KING EDWARD'S, WITLEY: PEER ON PEER ABUSE POLICY

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1 The School's responsibilities

Introduction

The governors, senior leadership team, and all staff (which term shall apply to all volunteer staff members) at King Edward's, Witley (KESW, the School) are committed to the prevention, early identification, and appropriate management of peer-on-peer abuse (as defined below) both within and beyond the School.

In particular, we:

- believe that, in order to protect children, all those mentioned above should (a) be aware of the nature and level of risk to which young people are, or may be exposed, and put in place a clear and comprehensive strategy which is tailored to their specific safeguarding context; and (b) take a whole-school community Contextual Safeguarding approach to preventing and responding to peer-on-peer abuse,
- regard the introduction of this policy as a preventative measure. We (a) do not feel it is acceptable merely to take a reactive approach to peer-on-peer abuse in response to alleged incidents of it; and (b) believe that in order to tackle peer-on-peer abuse proactively, it is necessary to focus on all four of the following areas: (i) systems and structures; (ii) prevention; (iii) identification; and (iv) response/intervention,
- recognise national and increasing concern about this issue, and wish to implement this policy in order to mitigate harmful attitudes and peer-on-peer abuse in the School setting, and
- encourage parents to hold us to account on this issue, so that if their child is feeling unsafe as a result of the behaviour of any of their peers, they should inform the School so that it can ensure that appropriate and prompt action is taken in response
- undertake to review decisions and actions and to update polices whenever necessary to implement the results of such reviews.

This policy:

- is the School's overarching policy for any issue that could constitute peer-on-peer abuse. It relates to, and should be read alongside, the School's Child Protection Policy and any other relevant policies including, but not limited to, Anti-bullying and cyber-bullying, Data Protection, Missing or Absconding Pupils, Sanctions, Behaviour and Discipline, incorporating School Rules, Expulsion, removal and review. E-safety and ICT Acceptable Use

- sets out our strategy for improving prevention, and identifying and appropriately managing peer-on-peer abuse. It is intended to be a dynamic document that will continue to involve comprehensive and ongoing consultation – with students, staff and parents. In producing this policy the following steps have been taken and continue to be undertaken:

  o respond to recommendations from external agencies, ISI and Safeguarding consultants

  o consult widely among staff in meetings of pastoral staff, the Safeguarding Committee, the Pupil Wellbeing Committee, Medical Centre staff and SMT

  o undertake case reviews following serious incidents, to refine our practice and regularly to review behaviour logs to identify trends and patterns at an early stage

- applies to all governors, staff and volunteers. It is reviewed annually, and updated in the interim, as required, to ensure that it continually addresses the risks to which students are, or may be, exposed. A number of staff and students will be involved in each annual review which will include, and be informed by, an assessment of the impact and effectiveness of this policy over the previous year,

- recognises that abuse is abuse, and should never be passed off as 'banter', 'just having a laugh', or 'part of growing up',
- is compliant with the statutory guidance on peer-on-peer abuse as set out in *Keeping Children Safe in Education* (latest edition)

- does not use the term 'victim' and/or 'perpetrator'. This is because our School takes a safeguarding approach to all individuals involved in concerns or allegations about peer-on-peer abuse, including those who are alleged to have been abused, and those who are alleged to have abused their peers, in addition to any sanctioning work that may also be required for the latter. Research has shown that many children who present with harmful

behaviour towards others, in the context of peer-on-peer abuse, are themselves vulnerable and may have been victimised by peers, parents or adults in the community prior to their abuse of peers,

- uses the terms 'child' and 'children', which is defined for the purposes of this policy as a person aged under 18. We have nonetheless chosen not to restrict our approach to peer-on-peer abuse under this policy to children but instead to adopt a wider interpretation of our safeguarding responsibilities so that they apply to all students, regardless of age. Although the starting point is that the School's response to peer-on-peer abuse should be the same for all students, regardless of age, there may be some different considerations in relation to, for example, a child aged under 10, or a student aged 18 or over in terms of how local agencies and/or partners respond. This, for example, is likely to be different on the part of local authorities, given that their safeguarding duties are limited, in the case of children's social care – save for a number of specific exceptions – to children and, in the case of adult social care services, to adults with care and support needs. Similarly, the School's response to incidents involving the exchange of youth involved sexual imagery will need to differ depending on the age of the students involved [see Appendix B to this policy, and the Anti-bullying and Cyber-bullying Policy]. There is also likely to be a more significant criminal justice response in relation to any student responsible for abuse who is aged 18 or over,

- should, if relevant, according to the concern(s) or allegation(s) raised, be read in conjunction with the DfE's advice on *Sexual Violence and Sexual Harassment Between Children in Schools and Colleges* **(DfE's Advice)** (May 2018), and any other advice and guidance referred to within it, as appropriate, and

- should be read in conjunction with the Surrey Safeguarding Children Partnership's Safeguarding Policy and Procedures, and any relevant Practice Guidance issued by it.

II Understanding peer-on-peer abuse

What is peer-on-peer abuse?

For these purposes, peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between children, and within children's relationships (both intimate and nonintimate), friendships and wider peer associations. Peer-on-peer abuse can take various forms, including (but not limited to): serious bullying (including cyberbullying), relationship abuse, domestic violence and abuse, child sexual exploitation, youth and serious youth violence, harmful sexual behaviour, and/or prejudice-based violence including, but not limited to, gender-based violence.

Examples of online peer-on-peer abuse would include sexting, online abuse, peer-on-peer grooming, the distribution of youth involved sexualised content, causing someone to engage in sexual activity without consent, and harassment.

Different types of abuse rarely take place in isolation and often indicate wider safeguarding concerns. For example, a teenage girl may be in a sexually exploitative relationship with a teenage boy who is himself being physically abused by a family member or by older boys. Equally, sexual bullying in schools and other settings can result in the sexual exploitation of children by their peers. For 16- and 17 year olds who are in abusive relationships, what may appear to be a case of domestic violence may also involve sexual exploitation or coercion. 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 to spaces in which they spend their time. Any response to concerns or allegations of peer-on-peer abuse therefore needs to consider the range of possible types of peer-on-peer abuse set out in a school's peer-on-peer abuse policy, and to capture the full context of children's experiences. This can be done by adopting a Contextual Safeguarding approach and by ensuring that a school's response to alleged incidents of peer-on-peer abuse takes into account any potential complexity.

What is Contextual Safeguarding?

Contextual Safeguarding is about changing the way that professionals approach child protection when risks occur outside of the family, thereby requiring all those within a Local Safeguarding Partnership to consider how they work alongside, rather than just refer into, children's social care, to create safe spaces in which children may previously have encountered peer-on-peer abuse. In addition, it:

- is an approach to safeguarding children that recognises their experiences of significant harm in extra-familial contexts, seeks to include these contexts within prevention, identification, assessment and intervention safeguarding activities, and recognises that sexual harassment, sexual violence can happen within School and outside the School. All staff should take actions in the knowledge that "it could happen here"

- recognises that, as children enter adolescence, they spend increasing amounts of time outside the home in public environments (including those online) within which they may experience abuse, and

- considers interventions to change the systems or social conditions of the environments in which abuse has occurred. For example, rather than move a child from a school, professionals could work with the school leadership and student body to challenge harmful, gendered school cultures, thus improving the pre-existing school environment.

Contextual circles of adolescent vulnerability
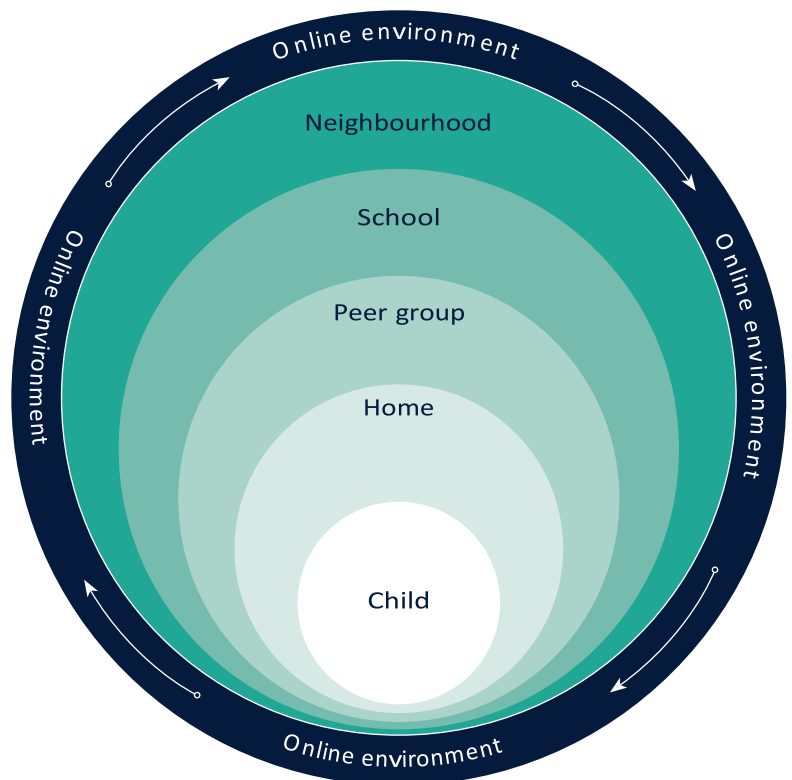
This policy:

(a)   encapsulates a Contextual Safeguarding approach, which is about changing the way that professionals approach child protection when risks occur outside of the family, thereby requiring all those within a Local Safeguarding Partnership to consider how they work alongside, rather than just refer into, children's social care, to create safe spaces in which, previously, children may have encountered peer-on-peer abuse.

(b)   adopts a whole-school community Contextual Safeguarding approach, which means:

- being aware of and seeking to understand the impact that these wider social contexts may be having on the School's students,

- creating a safe culture in the School by, for example, implementing policies and procedures that address peer-on-peer abuse and harmful attitudes; promoting healthy relationships and attitudes to gender/ sexuality; hotspot mapping to identify risky areas in the School; training on potential bias and stereotyped assumptions,

- being alert to and monitoring changes in students' behaviour and/or attendance, and

- contributing to local child protection agendas by, for example, challenging poor threshold decisions and referring concerns about contexts to relevant local agencies (see section entitled 'multi-agency working').

How prevalent is peer-on-peer abuse?

Research suggests that peer-on-peer abuse is one of the most common forms of abuse affecting children in the UK. For example, more than four in ten teenage schoolgirls aged between 13 and 17 in England have experienced sexual coercion. Two thirds of contact sexual abuse experienced by children aged 17 or under was committed by someone who was also aged 17 or under.

The School recognises that even if there are no reported cases of peer-on-peer abuse, such abuse may still be taking place and is simply not being reported.

When does behaviour become problematic or abusive?

All behaviour takes place on a spectrum. Understanding where a child's behaviour falls on a spectrum is essential to being able to respond appropriately to it. All staff are clear that sexual violence and sexual harassment are not acceptable and not an inevitable part of growing up; they will not tolerate instances of these behaviours or dismiss them as "banter", "having a laugh", or "boys being boys". Developmentally-inappropriate sexualised behaviours will always be challenged as soon as staff become aware of them.

Sexual behaviours

Simon Hackett has proposed the following continuum model to demonstrate the range of sexual behaviours presented by children, which may be helpful when seeking to understand a student's sexual behaviour and deciding how to respond to it.

Sexual behaviours continuum model

Normal	Inappropriate	Problematic	Abusive	Violent
• Developmentally expected • Socially acceptable • Consensual, mutual, reciprocal • Shared decision making	• Single instances of inappropriate sexual behaviour • Socially acceptable behaviour within peer group • Context for behaviour may be inappropriate • Generally consensual and reciprocal	• Problematic and concerning behaviour • Developmentally unusual and socially unexpected • No overt elements of victimisation • Consent issues may be unclear • May lack reciprocity or equal power • May include levels of compulsivity	• Victimising intent or outcome • Includes misuse of power • Coercion and force to ensure compliance • Intrusive • Informed consent lacking or not able to be freely given • May include elements of expressive violence	• Physically violent sexual abuse • Highly intrusive • Instrumental violence which is psychologically and/or sexually arousing to the child responsible for the behaviour • Sadism

Hackett's continuum relates exclusively to sexual behaviours and is not exhaustive. The Brook Sexual Behaviours Traffic Light Tool (Appendix C) can help professionals working with children to distinguish between three levels of sexual behaviour – green, amber and red, and to respond according to the level of concern.

Other behaviour

When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, staff can draw on aspects of Hackett's continuum to assess where the alleged behaviour falls on a spectrum and to decide how to respond. This could include, for example, 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, and

• involves a misuse of power.

How can a child who is being abused by their peers be identified?

All staff should be alert to the well-being of students and to signs of abuse, and should engage with these signs, as appropriate, to determine whether they are caused by peer-on-peer 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. Child sexual violence or sexual harassment can happen both within and outside the School environment. All such reports will be taken seriously.

Looking behind students' behaviour

Case study

A 15 year old girl starts to exhibit challenging behaviour in class which is out of character. She starts to have disagreements with the girls in her class and a number of "friendship issues" are reported to the teachers. The school moves the girl to another class, changes her timetable so that she does not have to interact with the girls in question, and provides her with a mentor.

A few months later the girl throws a chair across the classroom. The girl is sent to the Deputy Head, who calls the parents and temporarily excludes the girl from school. The Deputy Head discusses the incident with the Head, explaining that the behaviour is completely out of character for the girl, and that the School should explore the matter further. The Deputy Head sits down with the girl and asks her how she is. The girl discloses that her boyfriend is being physically violent and verbally abusive towards her.

Are some children particularly vulnerable to abusing or being abused by their peers?

Any child can be vulnerable to peer-on-peer abuse due to the strength of peer influence during adolescence, and staff should be alert to signs of such abuse amongst all children. Individual and situational factors can increase a child's vulnerability to abuse by their peers. For example, an image of a child could be shared, following which they could become more vulnerable to peer-on-peer abuse due to how others now perceive them, regardless of any characteristics which may be inherent in them and/or their family. Peer group dynamics can also play an important role in determining a child's vulnerability to such abuse. For example, children who are more likely to follow others and/or who are socially isolated from their peers may be more vulnerable to peer-on-peer abuse. Children who are questioning or exploring their sexuality may also be particularly vulnerable to abuse by their peers.

Research suggests that:

• peer-on-peer 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. Barriers to disclosure will also be different. As a result, schools need to explore the gender dynamics of peer-on-peer abuse within their settings, and recognise that these will play out differently in single sex, mixed or gender- imbalanced environments,

- children with Special Educational Needs and/or Disabilities (SEND) are three times more likely to be abused than their peers without SEND, and additional barriers can sometimes exist when recognising abuse in children with SEND. These can include:

  - assumptions that indicators of possible abuse such as behaviour, mood and injury relate to a child's disability without further exploration,
  - the potential for children with SEND to be disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs,
  - communication barriers and difficulties, and
  - overcoming these barriers.

- some children may be more likely to experience peer-on-peer abuse than others as a result of certain characteristics such as sexual orientation, ethnicity, race or religious beliefs.

III A whole school approach

School environment

The School actively seeks to raise awareness of and prevent all forms of peer-on-peer abuse by:

- educating all governors, its senior leadership team, staff, students, and parents about this issue. This includes: training all governors, the senior leadership team, and staff on the nature, prevalence and effect of peer-on-peer abuse, and how to prevent, identify, and respond to it. This includes (i) Contextual Safeguarding, (ii) the identification and classification of specific behaviours, including digital behaviours, (iii) 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 peer-on-peer abuse is ever dismissed as horseplay or teasing, and (iv) social media and online safety, including how to encourage children to use social media in a positive, responsible and safe way, and how to enable them to identify and manage abusive behaviour online. Training includes case studies which the staff design themselves,

- educating children about the nature and prevalence of peer-on-peer abuse, positive, responsible and safe use of social media, and the unequivocal facts about consent, via PSHE and the wider curriculum. For example, by addressing gender inequality in a statistics class, or by reviewing literature in an English class which addresses bullying and its effect on mental health. Students 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 peer-on-peer abuse. Educating students about consent includes teaching them basic facts such as (i) a child under the age of 13 can never consent to any sexual activity; (ii) the age of consent is 16; and (iii) sexual intercourse without consent is rape, and

- engaging parents on these issues by:

  – talking about them with parents, both in groups and one to one,

  – asking parents what they perceive to be the risks facing their child and how they would like to see the School address those risks,

  – involving parents in the review of School policies and lesson plans, and

  – encouraging parents to hold the School to account on this issue, in part as a result of visibility of this policy.

- supporting the on-going welfare of the student body by drawing on multiple resources that prioritise student mental health, and by providing in-school counselling and therapy to address underlying mental health needs. These interventions can be 'de-clinicised' and brokered through a positive relationship with the School and its staff. All staff are trained to meet low-level mental health difficulties within the students,

- working with governors, senior leadership team, and all staff, students 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 students can aspire to, and realise, safe and healthy relationships fostering a whole-school culture:

  – which is founded on the idea that every member of our School community is responsible for building and maintaining safe and positive relationships, and helping to create a safe School environment in which violence and abuse are never acceptable, – in which students are able to develop trusting relationships with staff, and in which staff understand, through regular discussion

and training, the importance of these relationships in providing students with a sense of belonging, which could otherwise be sought in problematic contexts,

– in which students feel able to share their concerns openly, in a non-judgmental environment, and have them listened to,

– which (i) proactively identifies positive qualities in students; (ii) nurtures these qualities; (iii) teaches and encourages students to think about positive hopes for the future; and (iv) supports students in developing small-scale goals that enable realistic ambitions, and

– which provides supervised activities to students that give them the experience of having their needs met that might otherwise apparently be met in abusive circumstances. These can include experiencing (i) status; (ii) excitement; and (iii) a degree of risk,

- responding to cases of peer-on-peer abuse promptly and appropriately, and

- ensuring that all peer-on-peer abuse issues are fed back to the School's DSL and Deputies so that they can spot and address any concerning trends and identify students who may be in need of additional support. [This is done by way of a weekly staff meeting at which all concerns about students (including peer-on-peer abuse issues) are discussed]; challenging the attitudes that underlie such abuse (both inside and outside the classroom).

- promoting reporting systems, particularly CPOMS, and other procedures including staff briefings and Pupil Wellbeing Committee agenda and minutes which are available for all House Staff and SLT.

Multi-agency working
The School actively engages with its Local Safeguarding Partnership in relation to peer-on-peer abuse, and works closely with, for example, Surrey County Council Children's Services, Multi-Agency Partnership, or Single Point of Access (C-SPA), NSPCC, the police, 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 peer-on-peer abuse. They help the School to: (a) 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) ensure that its students are able to access the range of services and support they need quickly; (c) support and help inform the School's local community's response to peer-on-peer abuse; (d) increase the School's awareness and understanding of any concerning trends and emerging risks in its local area to enable it to take preventative action to minimise the risk of these being experienced by its students.

The School actively refers concerns and allegations of peer-on-peer abuse where necessary to Surrey County Council Children's Services, Multi-Agency Partnership, or Single Point of Access (C-SPA), and/or the police. This is particularly important because peer-on-peer 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 alleged incident cannot appropriately be managed internally by the School itself) to try to address the issue alone – it requires effective partnership working.

IV Responding to concerns or allegations of peer-on-peer abuse

General principles
It is essential that all concerns and allegations of peer-on-peer abuse are handled sensitively, appropriately and promptly.
The way in which they are responded to can have a significant impact on our School environment.

Any response should:

- include a thorough investigation of the concern(s) or allegation(s), and the wider context in which it/they may have occurred (as appropriate) – depending on the nature and seriousness of the alleged incident(s), it may be appropriate for the police and/or children's social care to carry out this investigation,

- treat all children involved as being at potential risk – while the child allegedly responsible for the abuse may pose a significant risk of harm to other children, s/he may also have considerable unmet needs and be at risk of harm themselves. The School should ensure that a safeguarding response is in place for both the child who has allegedly experienced the abuse, and the child who has allegedly been responsible for it, and additional sanctioning work may be required for the latter,

- take into account:

  - that the abuse may indicate wider safeguarding concerns for any of the children involved, and consider and address the effect of wider sociocultural contexts – such as the child's/ children's peer group (both within and outside the School); family; the School environment; their experience(s) of crime and victimisation in the local community; and the child/children's online presence. Consider what changes may need to be made to these contexts to address the child/ children's needs and to mitigate risk, and

  - the potential complexity of peer-on-peer abuse and of children's experiences, and consider the interplay between power, choice and consent. While children may appear to be making choices, if those choices are limited they are not consenting,

  - the views of the child/children affected. Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSL should discuss the proposed action with the child/ children and their parents, and obtain consent to any referral before it is made. The School should manage the child/children's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so. It is particularly important to take into account the wishes of any child who has allegedly been abused, and to give that child as much control as is reasonably possible over decisions regarding how any investigation will be progressed and how they will be supported.

What should you do if you suspect either that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s)?

If a member of staff thinks for whatever reason that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should discuss their concern with the DSL without delay (in accordance with procedures outlined on the single-page Safeguarding Directory (page 1 of the Child Protection Policy) and subsequently explained on pages 12 and 13 of the Child Protection Policy) so that a course of action can be agreed.

Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and, if appropriate, the police) is made immediately.

Anyone can make a referral. Where referrals are not made by the DSL, the DSL should be informed as soon as possible that a referral has been made (see the single-page Safeguarding Directory, also page 1 of the Child Protection Policy).

If a child speaks to a member of staff about peer-on-peer abuse that they have witnessed or are a part of, the member of staff should listen to the child and use open language that demonstrates understanding rather than judgement. For further details please see the procedures set out on pages 12 and 13 of the Child Protection Policy.

How will the School respond to concerns or allegations of peer-on-peer abuse?

The DSL will discuss the concern(s) or allegation(s) with the member of staff who has reported it/them and will, where necessary, take any immediate steps to ensure the safety of the child/all children affected.

Where any concern(s) or allegation(s) indicate(s) that indecent images of a child or children may have been shared online, the DSL should consider what urgent action can be taken in addition to the actions and referral duties set out in this policy, and in the School's procedures for dealing with Youth Involved Sexual Imagery, to seek specialist help in preventing the images spreading further and removing the images from the internet.

The Internet Watch Foundation (IWF), for example, has a trained team that can evaluate and remove illegal images from the internet when the images are reported to them quickly. They will also share the image with the National Crime Agency's CEOP Command to facilitate an investigation. Any report to IWF will be made in consultation with the police.

The DSLs will always use their professional judgement to: (a) assess the nature and seriousness of the alleged behaviour, and (b) determine whether it is appropriate for the alleged behaviour to be to be dealt with internally and, if so, whether any external specialist support is required.

Concerns and actions will be recorded, principally on CPOMS (the School's online child protection management system) including situations in which a report is found to be unsubstantiated, unfounded, false or malicious. In these situations, consideration will be given to the question of the reason behind an allegation – whether it is a cry for help or whether disciplinary action is appropriate. We will always consider how to support the alleged perpetrator.

All reports of sexual violence and sexual harassment will be given careful consideration; potential and actual victims will be supported throughout any investigation and process. The School recognises that the way in which concerns are handled has an impact on the confidence of others to report. We are aware of the barriers to reporting and will always be particularly vigilant with regard to pupils who are liable to be reluctant to report such incidents, through the ongoing work of the Pupil Wellbeing Committee and their coordination with pastoral staff responsible for Foundationers and SEND pupils among others.

In borderline cases the DSL may wish to consult with Surrey County Council Children's Services, Multi-Agency Partnership and Single Point of Access (C-SPA), and/or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures particularly where boarders may be under the care of other authorities, on a no-names basis (where possible) to determine the most appropriate response.

Where the DSL considers or suspects that the alleged behaviour in question might be abusive or violent on a spectrum or where the needs and circumstances of the individual child/children in question might otherwise require it, the DSL should contact children's social care and/or the police immediately and, in any event, within 24 hours of the DSL becoming aware of the alleged behaviour. The DSL will discuss the concern(s) or allegation(s) with the agency and agree on a course of action, which may include:

A **Manage internally with help from external specialists where appropriate and possible.** *Where the alleged behaviour between peers is abusive or violent (as opposed to inappropriate or problematic – unless as stated above), scenarios B, C or D should ordinarily apply. However, where support from local agencies is not available, the School may need to handle concerns or allegations internally. In these cases, the School will engage and seek advice from external specialists (either in the private and/or voluntary sector).*

B **Undertake/contribute to an inter-agency early help assessment, with targeted early help services provided to address the assessed needs of the child/children and their family.** *These services may, for example, include family and parenting programmes, responses to emerging thematic concerns in extra familial contexts, a specialist harmful sexual behaviour team, CAMHS and/or youth offending services.*

C **Refer the child/children to children's social care for a section 17/47 statutory assessment.** *Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and, if appropriate, a report to the police) is made immediately. This referral will be made to children's social care in the area where the/each child lives. Depending on the safeguarding procedures issued by the Local Safeguarding Partnership in that area, there will normally be an initial review and assessment of the referral, in accordance with that area's assessment framework. As a matter of best practice, if an incident of peer-on-peer abuse requires referral to and action by children's social care and a strategy meeting is convened, then the School will hold every professional involved in the case accountable for their safeguarding response, including themselves, to both the/each child who has experienced the abuse, and the/each child who was responsible for it, and the contexts to which the abuse was associated.*

D **Report alleged criminal behaviour to the police.** *Alleged criminal behaviour will ordinarily be reported to the police. However, there are some circumstances where it may not be appropriate to report such behaviour to the police. For example, where the exchange of youth involved sexual imagery does not involve any aggravating factors (see the School's youth involved sexual imagery procedures for further information). All concerns or allegations will be assessed on a case-by-case basis, and in light of the wider context.*

Safety plans

The School will always carry out a safety plan in respect of:

- any child who is alleged to have behaved in a way that is considered to be abusive or violent,

- any child who has reportedly been abused or affected by the alleged abusive or violent behaviour by another child, or

- any child who may be at risk due to the alleged abusive or violent behaviour by another child as deemed appropriate by the DSL.

Where it is alleged that a child has behaved in a way that is considered to be inappropriate or problematic (as opposed to abusive or violent), the DSL will use their professional judgment – based on the particular concern(s) and/or allegation(s) raised, and the needs and circumstances of the individual child/children in question – to determine whether (as explained above) it would be appropriate to contact children's social care, and to carry out a safety plan.

Careful judgment and consideration are required as to whether alleged behaviour which might be judged to be inappropriate by an adult might actually be harmful to another child. Consultation is recommended with children's social care if there is any doubt about this. Careful consideration should also be given to a range of factors (which are outlined in Appendix A), including the context, severity of the alleged behaviour, impact of the alleged behaviour on others, risk to others, and whether there are any patterns of behaviour occurring.

Where other children have been identified as witnesses to alleged abuse or violence, consideration should also be given by the DSL to whether there might be any risks to those children, and whether a safety plan would be appropriate in relation to any risks presenting to them.

Information sharing, data protection and record keeping

When responding to concern(s) or allegation(s) of peer-on-peer abuse, the School will:

- always consider carefully, in consultation with children's social care, the police and other relevant agencies (where they are involved), how to share information about the concern(s) or allegation(s) with the student(s) affected, their parents, staff, and other students and individuals,

- record the information that is necessary for the School and other relevant agencies (where they are involved) to respond to the concern(s) or allegation(s) and safeguard everyone involved,

- keep a record of the legal purpose for sharing the information with any third party, including relevant authorities, and ensure that the third party has agreed to handle the information securely and to only use it for the agreed legal purpose, and

- be mindful of and act in accordance with its safeguarding and data protection duties, including those set out in _Working Together to Safeguard Children_ (July 2018) and the _HM Government advice on Information Sharing_ (updated in July 2018).

Disciplinary action

The School may wish to consider whether disciplinary action may be appropriate for any child/children involved. However, if there are police proceedings underway, or there could be, it is critical that the School works in partnership with the police and/or children's social care.

Where a matter is not of interest to the police and/ or children's social care, the School may still need to consider what is the most appropriate action to take to ensure positive behaviour management. Disciplinary action may sometimes be appropriate, including to:

(a) ensure that the child/children take(s) responsibility for and realise(s) the seriousness of their behaviour;

(b) demonstrate to the child/children and others that peer-on-peer abuse can never be tolerated; and

(c) ensure the safety and wellbeing of other children.

However, these considerations must be balanced against any police investigations, the child's/children's own potential unmet needs, and any action or intervention planned regarding safeguarding concerns. Before deciding on appropriate action the School will always consider its duty to safeguard all children in its care 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 peer-on-peer abuse and the causes of it.

The School will, where appropriate, consider the potential benefit, as well as challenge, of using managed moves or exclusion as a response, and not as an intervention, recognizing that even if this is ultimately deemed to be necessary, some of the measures referred to in this policy may still be required. For example, action may still need to be taken by the School in relation to other students who have been involved with and/or affected by peer-on-peer abuse. 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.[76] In the event of any managed move, consideration must be given to sharing information with the receiving school regarding the peer-on-peer abuse in order to allow best protection of children in the new school.

Disciplinary interventions alone are rarely able to solve issues of peer-on-peer abuse, and the School will always consider the wider actions that may need to be taken, and any lessons that may need to be learnt going forwards, as set out above and below.

On-going proactive work for a whole-school community Contextual Safeguarding approach

The School's response to concerns or allegations of peer-on-peer abuse should be part of on-going proactive work by the School to embed best practice and in taking a whole-school community Contextual Safeguarding approach (defined above) to such abuse. As such the School's response can become part of its wider prevention work.

This response may involve the School working with the local authority to undertake, for example, a Contextual Safeguarding school assessment which would fit into a systems approach to Contextual Safeguarding. The response could also include the School asking itself a series of questions about the context in which an incident of peer-on-peer abuse occurred in the School, the local community in which the School is based, and the wider physical and online environment – such as:

- What protective factors and influences exist within the School (such as positive peer influences, examples where peer-on-peer abuse has been challenged, etc.) and how can the School bolster these?

- How (if at all) did the School's physical environment or the students' routes to and from the School contribute to the abuse, and how can the School address this going forwards, for example by improving the School's safety, security and supervision, or by working with local safeguarding partners to mitigate the risks to students' safety whilst travelling to and from the School?

- How (if at all) did the online environment contribute to the abuse, and how can the School address this going forwards, for example by strengthening the way in which the School encourages positive and safe use of the internet by students?

- Did wider gender norms, equality issues, and/or societal attitudes contribute to the abuse?

- What was the relationship between the abuse and the cultural norms between staff and students, and how can these be addressed going forward?

- Does the abuse indicate a need for staff training on, for example, underlying attitudes, a particular issue or the handling of particular types of abuse, or to address any victim-blaming narratives from staff?

- How have similar cases been managed in the past and what effect has this had?

- Does the case or any identified trends highlight areas for development in the way in which the School works with children to raise their awareness of and/or prevent peer-on-peer abuse, including by way of the School's PSHE curriculum and lessons that address underlying attitudes or behaviour such as gender and equalities work, respect, boundaries, consent, children's rights and critical thinking and/or avoiding victim-blaming narratives?

- Are there any lessons to be learnt about the way in which the School engages with parents to address peer-on-peer abuse issues?

- Are there underlying issues that affect other schools in the area and is there a need for a multi-agency response?

- Does this case highlight a need to work with certain children to build their confidence, and teach them how to identify and manage abusive behaviour?

- Were there opportunities to intervene earlier or differently and/or to address common themes amongst the behaviour of other children in the School?

Answers to these questions can be developed into an action plan that is reviewed on a regular basis by the School's leadership and the DSL. The School will, where possible and appropriate, work with the local authority and wider partners to deliver on this plan, possibly as part of a wider Contextual Safeguarding school assessment led by or with input from the local authority.

CONTACT DETAILS FOR REFERRAL AND REPORTING CONCERNS

Please also see the Safeguarding Directory for Adults on page 1 of the Child Protection and Safeguarding Policy.

	Internal:	External:
Designated Safeguarding Lead person:	748	01428 686748
Mr David Corran		07460 173023
Head:	710 and 743	01428 686743
Mrs Joanna Wright		

Surrey Safeguarding Children Partnership (SSCP)

The Surrey Safeguarding Children Partnership co-ordinates how children are safeguarded and protected from harm. The SSCB is based in Leatherhead. Their website provides guidance and protocols for professionals as well as details of child protection courses available.

- Normal: 0300 470 9100
- Out of hours: 01483 517898
- Email: **partnership.team@surreycc.gov.uk**

Local Area contact for Waverley

- Duty Desk : 0300 123 1640

LADO

- Duty Desk: 0300 123 1650
- Email: LADO@surreycc.gov.uk

Useful contact

- SSCP Support Team 01372 833330   partnership.team@surreycc.gov.uk

I am not a professional working with young people. Where can I go for help?

If you are not a professional working within an organisation with internal procedures or frameworks, you may want to consider contacting a specialist organisation that can advise you. These include:

- Young people's sexual health services: if you are under 25 contact Ask Brook, www.askbrook.org.uk
- Contraceptive and sexual health information: visit FPA on www.fpa.org.uk
- NSPCC Helpline: 0800 800 5000 (England and Wales) or www.nspcc.org.uk

Child Exploitation and Online Protection Centre (CEOP): 0870 000 3344 or www.ceop.police.uk

Stop it Now!: 0808 1000 900 or www.stopitnow.org.uk

Parents Protect!: 0808 1000 900 or www.parentsprotect.co.uk

Appendix A: Further information

Identifying and assessing behaviour

Sexual Behaviour

As the NSPCC explains `children's sexual behaviours exist on a wide continuum, from normal and developmentally expected to highly abnormal and abusive. Staff should recognise the importance of distinguishing between problematic and abusive sexual behaviour. As both problematic and abusive sexual behaviours are developmentally inappropriate and may cause developmental damage, a useful umbrella term is harmful sexual behaviours (HSB).'

This term has been adopted widely in the field, and is used throughout the NSPCC's, Research in Practice's and Professor Simon Hackett's harmful sexual behaviour framework (which should be used alongside the National Institute for Health and Care Excellence (NICE) guidelines on harmful sexual behaviour among young people), as well as the template peer-on-peer abuse policy. For the purpose of that harmful sexual behaviour framework, and as adopted in the template peer-on-peer abuse policy, harmful sexual behaviours are defined 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.'

Local authorities use a range of assessment and intervention frameworks which can be very helpful in assessing where any given behaviour falls on a continuum. The Assessment Intervention Moving on (AIM2) model is one example.

Staff should always use their professional judgment and discuss any concerns with the DSL. Where an alleged incident involves a report of harmful sexual behaviour, staff should consult the DfE's Advice.

Other behaviour

When drawing on Hackett's continuum, in order to assess the seriousness of other (i.e. non-sexual) alleged behaviour, it should be borne in mind that there are some aspects of Hackett's continuum which may not of course be relevant or appropriate to consider. For example, the issue of consent and the nuances around it, are unlikely to apply in the same way in cases where the alleged behaviour is reported to involve emotional and/or physical abuse, as it could in cases of alleged sexual behaviour which is reported to involve harmful sexual behaviour.

In addition, schools could be required to deal with cases involving a range of alleged behaviours including sexual behaviour, emotional, physical behaviour and digital behaviour.

It should also be recognised that the same behaviour presented by different children may be understood at different points on a spectrum, depending on the particular context. For example, an incident involving youth involved sexual imagery may be inappropriate in one context, for example, when exchanged between two 11 year old children in a consenting relationship, and abusive in another. For example, when it is (a) shared without the consent of the child in the image; (b) produced as a result of coercion; or (c) used to pressure the child into engaging in other sexual behaviours.

Behaviour which starts out as inappropriate may escalate to being problematic and then abusive, either 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 becoming problematic, abusive and/or violent – and ultimately requiring (greater/more formal) engagement with specialist external and/or statutory agencies. For example, a physical fight between two children may not constitute peer-on-peer abuse where the fight is a one-off incident, but may be abusive where the child's/children's behaviour subsequently deteriorates into a pattern of bullying behaviour and requires a safeguarding response from a multi-agency partnership – including a statutory assessment of whether this has led, for example, to a risk of significant harm to a child.

The importance of intervening early and addressing any inappropriate behaviour does not just apply on an individual student basis, but could also apply to a cohort of the student body, such as a year group or key stage, or across the student body as a whole.

Behaviour generally considered inappropriate may in fact indicate emerging concerning behaviour to which schools need to take a whole-school approach in order to prevent escalation. For example, where multiple boys are making inappropriate comments about girls, one-off sanctions are unlikely to be effective and wider actions should be considered, such as implementing a bystander intervention model throughout the school, or arranging for an external person to deliver a year group intervention exercise; revising the school's SRE programme; and/or a discussion around whether anything is happening within the wider community that might be affecting the students' behaviour.

It will also be important to consider the wider context in which the alleged behaviour is reported to have occurred, and which may trigger the need for a referral. For example, some behaviour that is considered inappropriate may be capable of being dealt with

internally. However, if there are wider safeguarding concerns relating to the child/children in question, a referral to statutory agencies may be necessary. Where the behaviour which is the subject to the concern(s)/ allegation(s) is considered or suspected by the DSL to constitute peer-on-peer abuse, schools should follow the procedures set out in the template peer-on-peer abuse policy.

How can a child who is being abused by their peers be identified?

Signs that a child may be suffering from peer-on-peer abuse can also overlap with those indicating other types of abuse and can include:

- failing to attend school, disengaging from classes or struggling to carry out school related tasks to the standard ordinarily expected,

- physical injuries,

- experiencing difficulties with mental health and/or emotional wellbeing,

- becoming withdrawn and/or shy; experiencing headaches, stomach aches, anxiety and/or panic attacks; suffering from nightmares or lack of sleep or sleeping too much,

- broader changes in behaviour including alcohol or substance misuse,

- changes in appearance and/or starting to act in a way that is not appropriate for the child's age, and

- abusive behaviour towards others.

Abuse affects children very differently. The above list is by no means exhaustive, and the presence of one or more of these signs does not necessarily indicate abuse. The behaviour that children present with will depend on their particular circumstances.

Rather than checking behaviour against a list, staff should be trained to be alert to behaviour that might cause concerns, to think about what the behaviour might signify, to encourage children to share with them any underlying reasons for their behaviour and, where appropriate, to engage with their parents so that the cause(s) of their behaviour can be investigated. Where a child exhibits any behaviour that is out of character or abnormal for his/her age, staff should always consider whether an underlying concern is contributing to their behaviour (for example, whether the child is being harmed or abused by their peers) and, if so, what the concern is and how the child can be supported going forwards.

The power dynamic that can exist between children is also very important when identifying and responding to their behaviour: in all cases of peer-on-peer abuse a power imbalance will exist within the relationship. This inequality will not necessarily be the result of an age gap between the child responsible for the abuse and the child being abused. It may, for example, be the result of their relative social or economic status. Equally, while children who abuse may have power over those who they are abusing, they may be simultaneously powerless to others.

Safety plans

In deciding (a) whether a safety plan would be appropriate; and (b) which children require a safety plan, the DSL should consider:

- the extent to which a child may have experienced or otherwise been affected by the alleged behaviour, and the impact on them. This will depend not only on the child's involvement in or proximity to the alleged behaviour, but also on factors such as their possible wider circumstances and needs, their age and understanding, and the extent to which the alleged behaviour might trouble or distress other children, or expose them to inappropriate sexual behaviour,

- the importance of early intervention to address and to prevent escalation of inappropriate and/or problematic behaviours, and

- whether there are any wider safeguarding concerns about a child – for example, where a child's behaviour may be considered to be inappropriate or problematic on Hackett's continuum, or at risk of escalating, the DSL and/or external agencies may determine that a safety plan is required to control emerging risks.

In all cases where a safety plan is not considered to be appropriate, the school should nonetheless take steps to safeguard and support the/each child who is allegedly responsible for the behaviour, and any children affected by it, and should continue to monitor the situation. If risks increase consideration should again be given to developing a safety plan. A safety plan should be developed in consultation with key statutory agencies to whom any referral and/or report is necessary.

In developing a safety plan the school should:

- always have regard to *Keeping Children Safe in Education* (September 2018), and *Working Together to Safeguard Children* (July 2018), and make a referral to children's social care and, if appropriate, report to the police, whenever a child has been harmed, is at risk of harm, or is in immediate danger. Where a report of rape, assault by penetration or sexual assault is made, this must

be reported to the police. Whenever a referral is made to children's social care and/or a report to the police, the school should inform children's social care and/or the police of the school's need to have a safety plan. Careful liaison with children's social care and/or the police should help the school to develop any such plan,

- consult children's social care and/or local MASH (or equivalent), and/or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures regarding the concern(s) or allegation(s) and need to have a safety plan, and seek their agreement to the plan whenever possible,

- consult the police, where they are involved, to seek advice, and agreement whenever possible, on the safety plan, and ensure that the safety plan does not prejudice any criminal investigation(s), and that it protects all children involved in any such investigation(s) to the greatest extent possible,

- if an agency is not, for whatever reason, engaging, then the school should advise the agency that it intends to develop a safety plan for the/each child concerned. The school should also consider escalating their referral if they believe children's social care and/or the police should be engaged. The school should share its safety plan with children's social care and the police where they are involved. The safety plan should be consistent with any risk assessments or plans made by children's social care, the police, or any other professionals working with the child,

- give consideration to consulting and involving the/ each child and their parents about the development of their safety plan, in accordance with any advice given by children's social care and/or the police. Where a report has been made to the police, the school should consult the police, and agree what information can be disclosed to the/each child who is allegedly responsible for the behaviour and their parents. There may be other circumstances where there are legitimate obstacles presented to parental knowledge/engagement – for example, if there is a suggestion or concern that informing the parents will put the/any child at additional risk; in these cases the school should work closely with children's social care and/or the police to take advice on how best to proceed, and

- a safety planning meeting may be helpful to develop the safety plan. Where such a meeting is to be held, careful consideration will need to be given to whether the child presenting the alleged behaviour, and/or their parents should attend. Where a child or parent does not attend, their wishes and feelings should still be sought in relation to any proposed safety plan in advance of the meeting by a professional – in the case of the child, with a designated trusted professional with whom he/she has a positive relationship. A version of the plan which is appropriate for the child's age and level of understanding should be provided to the child and their parents. Efforts should also be made to ensure that they understand what is proposed and to seek their agreement to the arrangements.

These steps will help to ensure that the safety plan is appropriately tailored to the/each child's needs and will enable the school to work with others in an effort to meet these needs in the longer-term.

A safety plan should:

- be proportionate and not stigmatise the child/ children allegedly responsible for, or affected by,the behaviour,

- set out relevant background information – including an overview of the context, the specific concern(s) or allegation(s), any relevant detail about the relationships, and any power differentials between the child/children allegedly responsible for the behaviour, and any children affected by it, the frequency of the alleged behaviour and any changes in it over time. Details should also be shared of action taken regarding the alleged concern(s) or allegation(s), and any advice provided by children's social care, and/or local MASH (or equivalent), and/or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures, and/or the police, and/or any other professional(s) working with the child/children,

- set out any relevant information regarding the child/ children concerned. For example, any relevant medical information, any previous concerns about the child's/children's behaviour, needs or harm that the child/children may have been exposed to in the past. Information should be shared on their wishes and feelings regarding the proposed safety plan. Consideration may need to be given to having two or more separate but aligned safety plans for the child who is allegedly responsible for the behaviour, and the child or children affected by it,

- identify and assess the nature and level of risk that is posed and/or faced by the child/children in school such as that which may arise in relation to locations, activities, contact with particular students, or transport arrangements to and from school; and contexts outside the school, including at home, in relationships with friends, peer groups, interactions in the neighbourhood and/or during online activity,

- set out the steps and controls that can be put in place to reduce or manage any risk. Issues that may be addressed include:

    – how safety will be ensured in the classroom, out of the classroom, on transport, and during unstructured or extra-curricular activities, including trips and residential stays away from school. This may involve separating the child/ children who present risk from other children who may be affected by the alleged peer-on-peer abuse,

– how to ensure that the child/children reportedly affected by the alleged behaviour feel(s) supported, including by appointing a trusted member of staff (a 'critical friend') with whom they can speak if they have existing concerns or if there are any future developments which cause them concern,

– how best to draw on any other trusting relationships where these exist, and create them where they do not, to provide the children concerned with support and a sense of belonging,

– where relevant, how to manage the child's/ children's behaviour – this can be done in a number of ways including, for example, by way of a de-escalation plan for staff which identifies any triggers, explains how their behaviour can escalate, sets out the function of the behaviour for the child /children, and proposes an appropriate action or response to it; identifying language that should be used and avoided; a positive handling plan; or implementing controls and measures to reduce or manage any risk,

– whether restorative action would be appropriate and, if so, how best to take such action, bearing in mind the specific needs of the child/children concerned, and the appropriateness of any such action given the nature and seriousness of the concern(s) or allegation(s). Advice should be taken from children's social care, specialist sexual violence services, and the police where they are involved (if so, proposed restorative action could otherwise jeopardise a police investigation),

– whether any targeted interventions are needed to address the underlying attitudes or behaviour of the child/children, any emotional and behavioural disorders, developmental disorders, or learning difficulties, and/or to meet the child's/ children's psychological, emotional or physical needs; drawing on local statutory, private and/ or voluntary services as appropriate, and

– whether the behaviour is of such high risk that suitable controls cannot be put in place within the school setting which would enable it to be adequately managed. In this case consideration will need to be given to alternative plans for the child/children presenting the alleged behaviour. The principle that any child who is reported to have experienced peer-on-peer abuse should not have restrictions or controls placed on them as a result of another child's alleged behaviour should be given priority consideration.

- identify and consider how to build on strengths and positive aspects that the/each child possesses and/or is exposed to, such as those emanating from activities or lessons that the child enjoys and engages with; positive characteristics and skills that the child possesses; and/or trusting relationships with the child's family, other students or staff,

- assess any risks that are posed and/or faced by the wider school community (including all other students and, where appropriate, staff and parents) and identify any steps that the school can take to mitigate these risks. This may include:

– consideration of how to support any students (and, where appropriate, staff and parents) who know about and/or may be affected by the alleged behaviour, and/or who may be required to participate in any investigation(s) – where these students have their own standalone safety plan, they should cross refer to and be consistent (where appropriate) with one another, and

– consideration of work that can be undertaken with the wider staff or student population to help to protect children against peer-on-peer abuse in the future. Careful consideration will need to be given to manging confidentiality for children affected by the alleged behaviour or engaged themselves in any such behaviour.

- set out the steps needed to implement the safety plan, including how to communicate with and what information should be shared with relevant staff members – in the strictest confidence – so that they are able to implement the actions set out in the plan and safeguard the children concerned appropriately, and

- be reviewed at regular intervals, or if there is a change in perceived risks or circumstances. Reviews should be carried out in light of the children's ongoing needs to ensure that real progress is being made which benefits the children concerned.

If at any stage the risk increases, there is a further alleged incident, or any individual child's needs escalate, the DSL should contact children's social care, and/or local MASH (or equivalent), and/or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures, to determine the appropriate course of action. In the event that any new information is disclosed at any time indicating a child may have been harmed, is at risk of harm, or is in immediate danger, the school should again follow local safeguarding procedures in line with *Keeping Children Safe in Education* (September 2018), and *Working Together to Safeguard Children* (July 2018), and make a new referral to children's social care and, if appropriate, report to the police. Similarly any new information disclosed at any time regarding alleged rape, assault by penetration or sexual assault must always be shared with the police.

Appendix B: Youth involved sexual imagery policy

Whilst professionals refer to the issue as 'sexting' there is no clear definition of 'sexting'. According to research, many professionals consider sexting to be 'sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the internet.' Yet, NSPCC research has revealed that when children are asked 'What does sexting mean to you?' they are more likely to interpret sexting as 'writing and sharing explicit messages with people they know.' Similarly, a ChildLine survey has revealed that many parents think of sexting as flirty or sexual text messages rather than images.

This policy only covers the involvement of children in sexual imagery. This practice is often referred to as either "nudes" or "dick pics" by children. Creating, keeping and/or sharing sexual photos and videos of under-18s is illegal, and is classified as the making, possession or distribution of indecent images of a minor - under the Protection of Children Act 1978 (making and/or distribution) and the Criminal Justice Act 1988 (possession). As such it causes the greatest complexity for schools (amongst other agencies) when responding. It also presents a range of risks which need careful management.

This policy uses the phrase 'youth involved sexual imagery' instead of 'sexting', or 'youth produced sexual imagery.' Although the School recognises that the term "youth produced" is used in UKCCIS' advice *Sexting in schools and colleges: Responding to incidents and safeguarding young people*, it has chosen not to use this term which could be seen to place responsibility with the child who is taking and/or is the subject of the image, without recognising the potential for coercion or threat in the production of that image.

The School also recognises that 'youth involved' and 'sexting' are not terms that children generally use, and it is important for staff in schools to understand the language that is used by children when discussing this issue with them or creating a policy.

What is youth involved sexual imagery?

'Youth involved sexual imagery' best describes the practice because:

- 'youth involved' includes children sharing images that they, or another child, have created of themselves, and

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

- a judgement of whether something is 'decent' is both a value judgement and dependent on context. The term 'sexual' is clearer than 'indecent', although the DSL will nevertheless always need to use professional judgement when determining whether a photo is 'sexual'.

What types of incidents are covered by this policy?

Yes:
- A child creates and shares sexual imagery of themselves with a peer (also under the age of 18)

- A child shares sexual imagery created by another child with a peer (also under the age of 18) or an adult

- A child is in possession of sexual imagery created by another child

No:
- The sharing of sexual imagery of children by adults constitutes child sexual abuse and schools should always inform the police

- Children sharing adult pornography or exchanging sexual texts which do not contain imagery

- Sexual imagery downloaded from the internet by a child

- Sexual imagery downloaded from the internet by a child and shared with a peer (also under the age of 18) or an adult

Disclosure

Disclosure about youth involved sexual imagery can happen in a variety of ways. The child affected may inform a class teacher, the DSL in School, or any member of the School staff. They may report through an existing reporting structure, or a friend or parent may inform someone in School or a colleague or inform the police directly. There is also a possibility that a member of staff may be made aware of an image in circulation by other students not involved in either the production or initial transfer, but who have become exposed to the imagery as a result of wider distribution.

All members of staff (including non-teaching staff) should be aware of how to recognise and refer any disclosure of incidents involving youth involved sexual imagery. Staff should also be aware of the legalities around youth involved sexual imagery so they can best inform students in their care – messages such as "it's illegal" are not considered to be helpful (for reasons explained below). This should be covered within staff training and within the School's child protection policy.

Any direct disclosure by a child should be taken very seriously. A child who discloses they are the subject of sexual imagery is likely to be embarrassed and worried about the consequences. It is likely that disclosure in School is a last resort and they may have already tried to resolve the issue themselves.

Handling incidents

All incidents of youth involved sexual imagery should be responded to in line with the School's child protection and peer-on-peer abuse policy. When an incident involving youth involved sexual imagery comes to a member of staff's attention:

- the incident should be referred to the DSL as soon as possible,

- the DSL should hold an initial review meeting with appropriate School staff. The DSL will follow the procedures and guidance set out in *Sexting in schools and colleges: responding to incidents and safeguarding young people*,

- there should be subsequent interviews with the children involved,

- parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the child at risk of harm,

- *where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and, if appropriate, the police) is made immediately,*

- any report to the police should be considered against the severity of the concerns and/or allegations, the impact on any child who has allegedly experienced the abuse, and broader context of the production and distribution of the image (for example: was production consensual or coerced? Was sharing consensual? Was production volunteered or requested? What are the ages of the children involved?), and

- depending on the facts of the particular concern or allegation, a report to the police does not necessarily mean that the child will be criminalised. Since January 2016, the police are able to record an "Outcome 21" against a reported crime, meaning it is not in the public interest to pursue a charge. The majority of youth involved sexual imagery would fall into this category. However, in the event of coercion, exploitation, further harm or aggravated behaviours, it is valid for police involvement to result in criminal charge. The School should communicate with their police liaison to determine awareness of Outcome 21 recording and its appropriateness in any given incident.

Education

Teaching about safeguarding issues in the classroom can prevent harm by providing children with skills, attributes and knowledge to help them navigate risks. The School will provide children with opportunities to learn about the issue of youth involved sexual imagery, as part of its commitment to ensure that they are taught about safeguarding, including online, through teaching and learning opportunities – as also referred to in the School's [online safety policy]. Children will be encouraged to share concerns with staff and will be told, for example, that there are ways of removing images from the internet if they are reported quickly. For further details, please see the School's peer-on-peer abuse policy.
Education should be inclusive, age appropriate, and provide children with the opportunity to discuss and ask questions. In general, an assembly where they are told youth involved sexual imagery is illegal, and they should not do it, is not sufficient. If education does consider the legal issues associated with youth involved sexual imagery, it should consider the nature of the legislation and likely police responses, rather than simple declarations of illegality.

When considering the sharing of youth involved sexual images among peers, a lot of online safety messaging centres on telling children that they should not produce images of themselves and send them to people because it is illegal, or in doing so they are placing themselves at risk. We find this approach problematic because: i) these messages are likely to result in a child being abused, coerced, or exploited as a result of such behaviour feeling that they cannot ask for help or disclose abuse because they did something wrong and, therefore, they deserve what is happening to them; and ii) the nature of this messaging can contribute to victim blaming. The more problematic behaviours around the sharing of youth involved sexual images does not lie with the initial generation of the image but the distribution, or threat to distribute, by the recipient to third parties. Therefore, the School tackles the subject by focusing on the non-consensual sharing and the potential punishment for those individuals, rather than potentially suggesting that for anyone who creates and sends an image deserves the abuse they receive.

Appendix C Brook Traffic Light Tool

Guidance for using the sexual behaviours traffic light tool

Introduction

A guide to identifying sexual behaviours

This innovative resource is based on the original 'Traffic Light Framework' developed by Family Planning Queensland in Australia and has been adapted for use within the UK. The resource uses a traffic light tool to categorise the sexual behaviours of young people, to help professionals:

- make decisions about safeguarding children and young people assess and respond appropriately to sexual behaviour in
- children and young people understand healthy sexual development and distinguish it from harmful behaviour
-
 By identifying sexual behaviours as green, amber or red, professionals across different agencies can work to the same criteria when making decisions and protect children and young people with a unified approach.

This resource has been designed to help professionals think through their decisions and does not replace organisational procedures or assessment frameworks.

The resource
Using the resource, professionals can learn to identify, assess and respond to sexual behaviour in children and young people in a confident and appropriate manner.

The resource is based on current knowledge and research, and should be used within the context of your own policies, legal frameworks and competencies, and in conjunction with other relevant assessment tools. It is not intended to replace organisational procedures or assessment frameworks, neither does it cover all presenting behaviours.

The behaviours identified in the tool are examples used to show the differences between healthy and unhealthy sexual development. The resource does not aim to define how children and young people should behave, but to show which behaviours are a natural part of growing up and exploring sexuality, and which are problematic and may need intervention or support.

Professionals who work with children and young people have told us they often struggle to identify which sexual behaviours are potentially harmful and which represent healthy sexual development. It is vital that professionals agree on how behaviours should be categorised regardless of culture, faith, beliefs, and their own experiences or values.

By using a standardised normative list we hope to enable professionals across different agencies to use the same criteria when making decisions, thereby creating a unified approach to protecting children and young people.

Sexual behaviour
Knowing how to take a positive view and recognise healthy sexual behaviour in children and young people helps to support the development of healthy sexuality and protect children and young people from harm or abuse.

Many expressions of sexual behaviour are part of healthy development and no cause for concern. However, when children or young people display sexual behaviour that increases their vulnerability or causes harm to someone else, adults have a responsibility to provide support and protection.

It may be misleading to label behaviours displayed by young children in the birth to 5 category, or even the 5 to 9 category, as 'sexual'. A child who plays with his or her genitals may or may not be seeking sexual pleasure.

It is not clear how aware younger children are of sexual feeling, and behaviours are more likely to be seen as sexual because of the perception of the adult making the observation.

Influences
- many factors influence sexual behaviour, including:
- lack of sex and relationships information

- lack of privacy
- boredom, loneliness, anxiety, confusion or depression
- family/carer conflict or information and support needs
- lack of rules, appropriate consequences or boundaries
- emotional, physical or sexual abuse
- sexual exploitation and/or trafficking
- communication difficulties
- sexual excitement or curiosity
- attention or relationship needs
- gender issues
- copying the behaviour of other children and young people
- copying behaviours seen on the internet or TV

Identifying any of these factors may help you to decide on the most appropriate intervention. However, this is not an exhaustive list and you may need specialist support to clearly identify the reason for the behaviour and the correct intervention.

Dealing with unhealthy sexual behaviour at an early stage can help to prevent subsequent sexually harmful behaviours from developing. Professionals can begin to help young people change their traffic lights from red to amber and/or from amber to green.

Vulnerability

All children and young people are potentially at risk of harm, though some groups – for example, children and young people who have a disability, have been abused, or have experienced other disruptions to their development or socialisation – may be at increased risk of exposure to, or of developing, unhealthy sexual behaviours. It is important to recognise that in these cases extra support and guidance may be needed.

Using the tool

The traffic light tool lists examples of green, amber and red behaviours within four different age groups. These are examples only and must be considered in context.

The age categories deliberately overlap to demonstrate the fluidity and variable nature of development. These are indicative, and understanding may vary. The 13 to 17 age category may also be a useful guide for vulnerable young people, or young people with physical or learning disabilities, up to age 25.

All green, amber and red behaviours require some form of attention and response, but the type of intervention will vary according to the behaviour. Green behaviours may highlight opportunities to provide positive feedback and information that supports healthy sexuality. Amber and red behaviours may require observation, documentation, education, referral to other services, increased supervision, therapy, safeguarding assessment and/or a legal response.

Sexual development is influenced by many factors. When using the traffic light tool to categorise behaviour, it is necessary to consider the current social, cultural, legal, community and familial context.

What if the presenting behaviour is not in the normative list?

The normative lists provides examples of the types of behaviours that would sit within each colour category. If the presenting behaviour is not given as an example it may be useful to consider the following questions:

Is the behaviour consensual for all children or young people involved?

Is the behaviour reflective of natural curiosity or experimentation?

Does the behaviour involve children or young people of a similar age or developmental ability?

Is the behaviour unusual for that particular child or young person?

Is the behaviour excessive, coercive, degrading or threatening?

Is the behaviour occurring in a public or private space? How does this affect the colour categorisation?

Are other children or young people showing signs of alarm or distress as a result of the behaviour?

Female genital mutilation/cutting

Female genital mutilation (FGM), also known as female circumcision or female genital cutting, is defined by the World Health Organisation as being "all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs whether for cultural, religious or other non-theraputic reason".

FGM is illegal in this country and it is also illegal to take a child out of the country for FGM. FGM is always a safeguarding issue.

It has not been included in the normative lists as it is not a behaviour. However, if it is suspected that a child or young person may be at risk or has been subjected to FGM, this should be treated as a red indicator.

Children, young people, sex and the law

The legal age for children and young people to consent to sex is 16 regardless of sexual orientation. However, young people are unlikely to be prosecuted for mutually agreed sexual activity where there is no evidence of exploitation.

The law does not affect young people's right to confidential advice on contraception, condoms, pregnancy and abortion, or their ability to consent to treatment, even if they are under 16.

Sexual offences legislation in all parts of the United Kingdom assumes that children and young people under 13 do not have the capacity to consent to sexual activity.

It is illegal for an adult who is in a position of trust to a child or young person under the age of 18, such as a teacher or carer, to have sex with them.

The law covers all intercourse, other penetration or sexual touching of a child. It includes sexual touching of any part of their body, clothed or unclothed, either with a body part or with an object.

It is also against the law to persuade a child to take part in sexual activity, to engage in sexual activity in their presence, to cause them to watch a sexual act (including videos, photographs or on websites) or to arrange to meet them following sexual grooming.

Consent

Sexual offences legislation provides statutory definitions of consent that are relevant in the case of offences such as rape, sexual assault and other non-consensual offences.

In England, Wales and Northern Ireland a person is deemed to consent if she/he agrees by choice, and has the freedom and capacity to make that choice. A person may not have the freedom to consent because she/he is forced by, for example, violence or threat of violence, to engage in sexual activity. A person may not have the capacity to consent to sexual activity because, for instance, they have a mental disorder.

In Scotland, consent is defined as free agreement, supplemented with a non-exhaustive list of circumstances in which consent can never be present, such as when the person is incapacitated by drugs or alcohol, or when they are sleeping.

More details on the laws regarding sexual activity with children and young people can be found at: http://www.brook.org.uk/professionals/information/sex-and-the-law/consent-to-sexual-relationships.

Challenges

Recognising the challenges of personal and professional values

Many professionals say they experience a 'gut feeling' when children or young people they are working with are at risk of harm, or of harming others. This resource is designed to support that instinct by helping professionals make effective assessments and decisions.

It is important when making decisions about children and young people that professionals acknowledge that they have their own personal judgements, beliefs and values that could affect their choices. If a behaviour is deemed 'inappropriate' by one professional but does not concern another, young people are more likely to get mixed messages about their sexuality and behaviour.

Beliefs

Culture, beliefs and ethnicity play a vital and challenging role when assessing and responding to sexual behaviour. What is considered 'acceptable' sexual behaviour differs vastly from community to community. It is important to consider that this resource is focused on protecting young people from harm and that this does not differ within the context of beliefs.

Where sexual behaviours are considered to be a safeguarding issue, procedures must be adhered to regardless of culture and beliefs within communities.

Challenging assumptions about gender
Professionals and parents often feel different levels of concern dependent on the gender of the child or young person displaying sexual behaviours. It is important to challenge these concerns and to think about why a behaviour may be considered acceptable for one gender but not for the other. These reactions are likely to be based on personal values, beliefs or social assumptions.

Challenging assumptions about sexuality
Young people become aware of their sexual orientation at different ages and a range of factors will impact at what age they feel safe and ready to explore their sexual orientation and to tell others about it. If a young person comes out as lesbian, gay or bisexual then whatever their age, they should be taken seriously and provided with age-appropriate information and guidance.

It is safe and healthy for all young people, whether they are straight, lesbian, gay or bisexual to begin exploring healthy sexual behaviour. However, professionals often regard sexual contact between young people of the same sex with greater concern than they would regard the same sexual contact between young people of the opposite sex.

The sexual development of lesbian, gay and bisexual young people does not in itself require intervention. If professionals react to behaviour simply because it is taking place between two young people of the same sex, it could lead to those young people feeling ashamed about engaging in what is normal healthy behaviour. It sends the message that there is something 'wrong' with the way their sexuality is developing.

There are things that may legitimately give concerns about the sexual behaviour of young people and may lead to an intervention such as if there were a significant age or developmental difference between the partners or the relationship seemed coercive or abusive. Such things would raise concern regardless of whether that behaviour involves someone of the same sex or opposite sex.

The internet and the media
Children and young people are increasingly exposed to a variety of sexual content through the internet. The accessibility of potentially harmful sexual information, imagery and pornography causes concern from professionals, parents and carers. It is vital that young people are given robust and appropriate sex and relationships education to help them process and question this information.

What next?

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

Expressing sexuality through sexual behaviour is natural, healthy and a part of growing up. Green behaviours provide an opportunity to positively reinforce appropriate behaviour, and to provide further information and support.

All children and young people have the right to relationships and sex education which equips them with the information and skills they need to form healthy and positive sexual relationships and keep their traffic lights green.

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

- unusual for that particular child or young person
- of potential concern due to age or developmental differences of potential concern due to activity type, frequency, duration or the context in which they occur

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

Recognising that behaviour may be unhealthy is the first step in a process. If you are a professional working with young people and your organisation has internal guidance or safeguarding frameworks, please refer to these. You may be required, or feel it is necessary, to inform your safeguarding lead or another member of staff.

Amber behaviours cannot be ignored, and it is important to think through the options available to you. Consider why the behaviours may be being displayed, and, where possible, gather further information and continue to monitor 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

Red behaviours indicate a need for immediate intervention and action, though it is important to consider actions carefully. When determining the appropriate action, identify the behaviour, consider the context and be guided by:

- relevant national legislation and guidance organisational policies, procedures and guidance human rights
- the identified risks or needs of the young person
- the potential or real risks to others
- the identified risks or needs of the young person the potential or real risks to others

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 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 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?

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

What can you do?

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

What can you do?

Red behaviours indicate a need for immediate intervention and action.

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

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

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

Behaviours: age 13 to 17

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 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 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?

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

What can you do?

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

What can you do?

Red behaviours indicate a need for immediate intervention and action.

Green behaviours

- solitary masturbation
- sexually explicit conversations with peers
- obscenities and jokes within the current cultural norm
- interest in erotica/pornography
- use of internet/e-media to chat online
- having sexual or non-sexual relationships
- sexual activity including hugging, kissing, holding hands
- consenting oral and/or penetrative sex with others of the same or opposite gender who are of similar age and developmental ability
- choosing not to be sexually active

Amber behaviours

- accessing exploitative or violent pornography
- 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
- concern about body image
- taking and sending naked or sexually provocative images of self or others
- single occurrence of peeping, exposing, mooning or obscene gestures
- giving out contact details online
- joining adult- only social networking sites and giving false personal information
- arranging a face to face meeting with an online contact alone

Red behaviours

- exposing genitals or masturbating in public
- preoccupation with sex, which interferes with daily function
- sexual degradation/humiliation of self or others
- attempting/forcing others to expose genitals
- sexually aggressive/exploitative behaviour
- sexually explicit talk with younger children
- sexual harassment
- non-consensual sexual activity
- use of/acceptance of power and control in sexual relationships
- genital injury to self or others
- sexual contact with others where there is a big difference in age or ability
- sexual activity with someone in authority and in a position of trust
- sexual activity with family members
- involvement in sexual exploitation and/or trafficking
- sexual contact with animals
- receipt of gifts or money in exchange for sex