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## **NEW PARK ACADEMY – JUNIOR AND SECONDARY SITES**

### **CHILD-ON-CHILD ABUSE POLICY**

**FIRST CREATED: JANUARY 2017 – EDITION 1**

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Owner	<b>YAHNA PEMBERTON</b>
Signed	
Designation	<b>ATTENDANCE &amp; SAFEGUARDING OPERATIONAL MANAGER</b>



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## **Introduction**

Keeping Children Safe in Education 2024 (page 43) states that Governing bodies and proprietors should ensure their child protection policy includes:

- procedures to minimise the risk of child-on-child abuse;
- the systems in place (and they should be well promoted, easily understood and easily accessible) for children to confidently report abuse, knowing their concerns will be treated seriously;
- how allegations of child-on-child abuse will be recorded, investigated and dealt with;
- clear processes as to how victims, perpetrators and any other child affected by child-on-child abuse will be supported;
- a recognition that even if there are no reported cases of child-on-child abuse, such abuse may still be taking place and is simply not being reported;
- a statement which makes clear there should be a zero-tolerance approach to abuse, and it should never be passed off as “banter”, “just having a laugh”, “part of growing up” or “boys being boys” as this can lead to a culture of unacceptable behaviours and an unsafe environment for children;
- recognition of the gendered nature of child-on-child abuse (i.e. that it is more likely that girls will be victims and boys perpetrators), but that all child-on-child abuse is unacceptable and will be taken seriously; and
- the different forms child-on-child abuse can take, such as:
  - bullying (including cyber bullying, prejudice-based and discriminatory bullying);
  - abuse in intimate personal relationships between peers;
  - physical abuse which can include hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; (this may include an online element which facilitates, threatens and/or encourages physical abuse);
  - sexual violence such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence);
  - sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
  - upskirting, (which is a criminal offence), which typically involves taking a picture under a person’s clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm;
  - consensual and non-consensual sharing of nude and semi-nude images and/or

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videos (also known as sexting or youth produced sexual imagery);

- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

The guidance also states that Governing bodies and proprietors should ensure their child protection policy reflects the fact that additional barriers can exist when recognising abuse and neglect in this group of children (Children with special educational needs (SEN) and disabilities). These can include being more prone to peer group isolation than other children and the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs.

While it is recommended that child-on-child abuse is associated with the School Safeguarding Protection Policy, due to the sensitive nature and specific issues involved with child-on-child abuse, this separate policy guidance has been completed to annex to our School Safeguarding Protection Policy.

At New Park Academy, we are committed to the prevention, early identification and appropriate management of child-on-child abuse and to ensure that any form of child-on-child abuse or sexually harmful behaviour is dealt with immediately and consistently. This will reduce the extent of harm to the young person and minimise the potential impact on that individual child’s emotional and mental health and well-being.

This policy applies to our advisory board and all members of staff including volunteers.

### **Definition**

Children can abuse other children. This is generally referred to as child-on-child abuse and can take many forms.

Child-on-child 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 non-intimate), friendships, and wider peer associations.

All staff will be aware that children can abuse other children and that it can happen both inside and outside of school and online. All staff will understand, that even if there are no reports in the school it does not mean it is not happening, it may be the case that it is just not being reported. As such if staff have any concerns regarding child-on-child abuse they will speak to the designated safeguarding lead (or deputy).

All staff understand the importance of challenging inappropriate behaviours between peers, and that downplaying certain behaviours, for example dismissing sexual harassment as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys” can lead to a



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culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

All staff will be aware that technology is a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse online as well as face to face. In many cases abuse will take place concurrently via online channels and in daily life. Children can also abuse their peers online, this can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography, to those who do not want to receive such content.

There is no clear boundary between incidents that should be regarded as abusive and incidents that are more properly dealt with as bullying, sexual experimentation etc. This is a matter of professional judgement.

If one child or young person causes harm to another, this should not necessarily be dealt with as abuse: bullying, fighting and harassment between children are not generally seen as child protection issues. However, it may be appropriate to regard a young person's behaviour as abusive if:

- There is a large difference in power (for example age, size, ability, development) between the young people concerned; or
- The perpetrator has repeatedly tried to harm one or more other children; or
- There are concerns about the intention of the alleged young person.

If the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive whether or not severe harm was actually caused.

### **Vulnerabilities**

As a school we will recognise any child can be vulnerable to child-on-child abuse including:

- Individual and situation factors can increase a child's vulnerabilities to abuse by their peers such as the sharing of an image or photograph
- Children who are socially isolated from their peers
- Children who are questioning or exploring their sexuality may also be particularly vulnerable to abuse
- Children with certain characteristics such as sexual orientation, ethnicity, race or religious beliefs
- Children with Special Educational Needs and/or Disabilities (SEND) are three times more likely to be abused than their peers without SEND

### **Prevention**

New Park Academy will minimise the risk of allegations against other pupils by:-

- In line with the Relationships, Sex and Health Education (RSHE) statutory guidance 2024, providing a developmentally appropriate PSHE syllabus which develops pupils understanding of acceptable behaviour, keeping themselves safe, the nature of child-on-child abuse and what is meant by consent
- Having a robust online and mobile technology safety curriculum which develops

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pupil's knowledge, understanding and skills, to ensure personal safety and self-protection when using the internet and social networking.

- Having robust structures for raising parental awareness of on-line safety and parental controls, particularly when children are using information technology at home
- Having robust monitoring and filtering systems in place to ensure pupils are safe and act appropriately when using information technology in school.
- Having systems in place for any pupil to raise concerns with staff, knowing that they will be listened to, believed, and valued in a non-judgemental environment
- Delivering targeted work on assertiveness and keeping safe to those pupils identified as being at risk
- Developing robust individual risk assessments & providing targeted work for pupils identified as being a potential risk to other pupils. These are updated when necessary.
- Creating a safe culture in school by implementing policies and procedures that address child-on-child abuse and harmful attitudes, promoting healthy relationships and attitudes to gender and sexuality

### **Allegations against other pupils which are safeguarding issues**

Occasionally, allegations may be made against pupils by other young people in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse, teenage relationship abuse and sexual exploitation, bullying, cyber bullying and sexting. It should be considered as a safeguarding allegation against a pupil if some of the following features are present.

The allegation:-

- Is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- Is of a serious nature, possibly including a criminal offence
- Raises risk factors for other pupils in the school
- Indicates that other pupils may have been affected by this student
- Indicates that young people outside the school may be affected by this student

Examples of safeguarding issues against a pupil could include:

- **Sexual Violence and Sexual Harassment**

Children can, and sometimes do, abuse their peers in a sexually violent way. Sexual violence refers to sexual offences under the Sexual Offences Act 2003<sup>105</sup> as described as

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

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

- **Physical abuse**

Physical Abuse may include, hitting, kicking, nipping, shaking, biting, hair pulling, or otherwise causing physical harm to another person. There may be many reasons why a child harms another and it is important to understand why a young person has engaged in such behaviour, including accidentally, before considering the action or sanctions to be undertaken.

- **Sexual Harassment**

Child-on-child Sexual Harassment is unwanted conduct of a sexual nature' that can occur online and offline.

- Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Sexual harassment can include:
- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual "jokes" or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - non-consensual sharing of sexual images and videos;
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media; and
  - sexual exploitation; coercion and threats

- **Sexual abuse/sexually harmful behaviour**

Sexually harmful behaviour from young people is not always contrived or with the intent to harm others. There may be many reasons why a young person engages in sexually harmful behaviour and it may be just as distressing to the young person who instigates it as well as the young person it is intended towards. Sexually harmful behaviour may range from inappropriate sexual language, inappropriate role play, to sexually touching another or sexual assault/abuse. . It can also include indecent exposure, indecent touching/serious sexual assaults or forcing others to watch pornography or take part in sexting.

- **Emotional Abuse**



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Emotional Abuse can include blackmail or extortion and may also include threats and intimidation. This harmful behaviour can have a significant impact on the mental health and emotional well-being of the victim and can lead to self-harm.

- **Bullying**

Bullying is unwanted, aggressive behaviour among school aged children that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time. Both young people who are bullied and who bully others may have serious, lasting problems. In order to be considered bullying, the behaviour must be aggressive and include:

- An Imbalance of Power: Young people who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- Repetition: Bullying behaviours happen more than once or have the potential to happen more than once.
- Bullying includes actions such as making threats, spreading rumours, attacking someone physically or verbally or for a particular reason e. g. size, hair colour, race, gender, sexual orientation, and excluding someone from a group on purpose.

- **Cyber bullying**

Cyber Bullying is the use of phones, instant messaging, e-mail, chat rooms or social networking sites such as Facebook and X to harass threaten or intimidate someone for the same reasons as stated above. It is important to state that cyber bullying can very easily fall into criminal behaviour under the Communications Act 2003, Section 127 which states that electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience, or needless anxiety to another could be deemed to be criminal behaviour. If the behaviour involves the taking, sharing, or distributing indecent images of young people under the age of 18, then this is also a criminal offence under the Sexual Offences Act 2003. Outside of the immediate support young people may require in these instances, if a child is 10 and above, the school will have no choice but to involve the police to investigate these situations.

- **Consensual and non-consensual sharing of nude and semi-nude images (also known as sexting or youth produced sexual imagery)**

This includes sending ‘nude pics’, ‘rude pics’ or ‘nude selfies’. Pressuring someone into sending a nude picture can happen in any relationship and to anyone, regardless of their age, gender or sexual preference. However, once the image is taken and sent, the sender has lost control of the image, and these images could end up anywhere. By having in their possession, or distributing, indecent images of a person under 18 on to someone else, young people are not even aware that they could be breaking the law as stated as these are offences under the Sexual Offences Act 2003.

- **Sexual Exploitation**

Sexual Exploitation can include encouraging other young people to engage in inappropriate sexual behaviour or grooming and recruiting members of the peer group into being sexually exploited by other young people or adults. It can also include photographing or videoing other children performing indecent acts.

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- **Teenage relationship abuse**

Teenage relationship abuse is defined as a pattern of actual or threatened acts of physical, sexual and/or emotional abuse perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teenager uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner.

- **Initiation/hazing type violence and rituals.**

This can include rituals that young people accept they are going to have to endure in order to be accepted within a group or organisation. These rituals are often violent and/or sexually abusive.

- **Upskirting**

This typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their buttocks or genitals to obtain sexual gratification or cause the victim humiliation, distress or harm.

### **Identifying a child who is being abused by their peers**

The school will recognise that the signs that a child may be suffering from child-on-child abuse can also overlap with signs 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
- abusive behaviour towards others

Abuse affects children very differently. The above list is not 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 the context of their circumstances.

Where a child exhibits any behaviour that is out of character or abnormal for his/her age, the school will consider whether an underlying concern is contributing to their behaviour including, whether the child is being harmed or abused by their peers).

### **Procedure for Dealing with Allegations of Child-on-Child Abuse**

When an allegation is made by a pupil against another student, or about a child-on-child incident they have witnessed or been a part of, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern, the DSLs will be informed. The DSL will follow the guidance detailed in Salford’s Harmful Sexual Behaviour Pathway.



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- The member of staff will listen to the disclosure, using open language and demonstrate understanding without judgement.
- The school and the Designated Safeguarding Lead will also take account of the wider context in which the alleged incident(s) of child-on-child abuse took place, for example the physical environment of the school; route/travel to and from school; online environment and gender norms
- A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances.
- The Designated Safeguarding Lead should contact The Bridge Partnership to discuss the case. The Designated Safeguarding Lead (DSL) will follow through the outcomes of the discussion and make a referral where appropriate.
- If the allegation indicates that a potential criminal offence has taken place, through the Bridge Partnership, the police will become involved.
- Parents, of both/all the student/s concerned with the disclosure/allegation and the alleged victim/s, are kept informed and updated on the progress of the referral.
- The DSL will make a record of the concern, the discussion and any outcome and keep a copy in the Secure Safeguarding Records.
- If the allegation highlights a potential risk to the school and the pupil, New Park Academy will follow the school's behaviour policy and procedures and take appropriate action.
- In situations where New Park Academy considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan.
- The plan will be monitored and a date set for a follow-up evaluation with everyone concerned.
- Where a disclosure or allegation indicates that indecent images of a child or children may have been shared online, the DSL will consider what line of action is to be taken in line with the Online and Digital Safeguarding Policy and whether or not devices are to be confiscated, the police contacted, The Bridge Partnership informed and if the images have been uploaded to the internet what specialist help may be required for the images to be removed.

**Expectations of staff**

- Staff understand that it is important to deal with a situation of child-on-child abuse immediately and sensitively.
- Staff are trained in dealing with incidents of child-on-child abuse and have an understanding of what constitutes, for example, cyber bullying, sexting and physical and verbal abuse.
- Staff understand that all allegations of child-on-child abuse are treated as safeguarding concerns and that outside agencies may need to be involved.
- Staff understand New Park Academy's procedures on reporting safeguarding concerns.
- Staff acknowledge that they should not be prejudiced, judgemental or dismissive when dealing with such sensitive issues, but should offer immediate support in a calm and consistent manner.
- Staff are aware of the added vulnerability of children and young people who have themselves been abused and the risk that they may respond to this by abusing their peers, particularly those who are weaker or younger.
- Staff recognise that child-on-child abuse can occur despite the robust policies and procedures put in place by the School.



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### **Support for the pupil who has been harmed**

The support the pupil requires will depend on the individual but New Park Academy can offer support to the young person in a number of ways:

- The pupil can speak to his/her trusted adult in school.
- The pupil may require support from school staff, to improve peer relationships if the incident was of a bullying nature.
- The pupil may require counselling from the School Counsellor.
- New Park Academy may consider a referral to outside agencies including CAMHS, City Wall or the Youth Service.
- New Park Academy can make a referral for parents/carers who may also need support from outside services.

### **Support for the pupil who has displayed harmful behaviour**

It is important to find out why the pupil has behaved in such a way. It may be that they may have been harmed themselves in a similar way or may be experiencing their own difficulties. New Park Academy acknowledges its responsibility to offer support and will consider the following:

- A risk assessment and support plan will be put into place.
- The pupil can speak to his/her trusted adult.
- Identify whether the young person needs support from the School Counsellor.
- Discuss whether an Early Help Assessment is required and/or referrals made to outside agencies, such as CAMHS, Youth Service, Family Support.
- Will follow the detailed guidance in Salford's Harmful Sexual Behaviour Pathway.
- In cases of bullying, ensure that there is a consequence for this behaviour, including restorative justice, if appropriate.

### **After care**

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

### **Practical Guidelines**

#### Gather the Facts

Speak to all the young people involved separately, gain a statement of facts from them and use consistent language and open questions for each account. The easiest way to do this is not to have a line of questioning but to ask the young people to tell you what happened. Only interrupt the young person from this to gain clarity with open questions, 'where, when, why, who'. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?)



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Consider the Intent (begin to Risk Assess – if you do not feel you have enough information to refer to The Bridge)

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

The DSL will decide on the next course of action

If from the information gathered it is believed any young person could be at risk of significant harm, a safeguarding referral to The Bridge will be made immediately (where a crime has been committed the police will be involved also).

If The Bridge and the police intend to pursue this further, they may ask to interview the young people in school or they may ask for parents to come to school to be spoken to also. It is important to be prepared for every situation and the potential time it may take.

It may also be that The Bridge feel that it does not meet their criteria in which case the DSL may challenge that decision with that individual or their line manager. If on discussion, however, the DSL agrees with the decision, school may then be left to inform parents.

Informing parents

If, once appropriate advice has been sought from police/The Bridge, school has agreement to inform parents or has been allocated that role from the other services involved; school will inform the parents as soon as possible. If other services are not going to be involved, then equally, this information may need to be shared with parents. If a young person is deemed to be 'Gillick Competent' following the 'Fraser' guidelines and does not wish you to share the information with parents, then the school will consider this especially for example if the young person is pregnant and this is why they are being bullied (unless this has occurred through significant harm in which case a criminal/social care case is likely or the young person is under the age of 13).

In all circumstances where the risk of harm to the child is evident, school will encourage the young person to share the information with their parent or even with them (they may be scared to tell parents that they are being harmed in any way). Where school can evidence they are acting in the best interests of the young person, they will not be criticised; however, this would be the case if they actively breached the rights and choices of the young person.

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

Points school will consider:

- **What is the age of the children involved?**

How old are the young people involved in the incident and is there any age difference between those involved?

- **Where did the incident or incidents take place?**

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



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- **What was the explanation by all children involved of what occurred?**

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

- **What is each of the children's own understanding of what occurred?**

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

In dealing with an incident of this nature the answers are not always clear cut. If you are concerned or unsure as to whether or not there is any risk involved, please seek advice from The Bridge via the DSL.

#### Repetition

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

#### Next Steps

Once the outcome of the incident(s) has been established, school believes it is necessary to ensure future incidents of abuse do not occur again and will consider the support and intervention required for those involved.

### **What happens if the child is under 10 and commits the offence?**

Children under 10 who break the law are treated differently to adults or youths under 18 who commit a criminal offence.

Children under 10 cannot be charged with committing a criminal offence. However, they can be given a:

- Local Child Curfew
- Child Safety Order

Children under 10 who break the law regularly can sometimes be taken into care, or their parents could be held responsible.

#### **Local Child Curfew**

The police can ban children from being in a public place between 9pm and 6am, unless accompanied by an adult. This is called a Local Child Curfew and can last for up to 90 days. If a child breaks their curfew, they can be given a Child Safety Order.

#### **Child Safety Order**



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If a child has committed an offence or broken a Local Child Curfew, they can be placed under the supervision of a youth offending team. This is called a Child Safety Order.

The order normally lasts for up to 3 months, but in some cases it can last for up to 12 months. If a child doesn't stick to the rules of an order, the court can consider if the child should be taken into care.

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