



# PEER ON PEER ABUSE POLICY

## SMARTIES PRE SCHOOL & OUT OF SCHOOL CLUB

### POLICY STATEMENT

Keeping Children Safe in Education, 2016 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' (page 19). The document also states it is most important to ensure opportunities of seeking the voice of the child are heard, 'Governing bodies, proprietors and school or college leaders should ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide. Systems should 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.'

At Smarties Preschool and Out of Hours Club 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 health and well-being.

### Procedures

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 Smarties Preschool & Out of School Club we have the following policies in place that should be read in conjunction with this policy:

- Promoting Positive Behaviour Policy
- Children's Rights and Entitlements Policy
- Online Safety Policy
- Safeguarding and Child Protection 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, 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, 2016 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 childcare 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 in 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 off as 'banter' or 'part of growing up'.



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### Types of abuse

There are many forms of abuse that may occur between peers and this 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, nipping, shaking, biting, hair pulling, or otherwise causing physical harm to another person. 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 the 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 (e.g. 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 phones, instant messaging, e-mail, chat rooms or social networking sites such as Facebook and Twitter to harass threaten or intimidate someone for the same reasons as stated above. It is important to state that cyber bullying can very easily fall into criminal behaviour under the Malicious Communications Act 1988 under section 1 which states that electronic communications which are indecent or grossly offensive, convey a threat or false information or demonstrate that there is an intention to cause distress or anxiety to the victim would be deemed to be criminal.





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This is also supported by the Communications Act 2003, Section 127 which states that electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience or needless anxiety to another could also be deemed to be criminal behaviour.

If the behaviour involves the use of taking or distributing indecent images of young people under the age of 18 then this is also a criminal offence under the Sexual Offences Act 2003. Outside of the immediate support young people may require in these instances, the setting will have no choice but to involve the police to investigate these situations.

### Sexting

Sexting is when someone sends or receives a sexually explicit text, image or video. This includes sending 'nude pics', 'rude pics' 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, young people 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.

### 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 identity, home life, (for example in relation to issues of care, parental occupation, poverty and social class) and sexual preference (homosexual, bisexual).



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### 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 a 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 to make sure the greatest possible accuracy of the incident details can be ensured. 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. In all cases of peer on peer abuse it is necessary that all staff are trained in dealing with such incidents, talking to children 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.

All information gathered in relation to any peer on peer incident should be fully recorded including the write up of all discussions with the children concerned, their parents/carers and staff, any action taken and outcomes. This information should be stored securely within the setting and treated as a confidential matter meaning that only relevant staff and parents are informed on a need to know basis and only relevant staff have access to the records.

### Gather the Facts

Speak to all the children involved separately, gain a statement of facts from them and use consistent language and open questions for each account. 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 the incident? What was seen? What was heard? Did anyone intervene?)

### Consider the Intent (begin to Risk Assess)

Has this been a deliberate or contrived situation for a child to be able to harm another?

### Decide on your next course of action

If from the information that you gather you believe any child 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 of your next steps.

If social care and the police intend to pursue this further they may ask to interview the child at the setting or they may ask for parents to come to the setting to be spoken to also. It is important to be prepared for every situation and the potential time it may take. It may also be that social care feel that it does not meet their criteria in which case you may challenge that decision, with that individual or their line manager. If on discussion however, you agree with the decision, you may then be left to inform parents.

### Informing parents

If a child is deemed to be 'Gillick Competent' (of a maturity to understand the situation and make their own decision) following the 'Fraser' guidelines and does not wish you to share the information with parents, then the setting must consider this especially for example if the young person is pregnant and this is why they are being bullied (unless this has occurred through significant harm in which case a criminal/social care case is likely or the young person is under the age of





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In all circumstances where the risk of harm to the child is evident then the setting should encourage the children to share the information with their parent or even with them (they may be scared to tell parents that they are being harmed in any way). Where the setting can evidence they are acting in the best interests of the child they would not be criticised, however this would be the case if they actively breached the rights and choices of the child.

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 you need to inform the parents as soon as possible. If services are not going to be involved then equally, this information may need to be shared with 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 child may be suffering can cause fear and anxiety to parents whether their child is the child who was harmed or who harmed another.

### 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 exploration, 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. This, however should not be overlooked if other issues arise (see 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 children involved of what occurred?
- Can each of the children give the same explanation of the incident and also what is the effect on the children 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 children 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 child'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 child 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.



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### 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?

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 child. 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. In which case it is necessary that this child continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the child may need support in improving peer groups/relationships with other children 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 cyber bullying, relationship abuse etc. It may be that through the

If the child feels particularly vulnerable it may be that a risk assessment can be put in place for them whilst in school 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 child who has displayed harmful behaviour

In this circumstance, it is important to find out why the child has behaved in such a way. It may be that the child 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 CAF (Common Assessment Framework)/strengthening families/early help referral and the child may require additional support from family members. Once the support required to meet the individual needs of the child has been met, it is important that the child 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 the cases of sexually harmful behaviour it may be a requirement for the young person to engage in one to one work with a service or agency (if a crime has been committed this may be through the police or youth offending service). If there is any form of criminal investigation ongoing it may be that this child cannot be educated on site until the investigation has concluded. In which case, the child will need to be provided with appropriate support and education whilst off site.

Even following the conclusion of any investigation, the behaviour that the child has displayed may continue to pose a risk to others. Due to this, an individual risk assessment should be completed to minimise any re-occurrence in future. This should be completed via a multi-agency response to ensure that the needs of the child and the risks towards others are measured by all of those agencies involved including the child and their parents.





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This may mean additional supervision of the child or protective strategies if the child feels at risk of engaging in further inappropriate or harmful behaviour. The setting may also choose a punishment as a consequence such as exclusion or internal exclusion/inclusion/seclusion for a period of time to allow the young person to reflect on their behaviour.

### After care

It is important that following the incident the children 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 children 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 case, regular reviews with the children following the incident(s) are imperative.

### Preventative Strategies for Schools and Settings

For all childcare settings, 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.

Firstly, and most importantly for schools and settings is recognition that peer on peer abuse can and will occur on any site even with the most stringent of policies and support mechanisms. In which case it is important to continue to recognise and manage such risks and learn how to improve and move forward with strategies in supporting children to talk about any issues and through sharing information with all staff.

This can be supported by ensuring that each childcare setting has an open environment where children feel safe to share information about anything that is upsetting or worrying them. This can be strengthened through a strong and positive PHSE (Personal, Health, Social and Economic)/SMSC (Spiritual, Moral, Social and Cultural) curriculum that tackles such issues as prejudiced behaviour and gives children an open forum to talk things through rather than seek one on one opportunities to be harmful to one another.

To enable such an open and honest environment it is necessary to ensure the whole workforce feels confident and enabled to talk about issues and challenge perceptions of children including use of inappropriate language and behaviour towards one another. In order to create such an environment, it is necessary for whole staff training and CPD around abusive behaviours and talking to young people in a way that continues to create an open and honest environment without prejudice. 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 seeking no further help or advice.

It is important that signposting is available to children in the event that they don't feel confident raising an issue to staff or a peer. It is useful to have a resource board with support services on a wide range of issues so children can seek their own solutions should they wish to.



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In the same way external services or support programmes could be brought in to talk to children about specific issues in support of the prevention of peer on peer abuse.

Finally, it is useful to ensure children are part of changing their circumstances and that of the procedures within childcare settings. Having a setting council and childrens' voice and encouraging children to support changes and develop 'rules of acceptable behaviour' will go far in helping to create a positive ethos in the childcare setting and one where all young people understand the boundaries of behaviour before it becomes abusive.

### Further Guidance

- New Choices Inc <http://newchoicesinc.org/educated/abuse/TDV/def>
- This is abuse campaign [https://www.ov.uk/government/uploads/system/uploads/attachment\\_data/file/410010/2015-03-08\\_This\\_is\\_Abuse\\_campaign\\_summary\\_report\\_2.pdf](https://www.ov.uk/government/uploads/system/uploads/attachment_data/file/410010/2015-03-08_This_is_Abuse_campaign_summary_report_2.pdf)
- Stop bullying.gov <http://www.stopbullying.gov/what-is-bullying/definition/index.htm>
- Holding Together: equalities, difference and cohesion, a resource for school improvement planning, published for Derbyshire Education Authority by Trentham Books, summer 2009.
- EACH resources for LGBT
- CEOP <https://www.ceop.police.uk/Media-Centre/Press-releases/2009/What-does-sexting-mean/>

This Policy is in addition to the existing Safeguarding and Child Protection Policy.

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Name of signatory:

Victoria Hutter

Role of signatory:

Chairman of the Committee

Signed:

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