

BSFC PROTOCOL ON PEER-ON-PEER ABUSE, SEXUAL VIOLENCE, SEXUAL HARASSMENT AND HARMFUL SEXUAL BEHAVIOURS

Introduction

This Protocol has been developed in line with the College's Safeguarding Policy which sets out its commitment to creating an environment where sexual harassment and online sexual abuse is not tolerated. The recommendations in the Ofsted Review of sexual abuse in schools and colleges published on 10 June 2021 are incorporated in the whole College approach to address this. The College recognises the gendered nature of peer-on-peer abuse and recognises that all forms of this behaviour are unacceptable and will be taken seriously.

All staff are aware of peer-on-peer abuse in the College's policies and procedures which seek to minimise this type of abuse. Management of peer-on-peer abuse is part of all staff's everyday practice. The College disciplinary and safeguarding processes are implemented where necessary, to record, investigate and deal with allegations and there are clear processes as to how victims and perpetrators affected by peer-on-peer abuse are dealt with. This Protocol has been developed in consultation with a range of stakeholders across College.

The Protocol sets out the College's strategies for preventing, identifying and managing peer on peer abuse and takes a contextual approach to safeguarding all young people involved, acknowledging that young people who have allegedly abused their peers or displayed harmful sexual behaviour are themselves vulnerable and may have been abused by peer, parents or adults in the community.

Understanding Peer on Peer Abuse

The College recognises that young people are vulnerable to and capable of abusing their peers. We take such abuse seriously and recognise that it can include verbal as well as physical abuse and online as well as offline abuse. The impact of this behaviour on young people can be very distressing and have an impact on academic achievement and emotional health and wellbeing. Peer on peer abuse will not be tolerated or passed off as part of "banter" or "growing up"

This Protocol concentrates on peer-on-peer abuse in the context of sexual harassment and sexual violence. It is compliant with the statutory guidance on peer-on-peer abuse as set out in Keeping Children Safe in Education; the Wirral Safeguarding Children Board's Safeguarding Policy and Procedures and the recommendations set out in the Ofsted Review of sexual abuse in schools and colleges.

This Protocol recognises that all behaviour takes place on a spectrum (Appendix 1-Simon Hackett) and it is important to understand where a young person's behaviour falls on this spectrum to be able to respond appropriately to it.

We are committed to a whole College approach to ensure the prevention, early identification and appropriate management of peer-on-peer abuse within our College and beyond. We recognise that peer on peer abuse can manifest itself in many ways such as:

- Child Sexual Exploitation
- Sexting or youth produced digital imagery
- Upskirting
- Bullying

- Sexual Violence and harassment
- Abuse in intimate relationships
- Young people who display sexually harmful behaviour
- Technology can be used for bullying and other abusive behaviour

The College Safeguarding Policy sets out these key definitions in Appendix 1.

Prevention

As well as having strategies for dealing with incidents, the College has developed a curriculum that fosters healthy and respectful relationships between boys and girls. The College has a clear set of BePART values and College Core Requirements, and these are upheld and demonstrated throughout all aspects of College life. This is underpinned by the College disciplinary process and the pastoral support system, and by a planned programme of evidence-based content delivered through the whole curriculum which tackles 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 College recognises that peer on peer abuse can create an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence. In these situations, some of these behaviours will need to be handled with reference to other processes in College, including the Safeguarding and Disciplinary processes.

Consent

Students at the College are taught that consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to sexual activity only if s/he makes an active choice and has the freedom and capacity to make that choice. Students are taught to differentiate between consensual sexual activity between young people of a similar age and that which involves any power imbalance, coercion or exploitation.

Vulnerable groups

We recognise that all young people can be at risk however we acknowledge that some groups are more vulnerable. This can include experience of abuse within their family; living with domestic violence; young people in care; children who go missing; children with additional needs (SEN and/or disabilities);

children who identify or are perceived as LGBT and/or have other protected characteristics under the Equalities Act 2010.

Whilst research shows that girls are more frequently identified as being abused by their peers and, girls are more likely to experience unwanted sexual touching in schools this is not confined to girls. Boys are less likely to report intimate relationship abuse and may display other behaviour such as antisocial behaviour. Boys report high levels of victimisation in areas where they are affected by gangs. We recognise that both boys and girls experience peer on peer abuse, but they do so in gendered way.

Responding to Alleged Incidents Responding to reports of sexual violence and sexual harassment

All reports of peer-on-peer abuse will be made on a case-by-case basis with the designated safeguarding lead (DSL) and the deputy designated safeguarding lead (Deputy DSL) taking a leading role using their professional judgement. The DSL and Deputy DSL will be supported internally by the Director of Student Development and the Second in Student Development. External support will be sought, where appropriate, from agencies such as social care or the police.

The immediate response to a report

- All reports will be recorded in writing using the Sapient Safeguarding e-mail notification system.
- The College will take all reports seriously and will reassure the victim that they will be supported and kept safe.
- All staff are trained to manage a report and will not promise confidentiality.
- Where the report includes an online element, the College follows advice on searching, screening and confiscation. The staff will not view or forward images unless unavoidable and only if another member of staff (preferably the DSL/Deputy DSL) is present.

Risk Assessment

When there has been a report of sexual violence, the DSL or Deputy DSL will make an immediate risk and needs' assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs' assessment will consider:

- The victim, especially their protection and support.
- The alleged perpetrator; and
- All the other young people (and, if appropriate, adult students and staff) at the school or college, especially any actions that are appropriate to protect them;

Risk assessments will be recorded on CPOMS and kept under review. The DSL or Deputy DSL will ensure they are engaging with MASH where appropriate.

Action following a report of sexual violence and/or sexual harassment

Following an incident, we will consider

- The wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment.
- The nature of the alleged incident(s), including whether a crime may have been committed and consideration of harmful sexual behaviour;

- The ages and developmental stages of the young person involved.
- Any power imbalance between the young people involved. For example, is the alleged perpetrator significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- If the alleged incident is a one-off or a sustained pattern of abuse.
- Are there ongoing risks to the victim, other students or staff and other related issues and wider context?

Follow up Actions

Young people sharing a classroom:

Whilst the College establishes the facts of the case and starts the process of liaising with children's social care and the police, consideration will be given to the following issues:

- Removal of the perpetrator from any classes they share with the victim.
- How best to keep the victim and alleged perpetrator a reasonable distance apart on college premises and on College transport.

Any actions taken are in the best interests of both young people and should not be perceived to be a judgment on the guilt of the alleged perpetrator.

Options to manage the report

1. Manage internally

In some cases of sexual harassment, for example, one-off incidents, the College may decide that the young people concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident **internally**, and by providing pastoral support by the Student development and Learning Support Teams.

This decision will be made based on the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated. All decisions, and discussions around making these decisions will be recorded and stored on CPOMS by the Safeguarding team.

2. Early Help

In line with 1 above, we may decide that the young people involved do not require statutory interventions but may benefit from **early help**. Early help means providing support as soon as a problem emerges, at any point in a young person's life. Providing early help is more effective in promoting the welfare of young people than reacting later. Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

3. Statutory Assessment

Where **statutory assessments** are appropriate, the DSL, Deputy DSL and/or the Social Care Progress Mentor will work alongside, and will cooperate with, the relevant lead social worker and/or police. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other young person that requires support.

Collaborative working with appropriate agencies will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other young people that require support.

Support for Young People Affected by sexual violence, sexual harassment and harmful sexual behaviours

Support for victims is available from a variety of agencies (see **Appendix 2**). The College will support any victims of peer-on-peer abuse to remain in College.

Where there is a criminal investigation, the alleged perpetrator will be removed from any shared classes with the victim and we will also consider how best to keep them a reasonable distance apart on the College premises or on College transport. This is in the best interest of the young people concerned and should not be perceived to be a judgement of guilt before any legal proceedings. We will work closely with the police.

Where a criminal investigation leads to a conviction or caution, we may take suitable action, if we have not already done so. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in College would seriously harm the education or welfare of the victim (and potentially other students). In that situation, we may, if we have not already done so, consider all suitable sanctions using our policies, including consideration of permanent exclusion.

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.

Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the police (for a variety of reasons). In some cases, rape, sexual assault or sexual harassment are reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict. None of this means the offence did not happen or that the victim lied. The process will have affected both victim and alleged perpetrator. Appropriate support will be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis.

All the above will be considered with the needs and wishes of the victim at the heart of the process (supported by parents and carers as required). Any arrangements should be kept under review.

Physical Abuse

While a clear focus of peer-on-peer abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals from pupils to pupils can also be abusive. These are equally not tolerated and if it is believed that a crime has been committed, will be reported to the police.

Appendix 1: Continuum of harmful sexual behaviours

The Deputy DSL has delivered training to the Student Development Team and to the Learning Support Team on Simon Hackett (2010) 's continuum model which demonstrates the range of sexual behaviours presented by children and young people, from those that are normal, to those that are highly deviant:

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

Normal	Inappropriate	Problematic	Abusive	Violent
Developmentally expected	<ul style="list-style-type: none"> • Single instances of inappropriate sexual behaviour 	<ul style="list-style-type: none"> • Problematic and concerning behaviours 	<ul style="list-style-type: none"> • Victimising intent or outcome 	<ul style="list-style-type: none"> • Physically violent sexual abuse
Socially acceptable	<ul style="list-style-type: none"> • Socially acceptable behaviour within peer group 	<ul style="list-style-type: none"> • Developmentally unusual and socially unexpected 	<ul style="list-style-type: none"> • Includes misuse of power 	<ul style="list-style-type: none"> • Highly intrusive
Consensual, mutual, reciprocal	<ul style="list-style-type: none"> • Context for behaviour may be inappropriate 	<ul style="list-style-type: none"> • No overt elements of victimisation 	<ul style="list-style-type: none"> • Coercion and force to ensure victim compliance 	<ul style="list-style-type: none"> • Instrumental violence which is physiologically and/or sexually arousing to the perpetrator
Shared decision making	<ul style="list-style-type: none"> • Generally consensual and reciprocal 	<ul style="list-style-type: none"> • Consent issues may be unclear • May lack reciprocity or equal power • May include levels of compulsivity 	<ul style="list-style-type: none"> • Intrusive • Informed consent lacking, or not able to be freely given by victim • May include elements of expressive violence 	<ul style="list-style-type: none"> • Sadism

Appendix 2: Support for Young People: Local and National

RASA Merseyside: <https://www.rasamerseyside.org/>

Child and adolescent mental health services: <https://www.mymind.org.uk/services-and-contacts/wirral/wirral-camhs-0-18-service/>

CAMHS Advice & Crisis Line: 24/7 0800 145 6485

My Mind: <https://www.mymind.org.uk/>

Response: <https://www.talktofrank.com/treatment-centre/response>