



## PEER ON PEER ABUSE POLICY

### I The College's Responsibilities - Introduction

The Governors, Senior Leadership Team, and all staff and volunteers at Malvern College are committed to the prevention, early identification and appropriate management of peer-on-peer abuse (as defined below) both within and beyond the School.

In particular, we:

- believe that in order to protect our pupils, we need to be aware a) of the level and nature of risk to which they are or may be exposed, and put in place a clear and comprehensive strategy which is tailored to their specific safeguarding context; and (b) take a contextual whole-school approach to preventing and responding to peer-on-peer abuse;
- regard the introduction of this policy as a preventative measure, and do not feel it is acceptable merely to take a reactive approach to peer-on-peer abuse in response to alleged incidents of it;
- recognise national and increasing concern about this issue, and wish to implement this policy in order to ensure that our pupils are safe; and
- encourage parents to contact and communicate with us if their child is feeling unsafe as a result of the behaviour of any of their peers. We ask them to inform the College so that it can ensure that appropriate and prompt action is taken in response.

#### **This policy:**

- sets out our strategy for preventing, identifying and appropriately managing peer-on-peer abuse;
- applies to all Governors, Senior Leadership Team, staff and volunteers, will be reviewed annually, and updated in the interim, as may be required, to ensure that it continually addresses the risks to which pupils are or may be exposed.
- is the College's overarching policy for any issue that could constitute peer-on-peer abuse;
- relates to, and should be read alongside, the College's Safeguarding (including Child Protection) Policy and any other relevant policies including, but not limited to, the Anti-Bullying policy (including cyber-bullying), Policy on the Acceptable Use of ICT and E-Safety, Children Missing in Education policy, Promoting Good Behaviour and Discipline policy, and Exclusion for Misconduct policy.

- This policy does not use the term ‘victim’ and/or ‘perpetrator’. This is because the College takes a safeguarding approach to all individuals involved in allegations of or concerns about peer-on-peer abuse, including those who are alleged to have been abused and those who are alleged to have abused their peers, in addition to any sanctioning that may also be required for the latter. We recognise that many children who present with harmful behaviour towards others, in the context of peer-on-peer abuse, are themselves vulnerable and may have been victimised by peers, parents or adults in the community prior to their abuse of peers;
- The policy uses the terms 'child' and 'children', which is defined for the purposes of this policy as a person aged under 18. We have nonetheless chosen not to restrict our approach to peer-on-peer abuse under this policy to children but instead to adopt a wider interpretation of our safeguarding responsibilities so that they apply to all pupils, regardless of age. Although the starting point is that the School's response to peer-on-peer abuse should be the same for all pupils, regardless of age, there may be some additional considerations in relation to a pupil aged 18 or over in terms of how local agencies and/or partners respond. This, for example, is likely to be different on the part of local authorities, given that their safeguarding duties are limited, in the case of children's social care services - save for a number of specific exceptions - to children under the age of 18. Similarly, the College's response to incidents involving the exchange of youth produced sexual imagery will need to differ depending on the age of the pupils involved. (See the College's Policy on the Acceptable Use of ICT and E-Safety.) There is also likely to be a more significant criminal justice response in relation to any pupil responsible for abuse who is aged 18 or over;
- This policy is compliant with the statutory guidance on peer-on-peer abuse as set out in Keeping Children Safe in Education (September 2018) and should, if relevant according to the concerns/allegations raised, be read in conjunction with the DfE's advice on Sexual Violence and Sexual Harassment Between Children in Schools and Colleges (DfE's Advice) (December, 2017), and any other advice and guidance referred to within it, as appropriate;
- This policy should be read in conjunction with the Worcestershire/Local Safeguarding Children Board's (LSCB) Safeguarding Policy and Procedures, and any relevant Practice Guidance issued by it.

## II Understanding peer-on-peer abuse

### What is peer-on-peer abuse?

For these purposes, peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between children and within children's relationships (both intimate and non-intimate). Ref: 10 Firmin, C. 2017. Abuse Between Young People: A Contextual Account. Oxon: Routledge

Peer-on-peer abuse can take various forms, including: serious bullying (including cyber-bullying),<sup>11</sup> relationship abuse,<sup>12</sup> domestic violence,<sup>13</sup> child sexual exploitation,<sup>14</sup> youth and serious youth violence,<sup>15</sup> harmful sexual behaviour,<sup>16</sup> and/or gender-based violence.<sup>17</sup>

These types of abuse rarely take place in isolation and often indicate wider safeguarding concerns. For example, a teenage girl may be in a sexually exploitative relationship with a teenage boy who is himself being physically abused by a family member or by older boys. Equally, sexual bullying in schools and other settings can result in the sexual exploitation of children by their peers. For 16 and 17 year olds who are in abusive relationships, what may appear to be a case of domestic violence may also involve sexual exploitation. Children's experiences of abuse and violence are rarely isolated events, and they can often be linked to other things that are happening in their lives and spaces in which they spend their time. Any response to peer-on-peer abuse therefore needs to consider the range of possible types of peer-on-peer abuse set out above and capture the full context of children's experiences.<sup>18</sup> This can be done by adopting a Contextual Safeguarding approach and by ensuring that our response to incidents of peer-on-peer abuse takes into account any potential complexity.

### **What is Contextual Safeguarding?**

This policy encapsulates a Contextual Safeguarding approach, which:

- is an approach to safeguarding children that recognises their experiences of significant harm in extra-familial contexts, and seeks to include these contexts within prevention, identification, assessment and intervention safeguarding activities;
- recognises that as children enter adolescence they spend increasing amounts of time outside of the home in public environments (including on the internet) within which they may experience abuse; and
- considers interventions to change the systems or social conditions of the environments in which abuse has occurred. For example, rather than move a child from a boarding House, pastoral and House staff could work with the College/House leadership and student body to challenge a harmful or insensitive House culture, thus improving the pre-existing school environment.

### **When does behaviour become problematic or abusive?**

All behaviour takes place on a spectrum. Understanding where a child's behaviour falls on a spectrum is essential to being able to respond appropriately to it.

Sexual behaviours: As the NSPCC explains “children's sexual behaviours exist on a wide continuum, from normal and developmentally expected to highly abnormal and abusive. [Staff] should recognise the importance of distinguishing between problematic and abusive sexual behaviour... As both problematic and abusive sexual behaviours are developmentally inappropriate and may cause developmental damage, a useful umbrella term is harmful sexual behaviours or HSB.” This term has been adopted widely in the field, and is used throughout the NSPCC’s and Research in Practice's Harmful Sexual Behaviour Framework, as

well as this policy.<sup>25</sup> Please see pages 13 and 21 of NSPCC's and Research in Practice's Harmful Sexual Behaviour Framework:

<https://www.nspcc.org.uk/globalassets/documents/publications/harmful-sexual-behaviour-framework.pdf>

The Brook Sexual Behaviours Traffic Light Tool (<https://www.brook.org.uk/our-work/category/sexual-behaviours-traffic-light-tool>) can be very helpful in identifying sexual behaviours by children. Staff should always use their professional judgment and discuss any concerns with the DSL. Where an (alleged) incident involves a report of sexually harmful behaviour, staff should also consult the DfE's Advice: Department for Education, Sexual Violence and Sexual Harassment Between Children in Schools and Colleges: Advice for Governing Bodies, Proprietors, Head Teachers, Principals, Senior Leadership Teams and Designated Safeguarding Leads, (December, 2017)

### **Other Behaviour**

When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, staff need to assess where the alleged behaviour falls on a spectrum and to decide how to respond. This could include, for example, whether it:

- is socially acceptable
- involves a single incident or has occurred over a period of time
- is socially acceptable within the peer group
- is problematic and concerning
- involves any overt elements of victimisation or discrimination e.g. related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability
- involves an element of coercion or pre-planning
- involves a power imbalance between the child/children allegedly responsible for the behaviour and the child/children allegedly the subject of that power
- involves a misuse of power

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

Behaviour which is not abusive at first may potentially become abusive quickly or over time. Intervening early and addressing any inappropriate behaviour which may be displayed by a child is vital, and could potentially prevent their behaviour from progressing on a continuum to become problematic, abusive and/or violent - and ultimately requiring (greater/more formal) engagement with specialist external and/or statutory agencies. For example, a

physical fight between two children may not constitute peer-on-peer abuse where the fight is a one-off incident, but may be abusive where the child's/children's behaviour subsequently deteriorates into a pattern of bullying behaviour and requires a safeguarding response from a multi-agency partnership – including a statutory assessment of whether this has led, for example, to a risk of significant harm to a child.

The importance of intervening early and addressing any inappropriate behaviour does not just apply on an individual pupil basis, but could also apply across the pupil body.

Behaviour generally considered inappropriate may in fact indicate emerging concerning behaviour to which the College will need to take a whole-school approach in order to prevent escalation. For example, where multiple boys are making inappropriate comments about girls, one-off sanctions are unlikely to be effective and wider actions should be considered, such as arranging for an external person to deliver a year group intervention exercise and/or revising the College's Life Skills programme.

It will also be important to consider the wider context in which the alleged behaviour is reported to have occurred, and which may trigger the need for a referral. For example, some behaviour that is considered inappropriate may be capable of being dealt with internally. However, if there are wider safeguarding concerns relating to the child/children in question, a referral to statutory agencies may be necessary. Where the behaviour which is the subject of the concern(s)/allegation(s) is considered or suspected by the DSL to constitute peer-on-peer abuse, the School will follow the procedures set out below.

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

All staff should be alert to the well-being of pupils and to signs of abuse, and should engage with these signs, as appropriate, to determine whether they are caused by peer-on-peer abuse. However, staff should be mindful of the fact that the way(s) in which children will disclose or present with behaviour(s) as a result of their experiences will differ.

Signs that a child may be suffering from peer-on-peer abuse can also overlap with those indicating other types of abuse (please see section 3 of the Safeguarding [including Child Protection] policy for indicators of abuse) and can include:

1. failing to attend school, disengaging from classes or struggling to carry out school related tasks to the standard ordinarily expected;
2. physical injuries;
3. experiencing difficulties with mental health and/or emotional wellbeing;
4. 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;
5. broader changes in behaviour including alcohol or substance misuse;
6. changes in appearance and/or starting to act in a way that is not appropriate for the child's age;

## 7. abusive behaviour towards others.<sup>31</sup>

Abuse affects children very differently. The above list is by no means exhaustive and the presence of one or more of these signs does not necessarily indicate abuse. The behaviour that children present with will depend on their particular circumstances. Rather than checking behaviour against a list, staff are trained to be alert to behaviour that might cause concerns, to think about what the behaviour might signify, to encourage children to share with them any underlying reasons for their behaviour, and, where appropriate, to engage with their parents/carers so that the cause(s) of their behaviour can be investigated. Where a child exhibits any behaviour that is out of character or abnormal for his/her age, staff should always consider whether an underlying concern is contributing to their behaviour (for example, whether the child is being harmed or abused by their peers) and, if so, what the concern is and how the child can be supported going forwards.

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

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

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

Research suggests that peer-on-peer abuse may affect boys differently from girls, and that this difference may result from societal norms (particularly around power, control and the way in which femininity and masculinity are constructed) rather than biological make-up. (Barter C, McCarry M, Berridge D and Evans K, Partner exploitation and violence in teenage intimate relationships (2009)

<https://www.nspcc.org.uk/globalassets/documents/research-reports/partner-exploitation-violence-teenage-intimate-relationships-report.pdf>

### III A whole school approach

#### How can the College raise awareness of and prevent peer-on-peer abuse?

##### School Environment

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

- Educating all Governors, Senior Leadership Team, staff and volunteers, pupils and parents about this issue. This includes:
    - - training all Governors, Senior Leadership Team, staff and volunteers on the nature, prevalence and effect of peer-on-peer abuse, and how to prevent, identify and respond to it. This includes (a) Contextual Safeguarding; (b) the identification and classification of specific behaviours; and (c) the importance of taking seriously all forms of peer-on-peer abuse (no matter how low level they may appear) and ensuring that no form of peer-on-peer abuse is ever dismissed as horseplay or teasing;
    - - educating children about the nature and prevalence of peer-on-peer abuse via Life Skills and the wider curriculum, for example, by addressing gender inequality in a statistics class, or by reviewing literature in an English class which addresses bullying and its effect on mental health. Pupils are told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse. They are informed about the School's approach to such issues, including its zero tolerance policy towards all forms of peer-on-peer abuse.
    - - engaging parents on this issue by:
      - (a) talking about it with parents, both in groups and one to one;
      - (b) asking parents what they perceive to be the risks facing their child and how they would like to see the School address those risks;
2. Ensuring that all peer-on-peer abuse issues are fed back to the DSL and the College's safeguarding team so that they can spot and address any concerning trends and identify pupils who may be in need of additional support. This is done through a weekly pastoral meeting at which all concerns about pupils (including peer-on-peer abuse issues) are discussed;
3. Challenging the attitudes that underlie such abuse (both inside and outside the classroom);
- 4. Working with Governors, Senior Leadership Team, all staff and volunteers, pupils and parents to address equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the College community;
  - 5. Creating conditions in which our pupils can aspire to and realise safe and healthy relationships;

6. Creating a culture in which our pupils feel able to share their concerns openly, in a non-judgmental environment, and have them listened to; and
7. Responding to cases of peer-on-peer abuse promptly and appropriately.

### **Multi-agency Working**

The College actively engages with its local partners in relation to peer-on-peer abuse, and works closely with, for example, Worcestershire LSCB, children's social care, and/or other relevant agencies, and other schools. We will actively refer concerns/allegations of peer-on-peer abuse to children's social care or other relevant agencies, where necessary.

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

### **General Principles**

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

Any response will be co-ordinated by the Designated Safeguarding Lead and should:

- include a thorough investigation of the concerns/allegations and the wider context in which they may have occurred (as appropriate);
- treat all children involved as being at potential risk - while the child allegedly responsible for the abuse may pose a significant risk of harm to other children, s/he may also have considerable unmet needs and be at risk of harm themselves. We will aim to ensure a safeguarding response for both the child who has allegedly experienced the abuse, and the child who has allegedly been responsible for it, and additional sanctioning work may be required for the latter;

take into account:

- that the abuse may indicate wider safeguarding concerns for any of the children involved, and consider and address the effect of wider socio-cultural contexts - such as the child's/children's peer group (both within and outside the School); family; the School environment; their experience(s) of crime and victimisation in the local community; and the child/children's online presence. Consider what changes may need to be made to these contexts to address the child's/children's needs and to mitigate risk; and the potential complexity of peer-on-peer abuse and of children's experiences and consider the interplay between power, choice and consent. While children may appear to be making choices, if those choices are limited they are not consenting;

- the views of the child/children affected. Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSL should discuss the proposed action with the child/children and their parents and obtain consent to any referral before it is made. The School should manage the child/children's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so.

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

If a [pupil/student] is in immediate danger, or at risk of significant harm, a referral to children's social care (if the pupil is aged under 18) and/or the police should be made immediately. Anyone can make a referral. Where referrals are not made by the DSL, the DSL should be informed as soon as possible that a referral has been made (see Sections 2, 4 and 5 of the Safeguarding [including Child Protection] policy).

If a member of staff thinks for whatever reason that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should discuss their concern with the DSL without delay (in accordance with Section 5 of the Safeguarding [including Child Protection] policy) so that a course of action can be agreed.

If a child speaks to a member of staff about peer-on-peer abuse that they have witnessed or are a part of, the member of staff should listen to the child and use open language that demonstrates understanding rather than judgement. For further details please see the procedure set out in section 5 of the Safeguarding (including Child Protection) policy.

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

The DSL will discuss the concerns or allegations with the member of staff who has reported them and will, where necessary, take any immediate steps to ensure the safety of the child/all children affected.

DSLs should always use their professional judgement to determine whether it is appropriate for alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required. In borderline cases the DSL may wish to consult with children's social care and/or any other external agencies on a no-names basis to determine the most appropriate response. Where the DSL considers or suspects that the behaviour in question might be abusive or violent on a spectrum (as opposed to inappropriate or problematic), the DSL should contact Worcestershire Family Front Door (or as otherwise in accordance with the WSCB's procedures) immediately, and in any event within 24 hours of the DSL becoming aware of it. The DSL will discuss the allegations/concerns with the Community Social

Worker/Worcs, Family Front Door (or as otherwise in accordance with the WSCB's procedures)] and agree on a course of action, which may include:

A - Manage internally with help from external specialists where appropriate and possible

Where behaviour between peers is abusive or violent (as opposed to inappropriate or problematic), scenarios B, C or D should ordinarily apply. However, where support from local external agencies is not available, the College may need to handle allegations/concerns internally. In these cases, the College will engage and seek advice from relevant specialists (either in the private and/or voluntary sector), as appropriate. These might include psychologists, psychotherapists, counsellors etc.

B – Undertake/contribute to an inter-agency early help assessment, with targeted early help services provided to address the assessed needs of a child/children and their family. These services may, for example, include CAMHS, a specialist harmful sexual behaviour team, and/or youth offending services.<sup>41</sup>

C – Refer child/children to children's social care for a section 17 and/or 47 statutory assessment

As a matter of best practice, if an incident of peer-on-peer abuse requires referral to and action by children's social care and a strategy meeting is convened, then the School will hold every professional involved in the case accountable for their safeguarding response, including themselves, to both the child who has experienced the abuse, and the child who was responsible for it, and the contexts to which the abuse was associated.

D – Report alleged criminal behaviour to the Police

Alleged criminal behaviour will ordinarily be reported to the Police. However, there are some circumstances where it may not be appropriate to report such behaviour to the Police, for example, where the exchange of youth produced sexual imagery does not involve any aggravating factors (please see Appendix C below). All concerns/allegations will be assessed on a case by case basis, and in light of the wider context.

### **Individual risk and needs assessment**

Where there is an incident of peer-on-peer abuse, the College will carry out a robust risk and needs assessment in respect of each child affected by the abuse. These risk assessments will:

- i. assess and address the nature and level of risks that are posed and/or faced by the child;
- ii. engage, where appropriate, the child's parents and draw upon local services and agencies to ensure that the child's needs are met in the long-term. Consider whether any targeted interventions are needed to address the underlying attitudes or behaviour of any child; and

- iii. be reviewed at regular intervals in light of the child's on-going needs to ensure that real progress is being made which benefits the child.

If at any stage the child's needs escalate, the DSL should contact Worcestershire Family Front Door and act in accordance with the LSCB's procedures, to determine the appropriate course of action.

### **Disciplinary Action**

The School will consider whether disciplinary action may be appropriate for any child/children involved – any such action should address the abuse, the causes of it, and attitudes underlying it. Disciplinary action may sometimes be appropriate, including (a) to ensure that the child/children take(s) responsibility for and realise(s) the seriousness of their behaviour; (b) to demonstrate to the child/children and others that peer-on-peer abuse can never be tolerated; and (c) to ensure the safety and wellbeing of other children. However, these considerations must be balanced against the child's/children's own potential unmet needs and any safeguarding concerns. Before deciding on appropriate action, the School will always consider its duty to safeguard all children from harm; the underlying reasons for a child's behaviour; any unmet needs, or harm or abuse suffered by the child; the risk that the child may pose to other children; and the severity of the peer-on-peer abuse and the causes of it.

The School will, where appropriate, consider the potential benefit, as well as challenge, of using managed rustication or exclusion as a response, and not as an intervention, recognising that even if this is ultimately deemed to be necessary, some of the measures referred to in this policy may still be required.

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

### **On-going proactive work to a contextual whole-school approach**

The College's response to concerns/allegations of peer-on-peer abuse will form part of on-going proactive work by the College to embed best practice and take a contextual whole-school approach to such abuse. As such the College's response is part of its wider prevention work. This response may include the College asking questions about the context in which an incident of peer-on-peer abuse occurred in the school, the local community and the wider physical and online environment - such as:

1. what protective factors and influences exist within the College (such as positive peer influences, examples where peer-on-peer abuse has been challenged etc.) and how can the College bolster these?;
2. how (if at all) did the College's physical environment contribute to the abuse, and how can the College address this going forwards, for example by improving the College's safety, security and supervision?;

3. did wider gender norms, equality issues and/or societal attitudes contribute to the abuse?;
4. what was the relationship between the abuse and the cultural norms between staff and pupils, and how can these be addressed going forwards?;
5. does the abuse indicate a need for staff training on, for example, underlying attitudes, a particular issue or the handling of particular types of abuse?;
6. how have similar cases been managed in the past and what effect has this had?;
7. does the case or any identified trends highlight areas for development in the way in which the College works with children to raise their awareness of and/or prevent peer-on-peer abuse, including by way of the Life Skills curriculum and lessons that address underlying attitudes or behaviour such as gender and equalities work?;
8. are there any lessons to be learnt about the way in which the College engages with parents to address peer-on-peer abuse issues?;
9. does this case highlight a need to work with certain children to build their confidence and teach them how to identify and manage abusive behaviour?; and
10. were there opportunities to intervene earlier or differently and/or to address common themes amongst the behaviour of other pupils in the College?

Answers to these questions can be developed into an action plan that is reviewed on a regular basis by school leadership and the DSL.