

## **CHILD ON CHILD ABUSE PROCEDURE 2024-26** **(including Bullying)**

<b>Approved by LAB on</b>	18th September 2024
<b>Date of next review:</b>	Every two years
<b>Responsible Officer:</b>	Sean Sycamore and Jennie Girling

### **Scope**

This procedure has been formed and reviewed in line with [Keeping Children Safe in Education 2024](#) and [Preventing and Tackling Bullying 2017](#). This procedure focuses on the areas of Child-on-Child abuse that include attitudes and language, sexual harassment and sexual violence between pupils. By challenging all types of Child-on-Child Abuse behaviours (including bullying) schools can help to create safe, disciplined environments where pupils are able to learn and fulfil their potential.

### **Aims**

Comberton Village College recognises that inappropriate attitudes and language, sexual harassment and sexual violence between pupils can take place, encompassing verbal, on-line, and physical abuse. The College will make clear that such behaviours have no place in our community and beyond, and will set out the measures taken to achieve this so that all pupils can be confident to learn in an environment free from such abuse.

### **Principles**

We are committed to a whole school approach that ensures that pupils are educated about Child-on-Child abuse and their rights and responsibilities, thus reducing its prevalence and assisting the prevention, early identification and appropriate management of such behaviours. This practice will be embedded in school procedures, staff training and the curriculum.

We seek to create an environment in which all pupils are confident to report incidences of Child-on-Child abuse and are confident that they will be supported without judgement in resolving their concerns.

The College will take a contextual approach to safeguarding all children and young people involved. It is understood that young people who have allegedly abused their peers or displayed harmful sexual behaviour are themselves vulnerable and may have been subjected to abusive behaviours themselves.

### **Definitions**

Sexual harassment is unwanted behaviour of a sexual nature which:

- Violates someone's dignity
- Makes someone feel intimidated, degraded or humiliated
- Creates or contributes to a hostile, offensive or sexualised environment

Sexual harassment can include:

- Unwanted verbal sexual comments or 'jokes' which may constitute bullying
- Physical behaviours including sexual advances, touching and various forms of sexual assault
- Sharing of nude pictures
- Sharing of unwanted explicit content
- Unwanted on-line sexual comments and messages
- Upskirting
- Abuse in intimate relationships

A pupil would be deemed to be harassing another or others if they behaved in a way that:

- amounts to harassment of another and which they ought to know amounts to the harassment of another
- is repeated more than once
- is directed towards a single individual or multiple people who share a common characteristic

Child-on-Child abuse may also be manifested within situations of Child Sexual Exploitation and gang association including County Lines activity.

### **National and Local Context**

In June 2021, Ofsted published their report into the issue of sexual abuse in schools, which came to national prominence following the *Everyone's Invited* campaign of Spring 21. The Ofsted report makes sobering reading and its conclusion states:

*"This rapid thematic review has revealed how prevalent sexual harassment and online sexual abuse are for children and young people. It is concerning that for some children, incidents are so commonplace that they see no point in reporting them. .... It recommends that schools, colleges and multi-agency partners act as though sexual harassment and online sexual abuse are happening, even when there are no specific reports."*

The evidence from the Ofsted report was corroborated in Cambridgeshire's Health Related Behaviour Survey carried out with Year 10 in 30 secondary schools in July 2021. However, this procedure seeks to address all areas of Child-on-Child abuse between our young people.

As the Ofsted report of June 21 has demonstrated, the long-standing existence of statutory Child Protection and Anti-Bullying procedures in schools nationally, have not been effective in preventing these damaging behaviours between pupils. This procedure therefore specifically addresses this issue.

Bullying is defined as persistent, deliberate attempts to hurt, offend or humiliate someone. One-off incidents, whilst they may be very serious and must always be dealt with, do not fall within the definition of bullying. Bullying is repetitive, meaning that one or more children are targeted to bear the brunt of repeated bullying behaviour from an individual or a group. Bullying is normally on the grounds of race or ethnicity, SEND, religion or belief, gender, sex, sexual orientation, gender reassignment, age, pregnancy or maternity, financial circumstances, differing interests or personal tension. Bullying can be carried out emotionally, physically, sexually, verbally, or cyber through using technologies. Bullying can include persistent, deliberate attempts to hurt, offend or humiliate someone through.

### **Meeting our Duties**

The College has a four-step approach to meeting our duties in this area, which takes account of statutory guidance, existing legislation, school & Cam Academy Trust policy, and continued procedure development and awareness of this dynamic issue.

#### Statutory Guidance

- [Keeping Children Safe in Education 2024](#) – Part 5: Child on Child sexual violence and sexual harassment
- [Relationships Education, Relationships and Sex Education and Health Education guidance \(publishing.service.gov.uk\)](#)

### **Key Legislation:**

- Sexual Offences Act 2003
- Protection from Harassment Act 1997<sup>1</sup>
- Protection of Children Act 1978
- Criminal Justice Act 1988<sup>2</sup>
- The Human Rights Act 1998 (Articles 2, 3, 8, 14) including the right to freedom from inhuman and

degrading treatment and the right to education

- Compliance with the Public Sector Equality Duty (Equality Act 2010) requiring schools to prevent discrimination in the way education is provided, the accessible benefits and whether there is any loss of opportunity

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Related School Procedures:

- Pupil Code of Conduct
- Safeguarding and Child Protection Policy
- Positive Behaviour Procedure
- Acceptable Use of IT Procedure

This procedure is compliant with the statutory guidance on Child-on-Child abuse as set out in [Keeping Children Safe in Education 2024](#) and follows the Local Safeguarding Children Board's (LSCB) Safeguarding Policy and Procedures, and relevant practice guidance, in particular that provided by Cambridgeshire County Council's *Safer Corridors Toolkit 2021*.

Procedure Development

The procedure has been developed in consultation with Trust officers, senior leaders, governors, staff, parents and pupils.

### **Understanding Child on Child Abuse**

Sexual violence and sexual harassment can occur between two children of any age and sex or a group of children sexually assaulting or sexually harassing a single child or group of children. The impact of this behaviour on children can be very distressing and have an impact on academic achievement and emotional health and wellbeing. Sexual harassment and sexual violence can occur online and offline.

The College Safeguarding Team, under guidance from the Cambridgeshire and Peterborough Safeguarding Children Partnership Board, will use the Child Sexual Abuse Assessment Tool to identify, understand and respond appropriately to sexual behaviours in young people, and to distinguish between problematic and abusive sexual behaviour, harmful sexual behaviour being defined by the NSPCC as "sexual behaviours expressed by children...that are developmentally inappropriate, may be harmful towards self or others, or be abusive towards another child...or adult."

We recognise that all children can abuse their peers, however we acknowledge that some groups are more vulnerable. This can include those who have experience of abuse within their family; are living with domestic violence; young people in care; children who go missing; children with additional needs (SEND); children who identify or are perceived as LGBT 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 child on child abuse, but they do so in gendered ways.

### **The Curriculum**

The harmful effects of sexualised abuse between peers is specifically addressed in PSHE/RSHE lessons and reflected across the wider curriculum of the school, through which pupils will gain a clear understanding of the issues outlined in this procedure. This will include input within timetabled lessons, additional activities in tutor time or additional planned time, and in assemblies. This learning will help pupils to develop attitudes and behaviours that reduce incidents of Child-on-Child abuse and make them fluent in the language they require, and conscious of the systems available, to report any incidents that occur.

The topic of Child-on-Child abuse will be visited by all students during curriculum time within the RSHE / PSHE programme.

## Staff Training

Staff learn to recognise signs of Child-on-Child abuse within their statutory Essential Safeguarding training. This includes the requirement that the use of derogatory and sexualised language by pupils must be challenged whenever it is heard.

Staff are trained to 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.

Staff are trained to 'call out' any attitudes and language that they deem to be inappropriate and submit a Child-on-Child abuse log of concern on MyConcern – the school's electronic safeguarding system. Any such reports are triaged by the Safeguarding team and a multi-agency approach adopted where indicated.

The College takes all reports seriously and will reassure the victim that they will be supported and kept safe, taking a victim-centered approach. A written report will be logged recording the facts as presented by the child as soon as possible. Where the report includes an online element, the school or college will follow DfE advice on searching and confiscation. Any incident involving images will be investigated by a member of the Safeguarding team who will seek guidance from the Police on the appropriate steps to take depending on the situation. Staff will not view images.

## Risk Assessment

When there has been a report of sexual violence between pupils at any time or place, the Designated Safeguarding Lead will make an immediate personalised risk and needs assessment, engaging with the MASH as appropriate. This will consider:

- The victim, especially their protection and support
- The alleged perpetrator
- All other pupils and staff at the College, especially any actions that are appropriate to protect them
- Risk assessments will be recorded within My Concern, shared with limited staff members as appropriate, and be kept under review.
- Action following a report of sexual violence and/or sexual harassment will consider:
  - The wishes of the victim in how they want to proceed
  - The nature of the alleged incident(s), including harmful or criminal sexual behaviour
  - The ages of the pupils
  - Any power imbalance between the children, for example of age of disability/vulnerability
  - Whether the alleged incident is a one-off or part of a sustained pattern of abuse
  - Any ongoing risks to the victim, other children, adult students or school staff and wider context

While investigations take place, consideration will be given to how the pupils involved are to be kept separate from each other on school premises and on journeys to and from school. The wishes of the victim(s) in such arrangements will be given preference, in keeping with established legal frameworks, but should not be perceived to be a judgment on the guilt of the alleged perpetrator.

## Managing Outcomes of an Investigation

Outcomes will be managed according to the College Continuum of Response to Incidents of Child-on-Child Abuse and based on the principle that sexual harassment and sexual violence are never acceptable and will not be tolerated. Decisions on outcomes will be stored on MyConcern. Where appropriate, referrals will be made to Early Help (Targeted Support) or to the MASH, following locally agreed protocols.

## Reporting to the Police

Victims or their families may report alleged incidences of sexualised harassment, abuse (including bullying) independently, directly to the Police. When this does not happen and the DSL considers that a threshold for criminal behaviour may have been reached, the College will report this to the Police, seek advice from the Education Safeguarding Team and follow this advice which will be communicated to parents. Where a report of rape, assault by penetration or sexual assault is made, this will always be passed on to the police. The College will cooperate fully with all agencies in any investigation and will seek to support all pupils involved, including potential witnesses and the safeguarding of an alleged perpetrator/identified suspect. Wherever possible, the victim and their parents or carers will be consulted as to the sharing of information with staff, the alleged perpetrator and their parents or carers. The anonymity of the victim and alleged perpetrator will be protected as far as possible.

The College will uphold a professional responsibility and duty of care to remain independent and impartial regarding questions of guilt and criminal findings. The College does not have a role in the drawing of criminal verdicts and will always focus on its duty of care and the safety and wellbeing of students.

Whilst protecting children and/or taking any internal disciplinary measures, the College will work closely with the police and other agencies as required, to ensure any actions taken do not jeopardise the safety or wellbeing of any person, or undermine the primacy of any police investigation.

Whilst protecting children and/or taking any disciplinary measures against the alleged perpetrator, the College will work closely with the police and other agencies as required, to ensure any actions taken do not jeopardise the police investigation.

## Conclusion of Criminal Process

Where cases are classified as “No Further Action” (NFA’d) by the police or Crown Prosecution Service, or where there is a Not Guilty verdict, we will continue to offer support to the victim and the alleged perpetrator for as long as is necessary. A Not Guilty verdict or a decision not to progress with their case is likely to be traumatic for the victim and the College recognises that because an allegation cannot be substantiated does not necessarily mean that it was unfounded. We will continue to support all parties in this instance.

If a pupil is convicted or receives an ‘out of court disposal’ for a sexual offence, the College will update its risk assessment, ensuring relevant protections are in place for all pupils. We will consider any suitable action following our Continuum of Response Frameworks, and make clear our expectations of future conduct. The College will impose any restrictions on behaviour and access, including of timetable, that we consider proportionate and reasonable. We will take into account interest generated amongst other pupils and will seek to provide protection from any bullying or harassment (including online).

## Pupils Affected by Sexual Assault or Allegations of Sexual Assault

Support for victims of sexual assault is available from a variety of agencies.

We will support any victim of sexual assault to remain in school but if they are unable to do so, we will support them to continue their education elsewhere, at the request of the pupil and family, ensuring the new setting is aware of ongoing needs.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or 'out of court disposal', the College will consider any suitable sanctions for the perpetrator(s) with reference to our behaviour procedures and Continuum of Response frameworks, including permanent exclusion.

Should the perpetrator remain at the school, all appropriate measures to limit contact with the victim will continue to be managed as during the investigation. The nature of the conviction or caution and wishes of the victim will be especially important in determining such cases, which will be kept under regular review.

Where a person has been accused of sexual assault, but has been found 'not guilty' in court, 'NFA'd' by the police or where an investigation led by the school has deemed that there is insufficient evidence to support a sanction under the Continuum of Response framework, the school will support and safeguard them, and monitor their mental and emotional health and wellbeing, acknowledging that they are likely to have suffered reputational damage and may be subject to peer hostility.

### Online Behaviour

Many forms of Child-on-Child abuse have an element of online activity, e.g. unwanted sharing of sexualised images, requests for 'nudes' and sexting. The College response to these types of behaviour is set out in the Continuum of Response frameworks.

### Prevention

Comberton Village College actively seeks to raise awareness of and prevent all forms of Child-on-Child abuse by educating all Governors, Senior Leadership Group, staff and volunteers, pupils and parents about the nature, prevalence and effect of Child-on-Child abuse, and how to prevent, identify and respond to it. This includes:

#### Education

- Ensuring that pupils understand that such behaviours are unacceptable and never tolerated
- Challenging the attitudes that underlie such abuse
- Educating our pupils about the nature and prevalence of Child-on-Child abuse via PSHE, the wider curriculum, termly safeguarding pupil assemblies and Safer Corridors Toolkit activities. This learning emphasises the nature of healthy relationships and the importance of consent, and raising pupils' awareness in particular of the distorting impact of pornography on their understanding of intimate relationships.

#### Pupil Support

- Ensuring that pupils know what to do if they witness or experience sexual harassment or abuse, and understand the possible reasons for it and the effect that it can have on those who experience it
- Creating a culture in which our pupils feel able to share their concerns openly, in a non-judgmental environment, and have them listened to
- Providing forums and opportunities for pupils to discuss related issues, to contribute to decision making, and to play an active role in eliminating unwanted behaviours between peers, both in school and beyond

#### School Response

- Take seriously all forms of Child-on-Child abuse (no matter how low-level they may appear) and ensuring that no form of Child-on-Child abuse is ever dismissed as 'banter', horseplay or a joke
- Have a victim-centered approach
- Working actively with parents to understand their views and concerns.
- Liaise with the school's Restorative Justice staff where appropriate
- Working with Governors, the Cam Academy Trust, Senior Leadership Group, 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

## The Role of the Safeguarding Team in Prevention

The DSL will lead the Safeguarding team in providing active, contextual safeguarding and identifying specific behaviours

The DSL will make sure staff record all issues of Child-on-Child abuse and monitor frequency and ongoing trends. This information will form part of the termly Safeguarding report to Governors and shared with Heads of Years.

The Safeguarding team will continue to engage actively with the LCSB and local partners through multi-agency working, and will undertake ongoing, relevant training to remain abreast of emerging trends in the areas of Child-on-Child abuse. This will enable the team to:

- Maintain strong awareness and understanding of the different referral pathways that operate in the local area, as well as the preventative and support services which exist;
- Ensure that our pupils can access the range of services and support they need
- Ensure that in cases involving children who are subject to risk, harm and abuse and who have LAC status, the children's social worker must be informed, and a coordinated approach adopted

This procedure links to our:  
Safeguarding and Child Protection policy  
Positive Behaviour Procedure



*This procedure incorporates elements of Article 1 (Definition of a Child), Article 2 (Non-Discrimination), Article 3 (Best Interests of the Child), Article 4 (Making Rights Real), Article 12 (Respect for Children's Views), Article 15 (Setting up or Joining Groups), Article 28 (Access to Education) from the UN Convention on the Rights of the Child*