



Child on Child Abuse Policy

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Contents

1.0 Introduction	3
2.0 Aim	3
3.0 What is child on child Abuse?	3
4.0 What is Child on Child Sexual Violence and Sexual Harassment?	4
5.0 How to report child on child Abuse, including reports of sexual violence and/or sexual harassment	5
6.0 Managing reports of sexual violence and/or sexual harassment	6

1.0 Introduction

This policy should be read in conjunction with the college Safeguarding and Child Protection Policy, Health and Medical Policy, Anti-bullying Policy and E-safety Policy.

In addition to the above the following guidance was also used when writing this policy:

- Review of sexual abuse in schools and colleges June 2021
- Farre & Co child on child Abuse Toolkit 2019
- Guidance for education settings on child on child abuse, exploitation and harmful sexual behaviour
- KCSiE 2022
- Stop it Now – Preventing harmful sexual behaviour in children
- Lucy Faithfull Foundation HSB Toolkit
- Sexual Violence and Sexual Harassment Between Children in Schools and Colleges, DfE
- Brook Sexual Behaviours Traffic Light Tool
- NSPCC Harmful Sexual Behaviour Framework
- NSPCC Hackett Continuum

2.0 Aim

All college staff should understand and recognise the risks of child on child abuse and harmful sexual behaviours, including the link that child on child abuse has with other safeguarding areas. All staff at the college should be aware of the indicators of child on child abuse (including sexual harassment and harmful sexual behaviours) and also how to report this. All college staff are aware that children can abuse other children and that this can occur both inside and outside of college or online or offline. Staff should be aware that even when incidents have not been disclosed or reported that they may still be occurring.

It is vital that all staff understand the importance of challenging inappropriate behaviours amongst peers in order to ensure that a culture of unacceptable behaviours is not allowed to thrive.

3.0 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 peer associations. child on child abuse can take many forms, including (but not limited to)

- serious bullying (including cyber-bullying)
- relationship abuse
- domestic violence and abuse
- child sexual exploitation

- youth and serious youth violence
- harmful sexual behaviour
- prejudice based violence and gender 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 online and the distribution of sexualised content and harassment.

4.0 What is Child on Child Sexual Violence and Sexual Harassment?

Sexual violence and sexual harassment can occur between children of any age and sex and staff are always advised to maintain an attitude of 'it could happen here'.

Sexual violence offences are categorised by the Sexual Offences Act 2003 as below:

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

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

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (Schools should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent, or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)

Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school/college. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- Sexual “jokes” or taunting;
- Physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. 139 It may include:
- Consensual and non-consensual sharing of nude and semi-nude images and/or videos.

As set out in UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people (which provides detailed advice for schools and colleges), taking and sharing nude photographs of U18s is a criminal offence. It is important to differentiate between consensual sexual activity between children of a similar age, which involves any power imbalance, coercion or exploitation.

Consensual image sharing, especially between older children of the same age, may require a different response. It might not be abusive – but children still need to know it is illegal- whilst non-consensual is illegal and abusive.

The Voyeurism (Offences) Act 2019, which is commonly known as the Upskirting Act, came into force on 12 April 2019. ‘Upskirting’ is where someone takes a picture under a person’s clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any sex, can be a victim.

5.0 How to report child on child Abuse, including reports of sexual violence and/or sexual harassment

All reports of child on child abuse, sexual violence and sexual harassment must be reported to the Designated Safeguarding Lead.

All decisions made by the college will be on a case-by-case basis and the DSL will be supported by external agencies when decision making, as required.

If the report includes an online element then staff must not view or forward any images.

Staff, in line with the Safeguarding and Child Protection Policy should never promise confidentiality and all staff should follow their training on how to respond to a disclosure.

Where there has been a report of sexual violence and or sexual harassment the DfE requires schools to conduct a 'risk and needs assessment'. All assessments must consider the victim, the perpetrator and all other children and as and when appropriate, staff.

The risk assessment will be led by the DSL and will consider:

- the victim, especially their protection and support
- whether there may or have been other victims
- the alleged perpetrator (s); and
- all other children, (and if appropriate, pupils over 18 and staff) at the college, especially any actions that are appropriate to protect them from the alleged perpetrator(s) or from future harms

All risk assessments will be recorded and in cases where there has been a report of sexual violence, Cambridge Children's Services will input into any risk assessments required.

The college recognises that students may find it difficult to disclose and so throughout the year, beginning with induction, all students are informed of who they can turn to for help and are reminded that staff have an open door policy.

When dealing with reports of sexual violence and harassment the college will always consider:

- the wishes of the victim in terms of how they want to proceed
- the nature of the alleged incident(s) including whether a crime has been committed and the police must be notified and/or whether harmful sexual behaviours have been displayed
- the developmental stages of those involved
- any imbalances of power
- if there is evidence of a sustained pattern of abuse
- if there are any ongoing risks to the victim, other children, students over the age of 18 or staff
- if the case(s) link directly to other areas of child on child abuse

6.0 Managing reports of sexual violence and/or sexual harassment

In line with KCSIE 2022, there are four likely scenarios for schools and colleges to consider when managing any reports of sexual violence and/or sexual harassment. Where a pattern is identified, the college will decide on a course of action.

The four scenarios are:

1. Manage internally

In some cases of sexual harassment, for example, one-off incidents, the college may take the view that the children concerned are not in need of early help or that referrals need

to be made to Cambridge Children's Services and that it would be appropriate to handle the incident internally, perhaps through utilising their behaviour policy and by providing pastoral support. The college will always promote a zero tolerance approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated.

All concerns, discussions, decisions and reasons for decisions will be recorded (written or electronic).

2. Early help

The college may decide that the children involved do not require referral to Cambridge Children's Services but may benefit from early help. Early help can be particularly useful to address non-violent HSB and may prevent escalation of sexual violence. It is particularly important that the designated safeguarding person (and deputies) know what early help is and know how to access the support of multi-disciplinary agencies in doing so. The college RSE programme promotes to students that the college has a zero tolerance of inappropriate behaviours and signposts students to external support agencies.

3. Referrals to Cambridge Children's Services

Where a child has been harmed, is at risk of harm, or is in immediate danger, the college will make a referral to Cambridge Children's Services, as per the Child Protection and Safeguarding Policy. If a referral is made, social care will then make enquiries to determine whether any of the children involved are in need of protection or other services. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator(s) and any other children that require support. The college will not wait for the outcome (or even the start) of a children's social care investigation before protecting the victim and other children in the school or college. The DSL will create a risk assessment and in doing so, all concerns, discussions, decisions and reasons for decisions will be recorded (written or electronic).

4. Reporting to the Police

Any report to the police will generally be in parallel with a referral to Cambridge Children's Services and parents will be notified and agreement sought (unless to do so would place the child in danger. Where a report of rape, assault by penetration or sexual assault is made, this will be passed on to the police. Whilst protecting children and/or taking any disciplinary measures against the alleged perpetrator(s), the DSL will work closely with the police (and other agencies as required), to ensure any actions the college takes does not jeopardise the police investigation.