



The Federation of Mill Hill and Woodcroft Primary Schools Managing Allegations Against Another Pupil Policy

Contents:

- Introduction
- Policy
- Procedure

Co-ordinator responsible for the policy in consultation with the staff and governors:

Head Teachers

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Learning for a lifetime

Introduction

DfE guidance Keeping Children Safe in Education (2019) says that “Governing Bodies should ensure that there are procedures in place to handle allegations against other children”. The guidance also states the importance of minimising the risks of peer-on-peer abuse. In most instances, the conduct of students towards each other will be covered by the school’s Behaviour policy. Some allegations may be of such a serious nature that they may raise safeguarding concerns. These allegations are most likely to include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is also likely that incidents dealt with under this policy will involve older students and their behaviour towards younger students or those who are vulnerable.

The safeguarding implications of sexual activity between young people

The intervention of child protection agencies in situations involving sexual activity between children can require difficult professional judgements. Some situations are statutorily clear – for example, a child under the age of 13 cannot consent to sexual activity. But it will not necessarily be appropriate to initiate safeguarding procedures where sexual activity involving children and young people below the legal age of consent (16 years) comes to notice. In our society, generally the age at which children become sexually active has steadily dropped. It is important to distinguish between consensual sexual activity between children of similar ages (where at least one is below the age of consent) and sexual activity involving a power imbalance, or some form of coercion or exploitation. It may also be difficult to be sure that what has or has been alleged to have taken place definitely does have a sexual component.

As usual, important decisions should be made on a case by case basis, on the basis of an assessment of the children’s best interests. Referral under safeguarding arrangements may be necessary, guided by an assessment of the extent to which a child is suffering, or is likely to suffer, significant harm.

Key specific considerations will include:

- The age, maturity and understanding of the children
- Any disability or special needs of the children
- Their social and family circumstances
- Any evidence in the behaviour or presentation of the children that might suggest they have been harmed
- Any evidence of pressure to engage in sexual activity
- Any indication of sexual exploitation

There are also contextual factors. Gender, sexuality, race and levels of sexual knowledge can be used to exert power. A sexual predator may sometimes be a woman or girl and the victim a boy.

Policy

Within the federation of Mill Hill and Woodcroft Primary Schools, we believe that all children have a right to attend school and learn in a safe environment. Children should be free from harm by adults in the school and other students.

We recognise that some students will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under both schools' Behaviour policy.

Prevention

As a federation, we will minimise the risk of allegations against other pupils by:

- Providing a developmentally appropriate PSHE syllabus which develops students' understanding of acceptable behaviour and keeping themselves safe
- Having systems in place for any student to raise concerns with staff, knowing that they will be listened to, believed and valued, delivered through the federation ethos
- Delivering targeted work on assertiveness and keeping safe to those pupils identified as being at risk, through working with the ELSA at Woodcroft and FEIPS at Mill Hill
- Developing robust risk assessments and providing targeted work for pupils identified as being a potential risk to other pupils - these are completed by the SENCo and the Home School Link Worker in each school.

Allegations against other pupils which are safeguarding issues

Occasionally, allegations may be made against students by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is likely that, to be considered a safeguarding allegation against a pupil, some of the following features will be found.

If the allegation:

- Is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- Is of a serious nature, possibly including a criminal offence
- Raises risk factors for other pupils in the school
- Indicates that other pupils may have been affected by this student
- Indicates that young people outside the school may be affected by this student.

Examples of safeguarding issues against a student could include:

- **Physical abuse:** violence, particularly pre-planned and forcing others to use drugs or alcohol
- **Emotional abuse:** blackmail or extortion, threats and intimidation
- **Sexual abuse:** indecent exposure, indecent touching or serious sexual assaults and forcing others to watch pornography or take part in sexting

- **Sexual exploitation:** encouraging other children to engage in inappropriate sexual behaviour (for example, having an older boyfriend/girlfriend, associating with unknown adults or other sexually exploited children, staying out overnight) and photographing or videoing other children performing indecent acts.

Procedure

When an allegation is made by a pupil against another pupil, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern, the Designated Safeguarding Lead (DSL) should be informed. At Mill Hill the DSLs are Mrs Tracy Morgan (Headteacher), Mrs Yvonne Dixon (Home School Link Worker), Mrs Paula Smith and Mrs Claire Branscombe (Inclusion Manager). At Woodcroft the DSLs are Mr Barry Fanning (Headteacher), Mrs Emma Wilkinson and Mrs Laura Sherwell (both Assistant Headteachers), Mrs Anne Bartlett (SENCo) and Mrs Dawn Pink (Home School Link Worker).

A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances. The DSL should contact the Children's Reception Team (CRT) to discuss the case. The DSL will follow through the outcomes of the discussion and make a referral where appropriate.

If the allegation indicates that a potential criminal offence has taken place, the CRT will refer the case to the multi-agency safeguarding hub where the police will become involved.

Parents, of both the student being complained about and the alleged victim, should be informed and kept updated on the process of the referral.

The DSL will make a record of the concern, the discussion and any outcome, and keep a confidential sealed copy in both pupils' files.

It may be appropriate to exclude the pupil being complained about for a period of time, in accordance with the federation's Behaviour policy and procedures.

Where neither Social Services nor the Police accept the complaint, a thorough school investigation should take place into the matter using the federation's usual disciplinary procedures. In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative supervision plan. The plan should be monitored and a date set for a follow-up evaluation with everyone concerned.