

## **Peer on peer abuse policy**

Nash College will ensure that all staff are aware of peer on peer abuse and know what action to take when a student's behavior is likely to cause harm to other pupils. This may be through:

- Bullying and cyberbullying
- Physical violence
- Sexual violence and sexual harassment
- Up skirting
- Sexting
- Initiation rites (hazing)

All incidents of peer on peer abuse will be dealt with under the Peer on peer and sexual violence and harassment guidance for schools and colleges available at <https://cscsp.org.uk/professionals/schools-and-nurseries-safeguarding-policies/>

### Introduction

“Peer on peer abuse” is defined as the bullying, abuse or exploitation of a young person by peers of a similar age where the children involved are both under 18. It can take many forms, such as bullying and sexual harassment, and can take place online or in the real world. Although our students are older than 18 we will follow the procedures and protocols in place for children.

Nash College will deliver the curriculum so as to prevent peer on peer abuses, promoting respectful behaviour between pupils, particularly in relation to sexual conduct, and will provide opportunities to convey messages on respectful personal and sexual relationships.

Nash College will provide an environment of openness where pupils feel safe to disclose incidents and concerns knowing that they will be taken seriously and acted on.

Students will be informed of procedures for reporting incidents and concerns and all staff will receive the training necessary to respond sensitively and effectively to these.

The college behaviour policies set out clear expectations of behaviour for students.

The college will operate a zero-tolerance policy on inappropriate and discriminatory language and behaviour, including sexualised language and behaviour.

Staff are expected to respond appropriately to challenge any inappropriate or discriminatory language or behaviour under college policies and should not ignore, condone or otherwise minimise such behaviour in students or other staff.

Nash College recognises the role of technology in facilitating bullying, abuse and exploitation, especially sexual harassment and exploitation, and is aware that many incidents will take place online. These incidents should be dealt with under the *Online Safety Policy*.

Nash College will be aware of incidents involving pupils that take place outside of college and the need to respond appropriately in order to support victims and maintain a safe college environment.

Nash College will pay close attention to the fact that:

- Peer on peer abuse is likely to breach the student's rights under the Human Rights Act 1998.
- Some forms of abuse will involve prejudice-based bullying and harassment, or sexual violence or harassment which is primarily directed against specific groups of pupils, and the college is aware of their duty under the Equality Act 2010 to ensure these groups are protected and are not discriminated against by college policy.
- Nash College is aware that every student, victim or perpetrator, is entitled to an education and it is in the duty of the college to ensure that pupils' education is not adversely affected as a result of peer on peer abuse or any action taken in response to incidents.

### **Recognising peer on peer abuse**

Bullying and other forms of harmful behaviour by young adults against their peers can range from low-level, problematic behaviour to abusive behaviour that can put victims at risk of significant harm.

Staff should be aware that students may not report incidents immediately or at all for a variety of reasons, but must be proactive in recognising any peer on peer abuse taking place and take the view that it may be happening even if it is not apparent.

Reports may be made by friends of the student on their behalf or staff may identify changes in behaviour that signal the pupil's distress and should be attentive to these signs.

It is important that professionals are able to recognise the form that peer on peer abuse can take, including the following:

- physical abuse including hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm to another person;
- emotional abuse through bullying including name-calling, making threats, spreading rumours, verbal abuse or deliberate social exclusion;
- cyber bullying; the use of the internet and mobile devices to post threatening, intimidating or malicious messages/images on social media sites; more information on this is available in the *online safety policies*;
- hazing; a form of initiation rite involving physically and/or emotionally abusive behaviour towards the person being initiated into a group, often as part of a “trial”;
- relationship abuse; abuse within intimate relationships that can involve physical and emotional abuse or threats and/or control or coercion and where the perpetrator tries to gain power over the victim;
- prejudice-based bullying or harassment linked to a young person’s ethnicity, religion, disability or sexual orientation; staff should be aware of the heightened vulnerability of some groups to bullying and abuse based on discrimination.
- sexual violence, including sexual assault and sexual harassment including consensual and non-consensual sharing of nude images.
- exploitation of peers through sexual exploitation or criminal exploitation on the county lines model for example (which may be linked to gang involvement).

### **Responding to incidents**

It is essential that where concerns and incidents may have involved harm to the victim, the designated safeguarding lead should be consulted in order to make an informed decision on whether a referral to LADO is necessary.

The member of staff responding to the incident or concern should:

- gather all the facts, speaking to both the victim and perpetrator
- liaise with the designated safeguarding lead who would inform parents of the incident/concern

- DSL would carry out a risk assessment to see if there is any further risk to the victim or other pupils
- DSL would make a report of the incident including a decision on what actions will be taken by the college.

Where incidents involve material posted online, the college will request that the electronic device is handed over as part of the investigation and may use legal powers to search and confiscate property as set out in the statutory guidance *Searching, screening and confiscation advice for schools*.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/674416/Searching\\_screening\\_and\\_confiscation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/674416/Searching_screening_and_confiscation.pdf)

### **Levels of harm and intervention**

Peer on peer abuse will cover a spectrum of behaviours involving different levels of harm and requiring different levels of intervention, and the college will take the following into account when deciding on how to deal with incidents:

- *Inappropriate behaviours*: one off incidents that involve a low level breach of college policies where there is thoughtlessness rather than malice and which may not be aimed at a particular pupil; these may be dealt with internally under college behaviour policies with provision of pastoral care within the college to support any victim or the perpetrator.
- *Problematic behaviours*: on-going behaviours that are socially unacceptable involving some element of victimisation which may be opportunistic rather than deliberately targeted; the behaviour may raise concerns regarding the impact on the wellbeing of the victim and may imply that the perpetrator has unmet needs that are driving their behaviour; the college will deal with the matter internally and/or consider a referral for help for both the victim and perpetrator.
- *Harmful and abusive behaviours*: persistent behaviours that continue despite previous sanctions with evidence of harmful intent and victimisation, deliberate and pre-planned, targeted at specific students and leading to harm of the victim; the college will deal with the incident locally, making a safeguarding referral. Where a criminal offence has taken place, the college will report the matter to the police.

The following factors should be taken into consideration when deciding on whether the behaviour is harmful:

- the behaviour is considered unacceptable or inappropriate for their peer group
- whether it is a single incident or a history of incidents and discernible patterns of behaviour or evidence of escalation is present
- there are specific concerns about the victim or the perpetrator, including any vulnerabilities
- there are elements of victimisation or discrimination on the basis of race, gender, sexuality etc. in the behaviour
- there is evidence of coercion or pre-planning or the involvement of other pupils
- there is a power imbalance between the victim or perpetrator (for example age or developmental stage)
- the impact on the victim, particularly in the context of any vulnerabilities, for example SEND
- whether the behaviour involves a criminal offence (e.g.: rape/serious sexual assault).

### **Legal framework**

Nash College will follow Part 5 of *Keeping children safe in education (2021)* and the statutory guidance *Sexual violence and sexual harassment between children in schools and colleges (2021)* when dealing with incidents of sexual violence or sexual harassment. The following procedures are based on these documents.

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/999239/SVSH\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/999239/SVSH_2021.pdf)

The college will ensure staff have an understanding of the specific criminal offences under the Sexual Offences Act 2003 and the importance of consent, in particular whether consent to sexual acts is given freely by someone with the capacity to choose and in the absence of any duress or exploitation.

- Sexual violence is defined as any act which is an offence under the Sexual Offences Act 2003, including rape, assault by penetration or sexual assault without the consent of the victim.
- Sexual harassment is defined as unwanted sexual conduct likely to violate the victim's dignity and/or make them feel intimidated, degraded or humiliated or create a hostile, offensive or sexualised environment. This includes making sexual comments or jokes,

physical contact such as touching or interfering with clothing or displaying sexual images. It also includes online harassment.

### **Confidentiality and information-sharing**

The Children Act 2004 places a safeguarding duty on schools and colleges and provides a legal basis to share information with other agencies in order to safeguard and promote the welfare of children when taking action in response to peer on peer abuse. Nash College will follow the same duty for its young adults.

Nash College will try to obtain parental consent to making a referral but will inform parents that consent is not needed should it be withheld.

Parental consent to making a referral should not be sought where this would:

- place the young person at further risk
- interfere with a criminal investigation
- cause undue delay to safeguarding a young person.

When seeking consent to share information, the following should be taken into account:

- Young people aged over 16 are legally able to give consent to disclosure where they are judged to have mental capacity.  
Information sharing will be limited to the head teacher and the designated safeguarding lead and any member of staff involved in responding to the incident or involved in managing risk and implementing the safety plan. Decisions on disclosure should be made by the head teacher on a case by case basis.

### **Working with parents**

Nash College will inform the parents of victims and perpetrators as proportionate to the level of harm caused unless this may put the young person at risk of further harm. The designated safeguarding lead should meet with parents in order to explain arrangements that will be put in place to keep victims safe and support both students, as well

Staff should ensure a high level of sensitivity when working with parents. Many parents are likely to be shocked on hearing about the allegations, but it is important that they are involved in agreeing any action to support the perpetrator to take responsibility and to manage behaviour.

However, professionals also need to be aware of the possibility that parents may be implicated in the abusive behaviours. Where this is thought to be the case, professionals should discuss the matter with the social worker to decide whether parents should be notified of any referral.