



## Child on Child Abuse Policy

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## Introduction

Banister Primary recognises that children are vulnerable to and capable of abusing their peers. We take such abuse as seriously as abuse perpetrated by an adult. This includes verbal as well as physical abuse. Child on child abuse will not be tolerated or passed off as part of “banter” or “growing up”.

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

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

- Child Sexual Exploitation
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- consensual and non-consensual sharing of nudes and semi-nudes images and or videos (also known as sexting or youth produced sexual imagery);
- Up skirting
- Bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- Radicalisation
- Abuse in intimate relationships
- Children who display sexually harmful behaviour
- Gang association and serious violence (County Lines)
- Technology can be used for bullying and other abusive behaviour
- sexual violence such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment such as sexual comments, remarks, jokes and online sexual harassment which may be stand-alone or part of a broader pattern of abuse;
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- Initiation/hazing type of violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online elements.)

We also recognise that these behaviours can occur online as well as face to face. Some of these behaviours will need to be handled with reference to other policies in school such as the behaviour policy, anti-bullying policy, child protection policy and online safety policy. This policy concentrates on child on child abuse in the context of sexual harassment and sexual violence. It is compliant with the statutory guidance on child-on-child abuse as set out in Keeping Children Safe in Education paragraph 33 (September 2024) and should be read in conjunction with the Local Safeguarding Children Partnership (LSCP) Safeguarding Policy and Procedures, and any relevant Practice Guidance issued by it.

## Banister school Approach

At Banister Primary School we are committed to the prevention, early identification and appropriate management of child-on-child abuse. In particular ensuring that school staff protect children by, wherever possible being aware of the nature and level of risk that children are exposed to, having a clear and comprehensive strategy specific to that child’s safeguarding context and having a whole school safeguarding approach to preventing and responding to child-on-child abuse.

This policy is preventative in its response to child-on-child abuse by raising awareness of issues, supporting staff in identifying them with children, and providing appropriate response and intervention that is followed consistently across the whole school workforce. This policy will also encourage parents to share information about any risk of harm to their child and be clear on the school expectations of how this will be managed. (Farrer and Co. 2019) All staff,

Governors have signed to say that they have read, understood and agreed to work within this policy framework and parents have access to this policy. This policy will be updated annually.

## Purpose and Aim

This policy will: -

- Set out our strategies for preventing, identifying, and managing child-on-child abuse
- Take a contextual approach to safeguarding all children and young people involved. Acknowledging that children who have allegedly abused their peers or displayed harmful sexual behaviour are themselves vulnerable and may have been abused by peer, parents, or adults in the community
- Recognise that this behaviour can occur online as well as face to face and both are part of our safeguarding duty of care

Children may be harmful to one another in a number of ways which would be classified as child-on-child abuse. The purpose of this policy is to explore the many forms of child-on-child abuse and include a planned and supportive response to the issues.

## Framework and Legislation

This policy is supported by the key principles of the Children's Act 1989 that the child's welfare is paramount. Another key document that focuses adult thinking towards the views of the child is Working Together to Safeguarding Children 2018, highlighting that every assessment of a child, should '*reflect the unique characteristics of the child within their family and community context*' (Working Together to Safeguard Children, 2018:28). This is clearly echoed by Keeping Children Safe in Education 2024 through ensuring procedures are in place in school to hear the voice of the child and to be mindful of the contexts children live in.

## Preventative Strategies for Schools

Banister Primary actively seeks to raise awareness of and prevent all forms of child-on child abuse by:

- Educating all Governors, Senior Leadership Team, staff, and volunteers, pupils and parents about this issue. This will include training all Governors, Senior Leadership Team, staff and volunteers on the nature, prevalence, and effect of child on child abuse, and how to prevent, identify and respond to it.
- This includes
  - a) Risk to children outside the home, sometimes referred to as Contextual Safeguarding.
  - b) The identification and classification of specific behaviours; and
  - c) The importance of taking seriously all forms of peer-on-peer abuse (no matter how low level they may appear) and ensuring that no form of child-on-child abuse is ever dismissed as horseplay or teasing.
- Educating children about the nature and prevalence of peer-on-peer abuse via PSHE / RHE/RSHE and the wider curriculum.
- Pupils are frequently told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse.
- They are regularly informed about the School's approach to such issues, including its zero-tolerance policy towards all forms of child-on-child abuse.
- Engaging parents on this issue by:

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

## Recognition

We recognise that child-on-child abuse can and will occur on any site even with the most stringent of policies and support mechanisms and that even if incidents are not being reported it does not mean that they are not happening. In which case it is important to continue to recognise and manage such risks and learn how to improve and move forward with strategies in supporting children to talk about any issues and through sharing information with all staff. This involves staff analysing any incidents for trends, patterns and identifying any areas around the site that may appear to be 'less safe'.

Staff will also have access to regular CPD and training to ensure a consistent approach to managing child-on-child issues. All staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. (KCSIE, 2024).

## School culture and ethos – the zero-tolerance approach

At Banister Primary School we take a 'zero-tolerance' approach to abuse, harm or bullying between children and this is clearly expressed in our school's ethos and values and will be shared with all school partners including children, parents and carers. It will be made clear that sexual violence and sexual harassment is never acceptable and it will not be tolerated and never passed off as 'banter', 'just having a laugh', 'a part of growing up' or 'boys being boys', as failure to do so can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it. Therefore, in school, we recognise, acknowledge and understand the scale of harassment and abuse. This means that all staff will challenge any form of behaviour both on or off line, from language and comments to physical behaviour (potentially criminal in nature) such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them. All staff will also ensure that any information is shared directly with the Designated Safeguarding Lead (or Deputies) and recorded factually and accurately as soon as possible so that any action required to prevent further incidents occurs immediately.

## A Safe Environment to Share Concerns Alongside a Positive Curriculum

Banister's preventative education programme is through a whole school approach that prepares pupils for life in modern Britain. This is underpinned by our behaviour policy and pastoral support system, and by a planned programme of evidence-based content delivered through the whole curriculum.

Our PSHE programme is developed to be age and stage of development appropriate (especially when considering SEND children and their cognitive understanding), and tackles such issues as:

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

Concepts of and laws relating to abuse are taught at an age appropriate level and is supported, as needed, 1:1 if areas beyond age arise that need to be explained in co-production with parents.

At Banister, we believe that it is extremely important that our culture and ethos promote an open environment where children feel safe to share information about anything that is upsetting or worrying them.

All staff are made aware that children may not feel ready, or know how, to tell someone that they are being abused, exploited, or neglected and they may not recognise their experiences as harmful. E.g. children may feel embarrassed, humiliated, or threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This will not prevent staff from having professional curiosity and speaking to the DSL (or Deputy) if they have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication.

Therefore, to enable such an open and honest environment it is necessary to ensure that Governing Bodies or feel confident that the whole workforce is supported and enabled to talk about issues and challenge perceptions of children including use of inappropriate language and behaviour towards one another.

In order to create such an environment, it is necessary for whole staff training and CPD around abusive behaviours and talking to children in a way that continues to create an open and honest environment without prejudice. This is in line with Banister's legal obligations under the Human Rights Act 1998, the Equality Act 2010 (including the Public Sector Equality Duty) and local multi-agency safeguarding arrangements.

It is necessary that staff consider each issue and each individual in their own right before taking action. If staff minimise the concerns raised it may result in a child seeking no further help or advice. Systems are in place and they are well promoted, easily understood and easily accessible for children to confidently report, any form of abuse, exploitation or neglect, knowing their concerns will be treated seriously, and knowing they can express their views and give feedback. Staff will be enabled to discuss issues about online access and support and reinforce appropriate behaviours online including understanding why age limits are in place on social media platforms, encouraging children to share online concerns, talking about issues that have happened in an open forum and working closely with parents. (Farrer and Co, 2019)

All staff are aware that technology is a significant component in many safeguarding and well-being issues. Children are at risk of abuse online as well as face to face. In many cases abuse will take place concurrently both online and offline. Children can also abuse other children online, this can take the form of abusive, harassing, and misogynistic/misandrist messages, the non-consensual sharing of indecent images, especially around chat groups and the sharing of abusive images and pornography, to those who do not want to receive such content. (KCSIE, 2024)

At Banister Primary School we have a clear Online Safety/Acceptable Use Policy that gives clarity and expectations to children about their role in keeping themselves and other children safe in regards to the use of technology both inside and outside of school.

## Involvement of Parents

Parents need to be informed and included in policy forming, lesson plans and thorough open and frank conversations, training/courses about what child-on-child abuse is and how the school will be tackling it.

This can help to alleviate any concerns and worries and create a joined-up approach supporting parents in how to approach conversations with children with the same consistency as school. In school we ensure open two-way communication is available through a variety of platforms so that both parents and staff are working together to deal with any issues. This includes parent's contribution to the school's Online and Acceptable Use Policy around the use of technology and agreement to work consistently with the school in addressing issues both inside and outside of school. (See Child Protection Policy)

## Signposting

Although every effort is made for children to have a variety of opportunities to seek support and advice, signposting is available to children in the event that they don't feel confident raising an issue directly to staff or a peer. External services or support programmes will be provided to talk to children about specific issues in support of the prevention of child-on-child abuse wherever necessary in school. This will encourage a variety of forms or mediums for children to have their voices heard.

## Forums for Children to Make Changes/Have Their Voice Heard

It is useful to ensure children are part of changing their circumstances and that of the procedures within school. We have a Lighthouse Team, which is formed of elected members from each class across the school and Yr R from the Spring Term. During these meetings we encourage pupil voice and encourage children to support changes and develop 'rules of acceptable behaviour' this helps to create a positive ethos in school and one where all children understand the boundaries of behaviour before it becomes abusive. In school, Children should be able to effectively communicate how to improve the school's culture and ethos around acceptable behaviour so that they feel confident and empowered to identify unacceptable behaviours that can be dealt with accordingly and in the longer term eradicated.

## Partnership Working

Multi agency working can consolidate procedures in school. By accessing advice, support and guidance, effective decisions can be made in collaboration to improve outcomes for children who may be at risk of harm. Seeking advice and guidance can act as a preventative measure so that the right course of action is taken at the earliest opportunity. It is also necessary that we actively refer concerns/allegations of child-on-child abuse where necessary to Children's Resource Service for Southampton City Council and the police where appropriate.

This is particularly important because child-on-child abuse can be a complex issue, and even more so where wider safeguarding concerns exist. It is often not appropriate for one single agency (where the incident cannot be managed internally) to try to address the issue alone – it requires effective partnership working (Farrer and Co. 2019).

Banister actively engages with its local partners in relation to child-on-child abuse, and works closely with, Southampton Safeguarding Children Partnership (SSCP), Southampton Children's Resource Service and Multi-Agency Safeguarding Hub (MASH) and/or other relevant agencies, and other schools.

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

(a) To develop a good awareness and understanding of the different referral pathways that operate in its

local area, as well as the preventative and support services which exist.

(b) To ensure that our pupils can access the range of services and support they need quickly.

(c) To support and help inform our local community's response to child-on-child abuse.

(d) To increase our awareness and understanding of any concerning trends and emerging risks in our local area to enable us to take preventative action to minimise the risk of these being experienced by our pupils.

The School actively refers concerns/allegations of child-on-child abuse where necessary to Southampton MASH and Children's Resource Service and/or other relevant agencies. Children resident out of county but attending our school will be reported to their home MASH or equivalent Social Care. In cases involving children who are subject to risk, harm, and abuse and who have LAC (Looked After Child) status, the children's social worker will be informed and a coordinated approach to address any incidents or concerns will be required.

### Child-on-Child Abuse definition for Banister Primary

Child-on-child abuse is any form of:

- physical,
- sexual,
- emotional and
- financial abuse or coercive control that is exercised between children and within children's relationships (both intimate and non-intimate), friendships and wider peer associations.

Child-on-child abuse can take various forms, including:

- bullying (including cyber-bullying, prejudice-based and discriminatory bullying),
  - intimate personal relationships between children (also known as teenage relationship abuse),
  - physical abuse,
  - sexual violence,
  - sexual harassment,
  - consensual and non-consensual sharing of nudes and semi-nudes images and/or videos,
  - causing someone to engage in sexual activity without consent,
  - up skirting
  - initiation/hazing type violence and rituals
- (KCSIE, 2024)

In Southampton, it may also involve gang related behaviours, including serious violence and county lines. Children's experiences of abuse and violence are rarely isolated events, and they can often be linked to other things that are happening in their lives and spaces in which they spend their time. Any response to child-on-child abuse therefore needs to consider the range of possible types of child-on-child abuse set out above and capture the full context of children's lived experiences. This can be done by adopting a Contextual Safeguarding approach (Risk to children outside the home) and by ensuring that our response to incidents of child-on-child abuse takes into account any potential complexity (Farrer and Co. 2019).

### It can happen here approach – Risk to children outside the home (contextual safeguarding)

Abusive behaviour can happen to any pupil in schools and settings and it is necessary to consider what abuse is and looks like, how it can be managed and what appropriate support and intervention can be put in place to meet the needs of the individual and what preventative strategies may be put in place to reduce further risk of harm. This means adopting a whole school community approach by ensuring all staff: are aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside of these environments (KCSIE, 2024), understand how a child's wider context may have impact on them; contribute to creating a strong safeguarding culture in school by following policies that address child-on-child abuse and harmful attitudes; promote healthy relationships and attitudes to gender/sexuality; support the school by identifying 'less safe' areas in school; access training on bias and stereotyped assumptions; be alert to changes in children's behaviour and seek appropriate responses to concerns shared. (Farrer and Co, 2019)

Research sadly suggests that child-on-child abuse is one of the most common forms of abuse affecting children in the UK (Farrer and Co, 2019). Abuse is abuse and should never be tolerated or passed off as ‘banter’ or ‘part of growing up’. Research suggests that child-on-child abuse may affect boys differently from girls, and that this difference may result from societal norms (particularly around power, control and the way in which femininity and masculinity are constructed) rather than biological make-up. It is more likely that girls will be victims and boys perpetrators, but all child-on-child abuse must be taken seriously (KCSIE, 2024). Barriers to disclosure will also be different.

## Vulnerable groups

We recognise that all children can be at risk however we acknowledge that some groups are more vulnerable. This can include:

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

Whilst research tells us girls are more frequently identified as being abused by their peers and, girls are more likely to experience unwanted sexual touching in schools this is not confined to girls. Boys are less likely to report intimate relationship abuse and may display other behaviour such as antisocial behaviour. Boys report high levels of victimisation in areas where they are affected by gangs. We recognise that both boys and girls experience peer on peer abuse, but they do so in gendered ways. All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

## Children with Special Educational Needs

Children with special educational needs or disabilities (SEND) or certain health conditions can face additional safeguarding challenges. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration;
- being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children;
- the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and communication barriers and difficulties in overcoming these barriers.

To address these additional challenges, Banister will always consider extra pastoral support for children with SEND or certain medical conditions particularly when investigating any form of child-on-child abuse with key attached staff that they know and trust and have a positive relationship with.

## Children Who identify or are perceived as LGBTQ+

Children who identify or are perceived as LGBTQ+ can be targeted by other children and risks can be compounded where children who identify as LGBTQ+ lack a trusted adult with whom they can be open. It is therefore vital that staff endeavour to reduce the additional barriers faced, and provide a safe space for them to speak out or share their

concerns with members of staff (KCSIE 2024).

## Language usage

For the purposes of this policy the language used will refer to 'victims'. It is a widely recognised term; however, all children may not recognise themselves as a victim or want to be described in this way.

The term *child displaying harmful behaviour* will also be used, this is to ensure that children are not given 'labels' about their behaviour unfairly and without any full and thorough conclusive investigation and because they themselves found the abusive behaviour harmful or may have been a victim of previous harm.

The language used is to support victims so that they understand that they will always be believed, supported, listened to and taken seriously. The language used to children and parents in the reporting of any incidents that may have occurred could impact on any future rehabilitation of children following any investigations that may occur. The use of certain words can be both inflammatory and distressing for children and their parents, so care will be taken in the discussion of incidents with parents to ensure they are factual and accurate.

## Types of Abuse

There are many forms of abuse that may occur between children and this list is not exhaustive. Each form of abuse or prejudiced behaviour is described in detail followed by advice and support on actions to be taken.

## Bullying (including Cyberbullying, Prejudice-Based and Discriminatory Bullying)

The new definition of bullying is, 'a person who habitually seeks to harm or intimidate those who they perceive as vulnerable'. (Taken from the Oxford, Cambridge and Collins Dictionary, updated 2018)

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.

Bullying involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online.

Low-level disruption and the use of offensive language can in itself have a significant impact on its target. If left unchallenged or dismissed as banter or horseplay it can also lead to reluctance to report other behaviour.

(Preventing and Tackling Bullying July 2017)

## Cyber Bullying

Cyber or online bullying is the use of phones; instant messaging, e-mail, chat rooms or social networking sites such as Facebook and Twitter to harass threaten or intimidate someone for the same reasons as stated above. Many children have unlimited and unrestricted access to the internet via mobile phone networks (i.e. 3G, 4G and 5G).

This means that some children, whilst at school or college, sexually harass, bully and control others via their mobile and smart technology, share indecent images; consensually and non-consensually (often via large chat groups) and view and share pornography and other harmful content. (KCSIE, 2024)

It is important to state that cyber bullying can very easily fall into criminal behaviour under the Malicious Communications Act 1988 under section 1 which states that electronic communications which are indecent or grossly offensive, convey a threat or false information or demonstrate that there is an intention to cause distress or anxiety to the victim would be deemed to be criminal. This is also supported by 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 also be deemed to be criminal behaviour.

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

### Prejudiced-Based and Discriminatory Bullying

The term prejudice-based and discriminatory bullying refers to a range of hurtful behaviour, physical or emotional or both and online, which causes someone to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society – in particular, prejudices to do with disabilities and special educational needs, ethnic, cultural and religious backgrounds, gender, home life, (for example in relation to issues of care, parental occupation, poverty and social class) and sexual identity (homosexual, bisexual, transsexual).

### Abuse in Intimate Personal Relationships Between Children (Teenage Relationship Abuse)

Abuse in intimate personal relationships between children 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 abuser 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.

### Physical Abuse e.g., (biting, hitting, kicking, hair pulling etc.)

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 child has engaged in such behaviour, including accidentally before considering the action or punishment to be undertaken.

### Sexual Violence

Sexual violence refers to sexual offences under the Sexual Offences Act 2003 as described below:

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

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

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (Sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent, or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)

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 to engage in sexual activity with a third party.)

What is consent? Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g., to vaginal but not anal sex or penetration with conditions such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

- 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

## Sexual Harassment

Sexual harassment means 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school/college. In referencing sexual harassment, it is 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 (KCSIE 2024).

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 (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature;
- Displaying pictures, photos or drawings of a sexual nature
- Upskirting (this is a criminal offence)
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

It may include:

- Consensual and non-consensual sharing of nude and semi-nude images and videos;
- Sharing of unwanted explicit content
- Sexualised online bullying;
- 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're not comfortable with online.

Sexual violence and sexual harassment can occur between two children of any age and sex from primary through to

secondary stage and college. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap. They can occur online and face to face (both physically and verbally) and are never acceptable. Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school or college. Safeguarding incidents and/or behaviours can be associated by factors outside the school, including intimate personal relationships. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report. Staff should be aware that it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys (KCSIE, 2024).

### Consensual and Non-Consensual Sharing of Nudes and Semi-Nudes Images and/or Videos

This is also known as sexting or youth produced sexual imagery. 'Youth Involved/Produced' includes children sharing images that they, or another child, have created themselves.

'Imagery' covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the policy).

Sexting (more commonly known as) 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 occur in any relationship, to anyone, whatever 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, children are not even aware that they could be breaking the law as stated as these are offences under the Sexual Offences Act 2003.

### Upskirting

'Upskirting' typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is now a criminal offence.

### Initiation/Hazing

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies.

The idea behind this practice is that it welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite of passage. It can include activities involving harassment, abuse, or humiliation used as a way of initiating a person into a group and may also include an online element.

## Harmful Sexual Behaviour

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. The umbrella term is 'harmful sexual behaviour' (HSB). Harmful Sexual Behaviour can occur online and/or face to face and can also occur simultaneously between the two.

When considering Harmful Sexual Behaviour, ages and stages of development of children are critical factors. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years difference or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them, e.g., the child is disabled, or smaller in stature.

Harmful sexual behaviour from children is not always contrived or with the intent to harm others. There may be many reasons why a child engages in harmful sexual behaviour and it may be just as distressing to the child who instigates it as well as the child it is intended towards. Harmful sexual behaviour may range from inappropriate sexual language, inappropriate role play, to sexually touching another, sexual assault, rape or abuse.

## Measuring the Behaviour

Simon Hackett's continuum of behaviour (taken from Farrer and Co. 2019) can be a useful guide to measure the behaviour that has occurred and consider the circumstances around the incident/s.

The continuum looks at whether it:

- is socially acceptable
- involves a single incident or has occurred over a period of time
- is socially acceptable within the peer group
- is problematic and concerning
- involves any overt elements of victimisation or discrimination e.g., related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability
- involves an element of coercion or pre-planning
- involves a power imbalance between the child/children allegedly responsible for the behaviour and the child/children allegedly the subject of that power
- involves a misuse of power

Behaviour which is not abusive at first may potentially become abusive quickly or over time. Intervening early and addressing any inappropriate behaviour which may be displayed by a child is vital and could potentially prevent their behaviour from progressing on a continuum to become problematic, abusive and/or violent - and ultimately requiring (greater/more formal) engagement with specialist external and/or statutory agencies.

## Expected Action Taken for Staff at Banister

Banister staff will be alert to the well-being of children and to signs of abuse, and should engage with these signs, as appropriate, to determine whether they are caused by child-on-child abuse. However, staff should be mindful of the fact that the way(s) in which children will disclose or present with behaviour(s) as a result of their experiences will differ (Farrer and Co. 2019).

Although the type of abuse may have a varying effect on the victim and alleged perpetrator of the harm, these simple steps can help clarify the situation and establish the facts before deciding the consequences for those involved in perpetrating harm.

Firstly, staff will need to reassure victims that they are being taken seriously and that they will be supported and

kept safe. It is important for all staff to deal with a situation of child-on-child abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get a true, accurate account of the facts around what has happened, so that nothing is forgotten. It is equally important to deal with it sensitively and confidentially and think about the language used and the impact of that language on both the children and the parents when they become involved. For example; do not use the word perpetrator, this can quickly create a 'blame' culture and leave a child labelled.

In all cases of child-on-child abuse it is necessary that all staff are trained in dealing with such incidents, talking to children and instigating immediate support in a calm and consistent manner. Staff will not be prejudiced, judgemental, dismissive or irresponsible in dealing with such sensitive matters.

Staff will also be mindful that wider safeguarding concerns may influence the child's account of the event(s). Alongside this peer pressure and the impact of sharing information about the incident(s) may also influence a child's account.

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## Talking with the child / children

At Banister we do not use leading questions. This means only interrupting the child to gain clarity with open questions, 'where, when, why, who'. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?) Then, a full and clear record of exactly what the child has said in their own language should be made (and no individual interpretation of the facts made which could impact on the disclosure) after the child has finished the disclosure, so the child feels listened to and stored using Banister's CPOMS (electronic Safeguarding and Child Protection Management System)

## Gather the Facts

In cases specifically relating to sexual violence and sexual harassment, part 5 of Keeping Children Safe in Education, 2024 states that two members of staff (preferably one being the Designated Safeguarding Lead) should be present to manage the report, *where possible*. Staff should not view or forward illegal images of a child and instead confiscate any devices to preserve any evidence and hand them to police for inspection. All staff should be aware

of the requirement for children to have an Appropriate Adult (PACE Code C 2019) particularly when multi agency partners such as Local Authority Children's Social Care or the Police have to interview the child.

The most appropriate member of staff with the best relationship with the child should be the person alongside the child who wishes to disclose wherever possible. However, staff should always be aware that children may choose to disclose to any member of staff that they feel most comfortable with and therefore all staff need basic training in managing disclosures. In any circumstance the member of staff must make clear to the child that they cannot maintain confidentiality if what is being shared has put or will put the child or another person at risk of harm and/or is criminal. Staff must also be aware that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory and so children may not be able to recall all details or timeline of abuse.

In all circumstances, staff need to speak to all the children involved separately, gain a statement of facts from them and use consistent language and open questions for each account. The easiest way to do this is not to have a line of questioning but to ask the children to tell you what happened. This involves listening carefully to the child, reflecting back, using the child's language, being non-judgemental, being clear about boundaries and how the report will be progressed and involved then equally, this information may need to be shared with parents. Parents would not be informed if by doing so the child was put at further risk of significant harm.

In all circumstances where the risk of harm to the child is evident then Banister will encourage the child to share the information with their parent or share it with parents on their behalf (they may be scared to tell parents that they are being harmed in any way).

The best way to inform parents is face to face. Although this may be time consuming, the nature of the incident and the type of harm/abuse a child may be suffering, can cause fear and anxiety to parents whether their child is the child who was harmed or who harmed another.

## Process for Designated Safeguarding Leads or Deputies following a disclosure

### Consider the Intent (Begin to Risk Assess)

Has this been a deliberate or contrived situation for a child to be able to harm another?

### The Wishes and Feelings of the Victim

It is important to understand how the victim wants to proceed to allow as much control as is reasonably possible over the decisions regarding how any investigation will be progressed.

### The Nature of the Alleged Incident

This includes consideration as to whether a crime may have been committed and/or whether Harmful Sexual Behaviour has been displayed.

### What is the Age and Development of the Children Involved?

How old are the children involved in the incident and is there any age difference between those involved? (In relation to sexual exploration, children under the age of 5, in particular 1-4-year olds who are learning toileting skills may show a particular interest in exploration at around this stage. This, however should not be overlooked if other issues arise (see following). Any imbalance of power and control must be considered.

## Are There Any Additional Vulnerabilities?

Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers. Therefore, care must be taken to ascertain any changes in mood or behaviour without attributing that to the child's condition. Every effort must be made to overcome barriers to communication and ensure the voice of the child is heard.

## Where Did the Incident or Incidents Take Place?

Was the incident in an open, visible place to others? If so, was it observed? If not, is more supervision required within this particular area?

## What Was the Explanation by all Children Involved of What Occurred?

Can each of the children give the same explanation of the incident and also what is the effect on the children involved? Is the incident seen to be bullying for example, in which case regular and repetitive? Is the version of one child different from another and why.

## What is each of the children's own understanding of what has occurred?

Do the children know/understand what they are doing? E.g., do they have knowledge of body parts, of privacy and that it is inappropriate to touch? Is the child's explanation in relation to something they may have heard or been learning about that has prompted the behaviour? Is the behaviour deliberate and contrived? Does the child have understanding of the impact of their behaviour on the other child?

In dealing with an incident of this nature the answers are not always clear cut. If school are concerned or unsure as to whether or not there is any risk involved, advice will be sought immediately from Southampton's Children's Resource Service.

## Repetition

Has the behaviour been repeated to an individual on more than one occasion? In the same way it must be considered has the behaviour persisted to an individual after the issue has already been discussed or dealt with and appropriately resolved?

## Ongoing Risks

Are there any ongoing risks to the victim, other children, adult students or Banister staff?

## Risk to children outside the home / Contextual Safeguarding/Extra Familial Harm

Is there any other related or wider context involving the child, including any links to child sexual exploitation or child criminal exploitations?

Children sharing a classroom:

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

- The child displaying harmful behaviour will be removed from any classes they share with the victim.
- The DSL will consider how best to keep the victim and alleged child displaying harmful behaviour a reasonable distance apart on school premises. These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of the alleged child displaying harmful behaviour.

### For the Child Who Has Been Harmed (Victim)

Victims may not display the whole picture immediately. It is essential that dialogue is kept open and encouraged. Children who have experienced sexual violence display a wide range of responses to their experience, including, in some cases, clear signs of trauma, physical and emotional responses, or no overt signs at all. Therefore, school will remain alert to the possible challenges of detecting those signs and show sensitivity to the needs of the child irrespective of how overt the child's distress is.

What support they require depends on the individual child. It may be that they wish to seek counselling or one to one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends. In which case it is necessary that this child continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the child may need support in improving peer groups/relationships with other children or some restorative justice work with all those involved may be required.

Other interventions that could be considered may target a whole class or year group for example a speaker on cyber bullying, relationship abuse etc. It may be that through the continued curriculum of Relationship / Relationship and Sex Education and Health Education, PHSE and SMSC that certain issues can be discussed and debated more frequently.

If the child feels particularly vulnerable it may be that a risk assessment/safety plan can be put in place for them whilst in school so that they have someone named that they can talk to, support strategies for managing future issues and identified services to offer additional support.

### For the Child Who Has Displayed Harmful Behaviour

In this circumstance it is important to find out why the child has behaved in such a way. It may be that the child is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support such as one to one mentoring or counselling may also be necessary. Particular support from identified services may be necessary through an early help referral and the child may require additional support from family members.

Once the support required to meet the individual needs of the child has been met, it is important that child receives a consequence for their behaviour. This may be in the form of restorative justice e.g., making amends with the child they have targeted if this has been some form of bullying. In the cases of harmful sexual behaviour, it may be a requirement for the child to engage in one to one work with a particular service or agency (if a crime has been committed this may be through the police or youth offending service). If there is any form of criminal investigation ongoing it may be that this child cannot be educated on site until the investigation has concluded. In which case, the child will need to be provided with appropriate support and education whilst off site.

Even following the conclusion of any investigation, the behaviour that the child 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 child and the risks towards others are measured by all of those agencies involved including the child and their parents. This may mean additional supervision of the child or protective strategies if the child feels at risk of engaging in further inappropriate or harmful behaviour.

A punishment or consequence such as exclusion or internal exclusion/inclusion/seclusion for a period of time may

also be required to allow the child to reflect on their behaviour.

## After Care

It is important that following the incident the children involved continue to feel supported and receive help even if they have stated that they are managing the incident. Sometimes the feelings of remorse, regret or unhappiness may occur at a much later stage than the incident. It is important to ensure that the children do not engage in any further harmful behaviour either towards someone else or to themselves as a way of coping (e.g. self-harm). In which case, regular reviews with the children following the incident(s) are imperative.

## Next Steps and whole school approach

Once the outcome of the incident(s) has been established it is necessary to ensure future incidents of abuse do not occur again and consider the support and intervention required for those involved alongside any potential adaptations to the curriculum that may need to be taught explicitly either to individuals / small groups / class or year group. Other Banister approaches may include but are not limited to:

- assemblies on key themes,
- class assemblies focused on positive behaviour expectations
- 1:1 support with ELSA to unpick the reasoning or understanding behind the behaviour
- Information sent to parents to help initiate conversations at home
- Parent workshops
- Open door approach with key adults
- Restorative conversations

Where online abuse has been included; Banister will always inform other parents to highlight any concerns on involving social media and share National Online Safety guidance to inform and support them to monitor their children's online practices

## Safety Planning

Safety planning is a positive way of supporting a child who may benefit from a planned approach; this may be either the alleged victim or the alleged child displaying harmful behaviour. Safety plans support the child by considering the behaviours that may be risky and plan ways to manage triggers and to seek support from adults and peers. They are inclusive of parents and staff and are a planned intervention to support children in feeling secure at Banister, helping children identify behaviours that may leave them feeling anxious or at risk and have strategies that they can apply to keep themselves feeling safe. The language of safety planning is more positive than risk assessment and can give security to the child that a joined-up approach is being followed by all staff at Banister.

## Decide on next course of action

If from the information that gathered we believe any child to be at risk of significant harm, a safeguarding referral to Southampton Children's Resource Service will be made immediately (where a crime has been committed the police should be involved also).

This action, in most circumstances, will be undertaken by the Designated Safeguarding Lead but in the event of their absence the referral can be made by any member of staff.

If this is the case, once Southampton's Children's Resource Service has been contacted and a decision made on what will happen next then school will be informed of the next steps.

If Southampton's Children's Resource Service and the police intend to pursue this further, they may ask to interview the children in school or they may ask for parents to come to school to be spoken to also. Banister will always find a quiet and uninterrupted place for this to happen and will always offer the child a choice of trusted adults to be with them during this conversation.

It may also be that Southampton's Children's Resource Service feel that it does not meet their criteria in which case our DSL may challenge that decision, with that individual or their line manager. If on discussion however, school agrees with the decision, we may then be left to inform parents.

## Confidentiality and Anonymity

Any staff member taking a report should never promise confidentiality as it is very likely that it will be in the best interest of the victim to seek advice and guidance from others in order to provide support and engage appropriate agencies. Ultimately, the Designated Safeguarding Lead (or a deputy) will have to balance the victim's wishes against their duty to protect the victim and other children.

## Informing Parents

Unless seeking consent would place a child at risk of harm, a 'Request for a Service' referral will be discussed with parents. Consent for the request will always be sought from those with parental responsibility.

## Disciplinary Action

Taking disciplinary action and still providing support are not mutually exclusive actions. In some circumstances, Banister may need to consider whether disciplinary action may be appropriate for any child/children involved – any such action should address the abuse, the causes of it, and attitudes underlying it. Disciplinary action may sometimes be appropriate, including (a) to ensure that the child/children take(s) responsibility for and realise(s) the seriousness of their behaviour; (b) to demonstrate to the child/children and others that child-on-child abuse can never be tolerated; and (c) to ensure the safety and wellbeing of other children. However, these considerations must be balanced against the child's/children's own potential unmet needs and any safeguarding concerns. Before deciding on appropriate action Banister 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 child-on-child abuse and the causes of it.

Where appropriate, Banister will consider the potential benefit, as well as challenge, of using managed moves or

exclusion 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. Exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the other children in the school. Engaging in Fair Access Panel Processes to assist with decision-making associated to managed moves and exclusions can also be beneficial (Farrer and Co. 2019).

## Review of Circumstances

Following any incident of harm, it is necessary for Banister to consider if anything could have been done differently. We will consider internal lessons learnt and what identified changes within school needs to occur. This demonstrates how proactive Banister is in continually reviewing its policies and systems in effectively keeping children safe.

## Key Policies and documentation underpinning this policy

Banister Policies:

At Banister Primary School we have the following policies in place that should be read in conjunction with this policy:

- Safeguarding and child protection Policy
- Anti-Bullying Policy
- Online Safety Policy - including Acceptable Use
- Data Protection Policy
- Retention of Records Policy
- Children Missing from Education Policy
- Behaviour and Discipline Policy – inclusive of positive handling and searching and confiscating
- Mental Health Policy/Procedure/Process (may be part of another policy e.g. medical)
- SEND Policy

National documentation, guidance and policies underpinning this policy

Farrer and Co: Child on child Abuse Toolkit 2019. <https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/addressing-child-on-child-abuse.pdf>

DFE [Keeping Safe in Education 2024](#)

DFE: Preventing and Tackling Bullying: Advice for headteachers, staff and governing bodies. July 2017

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/623895/Preventing\\_and\\_tackling\\_bullying\\_advice.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/623895/Preventing_and_tackling_bullying_advice.pdf)

Working Together to Safeguard Children, 2023

[https://assets.publishing.service.gov.uk/media/669e7501ab418ab055592a7b/Working\\_together\\_to\\_safeguard\\_children\\_2023.pdf](https://assets.publishing.service.gov.uk/media/669e7501ab418ab055592a7b/Working_together_to_safeguard_children_2023.pdf)

Sharing nudes and semi nudes: advice for education settings working with children and young people, March 2024

<https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people>

DFE: Sharing nudes and semi nudes: How to respond to an incident (March 24)

<https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-how-to-respond-to-an-incident-overview>

## Appendix 1 Hackett Continuum

Simon Hackett (2010) has proposed a continuum model to demonstrate the range of sexual behaviours presented by children and young people, from those that are normal, to those that are highly deviant:

<b>Normal</b>	<b>Inappropriate</b>	<b>Problematic</b>	<b>Abusive</b>	<b>Violent</b>
Developmentally expected	<ul style="list-style-type: none"><li>• Single instances of inappropriate sexual behaviour</li></ul>	<ul style="list-style-type: none"><li>• Problematic and concerning behaviours</li></ul>	<ul style="list-style-type: none"><li>• Victimising intent or outcome</li></ul>	<ul style="list-style-type: none"><li>• Physically violent sexual abuse</li></ul>
Socially acceptable	<ul style="list-style-type: none"><li>• Socially acceptable behaviour within peer group</li></ul>	<ul style="list-style-type: none"><li>• Developmentally unusual and socially unexpected</li></ul>	<ul style="list-style-type: none"><li>• Includes misuse of power</li></ul>	<ul style="list-style-type: none"><li>• Highly intrusive</li></ul>
Consensual, mutual, reciprocal	<ul style="list-style-type: none"><li>• Context for behaviour may be inappropriate</li></ul>	<ul style="list-style-type: none"><li>• No overt elements of victimisation</li></ul>	<ul style="list-style-type: none"><li>• Coercion and force to ensure victim compliance</li></ul>	<ul style="list-style-type: none"><li>• Instrumental violence which is physiologically and/or sexually arousing to the perpetrator</li></ul>
Shared decision making	<ul style="list-style-type: none"><li>• Generally consensual and reciprocal</li></ul>	<ul style="list-style-type: none"><li>• Consent issues may be unclear</li><li>• May lack reciprocity or equal power</li><li>• May include levels of compulsivity</li></ul>	<ul style="list-style-type: none"><li>• Intrusive</li><li>• Informed consent lacking, or not able to be freely given by victim</li><li>• May include elements of expressive violence</li></ul>	<ul style="list-style-type: none"><li>• Sadism</li></ul>

## Appendix 2 : Brook Traffic Light tool – Sexual Behaviours

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## Behaviours: age 5 to 9

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

### What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are:

- displayed between children or young people of similar age or developmental ability
- reflective of natural curiosity, experimentation, consensual activities and positive choices

### What can you do?

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

### Green behaviours

- feeling and touching own genitals
- curiosity about other children's genitals
- curiosity about sex and relationships, e.g. differences between boys and girls, how sex happens, where babies come from, same-sex relationships
- sense of privacy about bodies
- telling stories or asking questions using swear and slang words for parts of the body

### What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be:

- of potential concern due to age, or developmental differences
- of potential concern due to activity type, frequency, duration or context in which they occur

### What can you do?

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

### Amber behaviours

- questions about sexual activity which persist or are repeated frequently, despite an answer having been given
- sexual bullying face to face or through texts or online messaging
- engaging in mutual masturbation
- persistent sexual images and ideas in talk, play and art
- use of adult slang language to discuss sex

### What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be:

- excessive, secretive, compulsive, coercive, degrading or threatening
- involving significant age, developmental, or power differences
- of concern due to the activity type, frequency, duration or the context in which they occur

### What can you do?

Red behaviours indicate a need for immediate intervention and action.

### Red behaviours

- frequent masturbation in front of others
- sexual behaviour engaging significantly younger or less able children
- forcing other children to take part in sexual activities
- simulation of oral or penetrative sex
- sourcing pornographic material online

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Brook sexual behaviours traffic light tool adapted from Family Planning Queensland. (2012). Traffic Lights guide to sexual behaviours. Brisbane: Family Planning Queensland, Australia.

## Behaviours: age 9 to 13

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

### What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are:

- displayed between children or young people of similar age or developmental ability
- reflective of natural curiosity, experimentation, consensual activities and positive choices

### What can you do?

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

### Green behaviours

- solitary masturbation
- use of sexual language including swear and slang words
- having girl/boyfriends who are of the same, opposite or any gender
- interest in popular culture, e.g. fashion, music, media, online games, chatting online
- need for privacy
- consensual kissing, hugging, holding hands with peers

### What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be:

- of potential concern due to age, or developmental differences
- of potential concern due to activity type, frequency, duration or context in which they occur

### What can you do?

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

### Amber behaviours

- uncharacteristic and risk-related behaviour, e.g. sudden and/or provocative changes in dress, withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing
- verbal, physical or cyber/virtual sexual bullying involving sexual aggression
- LGBT (lesbian, gay, bisexual, transgender) targeted bullying
- exhibitionism, e.g. flashing or mooning
- giving out contact details online
- viewing pornographic material
- worrying about being pregnant or having STIs

### What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be:

- excessive, secretive, compulsive, coercive, degrading or threatening
- involving significant age, developmental, or power differences
- of concern due to the activity type, frequency, duration or the context in which they occur

### What can you do?

Red behaviours indicate a need for immediate intervention and action.

### Red behaviours

- exposing genitals or masturbating in public
- distributing naked or sexually provocative images of self or others
- sexually explicit talk with younger children
- sexual harassment
- arranging to meet with an online acquaintance in secret
- genital injury to self or others
- forcing other children of same age, younger or less able to take part in sexual activities
- sexual activity e.g. oral sex or intercourse
- presence of sexually transmitted infection (STI)
- evidence of pregnancy

Print date: 01/10/2015 - Brook has taken every care to ensure that the information contained in this publication is accurate and up-to-date at the time of being published. As information and knowledge is constantly changing, readers are strongly advised to use this information for up to one month from print date. Brook accepts no responsibility for difficulties that may arise as a result of an individual acting on the advice and recommendations it contains.

Brook sexual behaviours traffic light tool adapted from Family Planning Queensland. (2012). Traffic Lights guide to sexual behaviours. Brisbane: Family Planning Queensland, Australia.

## Risk Assessment for Child-on-Child (Peer-on-Peer) harmful sexual behaviours including sexual abuse and harassment

The terms child/young person 1 and 2 are used throughout this document so as to record and assess risks and decisions for both parties remembering they are both children/young people and so as not to label a child or offer any presumption of guilt, pending any investigations.

The person completing should identify each child/ young person within the document so that both parties are considered in any risks identification and mitigating actions planned or taken already.

Each question must be answered for each child/ young person with consideration of both and their wishes.

Consideration will also be given to the wider school community.

Consent for sharing information between parties should be considered and sought where appropriate to do so. This will be determined on a case-by-case basis.

All decisions and actions will be recorded, and where appropriate the relevant agencies should be consulted.

This risk assessment should be reviewed regularly as set out at initial planning and after any completion of intervention or outcome.

**A risk assessment should be completed for ALL cases relating to sexual violence or alleged sexual violence. This is defined in law, Sexual Offences Act 2002 as "Criminal acts: rape, assault by penetration and sexual assault".**

**The risk assessment should be completed with reference to HIPS procedures, KCSiE, DFE Sexual Violence and harassment in schools and colleges, education setting policies and together with any relevant safeguarding partners or agencies.**

**The overview of possible offences, which can be found in the appendix, may assist in decision making. It should be noted by all professionals completing this risk assessment, that should any incident lead to investigation and court that this document could be included in court evidence. It should therefore be completed professionally and factually with this in mind.**

Person 1:	Person 2:	Additional person/s:
Person completing R/A:		
Date of completion:	Planned review date:	

	What to consider	Set out Decision-making reasons (Q2-18 only)	How does this apply to/ affect person 1?	How does this apply to/ affect person 2?	Actions needed to reduce risk (yes/no) See action grid below for details
1	<b>Brief description of the incident/report. Include date, location, who reported and managed</b>				
2	<b>Is it harmful, problematic or developmentally appropriate behaviour?</b> Use toolkit definitions	<input type="checkbox"/> Harmful <input type="checkbox"/> Problematic <input type="checkbox"/> Developmentally appropriate			<input type="checkbox"/> Yes <input type="checkbox"/> No
3	<b>Is the incident/ report indicative of a crime / potential crime?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not sure			
4	<b>Have police been informed?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not sure			<input type="checkbox"/> Yes <input type="checkbox"/> No
5	<b>Is it necessary to limit contact between the children / young people involved?</b> Use DFE guidance and police advice if appropriate	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not sure			<input type="checkbox"/> Yes <input type="checkbox"/> No
6	<b>Is there actual or perceived threat of harm to either party as a result of the incident / report?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not sure <input type="checkbox"/> Actual <input type="checkbox"/> Perceived			<input type="checkbox"/> Yes <input type="checkbox"/> No

7	Have any actions already been taken, and if so by whom? E.g. the setting, external agency etc	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not sure			<input type="checkbox"/> Yes <input type="checkbox"/> No
8	Do both parties share classes?	<input type="checkbox"/> Yes – all or some <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
9	Do both parties share breaktimes or outside spaces?	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
10	Do both parties share transport to and from school / college?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Yes <input type="checkbox"/> No
11	Are they likely to come into contact with each other (or anyone involved in / with knowledge of the incident) outside of school?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know			<input type="checkbox"/> Yes <input type="checkbox"/> No
12	How can any such contact be limited or mitigated?	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
13	Has consent to share information where needed been discussed with both parties? (consider with agencies and each other)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Consent agreed <input type="checkbox"/> Not required	Outcome of consent discussion	Outcome of consent discussion	<input type="checkbox"/> Yes <input type="checkbox"/> No
14	Is there risk or harm or hindrance of investigation from social media / gossip?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Reasons			<input type="checkbox"/> Yes <input type="checkbox"/> No

15	Has referral for internal support been made?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Reasons			
16	Has referral for support been made to external services?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Reasons			
17	Has a referral been made to CRS?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Reasons			
18	Is there any other contextual information relevant to consider in decisions and actions?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Info			

## Risk assessment outcome

### Overall Risk assessment

	Risk from person 1 to others, individual or community	Risk to person 1 from others	Level of possible future harm to others, individuals or community from person 1	Level of possible future harm to person 1 from others
Person 1: add name	<input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low	<input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low	<input type="checkbox"/> Harmful <input type="checkbox"/> Problematic <input type="checkbox"/> Developmentally appropriate	<input type="checkbox"/> Harmful <input type="checkbox"/> Problematic <input type="checkbox"/> Developmentally appropriate
	Risk from person 2 to others, individual or community	Risk to person 2 from others	Level of possible future harm to others, individuals or community from person 2	Level of possible future harm to person 2 from others
Person 2: add name	<input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low	<input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low	<input type="checkbox"/> Harmful <input type="checkbox"/> Problematic <input type="checkbox"/> Developmentally appropriate	<input type="checkbox"/> Harmful <input type="checkbox"/> Problematic <input type="checkbox"/> Developmentally appropriate

Replicate tables if more than two individuals

## Guide for table decisions

### Sexual development and behaviour in children | NSPCC Learning

**RISK High** – repeat incident likelihood is strongly present, or other incidents likely either by knowledge of previous incidents or issues within current incident present, report to police made for current incident

**RISK Medium** – risk of repeat incident is possible, or further incident linked to issue, may have some context increasing risk from low, may have sought advice or guidance from safeguarding partner – police/health

**RISK Low** – risk of repeat incident is unlikely, no or limited context to indicate future linked behaviours

## Risk Assessment for Child-on-Child (Peer-on-Peer) harmful sexual behaviours including sexual abuse and harassment

Action required from RA outcome	When and by whom?	How is this planned to reduce risk?	Decision made by whom and when?	Review date

Planned review date

REVIEW of Risk assessment completed on: (add date)

Persons involved in review: \_\_\_\_\_

Outcome from review: \_\_\_\_\_

Risk levels for person 1 linked to original RA: \_\_\_\_\_

Risk levels for person 2 linked to original RA: \_\_\_\_\_

Action required from RA outcome	When and by whom?	How could this reduce risk?	Decision made by whom and when?	Further review date

Further review date

Persons to be involved: \_\_\_\_\_

## Potential Linked offences for guidance

Offence	Law	What it all means	Examples	Signposting
<b>Harassment</b>	Protection from Harassment Act 1997.	If you pursue a course of conduct which may include alarming or causing a person distress, or making them scared that you are going to hurt them or those close to them on two or more occasions this is harassment.	<ul style="list-style-type: none"> <li>Following a person</li> <li>Using a tracking device / app so you know where they are (without their permission)</li> <li>Turning up at their school, place of work in order to track their movements or make them feel worried</li> </ul>	<p>Remember to report to the Police if you feel that you/your friends or someone close to you has been a victim of crime</p> <p><b>Child line</b>  <b>Citizens Advice</b> – can advise on restraining orders  <b>Hampshire and Isle of Wight - Victim Support</b> – lots of advice about helping friends, having difficult conversations with friends and adults, advice if you feel you are a victim of crime.</p>
<b>Domestic Abuse</b>	This is an umbrella term for a number of offences which can include: Offences against the person Act 1861 Serious Crime Act 2015 Domestic Abuse Act 2021	<p>Domestic abuse can be physical and emotional. Coercive control is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.</p> <p>This controlling behaviour is designed to make a person dependent by isolating them from support, exploiting them, depriving them of independence and regulating their everyday behaviour.</p> <p>It can happen to men or women, young and old.</p>	<p>Hitting, punching, kicking, strangling someone who you are in a relationship with or live with and you are both over 16yrs old.</p> <p>You can be a victim of domestic abuse if you are under 18 and witness your parent/carer/relative being abused.</p> <p>Emotional abuse includes threats, insults, constant monitoring or 'checking in', humiliation, intimidation, isolation and stalking</p>	<p><b>Stop Domestic Abuse</b>  <b>Safe4me</b>  <b>Yellow Door</b> <a href="http://www.yellowdoor.org.uk">www.yellowdoor.org.uk</a></p>

<b>Hate Crime</b>	<p>A hate crime is <b>any criminal offence which is perceived by the victim, or anybody else, to be motivated by hostility or prejudice towards someone</b>. These aspects are known as 'protected characteristics'. A hate crime can include verbal abuse, intimidation, threats, harassment, assault and damage to property.</p>	<p>There are lots of offences that are aggravated by the perpetrator committing the offence due to a persons race, gender, sexual orientation, age.</p> <p>This can include Assaults, harassment, Public Order offences and many other.</p> <p>It is important that if you feel that someone's motivation for committing a crime against you is due to your race, gender, sexual orientation, age or other that you inform the Police when you or your carer/parent reports the crime.</p>	<p>A group at School are following you home from School, shouting things about you because you are gay.</p> <p>Someone has produced a racist video about you and has shared it around the school including on social media (Instagram, TikTok).</p>	<p><b>Victim Support: (24/7 support)</b></p> <p>Victim Support operates a 24/7 Supportline and live chat service, every day of the year, offering specialist emotional and practical support to anyone who has been a victim or a witness. You don't have to report a crime to get help from Victim Support.</p> <p>If you'd prefer to access interactive self-support guides visit My Support Space</p> <p>Telephone: 0808 16 89 111</p> <p>Live chat: <a href="https://www.victimsupport.org.uk/help-and-support/get-help/support-near-you/live-chat">https://www.victimsupport.org.uk/help-and-support/get-help/support-near-you/live-chat</a></p> <p>My Support Space: <a href="https://mysupportspace.org.uk/MoJ">mysupportspace.org.uk/MoJ</a></p> <p>Website: <a href="https://victimsupport.org.uk">victimsupport.org.uk</a></p> <p><b>Childline</b></p>
<b>Rape</b>	S1 Sexual Offences Act 2003	<p>You intentionally penetrated the vagina, mouth or anus of a woman with your penis, when she did not consent and you did not reasonably believe that she was consenting</p>	<p>A Girl at a party is very drunk and passes out. You put your penis into her mouth whilst she is asleep. She cannot consent to this at this point and no person would reasonably believe she would.</p> <p>Your girlfriend says that she wants sex with you but once you put your penis into her vagina she tells you to stop. You carry on as you are enjoying yourself. This is Rape.</p>	<p><b>Aurora New Dawn</b></p> <p><b>Stop Domestic Abuse</b></p> <p><b>Safe4me</b></p> <p><b>Banardos</b></p> <p><b>NSPCC</b></p> <p><b>Child line</b></p> <p><b>Yellow Door</b> <a href="http://www.yellowdoor.org.uk">www.yellowdoor.org.uk</a></p>

<b>Assault by penetration</b>	S2 Sexual Offences act 2003	<p>A person (A) commits an offence if -</p> <ul style="list-style-type: none"> <li>he intentionally penetrates the vagina or anus of another person with a part of his body or anything else, the penetration is sexual,</li> <li>B does not consent to the penetration, and</li> <li>A does not reasonably believe that B consents.</li> </ul> <p>In simple terms:</p> <p>A person penetrates the vagina or anus of another person on purpose with a part of their body or anything else (fingers, vibrator, rolling pin).</p> <p>The penetration is sexual (Not a Dr medically examining you)</p> <p>The person does not consent to the penetration AND the person doing the penetration does not believe that they consent.</p>	<p>If you are in a same sex relationship</p> <ul style="list-style-type: none"> <li>-Your boyfriend puts his penis into your anus without your consent.</li> <li>Someone puts their fingers into your vagina without your consent.</li> <li>Your boyfriend puts a vibrator into your vagina without your consent. You have told him you do not want him to do it and he knows this but continues anyway.</li> </ul>	<p><b>Aurora New Dawn</b>  <b>Stop Domestic Abuse</b>  <b>Safe4me</b>  <b>Banardos</b>  <b>NSPCC</b>  <b>Child line</b>  <b>Yellow Door</b> <a href="http://www.yellowdoor.org.uk">www.yellowdoor.org.uk</a></p>
<b>Sexual Assault</b>	S3 sexual offences act 2003		<p>You are at a party and a boy grabs your crotch and rubs it without your permission.</p> <p>A girl comes up behind you and grabs your breast.</p>	

<p><b>Indecent photographs of children</b></p>	<p>Protection of Children Act 1978</p>	<p>Section 1 of the Protection of Children Act 1978 creates various offences regarding the taking, making or distributing indecent photographs (or pseudo-photographs) of a child.</p> <p>It is an offence for a person -</p> <ul style="list-style-type: none"> <li>- To take, or permit to be taken, or to make, any indecent photograph or pseudo-photograph of a child; or</li> <li>- To distribute or show such indecent photographs or pseudo-photographs; or</li> <li>- To have in his possession such indecent photographs or pseudo-photographs, with a view to their being distributed or shown by himself or others. Or</li> <li>- To publish or cause to be published any advertisement likely to be understood as conveying that the advertiser distributes or shows such indecent photographs or pseudo-photographs or intends to do so.</li> </ul> <p><i>*Pseudo photograph – An image which is made by a computer which appears to be a photograph.</i></p>	<p><b>A child for this law means anyone under 18yrs old.</b></p> <p>Taking a nude photo and sending it to your boyfriend – Making, distributing and possessing</p> <p>Your boyfriend sending that photo to their friends – distributing and possessing</p> <p>Showing your genitals during a livestream on TikTok – making, distributing, possessing</p> <p>People watching screen shot you and share this image to their Insta page – distributing and possessing</p> <p>Making an image of a naked child on a computer and sharing this with your friends – Making, distributing and possessing pseudo photograph</p> <p>CEOP – Think you know website</p>	<p><b>Safe4me</b></p> <p><b>NSPCC</b> – to get images taken down from the web</p>
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