



<b>Policy Name</b>	<b>Peer on Peer Abuse</b>
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## **Statement of intent**

Old Farm School is committed to providing a caring, friendly, and safe environment for all of our students, so they can learn in a relaxed and secure atmosphere. Peer on peer abuse of any kind is unacceptable at our school. If peer on peer abuse does occur, all pupils can talk to someone, secure in the knowledge that incidents will be dealt with promptly and effectively. We are aware our students all hold an EHCP for SEMH and this can result in extreme verbal outbursts.

## **What is peer on peer abuse?**

Peer on peer abuse is the consistent and deliberate actions of a person, or group of people, which are designed to hurt the person at whom they are directed.

## **What does peer on peer abuse look like, feel like, sound like?**

It is any behaviour by an individual or group that:

- Is meant to hurt the person or people doing the abusing know what they are doing and mean to do it.
- Happens more than once – there will be a pattern of behaviour, not just a ‘one-off’ incident Involves an imbalance of power – the person being abused will usually find it very hard to defend themselves.

Peer on peer abuse can take the form of verbal, cyber or physical behaviour and may incorporate one or more of the following:

- Emotional: Being unfriendly, excluding and tormenting
- Physical: Pushing, kicking, hitting, punching or the threatening of violence
- Racist: Racial taunts, graffiti, gestures, comments or jokes
- Sexual: Indication of sexual violence or harassment (Appendix 1), including any unwanted physical contact or sexual comments
- Homophobic: Gestures, comments, graffiti or jokes focusing on the issue of sexuality
- Verbal: Name calling, taunting, sarcasm, teasing, spreading rumours
- Cyber: The abusive use of any form of social network or electronic communication
- Appearance: Nasty comments about the way someone looks
- Gender: Nasty comments, taunts, any negative behaviour that is directed at someone because of their gender identity, or is of a transphobic nature

## **Why is it important to respond to peer on peer abuse?**

No one deserves to be a victim of peer on peer abuse. Everybody has the right to come to school, feel safe, enjoy their learning and be treated with respect. Schools have a responsibility to respond promptly and effectively to issues of peer on peer abuse.

### **Objectives of this Policy**

- As a school we take peer on peer abuse seriously. Pupils and parents should be assured that they will be supported when peer on peer abuse is reported.
- All pupils and parents should know what the school policy is on peer on peer abuse, and what to do if peer on peer abuse arises.
- All governors, teaching and non-teaching staff, students and parents should have an understanding of what peer on peer abuse is.

- All governors, teaching and non-teaching staff should know what the school policy is on peer on peer abuse, and follow it when peer on peer abuse is reported.

### **Signs and symptoms**

A pupil who is a victim of peer on peer abuse, may exhibit behaviours which are unusual. This could be seen in terms of their motivation to come to school; they may want to be escorted to or from school or could start truanting. It may become apparent through their property being damaged, an unwillingness to eat at school or they may want to bring extra money to school to pay the perpetrators. A victim of peer on peer abuse could become solitary or show traits of anxiety, have difficulty in getting to sleep, be frightened to talk or start stammering. These indicators could suggest other problems but peer on peer abuse should be considered a possibility and should be investigated.

### **Procedures**

1. All peer on peer incidents should be reported and recorded on an incident report form, by the pupils concerned, to any member of staff.
2. All peer on peer allegations and/or threats of peer on peer abuse will be promptly investigated by the most appropriate member of the Senior Leadership Team.
3. All proven cases of peer on peer abuse will be recorded and kept on the files of both the perpetrator and the victim, and parents of both will be notified. This will then be recorded centrally via Observation checklist and using the OFS Sharing Memo.
4. All proven incidents will result in sanctions for the perpetrator, together with appropriate support and/or counselling for both the victim and the perpetrator.
5. Via guidance, monitoring and support, an attempt will be made to help the perpetrator/s modify their behaviour. Parents may be asked into school to discuss the school's concerns and help work together towards a more positive way forward.
6. If necessary, in extreme or persistent cases, the police will be informed.

### **Outcomes**

- a) Wherever possible, the pupils will be reconciled and, if appropriate, restorative approaches used.
- b) The perpetrator will be asked to apologise and make assurances regarding future behaviour where and if appropriate. They will also receive guidance and support on addressing their behaviour.
- c) All proven incidents of peer on peer abuse will result in some form of sanction for the perpetrator. (Dependant on each specific incident, this may range from a warning o to the possibility of exclusion). All parties involved will be made aware of the sanction taken, which will vary depending on the severity of the incident and the perpetrator's previous history.
- d) In serious cases, fixed term exclusion or even Permanent Exclusion will be considered. If necessary and appropriate, the police will be involved.
- e) After the incident/incidents have been investigated and dealt with, the pupils in each case will be monitored to help ensure repeated peer on peer abuse does not take place.

f) Once peer on peer abuse has been proven and resolved, all parties will be made aware that communication, preferably with a specifically named member of staff is vital to help avoid repetition, retaliation or further incidents, including those involving “third parties”.

## **Parents**

Most concerns about peer on peer abuse will be resolved and discussed between home and school. However, where a parent feels their concerns have not been resolved, they are encouraged to use the formal Complaints Procedure.

Where a pupil is involved in peer on peer abuse others outside school, i.e. in the street or through the use of internet at home, parents will be asked to work with the school in addressing their child’s behaviour, for example, restricting/monitoring their use of the internet or mobile phone

## **The school will:**

- Raise awareness of the nature of peer on peer abuse through inclusion in PSHE, tutorial time, assemblies, subject areas and informal discussion, as appropriate, in an attempt to eradicate such behaviour.
- Give care and support to create and maintain a safe learning environment where all pupils feel safe, secure and valued and know they will be listened to and taken seriously in line with the school ethos.
- Participate in local and national initiatives such as Anti-bullying Week
- Consider the use of specific strategies, e.g. implement peer mentoring on a more regular basis and empower students as Anti-bullying ambassadors subject to available resources.

## **The law and statutory guidance with respect to peer on peer abuse**

### **THE EQUALITY ACT 2010**

Under the Equality Act 2010, new duties on schools and other public bodies came into force from April 2011. The Act strengthens and simplifies existing equality legislation. The Act brings together existing duties not to discriminate on grounds of race, disability and gender which schools are already bound to comply with, and it extends these to include duties not to discriminate on the grounds of age, sexual orientation, religion or belief, or gender reassignment. It places a requirement on governing bodies and proprietors of schools to eliminate discrimination and promote equal opportunities.

- **SAFEGUARDING CHILDREN AND YOUNG PEOPLE**

Under the Children Act 1989 a peer on peer abuse incident should be addressed as a child protection concern when there is ‘reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm’. Where this is the case, the school staff should report their concerns to their local authority children’s social care. Even where safeguarding is not considered to be an issue, schools may need to draw on a range of external services to support the pupil who is experiencing peer on peer abuse, or to tackle any underlying issue which has contributed to a child doing the peer on peer abuse.

### **CRIMINAL LAW**

Although peer on peer abuse in itself is not a specific criminal offence in the UK, it is important to bear in mind that some types of harassing or threatening behaviour – or communications – could be a criminal offence, for example under the Protection from

**Harassment Act 1997, the Malicious Communications Act 1988, the Communications Act 2003, and the Public Order Act 1986.** If school staff feel that an offence may have been committed, they should seek assistance from the police. For example, under the **Malicious Communication Act 1988**, it is an offence for a person to send an electronic communication to another person with the intent to cause distress or anxiety or to send an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known or believed to be false by the sender.

## **PEER ON PEER ABUSE OUTSIDE SCHOOL PREMISES**

Head teachers have a specific statutory power to discipline pupils for poor behaviour outside of the school premises. **Section 89(5) of the Education and Inspections Act 2006** gives head teachers the power to regulate pupils' conduct when they are not on school premises and are not under the lawful control or charge of a member of school staff. This can relate to any bullying incidents occurring anywhere off the school premises, such as on school or public transport, outside the local shops, in a town or village centre, cyber abuse or via social networking sites. Where peer on peer abuse outside school is reported to school staff, it should be investigated and acted on. The head teacher should also consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the actions taken against a pupil. If the misbehaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed.

## **Appendix 1: Sexual Violence and Sexual Harassment**

Under the notion of the Statutory SRE Guidance (up-dated July 2019), such behaviour is addressed in a preventative and educational manner through curricular activities such as a Healthy relationships PSHE programme and a Social Science curriculum that specifically targets SRE.

As a stakeholder in the Safeguarding and Education of young people Old Farm School acknowledges its obligations towards the serious domain of negative sexual behaviours (which may be criminal in nature). In any incident of this nature the procedures outlined in the Peer on Peer Abuse Policy in the challenging of any reports, alongside the consultation of **the Designated Safeguarding**

**Lead Michael Coldwell.**

Dismissing or tolerating such behaviours risks normalising them.

This accounts for responsibilities in regard to: Whilst also upholds the obligations highlighted within:

- Keeping children safe in education (2019)
- Working together to safeguard children (2018)
- Human Rights Act 1998
- Equality Act 2010
- Public Sector Equality Duty (PSED)

## **What do these behaviours include?**

Sexual violence and sexual harassment can occur between two children of any sex. They can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Under the Sexual Offences Act (2003), sexual behaviours should be identified in the following means:

## **Sexual Violence**

*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.

## **What is consent?**

Someone consents to penetration only if chosen with freedom and capacity to make that choice. Consent to sexual activity may be given to one sort of sexual activity but not another, and can be withdrawn at any time during sexual activity and each time activity occurs.

*Sexual harassment*

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 and displaying pictures, photos or drawings of a sexual nature
- online sexual harassment, which might include: non-consensual sharing of sexual images and videos and sharing sexual images and videos (both often referred to as sexting); inappropriate sexual comments on social media; exploitation; coercion and threats. Online sexual harassment may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

## **Further Guidance**

- NSPCC – Harmful Sexual behaviours

<https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/harmfulsexual-behaviour/>

- Brook Sexual behaviours traffic light tool

<https://www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool>

- Rape Crisis - England & Wales <https://rapecrisis.org.uk/>