance in "Keeping Children Safe in Education" 2022, Part 5, clarifies what schools should be aware of and maintain the attitude of 'it could happen here'. It is important for us to recognise, acknowledge and understand that even if there are no reports within our setting, this does not mean it is not happening and that it could be that it is not being reported.

4.5. Sexual harassment for the purposes of this policy means unwanted conduct of a sexual nature, that can occur online and offline and can happen both inside or outside of the school setting. This policy references sexual harassment in the context of child-on-child sexual harassment. Sexual harassment is likely to; violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Sexual harassment can include:

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- Sexual jokes or taunting;
- Physical behaviour such as deliberately brushing against someone, interfering with someone's clothes;
- displaying pictures, photos or drawings of a sexual nature;
- up skirting, which is a criminal offence;
- Online sexual harassment, which may include:
 - Sexualised online bullying
 - Consensual and non-consensual sharing of nude and semi-nude images and/or videos, Taking and sharing nude photographs of under 18's is a criminal offence;
 - Sharing of unwanted explicit content;
 - Unwanted sexual comments and messages, including, on social media;
 - Sexual exploitation, coercion and threats and
 - Coercing others into sharing images of themselves or performing acts they are not comfortable with online.

It is important that we consider sexual harassment in broad terms. Sexual harassment creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

4.6. Sexual violence is defined for the purpose of this policy as a sexual offence under the sexual offences act 2003, described as:

4.6.1. Rape: A person (A) commits an offence of rape if; he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

4.6.2. Assault by penetration: A person (A) commits an offence if s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

4.6.3. Sexual assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

4.6.4. Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: s/he intentionally causes 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 engage in sexual activity with a third party.

4.7. Consent

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another. Consent can be withdrawn at any time during sexual activity and

each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

It is important to note that:

- A child under the age of 13 can never consent to any sexual activity;
- The age of consent is 16;
- Sexual intercourse without consent is rape.

5. Identifying Child-on-child abuse

Peer influence is a major factor, and some young people see it as a “way out” from their day-to-day life and feel a strong bond with their peers.

However, there are many forms of abuse that may occur between peers which could include the following:-

- 5.1. Physical** – This can be hitting, kicking, shaking, biting, pulling hair or otherwise causing physical harm to another person. This is bullying and creates an imbalance of power between the victim and the perpetrator. Forcing others to carry out physical violence or to use drugs, alcohol or other substances is also abusive and would be deemed as a safeguarding issue.
- 5.2. Sexually harmful behaviour, including sharing of consensual and non-consensual images** – This behaviour does not always occur with the intent to harm others and can range from inappropriate sexual language, inappropriate role play, to sexually touching another or sexual assault/abuse. This is an area where people with autism can be at great risk as often, they have not had the same opportunities as their peers to have life experiences and are therefore naïve around what is acceptable, have deficits in understand social language and are impacted by sensory overload. Harmful behaviour can also be pressurising someone to send nude/rude pics or sending sexually explicit texts. This behaviour may occur in any relationship but once the image is taken or 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 onto someone else, young people are not even aware they could be committing a criminal offence.
- 5.3. Teenage relationship abuse** – This 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 teenager uses this pattern of behaviour to gain power and maintain control over the partner.
- 5.4. Child Sexual Exploitation** – The key element of CSE is the imbalance of power and control within the exploitative relationship. Many teenagers are not aware of the exploitation as they genuinely believe that they are loved by their boyfriend/girlfriend or are acting in accordance with their peers. They are often recruited into exploitation by those they trust – young people of their own age and with similar hobbies. Often the nature of peer-on-peer exploitation encompasses a sense of peer pressure and wanting to fit in.
- 5.5. Initiation/Hazing** – Hazing is a form of an initiation ceremony which is used to induct newcomers into an organisation such as a gang, sports team and they can form from relatively mild rituals to severe and sometimes violent ceremonies. Many rituals involve humiliation, embarrassment, and abuse.
- 5.6. Prejudiced behaviour** – This type of bullying/abuse involves often verbal taunts because of someone’s disability, race, religion, colour, gender, or home life. The act makes the victim feel powerless, worthless, and excluded and often without identity.
- 5.7. Bullying** – This is key area where early peer on peer abuse occurs. Bullying is defined as behaviour by an individual or group, usually repeated over time, which intentionally hurt another individual or group either

physically or emotionally. It can present in the form of physical, racist, cyber, sexual, or verbal abuse. Verbal abuse is often passed off as “banter” or “part of growing up”. Persistent bullying can be damaging and at times can have fatal effects on children and young people.

Whilst current research suggests that girls and young women are more at risk of abusive behaviours perpetrated by their peers; it can also affect boys and young men, those with learning difficulties or disabilities, LGBTQ+ children and young people and those who are from different communities.

Situations where young people are forced or coerced into sexual activities by peers or associates can be related with gang/serious youth violence activity but that is not always the case.

6. Prevention of Child-on-child abuse

At Heathermount we recognise that it is essential that our response to Child-on-child abuse does not start when it occurs but by taking preventative action beforehand. At Heathermount we will do this by:

- ensuring that all students receive insight into developing health relationships, acceptable behaviours and keeping themselves safe; through the use of the PSHE curriculum and across other areas of the curriculum such as through Drama and English;
- using the school READY strategy to assist them in developing health relationships and acceptable behaviours in social situations with others;
- celebrating differences and encouraging students to openly discuss the difficulties that others may experience based on their religion, race, gender, sexuality or family situations;
- all staff modelling appropriate and high standards of behaviour in their own physical, emotional and social responses;
- creating school rules and visuals that promote respect of others and are clear about expectations of behaviour;
- ensuring that the school encourages students to tell staff what is going on or provide them with an alternative resource to do so e.g. worries box;
- providing visual signposting to external agencies and support programmes that can enable young people to seek their own solutions to the issue in a productive way;
- dealing with any incidences quickly and effectively;
- seeking guidance, updates and advice from local authority and national services and charitable organisations;
- reviewing the developments in technology that may impact on the e-safety of the school and its students;
- at least annually reviewing the school’s preventative strategies and Child-on-child abuse policy.

7. Managing allegations of Child-on-child abuse

Allegations of Child-on-child abuse or actions between children that are a safeguarding concern, may be made against any students at Heathermount.

It is important to deal with a situation of Child-on-child abuse immediately and sensitively. Staff need to be able to identify what is normal developmental childhood behaviour from behaviour that has become abusive, dangerous, and harmful to others. It is also important that staff are trained not to be judgemental, dismissive or prejudiced. Staff need to identify that the child who is perpetrating the abuse may also be at risk of harm and also treat them as a victim too. They also need to consider the language they use with both students involved and the parents. Using the word perpetrator could create a feeling of blame and leave a student labelled.

8. Procedures for reporting Child-on-child abuse

When an allegation is made by a student against another student, or staff witness or overhear issues that raise concerns of possible Child-on-child abuse, staff will need to ensure that they act and report the concern as quickly as possible to prevent further harm and escalation:

All staff should:

Report - Log the concern on the school's "My Concern" software system to report the concern whether witnessed, overheard or reported directly by the student.

The Designated Safeguarding Lead/Safeguarding Team will:

Gather the facts – speak to all the young people involved separately, using consistent language and open questions for each account.

Consider the intent – At Heathermount we do need to consider the impact of each individual's presentation of Autism and how it impacts on their interpretation of their actions/intentions and those of others.

A course of action – It may be felt that in light of the facts presented there was no intention, and a plan of action will be put into place to support all involved to prevent this happening again.

If the young people involved are considered to be at potential risks of significant harm the Designated Safeguarding Lead will make a referral to social care immediately. It is important at this point that no Heathermount staff investigate the incident further, unless instructed to do so by social care. If the allegation indicates a potential crime has taken place, then social care will refer the case to the police.

Parents/carers of the young people should be informed of the situation, but this should be discussed in consultation with social care. A risk assessment will be considered at this time to protect all parties involved.

Police and social care will lead any investigation, but if neither police nor social care thresholds are met, the matter will be referred back to the school, who will undertake a thorough investigation. School will consider, using their anti-bullying policy and the school behaviour policy, the following:

- The age of the students involved
- Where it happened
- The views of each student involved and their perceptions and their understanding
- Is this behaviour that has occurred before

The Designated Safeguarding Lead, together with the Senior Leadership Team will consider a plan of action that may involve (but not limited to):

- A review of the students' risk assessment to include their timetable and movement around the school site;
- Provision of a mentor/counsellor for all students involved using the therapy team or trained staff;
- Restorative work to include work on not taking revenge;
- Insight sessions – individualised or group;
- Review what family/external support they have;
- Consider external agency support such as Early Help referral, youth worker, CAMHS or charitable organisations.
- Exclusion

It is important to ensure that all students involved continue to receive support for a significant period of time to prevent re-occurrence and to address and feelings or emotions that may occur at a much later stage after the incident.

Appendix A provides further guidance to follow in regard to Child-on-child sexual violence and sexual harassment.

9. Monitoring and Evaluation

This Policy and procedures will be monitored, and the effectiveness will be evaluated in light of:

1. Data gathered using the school's behaviour database and incident forms;
2. Data gathered using the school's safeguarding database.
3. Student questionnaires
4. Student voice – school council

10. Linked Policies and documents:

- Heathermount Safeguarding & Child Protection Policy April 2023
- DFE - Keeping Children Safe in Education September 2022
- "Working Together to Safeguard Children" 2018
- Heathermount Behaviour Policy (to include Physical Intervention procedure MAYBO) January 2023
- Heathermount E-Safety Policy February 2022
- Heathermount Anti-bullying Policy January 2023
- Heathermount Student version Anti-bullying policy
- Heathermount Attendance policy December 2020
- Heathermount RSE & Sex education policy May 2023
- Heathermount Educational off-site visits policy January 2023

Appendix A

*PART FIVE: CHILD-ON-CHILD SEXUAL VIOLENCE AND SEXUAL HARASSMENT

