



The Brookfield School

Peer on Peer Abuse Policy

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Introduction

The Brookfield School works with the recommendations within Keeping Children Safe in Education, 2019, which states that “governing bodies and proprietors should ensure their child protection policy includes procedures to minimise the risk of peer on peer abuse and sets out how allegations of peer on peer abuse will be investigated and dealt with”.

While it is recommended that Peer on Peer abuse is part of the Safeguarding Policy, due to the sensitive nature and specific issues involved with peer on peer abuse we have decided to separate it from the main Safeguarding Policy.

The document also states it is most important to ensure opportunities of seeking the voice of the child are heard, our setting will ensure the child’s wishes and feelings are taken into account when determining what action to take and what services to provide. Systems will be in place for children to express their views and give feedback. Ultimately, any system and processes should operate with the best interests of the child at their heart.

We continue to ensure that any form of abuse or harmful behaviour is dealt with immediately and consistently to reduce the extent of harm to the young person, with full consideration to impact on that individual child’s emotional and mental well being.

Purpose and Aim

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

At The Brookfield School we have the following policies in place that should be read in conjunction to this policy:

Anti-Bullying Policy
Safeguarding and Child Protection Policy
Online/ e Safety Policy

Framework and Legislation

This policy is supported by the key principles of the Children's Act, 1989, that the child's welfare is paramount. Another key document that focuses adult thinking towards the views of the child is "Working Together to Safeguard Children, 2015, highlighting that every assessment of a child, "must be informed by the views of the child" and within that, "It is important to understand the resilience of the individual child when planning appropriate services. (Working Together, 2015:23) This is clearly echoed by Keeping Children Safe in Education, 2019 through ensuring procedures are in place in schools and settings to hear the voice of the child.

Introduction to abuse and harmful behaviour

Abusive behaviour can happen to children in schools and settings and it is necessary to consider what abuse is and looks like, how it can be managed and what appropriate support and intervention can be put into place to meet the needs of the individual and what preventative strategies may be put in place to reduce further risk of harm.

Abuse is abuse and should never be tolerated or passed over as "banter" or "part of growing up". Equally, abuse issues can sometimes be gender specific but it is important not to generalise or stereotype, e.g. girls/boys being sexually assaulted, this could also be same sex touching/assault. It is important to consider the forms abuse may take and the subsequent actions required.

Types of abuse

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

- **Physical abuse e.g. (biting, hitting, kicking, hair pulling, etc.)**

Physical abuse may include hitting, kicking, pinching, shaking, biting, hair pulling or otherwise causing physical harm to another person. This may include hazing or initiation rites of page which include violence. 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 punishment to be undertaken.

- **Sexually harmful behaviour/sexual abuse e.g. (inappropriate sexual language, touching, sexual assault, etc.)**

Sexually harmful behaviour from young people is not always contrived or with 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.

- **Bullying (physical, name calling, homophobic etc)**

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, gender, sexual orientation and excluding someone from a group on purpose.

- **Cyber bullying**

Cyberbullying is the use of technologies such as phones, instant messaging, e-mail, chat rooms or social networking sites to harass, threaten or intimidate someone for the same reasons as stated above.

- **Prejudiced behaviour**

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

- **Sexting**

Sexting is when someone sends or receives a sexually explicit text, image or video. This includes sending 'nude pictures', 'rude pictures' or 'nude selfies'. Pressuring someone into sending a nude picture can happen in any relationship and to anyone, whatever their age, gender or sexual preference. However, once the image is taken and sent, the sender has lost control of the image and these images could end up anywhere. By having in their possession, or distributing, indecent images of a person under 18 on to someone else, children are not even aware that they could be breaking the law as stated as these are offences under the Sexual Offences Act 2003.

- **Initiation/Hazing**

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies. The idea behind this practice is that it welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite of passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.

Expected action taken from all staff

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

It is important to deal with the situation of peer abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get the true facts around what has occurred, as soon after the child(ren) may have forgotten. It is equally important to deal with it sensitively and think about the language used and the impact of that language on both the children and the

parents when they become involved. For example; do not use the word perpetrator, this can quickly create a “blame” culture and leave a child labelled, talk about ‘alleged’ abuse.

In all cases of peer on peer abuse staff are to follow the general guidelines around how to talk with children following disclosure, talking to young people and instigating immediate support in a calm and consistent manner. Staff should not be prejudiced, judgemental, dismissive or irresponsible in dealing with such sensitive matters.

Gather the facts

Speak to all staff who were present and children dependent on age and understanding, using **consistent language** and **open questions**. 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/saw the incident? What was seen? What was heard? Did anyone intervene?)

- Track evidence through observations, incident reports and ABC charts.
- Consider the **Intent** (begin to Risk Assess).
- Has this been a **deliberate or contrived situation** for a young person to be able to harm another?
- From the ABC charts can you define a trigger?
- Are staff consistent with behaviour management?
- Are all new staff to the setting informed of the circumstances and required amount of supervision?
- Are the parents working together with the setting on using the same strategies?
- Are the parents consistent at home?
- Decide on your next course of action.

If from the information that you gather you believe any young person to be at risk of significant harm you must make a **safeguarding referral** to social care immediately (where a **crime has been committed the police should be involved also**). If this is the case, once social care has been contacted and made a decision on what will happen next then you will be informed on your next steps.

If social care feel that it does not meet their threshold for statutory involvement, you may challenge that decision through the safeguarding team, with that individual or their line manager.

If on discussion however, you agree with the decision, you may then be left to inform parents, this will usually be carried out by the SLT.

Informing parents

If, once appropriate advice has been sought from police/social care you have agreement to inform parents or have been allocated that role from the other services involved then the school will inform the parents as soon as possible. If social care/police are not going to be involved then equally, this information may need to be shared with the parents.

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.

The same procedures should be followed when dealing with sibling on sibling abuse.

Points to 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? (in relation to sexual exploitation, children under the age of 5, in particular 1 – 4 year olds who are learning toileting skills may show a particular interest in exploration at around this stage, follow guidance around Brook screening tool. This however should not be overlooked, it is part of the risk assessment carried out. Also consider the following:

Where did the incident or incidents take place?

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

What was the explanation by all the 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 Children's Services Social Care.

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 it is necessary to ensure future incidents of abuse do not occur again and consider the support and intervention required for those involved.

For the young person who has been harmed

What support they require depends on the individual young person. It may be that they wish to seek counselling or one to one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends.

It is therefore necessary that this young person continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the young person may need support in improving peer groups/relationships with other young people or some restorative justice work with all those involved may be required.

Other interventions that could be considered may target a whole class or year group for example a speaker on cyberbullying, relationship abuse, etc. It may be that through the continued

curriculum of PHSE/ Circle Time that certain issues can be discussed and debated more frequently.

If the young person feels particularly vulnerable a risk assessment can be put in place for them whilst in the setting so that they have someone named that they can talk to, support strategies for managing future issues and identified services to offer additional support.

For the young person who has displayed harmful behaviour

In this circumstance it is important to find out why the young person has behaved in such a way. It may be that the young person is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support such as one to one mentoring or counselling may also be necessary.

Particular support from identified services may be necessary through a strengthening families/early help referral and the young person may require additional support from family members.

Whilst an investigation is ongoing, it may be necessary for the young person who is alleged to have harmed another to be educated off site due to the nature of the school (small campus).

Once the support required to meet the individual needs of the young person has been met, it is important that the young person receives a consequence for their behaviour. This may be in the form of restorative justice, e.g. making amends with the young person they have targeted if this has been some form of bullying. In cases of sexually harmful behaviour it may be a requirement for the young person to engage in one to one work with a particular service or agency.

Even following the conclusion of any investigation the behaviour that the young person has displayed may continue to pose a risk to others, in which case an individual risk assessment may be required. This should be completed via a multi- agency response to ensure that the needs of the young person and the risks towards others are measured by all of those agencies involved including the young person and their parents. This may mean additional supervision of the young person or protective strategies if the young person feels at risk of engaging in further inappropriate or harmful behaviour.

After care

It is important that following the incident the young people 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 young people 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 cases, regular reviews with the young people involved following the incident(s) are imperative and ongoing risk assessment around this.

Preventative Strategies

The Brookfield School recognises that it is important to develop appropriate strategies in order to prevent the issue of peer on peer abuse rather than manage the issues in a reactive way.

The setting recognises that peer on peer abuse can and will occur even with the most stringent of policies and support mechanisms. In which case it is important that staff continue to recognise

and manage such risks and learn how to improve and move forward with strategies in supporting children/young people to talk about any issues and through sharing information with all staff.

The following strategies are in place to prevent peer on peer abuse.

- We ensure that our setting has an open environment where the children feel safe to share information about anything that is upsetting them or worrying them.
- We ensure that the children are adequately supervised during snack/lunch, in the outdoor area, moving through the setting and off-site, i.e. school outings, swimming, etc.
- Our setting has a strong and positive PSHE curriculum through Circle Time, social stories and the PSD/ PSHE/ PSE curriculum in secondary school and the Arrow Centre.
- We ensure that the children are part of changing their circumstances and that of the procedures within our setting in the form of a School Council
- We promote British Values throughout the curriculum and have regular assemblies which link to British Values, safeguarding and issues arising from the modern world.

It is incredibly important that staff do not dismiss issues as “banter” or “growing up” or compare them to their own experiences of childhood.

It is necessary that staff consider each issue and each individual in their own right before taking action.

If staff minimise the concerns raised it may result in a child/young person seeking no further help or advice.

Appendix A

A Child's Legal Rights: Gillick Competency and Fraser Guidelines

When we are trying to decide whether a child is mature enough to make decisions, people often talk about whether a child is 'Gillick competent' or whether they meet the 'Fraser guidelines'.

The Gillick competency and Fraser guidelines help us all to balance children's rights and wishes with our responsibility to keep children safe from harm. What do 'Gillick competency' and 'Fraser guidelines' refer to? Gillick competency and Fraser guidelines refer to a legal case which looked specifically at whether doctors should be able to give contraceptive advice or treatment to under 16-year-olds without parental consent. But since then, they have been more widely used to help assess whether a child has the maturity to make their own decisions and to understand the implications of those decisions.

In 1982 Mrs Victoria Gillick took her local health authority (West Norfolk and Wisbech Area Health Authority) and the Department of Health and Social Security to court in an attempt to stop doctors from giving contraceptive advice or treatment to under 16-year-olds without parental consent. The case went to the High Court in 1984 where Mr Justice Woolf dismissed Mrs Gillick's claims.

The Court of Appeal reversed this decision, but in 1985 it went to the House of Lords and the Law Lords (Lord Scarman, Lord Fraser and Lord Bridge) ruled in favour of the original judgment delivered by Mr Justice Woolf: "...whether or not a child is capable of giving the necessary consent will depend on the child's maturity and understanding and the nature of the consent required. The child must be capable of making a reasonable assessment of the advantages and disadvantages of the treatment proposed, so the consent, if given, can be properly and fairly described as true consent." (Gillick v West Norfolk, 1984)

How are the Fraser Guidelines applied?

The Fraser guidelines refer to the guidelines set out by Lord Fraser in his judgment of the Gillick case in the House of Lords (1985), which apply specifically to contraceptive advice. Lord Fraser stated that a doctor could proceed to give advice and treatment: "provided he is satisfied in the following criteria:

1. that the girl (although under the age of 16 years of age) will understand his advice;
2. that he cannot persuade her to inform her parents or to allow him to inform the parents that she is seeking contraceptive advice;
3. that she is very likely to continue having sexual intercourse with or without contraceptive treatment;
4. that unless she receives contraceptive advice or treatment her physical or mental health or both are likely to suffer;
5. that her best interests require him to give her contraceptive advice, treatment or both without the parental consent." (Gillick v West Norfolk, 1985)

How is Gillick competency assessed?

Lord Scarman's comments in his judgment of the Gillick case in the House of Lords (Gillick v West Norfolk, 1985) are often referred to as the test of "Gillick competency": "...it is not enough that she should understand the nature of the advice which is being given: she must also have a sufficient maturity to understand what is involved."

He also commented more generally on parents' versus children's rights: "parental right yields to the child's right to make his own decisions when he reaches a sufficient understanding and intelligence to be capable of making up his own mind on the matter requiring decision."

What are the implications for child protection?

Professionals working with children need to consider how to balance children's rights and wishes with their responsibility to keep children safe from harm. Underage sexual activity should always be seen as a possible indicator of child sexual exploitation. Sexual activity with a child under 13 is a criminal offence and should always result in a child protection referral.