



# CHILD ON CHILD ABUSE POLICY

*(Including HARMFUL SEXUAL BEHAVIOURS)*

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This Policy links to:

This Policy links to:

Keeping Children Safe in Education 2024

Working Together to Safeguard Children 2023

BRS Safeguarding Policy

Child Protection Policy

Behaviour Policy

Relationship and Sexual Health Education Policy (RSHE)

Online Safety Policy

Equality & Diversity Statement

Whistle Blowing Policy

## **Aims and Scope**

Although this policy is called Child on Child the BRS programme caters for a wide age range from the youngest of our trainees involved in the Newmarket Pony Academy and Foundation Learning Programme through to the older trainees (over 19s) both at the BRS and in the workplace.

The BRS has a duty of care to all trainees on our programmes and as such the aims and principles of all our policies will apply to all.

This policy will:

- Set out our strategies for preventing, identifying and managing peer on peer abuse
- Take a contextualised approach, as mentioned previously, to safeguarding all trainees involved. Acknowledging that trainees who have allegedly abused their peers or displayed harmful sexual behaviour are themselves vulnerable and may have been abused by peers, parents or adults in the community, or other young people.

## **Understanding Child on Child abuse**

Sexual violence and sexual harassment can occur between trainees of any age and sex or a group of trainees sexually assaulting or sexually harassing a single trainee or group of trainees.

The impact of this behaviour on trainees can be very distressing and have an impact on academic/physical achievement and emotional health and wellbeing.

Sexual harassment and sexual violence may also occur online and offline.

## **The Context**

All behaviour takes place on a spectrum. Understanding where a trainee's behaviour falls on a spectrum is essential to being able to respond appropriately to it. In this policy we recognise the importance of distinguishing between problematic and abusive sexual behaviour (Harmful Sexual Behaviours or HSBs). This range of sexual behaviours is listed in Appendix 1 & 2

## **Vulnerability**

All young people can be at risk of HSB however it is important to acknowledge that some groups are more vulnerable. People particularly vulnerable to HSB may have one or more of the following characteristics:

- Experience of abuse within their family
- Living with domestic violence
- Young people living in care
- Young people with additional needs (SEN and/or disabilities)



- Young people who identify or are perceived as LGBT and or have other protected characteristics under the Equalities Act 2010

Whilst research (NSPCC) tells us that girls are more frequently identified as being abused by their peers and are more likely to experience unwanted sexual touching in schools, this is not solely confined to girls.

Boys are less likely to report intimate relationship abuse but may display worrying behaviour in response to abuse.

BRS recognises that both boys and girls may experience child on child abuse but may do so in gendered ways.

## Indicators

All staff should be aware of indicators which signal that trainees are engaged in abusive behaviour, are being abused by their peers or are at risk of becoming involved in abusive activity either as a victim or a perpetrator.

Here are some signs that may indicate harmful sexual behaviours:

- Seeking out the company of younger and emotionally vulnerable trainees and spending an unusual amount of time in their company
- Insistence on hugging or kissing another trainee when that trainee does not want to.
- Frequently using aggressive or sexual language
- Showing sexual materials to younger and emotionally vulnerable trainees
- Sharing sexual images of someone without their consent
- Sharing sexual images of themselves without the recipient being clear that they would like to see them
- Making sexually abusive telephone calls
- Exposing their genitals to younger trainees
- Forcing sex on another trainee
- Befriending another trainee in order to engage in sexual activity and asking them not to tell
- Touching someone's bottom, breasts or crotch area without in-the-moment indications that the touching is desired
- Unexplained gifts or new possessions
- Unexplained injuries or signs of assault
- Significant decline in performance
- Signs of self harm or a significant change in wellbeing



## Prevention

### At the BRS

The BRS actively seeks to raise awareness of and prevent all forms of peer-on-peer abuse and by taking seriously all forms of the abuse (no matter how low level they may appear) and ensuring that no form of peer-on-peer abuse is ever dismissed as horseplay or teasing. As well as educating staff and trainees about the nature, prevalence and signs of child on child the BRS will also explain that the law is in place to protect rather than criminalise young people.

The BRS will do this by:

- Educating all Trustees, Senior Management Team (SMT), staff and trainees about this issue
- Educating trainees about the nature and prevalence of child on child abuse via RSHE and at induction
- Trainees being informed what to do if they witness or experience such abuse
- Trainees being informed about the BRS approach to such issues, including its zero tolerance policy towards all forms of child on child abuse
- Ensuring that all peer-on-peer abuse issues are fed back to the School's safeguarding team so that they can spot and address any concerning trends and identify trainees who maybe in need of additional support. This is done by way of a weekly welfare meeting at which all concerns about trainees are discussed
- Challenging the attitudes that underlie such abuse (both inside and outside the BRS)
- Working with Trustees, SMT, all staff and trainees to address equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the BRS community
- Creating conditions in which our trainees can aspire to and realise safe and healthy relationships
- Creating a culture in which our trainees feel able to share their concerns openly, in a non-judgmental environment, and have them listened to; and
- Responding to cases of peer-on-peer abuse promptly and appropriately both at the BRS and in the workplace

## In the Workplace

As well as educating the young people while at the school, once in the workplace the BRS will provide constant support through Workplace Instructors (WI) , a BRS mentor and regular contact with the employer, for the duration of their programme

Each trainee will have their own allocated WI who will carry out an initial monitoring visit within 10 days of the commencement of the trainee's employment. This will be followed up by regular monthly contact, either face to face or remotely



Each trainee is furnished with contact details of the BRS safeguarding team, BRS mentor and their WI. In addition to this all trainees are encouraged to use the SMS system ( text BRSSAFE to 62277) if they have any concerns or worries

In the event of an allegation the WIs will follow BRS safeguarding protocol and inform one of the DSLs immediately. The DSLs will follow the procedures outlined below

### **Multi-agency working**

The BRS will engage with its local partners in relation to peer-on-peer abuse, and work closely with:

- Suffolk Safeguarding Partnership (SSP)
- Suffolk Multi Agency Safeguarding Hub (MASH)
- Police
- children's social care, and/or other relevant agencies
- British Horseracing Authority (BHA)
- Employers

The BRS will refer concerns/allegations of child on child abuse where necessary to Police or Suffolk MASH , children's social care, and/or other relevant agencies. Trainees resident out of county but on the BRS programme will be reported to their local MASH or equivalent social care and also BHA safeguarding team(where appropriate). In cases involving young people who are subject to risk, harm and abuse and who have LAC status, the children's social worker will be informed and a coordinated approach to address any incidents or concerns will be required.

BRS will also report incidents in the workplace to the BHA.

### **Responding to Alleged Incidents**

All concerns of child on child abuse (at the BRS or in the workplace) should be made to one of the DSLs or, in the unlikely event they are not available, to one of the SMT. The DSLs will take a lead role supported by other agencies such as social care or the police as required. The DSLs will refer to the National Police Chiefs Council (NPCC) guidance- "When to call the police" when considering police involvement. They will also keep detailed, accurate, secure and written/LOCKER\* records of concerns and referrals.

\*LOCKER is recording system employed by BRS

**Where a report of rape, assault by penetration or sexual assault is made, the starting point is this will be passed on to the police.**

### **Immediate response to concern at BRS**

- The BRS will take all reports seriously and will reassure the victim that they will be supported and kept safe
- All staff will be trained in how to manage and report a concern
- The DSLs will be informed as soon as possible



- Staff will not promise confidentiality as the concern will need to be shared further (for example, with the designated safeguarding lead or social care) staff will however only share the concern with those people who are necessary to progress it
- A written/LOCKER concern will be made as soon after the disclosure as possible recording the facts as presented by the trainee. These may be used as part of a statutory assessment if the case is escalated later
- Where the concern includes an online element the BRS will follow advice on searching, screening and confiscation from the Department for Education (DfE). The staff will not view or forward images unless unavoidable and only if another member of staff (preferably the DSL) is present

### **Risk Assessment**

When there has been a report of sexual violence, the DSL will report this to police and 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 should consider:

- The victim, especially their protection and support
- The alleged perpetrator; and
- All the other trainees (and, if appropriate, staff) at the school, especially any actions that are appropriate to protect them

Risk assessments will be recorded on the trainees' LOCKER file and be kept under review. The DSL will ensure they are engaging with Multi Agency Safeguarding Hub.

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

Following an incident, BRS 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
- While it is important to consider the wishes and feelings of the alleged victim, these should not override any actions in relation to potential safeguarding risks to other trainees
- The nature of the alleged incident(s), including: whether a crime may have been committed and consideration of harmful sexual behaviour; see Appendix 1
- The ages of the trainees involved
- Any power imbalance between the trainees. 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 trainees or BRS staff

### **Follow up Actions**

Whilst the BRS establishes the facts of the case and starts the process of liaising with children's social care and/or the police:



- The alleged perpetrator will be removed from the hostel and any classes they may share with the victim
- BRS will ensure that the victim and alleged perpetrator are kept a reasonable distance apart on BRS premises
- In the event of a reported incident in the workplace, the BRS will liaise with the BHA and the employer in how best to keep everyone safe

These actions are in the best interests of both trainees and should not be perceived to be a judgment on the guilt of the alleged perpetrator.

### Options to manage the report

#### Manage internally

1. In some cases of sexual harassment e.g. one-off incidents, BRS may decide that the trainees concerned are not in need of statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising the behaviour and anti-bullying policies and by providing pastoral support. 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 by the DSLs on LOCKER.

2. Where a trainee has been harmed, is at risk of harm, or is in immediate danger, as well as calling the police, BRS will make a referral to the MASH following Suffolk Safeguarding Partnership guidance. The DSL or a deputy will work alongside, and cooperate with, the relevant outside agencies. 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 trainees that require support.

#### Reporting to the Police

Any report to the police will generally be made through the MASH as above. The DSLs will follow local processes for referrals.

**Where a report of rape, assault by penetration or sexual assault is made, the starting point is this will be passed on to the police.**

The police will take a welfare, rather than a criminal justice, approach. Where a report has been made to the police, the BRS will consult the police and agree what information can be disclosed to staff and others, the alleged perpetrator and their parents or carers. They will also discuss the best way to protect the victim and their anonymity. Where there is a criminal investigation, BRS will work closely with the relevant agencies to support all trainees involved (especially potential witnesses). Where required, advice from the police will be sought in order to help. Whilst protecting trainees and/or taking any disciplinary measures against the alleged perpetrator, BRS will work closely with the police (and other agencies as required), to ensure any actions taken do not jeopardise the police investigation.



## **The end of the criminal process**

- If a trainee is convicted or receives a caution for a sexual offence, the BRS will update its risk assessment, ensure relevant protections are in place for all trainees
- Where a criminal investigation into sexual assault leads to a conviction or caution, we may, if we have not already done so, consider any suitable sanctions using our behaviour policy, including consideration of permanent exclusion
- BRS will inform the BHA of the result of the police investigation
- Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other trainees. BRS will ensure all trainees involved are protected, especially from any bullying or harassment (including online).
- Where cases are classified as “no further action” (NFA) by the police or Crown Prosecution Service, or where there is a not guilty verdict, BRS will continue to offer support to the victim and the alleged perpetrator for as long as is necessary.

A not guilty verdict or a decision not to progress with their case will likely be traumatic for the victim. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded, none of this means the offence did not happen or that the victim lied. BRS will continue to support all parties in this instance. Any arrangements will be kept under review.

Where allegations of child on child abuse are revealed as being both unfounded and made with malicious intent, then the trainee(s) making the allegation will be subject to the BRS behaviour policy and may be asked to leave the school.

## **Physical Abuse**

While a clear focus of child on child abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals between trainees 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. The principles from the anti-bullying policy will be applied in these cases, with recognition that any police investigation will need to take priority.

When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, staff can draw on aspects of Hackett’s continuum (Appendix 1) or Brook Traffic Light Tool (Appendix 2) to assess where the alleged behaviour falls on a spectrum and to decide how to respond.

## **Online Behaviour**

Many forms of child on child abuse have an element of online behaviour including behaviours such as cyberbullying and sexting. Policies and procedures concerning this type of behaviour can be found (in anti-bullying policy, online safety policy and safeguarding policy)



## Appendix 1

### Brook sexual behaviours traffic light tool

All green, amber and red behaviours require some form of attention and response. It is the level of intervention that will vary.

Behaviours: age 13 to 17

#### What is a green behaviour?

Green behaviours reflect safe and healthy sexual development. They are displayed between children or young people of similar age or developmental ability and reflective of natural curiosity, experimentation, consensual activities and positive choices. What can you do? Green behaviours provide opportunities to give positive feedback and additional information.

#### Green behaviours:

- solitary masturbations
- sexually explicit conversations with peers
- obscenities and jokes within the current cultural norm
- interest in erotica/pornography
- use of internet/e-media to chat online
- having sexual or non-sexual relationships
- sexual activity including hugging, kissing, holding hands
- consenting oral and/or penetrative sex with others of the same or opposite gender who are of similar age and developmental ability
- choosing not to be sexually active

#### What is an amber behaviour?

Amber behaviours have the potential to be outside of safe and healthy behaviour. They may be of potential concern due to age, or developmental differences. A potential concern due to activity type, frequency, duration or context in which they occur. What can you do? Amber behaviours signal the need to take notice and gather information to assess the appropriate action.

#### Amber behaviours:

- accessing exploitative or violent pornography
- uncharacteristic and risk-related behaviour, e.g. sudden and/or provocative changes in dress,
- withdrawal from friends, mixing with new or older people, having more or less money than usual, going missing
- concern about body image



- taking and sending naked or sexually provocative images of self or others
- single occurrence of peeping, exposing, mooning or obscene gestures
- giving out contact details online
- joining adult- only social networking sites and giving false personal information
- arranging a face to face meeting with an online contact alone

### What is a red behaviour?

Red behaviours are outside of safe and healthy behaviour. They may be excessive, secretive, compulsive, coercive, degrading or threatening and involving significant age, developmental or power differences. They may pose a concern due to the activity type, frequency, duration or the context in which they occur. What can you do? Red behaviours indicate a need for immediate intervention and action.

### Red behaviours:

- exposing genitals or masturbating in public
- preoccupation with sex, which interferes with daily function
- sexual degradation/humiliation of self or others
- attempting/forcing others to expose genitals
- sexually aggressive/exploitative behaviour
- sexually explicit talk with younger children
- sexual harassment
- non-consensual sexual activity
- use of/acceptance of power and control in sexual relationships
- genital injury to self or others
- sexual contact with others where there
- is a big difference in age or ability
- sexual activity with someone in authority and in a position of trust
- sexual activity with family members
- involvement in sexual exploitation and/or trafficking
- sexual contact with animals
- receipt of gifts or money in exchange for sex