

## **Our Lady's Catholic Primary School**



**We aspire that through the love of Jesus everyone should  
“have life and have it to the full.”  
Jn. 10v10**

# **Child on Child abuse – resource for schools**

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## **Child on Child Abuse- a resource for schools**

This guidance has been developed by the Education Safeguarding Team at Herefordshire Council in order to support schools to develop their own child on child abuse policy.

Keeping Children Safe in Education 2022 requires schools to make reference to child on child abuse in their child protection policies. This guidance assists schools in creating their own child on child policy which takes into consideration the statutory guidance Sexual violence and sexual harassment in schools and colleges 2021, local processes, procedures and agencies providing support to victims.

Whilst this document outlines the key elements that should be included in a policy it is essential that schools develop their own policy that is specific to their own context, culture and the risks and protective factors within the school. The policy should also consider the needs and experiences of their own staff/students, the views of students and school stakeholders and should be developed in conjunction with the school community.

**Please note:** This policy template remains current as of September 2022 in line with the statutory guidance contained within Keeping Children Safe in Education 2022 and Working Together to Safeguard Children 2018. Useful definitions can be found at the end of this document.

### **What is child on child abuse?**

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 child associations." Firmin, C., *Abuse between Young People: A Contextual Account*. 2017. Oxon: Routledge. Child on child abuse can and does happen in a whole range of settings that children attend, however it often goes unseen. It might take place online, for example, or away from the school or setting. Therefore, training for professionals to help them recognise the signs, and know what to do, is essential.

All children are capable of abusing their peers, and this is most likely to include, but may not be limited to:

- Bullying (including cyber bullying);
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- Youth and serious youth violence
- Sexual violence, such as rape, assault by penetration and sexual assault;
- Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
- Upskirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm;
- Causing someone to engage in sexual activity without consent
- Consensual and non-consensual sharing of nudes and semi nude images or videos
- Sexting (also known as youth produced sexual imagery); and
- Initiation/hazing type violence and rituals.

- Harmful sexual behaviour
- Relationship abuse, teenage relationship abuse or domestic violence
- Child sexual exploitation
- Prejudice –based violence

Online child on child abuse is any form of child on child abuse with a digital element, for example, sexting, online abuse, coercion and exploitation, child on child grooming, threatening language delivered via online means, the distribution of sexualised content, and harassment.

Settings should not wait until an incident of child on child abuse happens before taking action. We expect any provider educating or caring for children to create an environment in which children and staff show respect for one another. It should be clear that child on child abuse will never be accepted or dismissed as 'children being children'. Pupils should know what language and behaviour are acceptable and what to do and who to speak to if they are worried or feel unsafe.

All settings should take a whole-establishment approach to keeping children safe. They should set expectations that violence and harassment of any kind will not be tolerated

## **What is Contextual Safeguarding and what does this mean for your school?**

In order to prevent and tackle child on child abuse, schools can adopt a contextual safeguarding approach, which is an approach to understanding, and responding to, the risk of harm to which children can be exposed, and/or harm which they can experience, beyond their families.

It recognises that the different relationships that children form in their neighbourhoods, schools, and online can feature violence, coercive control, and abuse.

Parents can have little influence over these contexts, and the risk of harm to which children can be exposed, and/or harm which they can experience, outside of the family, can undermine parent-child relationships.

Therefore, children's educators and social care practitioners need to engage with individuals and sectors that do have influence over/within extra familial contexts, and recognise that assessment of, and intervention with, these extra-familial contexts is a critical part of safeguarding practices.

Contextual safeguarding, therefore, expands the objectives of child protection systems in recognition that children are vulnerable to, and can experience, abuse in a range of social contexts.

### **Introducing your child on child abuse policy to the school community**

The foundation of any progressive policy should be considering the rights of the child.

Guidance can be taken from the United Nations Convention on the Rights of the Child, which makes it clear that a child has a right to be protected from abuse and neglect (Article 19), and sexual exploitation (Article 34). However, there are other children's rights that need to be acknowledged, such as the child's opinion (Article 12), freedom of expression (Article 13), freedom of thought, conscience and religion (Article 14), privacy (Article 16) and education (Article 28). In aspiring to ensure that children are free from harm, we should be mindful that their rights are not eroded in order to keep them 'safe'.

Schools should give careful consideration as to how they present their child on child abuse policy to their governors, senior leadership team, staff, volunteers, students and parents.

A key message to convey is that any school that does not have such a policy in place now is failing to address child on child abuse, and that your school:

- Regards the introduction of the policy as a preventative measure, and does not feel it is acceptable to merely take a reactive approach to child on child abuse in response to alleged incidents of it
- Recognises increasing national concern about this issue, and in order to ensure that its students are safe, wishes to implement the policy, and
- Encourages parents to hold the school 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.

Schools should also secure commitment from their governing body and senior leadership team to the policy, and should provide them with training on it.

### **Developing your child on child abuse policy**

For a school's child on child abuse policy to be relevant, helpful and meaningful it is essential that schools develop their own policy in consultation with school stakeholders. The policy should be seen as a 'live' document that changes and evolves through consultation and reference to real cases. Therefore, this document is intended to be a guide to support schools in this process with specific reference to a) what should be included; b) how schools should develop their policies and; c) what support schools can expect from Herefordshire Council. The development of a policy should include or consider the following:

- Policy consultation and development process
- Procedures taken to **prevent** the risk of child on child abuse
- Risk assessment
- Response to child on child abuse: How allegations are recorded, investigated and dealt with including clear processes as to how victims, child alleged to have caused harm and any other children affected will be supported
- How child on child abuse is identified and recorded
- Recognition of the gendered nature of child on child abuse but recognising, that all forms of this behaviour are unacceptable and will be taken seriously
- Dissemination of policy document

It is important that schools see this guidance and model template as a framework that will need to be adapted to fit the age and developmental stage and understanding of their pupil group.

Any child can be vulnerable to child on child abuse due to the strength of child 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 child on child abuse due to how others now perceive them, regardless of any characteristics which may be inherent in them and/or their family. Child 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 child on child abuse. Children who are questioning or exploring their sexuality may also be particularly vulnerable to abuse by their peers.

Research suggests that:

- Child on child abuse may affect boys differently from girls, and that this difference may result from societal norms (particularly around power, control and the way in which femininity and masculinity are constructed) rather than biological make-up.
- Barriers to disclosure will also be different.
- As a result, schools need to explore the gender dynamics of child on child 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 child on child abuse than others as a result of certain characteristics such as sexual orientation, ethnicity, race or religious beliefs.

### **Additional considerations**

When considering child on child abuse, ages and the stages of development of the children are critical factors to consider. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years' difference or if one of the children is pre-pubescent and the other is not.

However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature. Schools and colleges should ensure that their response to sexual violence and sexual harassment between

children of the same sex is equally robust as it is for sexual violence and sexual harassment between children of the opposite sex.

A further consideration that must be made is that SRE should be considered on a 1:1 basis for children who schools are aware have sexually abused. This work should be delivered on a 1:1 basis prior to the whole class SRE sessions so that anything the child wishes to explore, given their own experiences, can be done safely and without fear of judgment.

## **Consultation process**

Schools should seek input on the policy from students, staff, parents and other key stakeholders within the school. It may be helpful to form a steering group and conduct a number of focus groups with students, parents and staff. The overarching aim of consultation should be to consider: the specific context of the school, what should be included in the policy and provide comments on drafts of the policy. The following questions may be helpful to consider:

- Do we have a clear and full understanding of what constitutes child on child abuse?
- What have we experienced as a school community in the past in terms of child on child abuse, and have we learned from it? If so, how?
- Do we take a whole-school community Contextual Safeguarding approach to preventing and responding to child on child abuse?
- Do we have any concerns about existing child on child relationships and, if so, what are these?
- Are there particular features or types of child on child abuse that our students are exposed to, and do our policies and procedures appropriately address these? For example, are any of our students exposed to gang violence? Do any of our students carry weapons? Is prejudice-based bullying a problem? What about cyber-bullying or online grooming?
- Do we have a comprehensive and age appropriate programme of relationships and sex education delivered by expert staff? If so, is it effective and designed in such a way that our students engage positively with it?
- Do we know of any physical or online locations which may be particularly vulnerable to being used by students to threaten or inflict abuse on other students? (One practical approach to this question could, for example, be to walk around the school, and talk to students, and ask them about the physical spaces, and any concerns they may have about them, and to ask students to map out 'hot and cold zones'). In respect of the online locations, do we have appropriate internet monitoring

Student involvement: it is essential that schools engage students in the development of this policy. This might be in the form of a short focus group/ engagement session to gain their perspectives on:

- What issues of child on child abuse are particularly relevant within the school
- Their perspectives on what and how the school responds to these issues
- What constitutes good preventative education
- How the school can improve and what the policy should involve.

There is a complete guide on completing student, staff and parent engagement sessions on the [CSNetwork website](#):

## **Risk Assessment**

Schools should consider conducting a risk assessment to determine the risks to which their students are or may be exposed, and assess and monitor those risks.

The risk assessment should consider the nature and level of risk of the different variants of child on child abuse within the school:

- The makeup of the student body, including specific characteristics that might affect their vulnerability to child on child abuse such as, for example, gender, age, learning difficulties, special educational needs and/or disabilities, sexual orientation and/or religious belief,
- Which of these students are affected, or are more at risk of being affected, by child on child abuse,
- Any trends, and
- The various sociocultural contexts to which those students are associated including, for example, their child group (both within and outside the school), family, the school environment, their experience(s) of crime and/or victimisation in the local community, and their online identities - which may impact on their behaviour and engagement in school.

This risk assessment:

- Is a proactive assessment of the general risks facing the student body. It is distinct from any risk Assessment (s) that may be required following a concern or allegation of child on child abuse (these responsive risk assessments are discussed in this toolkit in the context of risk assessments),
- Should inform the child on child abuse policy, and
- Should feed into and inform the governors' oversight of safeguarding, and any safeguarding risk register(s) that they may choose to put in place.

**Put in place action plans to address any identified risks and keep these under regular review**



### **Appropriate approach and response**

Schools should adopt a zero-tolerance policy towards all forms of child on child abuse, and ensure that no form of any such abuse (no matter how 'low level' it may appear) is ever dismissed as a joke or banter.

Schools should identify and handle cases sensitively, appropriately, and promptly. They should ensure that they have effective policies, procedures and practices in place to prevent, identify, and appropriately respond to cases of child on child abuse. Robust safeguarding policies and procedures which are effectively implemented, training for staff on identifying and managing cases (see further below), and providing resources to staff to assist in the consistent identification and recognition of abuse, are key. In order to provide an appropriate response to child on child abuse, schools (i) should pose themselves a number of questions on gender and other equality issues that can help to inform the nature of the phenomena; and (ii) may need to consider gender issues including, for example, the extent to which girls access STEM subjects (if the school is a mixed provision), or the extent to which aggressive behaviours are displayed by boys, and how boys are responded to differently.

### **How much of your school's wider equalities approach to issues such as ethnicity, disability, sexuality and religious affiliation supports its child on child abuse policy?**

Schools ought to take a safeguarding approach to all children in their care who are involved in concerns about, and/or allegations of, child on child abuse, including those who have allegedly experienced such abuse, and those who have allegedly been responsible for it, in addition to any sanctioning work that may also be required for the latter.

Therefore, it may be helpful to see individuals involved as children first who may have been victimised and/or displayed harmful behaviours, rather than using the term 'victim' and/or 'perpetrator' in a school's child on child abuse policy, and in any other documents in its safeguarding suite of policies.

Research has shown that many children who present with harmful behaviour towards others, in the context of child on child abuse, are themselves vulnerable and may have been victimised by peers, parents, or adults in the community prior to their abuse of, for example, peers.

The point at which an allegation of child on child abuse may become substantiated – and therefore the child on child incident is no longer alleged – may differ in cases. However, for ease of reference, this guidance, the template child on child abuse policy, and the relevant appendices use the terms 'alleged' and 'allegedly' throughout.

## **Human Rights Act, The Equalities Act 2010 & PSED.**

Education settings should be aware of their obligations under the Human Rights Act 1998 (HRA). It is unlawful for education settings to act in a way that is incompatible with the European Convention on Human Rights.

The Human Rights Act 1998 (HRA) sets out the fundamental rights and freedoms that everyone in the UK is entitled to and contains the Articles and protocols of the European Convention on Human Rights (ECHR) (the Convention) that are deemed to apply in the UK. It compels public organisations to respect and protect an individual's human rights when they make individual decisions about them.

Under the HRA, it is unlawful for schools and colleges to act in a way that is incompatible with the Convention. The specific convention rights applying to schools and colleges are:

- Article 3: the right to freedom from inhuman and degrading treatment (an absolute right);
- Article 8: the right to respect for private and family life (a qualified right) includes a duty to protect individuals' physical and psychological integrity;
- Article 14: requires that all of the rights and freedoms set out in the Act must be protected and applied without discrimination;
- Protocol 1, Article 2: protects the right to an effective education.

Being subjected to harassment, violence and or abuse, including that of a sexual nature, may breach any or all of these rights, depending on the nature of the conduct and the circumstances. Further information (including on absolute and qualified rights) can be found at Human Rights Equality and Human Rights Commission ([equalityhumanrights.com](http://equalityhumanrights.com)).

## **Equality Duty**

Education settings are required to comply with relevant requirements as set out in the Equality Act 2010 (the Equality Act).

- According to the Equality Act, education settings must not unlawfully discriminate against pupils because of their sex, race, disability, religion or belief, gender reassignment, pregnancy or sexual orientation (protected characteristics).
- Whilst all of the above protections are important, in the context of this guidance [education settings should carefully consider how they are supporting their pupils with regard to their sex and sexuality](#).
- Provisions within the Equality Act allow education settings to take positive action, where it can be shown that it is proportionate, to deal with particular disadvantages affecting one group. A school or college, could, for example, consider taking positive action to support girls if there was evidence they were being disproportionately subjected to sexual violence or sexual harassment.

## **Public Sector Equality Duty**

At [School/setting], we adhere to the Public Sector Equality Duty (PSED) which is found in the Equality Act. The PSED places a general duty on schools and colleges to have, in the exercise of their functions, due regard to the need to eliminate unlawful discrimination, harassment and victimisation (and any other conduct prohibited under the Equality Act), to advance equality of opportunity and foster good relations between those who share a relevant protected characteristic and those who do not. The duty applies to all protected characteristics and means that whenever significant decisions are being made or policies developed, specific consideration must be given to the equality implications of these such as, for example, the need to eliminate unlawful behaviours that relate to them such as sexual violence and sexual harassment, misogyny/misandry and racism.

The PSED helps schools and colleges (which are subject to it) to focus on key issues of concern and how to improve pupil and student outcomes. Some pupils or students may be more at risk of harm from specific issues such as sexual violence, homophobic, biphobic or transphobic bullying or racial discrimination. Such concerns will differ between education settings, therefore each school policy will be conscious and reflective of disproportionate vulnerabilities that exist.

## **Prevention**

As well as having strategies for dealing with incidents schools and colleges should consider what they can do to foster healthy and respectful relationships between boys and girls including through Relationship and Sex Education and Personal Social Health and Economic education.

The most effective preventative education programme will be through a whole-school approach that prepares pupils for life in modern Britain. The school will have a clear set of values and standards, and these will be upheld and demonstrated throughout all aspects of school life. This will be underpinned by the school's behaviour policy and pastoral support system, and by a planned programme of evidence-based content delivered through the whole curriculum.

Such a programme should be developed to be age and stage of development appropriate (especially when considering children with SEND), and may tackle such issues as:

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

## **The importance of context**

Professionals also need to consider risks to other children. If there's an incident in a school, has this put other children at risk? Have other children witnessed the incident? Could any siblings of the child alleged to have caused harm be at risk? There may well be a need for a range of assessments and interventions for different children. In addition, schools need to consider the potential vulnerabilities of the victims and any risks to them, including their potential abuse by others. Extra consideration should be given for pupils who may have additional vulnerabilities due to protected characteristics. Schools and colleges should consider how they are supporting their pupils with regard to their sex, sexuality, and if relevant, gender reassignment. Schools and colleges should assess any potentially unsafe spaces on the premises, based on where incidents have occurred, and consider what can be done to make that environment safer.

It's equally important that schools and colleges think about children's safety outside of the school gates such as online and any extra-familial risks. If an incident occurs outside of school the students will require support when they are in school. If pupils are attending the same school then a risk assessment will need to be completed along with the offer of pastoral support. If pupils are not attending the same school they may require pastoral support within school and some consideration for factors such as getting home etc. If an incident occurs outside of school and the Police respond this will be referred into Children's services. If an incident occurs outside of school and the parent/ pupils make school aware of it then the school has a responsibility to make the appropriate referrals if not already completed by the parent.

Things to consider include:

- Are schools and colleges aware of any unsafe spaces in their local area?
- Are schools and colleges aware of incidents of sexual harassment or violence involving children in the local park or other places where young people congregate?
- Are parents and pupils aware of where they can access support both within school hours and outside of school hours?

Once this has been considered schools and college should make contact with the Education Safeguarding Lead who will begin the process of Safety Mapping and informing the police, social care of the concerns relating to specific areas. Contextual information such as this needs to be assessed and shared in a multiagency forum so risks can be fully assessed outside of the school.

The information for parents and pupils in respect of support for outside school hours is included in this document (Appendix 4)

## **Risk assessment**

The School will always carry out a risk assessment (Appendix 5) 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 risk assessment.

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 risk assessment would be appropriate in relation to any risks presenting to them.

## **How allegations are recorded**

Data protection practices relating to child on child abuse should be in line with the school's data protection policies and notices. By the same token, the school's policies and notices need to reflect and allow sufficiently for safeguarding practices.

This includes setting out clearly to parents and students what these practices are, and why they are needed, in a privacy notice. *Working Together to Safeguard Children* (July 2018) sets out to correct common myths about the laws of privacy, data protection and confidentiality; fears that can hamper effective keeping and sharing of records.

The bottom line is that, if there are legitimate safeguarding concerns about a child, then data protection law will allow schools and professionals to record, share and retain even the most sensitive personal data as necessary to support their policies (even when it is not feasible to obtain consent). What is important is that the records that schools do keep relating to concerns or allegations of peer-on child abuse are accurate, clearly describe the nature of the alleged behaviour without using euphemisms, and contain adequate information for the purpose.

These records including in behaviour incident logs, individual risk assessments, and records of any conversations with children, their parents, staff, and external agencies are likely to contain highly impactful, sensitive personal data about children. Schools should take care when creating them and ensure that they are accessed on a need-to-know basis only by trained and appropriate staff.

Those with the responsibility for doing so must bear in mind that any records may need to be provided to the children involved and/or their parents in the future. For example,

records could be requested as part of a parental complaint, or a legal claim, or under a subject access request (subject to limited exceptions – such as where it might not be in the child's best interests to disclose to a parent, or if there are overriding privacy interests of other children or families but not staff). Increasingly individuals also seek to challenge records with 'right to be forgotten' or rectification requests.

All notes and related communications should always be concise, factual and objective, and focused on what is necessary for the safeguarding purpose. The language used should always be appropriate and professional.

*That being said, professionals should not feel hampered by excessive caution. The core aim here is to capture any relevant information that could help protect children, and important details should never be missed because of unfounded data protection concerns.*

## **Responding to the report: Confidentiality & Anonymity.**

It is important to understand that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. In some cases, the victim may not make a direct report. For example, a friend may make a report, or a member of school or college staff may overhear a conversation that suggests a child has been harmed or a child's own behaviour might indicate that something is wrong.

As per Part one of KCSIE 2022, if staff have any concerns about a child's welfare, they will act on them immediately rather than wait to be told.

The initial response by a school or college to a report from a child is incredibly important. How the school or college responds to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward.

It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe. Abuse that occurs online or outside of the school or college should not be downplayed and should be treated equally seriously. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report. It is important to explain that the law is in place to protect children and young people rather than criminalise them, and this should be explained in such a way that avoids alarming or distressing them.

As per Part one of KCSIE 2022, all staff should be trained to manage a report. Local policies (and training) will dictate exactly how reports should be managed. However, effective safeguarding practice includes:

- If possible, managing reports with two members of staff present, (preferably one of them being the designated safeguarding lead or a deputy)
- Careful management and handling of reports that include an online element.

Including being aware of searching screening and confiscation advice (for schools) and UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people. The key consideration is for staff not to view or forward illegal images of a child. The highlighted advice provides more details on what to do when viewing an image is unavoidable. In some cases, it may be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection

- Not promising confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the designated safeguarding lead (or deputy) or local authority children's social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to

- Recognising that a child is likely to disclose to someone they trust: this could be anyone on the school or college staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust. They should be supportive and respectful of the child

- Recognising that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory and so children may not be able to recall all details or timeline of abuse

- Keeping in mind that certain children may face additional barriers to telling someone because of their vulnerability, disability, sex, ethnicity, and/or sexual orientation

- Listening carefully to the child, reflecting back, using the child's language, being non-judgemental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc. It is important to note that whilst leading questions should be avoided, staff can ask children if they have been harmed and what the nature of that harm was

- Considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, it is essential a written record is made.

- Only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. Schools and colleges should be aware that notes of such reports could become part of a statutory assessment by local authority children's social care and/or part of a criminal investigation, and

- Informing the designated safeguarding lead (or deputy), as soon as practically possible, if the designated safeguarding lead (or deputy) is not involved in the initial report.

Staff taking a report should never promise confidentiality as it is very likely that it will be in the best interest of the victim to seek advice and guidance from others in order to provide support and engage appropriate agencies.

The school or college should only engage staff and agencies who are required to support the children involved and/or be involved in any investigation.

The victim may ask the school or college not to tell anyone about the sexual violence or sexual harassment. There are no easy or definitive answers when a victim makes this request. If the victim does not give consent to share information, staff may still lawfully share it, if there is another legal basis under the UK GDPR that applies. For example, the public task basis may apply, where the overall purposes is to perform a public interest task or exercise official authority, and the task or authority has a clear basis in law.

Advice should be sought from the designated safeguarding lead (or deputy), who should consider the following:

- Parents or carers should normally be informed (unless this would put the victim at greater risk)
- The basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to local authority children's social care, and
- Rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of referring to the police remains. The police will take a welfare, rather than a criminal justice approach, in these cases.

Ultimately, the designated safeguarding lead (or a deputy) will have to balance the victim's wishes against their duty to protect the victim and other children. If the designated safeguarding lead (or a deputy) decide to go ahead and make a referral to local authority children's social care and/or a report to the police against the victim's wishes, this should be handled extremely carefully, the reasons should be explained to the victim and appropriate specialist support should be offered.

Additional information on confidentiality and information sharing is available at Safeguarding Practitioners Information Sharing Advice and NSPCC: Information sharing and confidentiality for practitioners.

Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, schools and colleges should be aware of anonymity, witness support, and the criminal process in general so they can offer support and act appropriately. Relevant information can be found in: CPS: Safeguarding Children as Victims and Witnesses. As a matter of effective safeguarding practice, schools and colleges should do all they reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment. Amongst other things, this will mean carefully considering, based on the nature of the report, which staff should know about the report and any support that will be put in place for the children involved.



Schools and colleges should also consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities. The unique challenges regarding social media are discussed in KCSIE 2022 (paragraph 469) along with potential support. In addition, the principles described in Childnet's cyberbullying guidance could be helpful.

## Multi-agency Approach

Schools and colleges, as relevant agencies, should be part of discussions with statutory safeguarding partners to agree the levels for the different types of assessment and services to be commissioned and delivered, as part of the local arrangements.

Herefordshire Council recognise that cases of child on child abuse are often complex. This is because we know that children who develop harmful behaviour have often experienced abuse and neglect themselves.

Schools should not feel like they have to respond to cases on their own. Herefordshire Children & Families Directorate provides a range of support from prevention of child on child abuse to intervention inclusive of multi-agency Child on Child guidance.

[Herefordshire Peer on Peer Abuse guidance for multi-agency professionals](#)

Child on child abuse that involves sexual assault and violence must always result in a multi-agency response. As well as supporting and protecting the victim, professionals need to consider whether the child alleged to have caused harm could be a victim of abuse too.

*'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.'*

While in some instances it may be appropriate to manage incidents within schools (see below X), some instances of child on child abuse may require an external referral.

As a matter of best practice, if an alleged incident of child on child abuse requires referral to and action by children's social care, and a strategy meeting is convened, then schools should hold every professional involved in the case accountable for their safeguarding

response. This includes themselves, and the response to both the child who has allegedly experienced the abuse, and the child who is allegedly responsible for it, and the contexts to which the alleged abuse was associated.

In holding these professionals to account, schools can draw on the requirements set out in chapter two of *Working Together to Safeguard Children* (July 2018), which include a requirement that local authorities and other agencies, and all organisations referred to in that chapter, have in place arrangements that create a culture of safety, equality, and protection within the services that they provide.

Schools should actively engage with their local partners in relation to child on child abuse. For example, they should (i) request any updates on local trends relating to child on child abuse that might be impacting upon students; (ii) ask the local authority whether they have access to any resources associated with child on child abuse that can be used to strengthen their curriculum; and (iii) seek out the education representative who sits on local multi-agency operational or strategic groups where child on child abuse is discussed.

The relationships that schools build with their local partners are essential to enabling them to prevent, identify early, and appropriately handle cases of child on- child abuse.

They should help schools to:

- Develop a good awareness and understanding of the different referral pathways that operate in their local area, as well as the preventative and support services which exist,
- Ensure that their students are able to access the range of services and support they need quickly,
- Support and help inform their local community's response to child on child abuse, and
- Increase their awareness and understanding of any concerning trends and emerging risks in their local area to enable them to take preventative action to minimise the risk of these being experienced by their students.

What can you expect from us?

- Providing schools with updates on local trends relating to child on child abuse via emails to DSL's to strengthen your preventative curriculum.
- Regular updates via the Safeguarding Network event.
- Support and services for students provided by either Early Help, Social Care, External specialists.
- Training available to school staff consists of: What is child on child abuse?, How to respond to child on child abuse, Risk assessments, Harmful Sexual behaviours, Child exploitation, Physical abuse, Emotional abuse.
- Telephone support on cases via the Education MASH Officers and the Education Safeguarding Lead.

We need to make sure that the children affected are getting the help they need. A typical response will involve:

- MASH- 01432 260800, EDT out of hours 01905 768020
- Education Safeguarding Lead 01432 383887
- The Early Help Hub- 01432 260261
- Police- 101
- WMRSASC- [01905 724514](tel:01905724514)
- The family
- Any other professionals who know or have had contact with the child.

Schools and colleges may also find the following resources helpful:

- Child Exploitation and Online Protection command: CEOP is a law enforcement agency which aims to keep children and young people safe from sexual exploitation and abuse. Online sexual abuse can be reported on their website and a report made to one of its Child Protection Advisors
- The NSPCC provides a helpline for professionals at 0808 800 5000 and [help@nspcc.org.uk](mailto:help@nspcc.org.uk). The helpline provides expert advice and support for school and college staff and will be especially useful for the designated safeguarding lead (and their deputies)
- Support from specialist sexual violence sector organisations such as Rape Crisis or The Survivors Trust
- The Anti-Bullying Alliance has developed guidance for schools about Sexual and sexist bullying.

The Harmful Sexual Behaviour Support Service, funded by the Home Office and developed in collaboration with the Department for Education, is hosted by SWGfL and available Monday to Friday, 8am to 8pm, on 0344 225 0623 or [hsbsupport@swgfl.org.uk](mailto:hsbsupport@swgfl.org.uk). The service provides advice and resources to education and safeguarding professionals who encounter, or have concerns about, harmful sexual behaviour among the children they work with.

**Online:** Schools and colleges should recognise that sexual violence and sexual harassment occurring online (either in isolation or in connection with face-to-face incidents) can introduce a number of complex factors. Amongst other things, this can include widespread abuse or harm across a number of social media platforms that leads to repeat victimisation.

Online concerns can be especially complicated and support is available from:

- The UK Safer Internet Centre provides an online safety helpline for professionals at 0344 381 4772 and [helpline@saferinternet.org.uk](mailto:helpline@saferinternet.org.uk). The helpline provides expert advice and support for school and college staff with regard to online safety issues
- Internet Watch Foundation: If the incident/report involves sexual images or videos that have been made and circulated online, the victim can be supported to get the images removed by the Internet Watch Foundation (IWF)
- Childline/IWF Report Remove is a free tool that allows children to report nude or sexual images and/or videos of themselves that they think might have been shared online
- UKCIS Sharing nudes and semi-nudes advice: Advice for education settings working with children and young people on responding to reports of children sharing non-consensual nude and semi-nude images and/or videos (also known as sexting and youth produced sexual imagery). Please see footnote 8 for further information
- Thinkuknow from NCA-CEOP provides support for the children's workforce, parents and carers on staying safe online
- LGFL 'Undressed' provided schools advice about how to teach young children

about being tricked into getting undressed online in a fun way without scaring them or explaining the motives of sex offenders.

### **Dissemination of policy document**

The school should develop their own policy in consultation with school stakeholders. This is inclusive of governors, teachers, staff, pupils and parents. Once the policy has been ratified by governor's it is essential that the policy is shared with staff and that staff are aware of the practical application of the policy. There should be time allocated for wider discussion and training on child on child abuse. The policy should then be made available on the school website and parents/carers informed.

The school should also take steps to ensure that the policy is relevant and understood by pupils. This may include engaging pupils in discussions regarding child on child abuse through healthy relationships as part of SRE, personal development in PSHCE, and informative sessions that help pupils understand what child on child abuse is, and what the school is doing to raise awareness, and support pupils who experience it. In order for pupils to be engaged with this process it is suggested that the school may create a simplified version that is developed by students for students. This should clearly detail what will happen if a pupil is experiencing child on child abuse and where they can seek help.

Example Child on Child abuse policy for Schools and Education services  
Produced by the Safeguarding in Education team for Herefordshire Council in  
consultation with the University of Bedfordshire.  
**August 2022**