Child on Child Abuse Policy and Procedure

Introduction

This policy sets out to address the College's commitment to safeguarding all students and to specifically address the College's response to child-on-child abuse. All students should be protected from harassment and sexual misconduct from other students, staff and visitors.

A young adult as described in the policy is a young person up until 18 years of age

Context

This policy should not be read in isolation but forms part of Callywith College's Safeguarding policy and should be read in conjunction with:

- Student Disciplinary policy
- Keeping Children Safe in Education – Statutory Guidance September 2022
- Sexual violence and sexual harassment between children in schools and colleges May 2018
- Sexting in schools and colleges and Sharing nudes and semi-nudes advice for Education Settings, UKCCIS
- Teaching online safety in schools, DfE 2019
- The Voyeurism Act, 2019 (section on up skirting)

The Principles

Callywith College believes in the following principles:

1. All students have a right to attend college and learn in a safe environment. Students should be free from harm (in any form) whether the perpetrator be an adult or a child.

2. Recognising that young people can abuse their peers, and this will be dealt with under overarching guidance of the college's safeguarding policy and in line with Keeping Children Safe in Education (last updated September 2022)

3. Being clear that all forms of child-on-child abuse are not acceptable, will never be tolerated and is not an inevitable part of growing up.

4. Protecting the interests of vulnerable groups of young adults who may be at risk including young people in care; young adults and vulnerable adults with additional needs (SEN and/or disabilities); young adults who identify or are perceived as LGBT and/or have other protected characteristics under the Equality Act 2010.

5. Current research indicates that young women are more frequently identified as being abused by their peers and are likely to experience unwanted sexual touching. This policy recognises that all genders experience child-on-child abuse, but they do so in gendered ways.

What is Child-on-Child Abuse?

For these purposes, child-on-child abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between young adults under the age of 18 in relationships (both intimate and non-intimate).

It can take various forms, including:

- serious bullying (including cyber-bullying),
- relationship abuse, domestic violence,
- child sexual exploitation,
- youth and serious youth violence,
- harmful sexual behaviour,
- and/or gender-based violence.

Examples of safeguarding issues against a young adult could include:

- abuse in intimate personal relationships between peers;
- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- Sexual misconduct, such as unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment. Intimidation or promising resource or benefit in return for sexual favour.
- sexual harassment, such as sexual comments, unwanted sexual advances, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
- Sexting/sharing nude or indecent imagery. The term 'sexting' relates to the sending of indecent images, videos and/or written messages with sexually explicit content; these are created and sent electronically. They are often 'shared' via social networking sites and instant messaging services.
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element);
- up skirting, 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.
- Sexually harmful behaviour, violence and sexual harassment can occur between two students of any age and gender. It can also occur through a group of students sexually assaulting or sexually harassing a single student or group of students.

Young adults' 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 child-on-child abuse therefore needs to consider the range of possible types of abuse set out above and capture the full context of a young adult's experiences.

Child-on-child abuse often involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators having control over the relationship which makes it difficult for those they abuse to defend themselves.

This imbalance of power can manifest itself in several ways. It may be physical, psychological (knowing what upsets someone), or social (e.g., isolating or excluding someone). It could also include issues such as revenge porn or what are often gender issues (e.g., girls being touched, or boys being involved in initiation activities). Students who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment as well as their emotional well-being.

Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and offline (both physically and verbally) and are never acceptable. **It is important that all victims are taken seriously and offered appropriate support**. Disclosures of sexual violence and sexual harassment are extremely complex to manage. It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other students and college staff are supported and protected as appropriate.

Prevention

Callywith College will minimise the risk of allegations against other young adults by:

- Providing training as part of the pastoral and tutorial programme in relation to Healthy relationships and Sex Education that develops their understanding of acceptable behaviour and keeping themselves safe.
- Taking a whole college approach to safeguarding and child protection.
- Provide training to staff on child-on-child abuse and harmful sexual behaviours as part of the Safeguarding programme for all staff.
- Providing a clear set of values and standards, underpinned by the college's behaviour management policies.
- Engaging with specialist support and interventions.

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

The Designated Safeguarding Lead and Deputy will follow the college's procedure as outlined in Appendix 1.

Responding to an incident/disclosure

Where abuse or violence, including sexual harm and/or sexual harassment has taken place outside of college e.g., on public transport; off site at lunchtimes or in the local community involving students; we will investigate and take action around the conduct of the students. The college will consider if the police should be notified, if it is believed an offence has been committed.

Where an incident has happened on college premises, the college will utilise its procedures set out in this policy and in conjunction with its Safeguarding policy. This may mean a referral to the police and a referral to the MARU.

All staff understand that all concerns must be reported to the Designated Safeguarding Lead or Deputy; however, the college acknowledges that anyone can make a referral.

The college will record all instances of bullying, prejudice, violence and sexual violence and related incidents involving peers. This will include racism and racist bullying.

Our records will demonstrate what actions have been taken along with any outcomes. These reports will be produced for an OFSTED inspection if requested and the college will take a proactive approach to demonstrate how it has tackled these incidents to prevent recurrence.

Reporting

Any incident of racism, race hate or incitement to hate will be reported to the police if it is believed an offence that may have been committed.

Any incident or an actual incident of sexual harm, violence and/or sexual harassment will be reported to the police if it is believed an office may have been committed. In all cases consideration is given to reporting the matter to the MARU or Early Help. Early help means providing support as soon as a problem emerges, and this may benefit a young adult through a safety and support plan.

Governing Body

In addition, the college will report any incidents that come to light to the Safeguarding Trustee and inform them of how the college is managing these behaviours as part of its Safeguarding report. This will include the use of sanctions, exclusions, pressures from parents to exclude and dealing with the parents of the alleged abuser or any alleged victim/s.

The Safeguarding Trustee will also need to consider that they may be approached by members of staff who are angry or anxious about learners with sexual behaviours. In addition, the college will also consider that there may be occasions where the college may also feel pressures from external sources such as the local community or media.

Sanctions

The college will use its Student Disciplinary policy as reference for its sanctions.

The college recognises that disciplinary actions rarely resolve issues of child-on-child abuse and the college will consider all courses of action and intervention.

As part of any process the college will endeavour to respond to concerns from learners, parents and the wider community as part of its decision making.

Training

Callywith College is working hard to create a culture where child-on-child abuse does not happen. The college aims to create an ethos of good and respectful behaviour towards others.

Through the tutorial programme and pastoral support in Student Services the college will provide materials to educate young adults in information relating to:

- Peer on Peer/ Child-on-Child Abuse
- Sexual Violence and Sexual Harassment
- Healthy Relationships
- Consent and Sexual Health
- Safety online

In addition, the college will train staff through training events in the academic year. This will include training for new tutors as well refresher training for experienced staff. This will include:

- Safeguarding Induction
- Safeguarding at Level 2
- Our Safeguarding Children Partnership – range of courses
- Additional external partners training provision

As part of the education of all staff and students, the college will ensure they know who they can talk to and receive advice and help from the Safeguarding team. Clear signposting of information will be found throughout college sites.

Management of the Policy

The college will ensure staff, governors and volunteers are trained in the awareness and response to all forms of bullying, all forms of child-on-child abuse, racism and race hate and include any local relevant issues and wider contextual concerns.

The Designated Safeguarding Lead will take on a lead responsibility to ensure all staff, governors and volunteers are aware of this policy and the supporting guidance, in order that they are clear regarding their role and responsibilities

The college will ensure that parents/carers are made aware of this policy, making it available on the college website.

Appendix 1 – Procedure on handling Child-on-Child Abuse Allegation

Empowering students and staff to challenge and report rumours or suspicions Responding to disclosures of child-on-child abuse through the colleges Safeguarding team:

1. Staff taking the disclosure will contact the Designated Safeguarding Lead (DSL), Deputy or member of the safeguarding team
   - Staff taking a disclosure will never promise confidentiality
   - Students making a disclosure will be taken seriously, kept safe and be well supported.
   - Consider the wishes of the victim in terms of how they want to proceed and whether they wish to make a police complaint. This is especially important in the context of sexual violence and sexual harassment.

2. Where the student is under 18 parents or parents/guardians/carers will normally be informed (unless this would put the student at greater risk) by the Designated Safeguarding Lead (DSL), Deputy or safeguarding team.

3. If a child is at risk of harm, is in immediate danger, or has been harmed, a referral will be made to Children's Social Care and/or Police by the Designated Safeguarding Lead or Deputy. Report to the police (generally in parallel with a referral to Social Care) Ongoing Response: The DSL will manage each disclosure on a case-by-case basis and will keep the risk assessment under review.

4. Consideration for other referrals to other external appropriate agencies (as appropriate)

5. The SMT will consider what action needs to be taken against the perpetrator at that time. Risk Assessment: Following a disclosure, the DSL will make an immediate risk and needs assessment on a case-by-case basis.

6. The Risk assessment will consider:
   - The victim, especially their protection and support.
   - The alleged perpetrator, their support needs and any discipline action.
   - All other students at the college.
   - The victim and the alleged perpetrator sharing classes and space at college. The risk assessment will be recorded and kept under review. Where there has been other professional intervention and/or other specialist risk assessments, these professional assessments will be used to inform the College's approach to supporting and protecting pupils. Action: The DSL will consider:
   - The wishes of the victim
   - The nature of the incident including whether a crime has been committed and the harm caused.
   - Ages of the students involved.
   - Developmental stage of the students involved.
   - Any power imbalance between the students.
   - Any previous incidents and whether this is a one-off or a sustained pattern.
   - Ongoing risks to the victim, other students, siblings, adult students or staff; or other related issues in the wider context

7. The Designated Safeguarding Lead or Deputy will manage the report with the following options:
   - Manage internally
   - Early Help
   - Refer to Children's Social Care or refer to the police

8. Where there is a criminal investigation into a child-on-child abuse case, the alleged perpetrator will, if deemed appropriate, be suspended from college whilst the investigation takes place.

9. The DSL and relevant members of the Senior Management Team and Programme Team Leader will consider how best to keep the victim and perpetrator a reasonable distance apart on college premises and on transport where appropriate.

10. Where a criminal investigation into a child-on-child abuse case leads to a conviction or caution, the College will, if it has not already, consider any suitable sanctions, including consideration of permanent exclusion under the separate Student Disciplinary Policy.

11. Where the perpetrator is going to remain at the College, the principle would be to continue keeping the victim and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact on college premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases

    - The victim, alleged perpetrator and other witnesses (children and adults) will receive appropriate support and safeguards on a case-by-case basis.
    - The College recognises that taking disciplinary action and providing appropriate support are not mutually exclusive actions and will occur at the same time if necessary

12. All actions should be recorded on the Callywith College CPOMs system and accurate records kept.