



**The
Sunnywood
Project**

Peer-on-Peer Abuse Policy

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Statement of intent

The Sunnywood Project (TSP) is committed to safeguarding and promoting the welfare of every child and is aware that abuse against children can be inflicted by other children. We implement a preventative approach to managing child-on-child abuse, ensuring that the wellbeing of children is at the forefront of all action taken.

This policy sets out a clear and consistent framework for delivering this promise, in line with safeguarding legislation and statutory guidance.

It will be achieved by:

- Creating a culture of mutual respect amongst all participants, including children and young people.
- Modelling and fostering behaviour that is acceptable and challenging behaviour which is unacceptable.
- Identifying and making provision for any individual that has been subject to abuse.
- Ensuring that members of the Board of Trustees, the Directors, staff members, and volunteers understand their responsibilities under safeguarding legislation and statutory guidance, are alert to the signs of child-on-child abuse and know to refer concerns to the DSL.
- Ensuring that safeguarding policies and procedures are transparent, clear, and easy to understand for all.

At The Sunnywood Project, the DSLs are **Steven Ticehurst** and **Samantha Deas**.

The Safeguarding Trustee is **Laura Aiken**.

1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Equality Act 2010
- Human Rights Act 1998
- Sexual Offences Act 2003
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Voyeurism (Offences) Act 2019
- DfE (2018) 'Working together to safeguard children'

The policy also has regard to the following non-statutory guidance:

- DfE (2015) 'What to do if you're worried a child is being abused'
- DfE (2018) 'Information sharing'

This policy operates in conjunction with the following policies:

- Child Protection and Safeguarding Policy
- Data Protection Policy
- Relevant provision codes of conduct
- Anti-bullying Policy
- Staff and Volunteer Code of Conduct

2. Definitions

'Child-on-child abuse' is defined, for the purposes of this policy, as any form of abuse inflicted by one child or a group of children, i.e. individuals under the age of 18, against another child or group of children. This policy covers child-on-child abuse, wherever it takes place.

'Harmful sexual behaviour' is defined as any sexual behaviour which:

- Does not observe and respect any individuals on the receiving end of the behaviour, e.g. touching someone without their consent.
- Is inappropriate for the age or stage of development of the child or young person.
- Is problematic, abusive, or violent.
- May cause developmental damage.

Please note: Harmful sexual behaviour can occur online and/or face-to-face, and can also occur simultaneously between the two.

This policy will use the following terms to describe children involved in child-on-child abuse:

- **Victim(s)** – the individual(s) against whom the abuse has, or has allegedly, been inflicted.
- **Perpetrator(s)** – the individual(s) exhibiting abusive behaviour against their peers.
- **Alleged perpetrator(s)** – individual(s) against whom a report of abusive behaviour has been made, where guilt has not yet been ascertained.

Please note: The use of the word 'alleged' does not mean that the child in question is not guilty of child-on-child abuse, that TSP does not believe the allegation, or that the allegation will not be taken seriously. Staff and volunteers will remember that the organisation has a legal duty of care to all perpetrators and alleged perpetrators who are engaged in TSP projects, activities, and events. Staff and volunteers will also keep in mind that, in some cases, the abusive behaviour will have been harmful to the perpetrator as well. Victims will be reassured that use of the term 'alleged perpetrator' is not an attempt to discredit their allegation.

Staff and volunteers will also be conscious of the fact that not everyone who has been subjected to abuse considers themselves a victim or would want to be described this way. Staff and volunteers will be prepared to use any term which the individual child is most comfortable; they will think very carefully about terminology when speaking in front of children, and the use of appropriate terminology will be determined on a case-by-case basis.

3. Roles and Responsibilities

The **Board of Trustees** has a duty to:

- Advise the Directors in ensuring the organisation fulfils its obligations under the Human Rights Act 1998, the Equality Act 2010, and their local multi-agency safeguarding arrangements.

The **Directors** have a duty to:

- Ensure that the organisation complies with its duties under the above child protection and safeguarding legislation.
- Guarantee that the policies, procedures, and training opportunities at TSP are effective and always comply with the law.
- Guarantee that TSP contributes to multi-agency working in line with the statutory guidance *Working Together to Safeguard Children*.
- Confirm that TSP's arrangements for handling child-on-child abuse consider the procedures and practices of the LA as part of the inter-agency safeguarding procedures.
- Ensure that the DSL has the appropriate status and authority within the organisation to carry out the duties of the post.
- Ensure the DSL is allotted the time, funding, training, resources, and support needed to carry out the role effectively.
- Ensure that staff members and volunteers who come into contact with children and young people are appropriately trained to support them to be themselves, e.g. if they are LGBTQ+.
- Ensure the organisation has clear systems and processes in place for identifying possible risk of harm in children, including clear routes to escalate concerns and clear referral and accountability systems.
- Guarantee that there are procedures in place to handle children's allegations against other children.
- Ensure that procedures are in place to eliminate unlawful discrimination, harassment and victimisation in relation to child-on-child abuse.
- Make sure that children's wishes and feelings are taken into account when determining what action to take and what services to provide to protect individuals.
- Guarantee that there are systems in place for children and young people to express their views and give feedback.
- Safeguard children's wellbeing and maintain public trust in the organisation.
- Ensure that the policies and procedures adopted by the Board of Trustees, particularly concerning referrals of cases of suspected abuse and neglect, are followed by staff members and volunteers.
- Ensure staff, upon induction, have relevant training and are aware of the identity of the DSLs.
- Ensure staff and volunteers working with children and young people receive training on recognising indicators of abuse and handling disclosures or concerns about a child.

The **DSL** has a duty to:

- Understand and keep up-to-date with local safeguarding arrangements.
- Act as the main point of contact with safeguarding partners.
- Make the necessary child protection referrals to appropriate agencies.
- Understand when they should consider calling the police, in line with the National Police Chiefs' Council (NPCC) guidance.
- Liaise with the Directors to inform them of safeguarding issues and ongoing enquiries.
- Act as a source of support for child participants who have been abused by, or who have abused, other children.
- Lead the organisation in taking a preventative approach to child-on-child abuse.

Other **staff members and volunteers who come into contact with children or young people** have a responsibility to:

- Safeguard the wellbeing of child participants and maintain public trust in the organisation.
- Provide a safe environment for all participants.
- Act in accordance with TSP procedures with the aim of eliminating unlawful discrimination, harassment, and victimisation in relation to child-on-child abuse.
- Maintain an attitude of 'it could happen here' where safeguarding is concerned.
- Be aware of the signs of abuse and understand that children can be at risk of harm inside and outside of the organisation and its events, activities, and provisions, as well as inside and outside the home, and online.
- Understand and adhere to the procedure to follow in the event that a child confides they are being abused by a peer.
- Understand that children may not feel ready or know how to tell someone that they are being abused, and/or they may not recognise their experiences as harmful.
- Understand that technology is a significant component in many safeguarding issues.
- Where necessary, support social workers in making decisions about individual children, in collaboration with the DSL.
- Maintain appropriate levels of confidentiality when dealing with individual cases, and always act in the best interest of the child.
- Understand the importance of challenging inappropriate behaviours between children that are abusive in nature.
- Build trusted relationships with children and young people which facilitate communication.

4. Types of peer-on-peer abuse

Staff will familiarise themselves with the forms that child-on-child abuse can take, including but not limited to:

Physical abuse

A form of abuse which may involve actions such as hitting, throwing, burning, drowning and poisoning, or otherwise causing physical harm to another child.

Sexual abuse

A form of abuse involving sexual activity between children – sexual abuse, for the purposes of this policy, is divided into two categories: sexual violence and sexual harassment.

‘Sexual violence’ encompasses the definitions provided in the Sexual Offences Act 2003, including rape, assault by penetration, sexual assault, i.e. non-consensual sexual touching, and causing another child to engage in sexual activity without consent, e.g. forcing someone to touch themselves sexually.

‘Sexual harassment’ refers to any sexual behaviour that could violate another child’s dignity, make them feel intimidated, degraded or humiliated, and/or create a hostile, offensive or sexualised environment, including:

- Sexualised jokes, taunting or comments.
- Physical behaviour, e.g. deliberately brushing against someone.
- Online sexual harassment, including:
 - Upskirting.
 - Sexualised online bullying.
 - Unwanted sexual comments and messages, including on social media.
 - Sexual threats or coercion.

The **‘sharing of sexualised imagery’** can also constitute sexual harassment – this refers to the consensual and non-consensual sharing between children of sexually explicit content, including that which depicts:

- Another child posing nude or semi-nude.
- Another child touching themselves in a sexual way.
- Any sexual activity involving another child.
- Someone hurting another child sexually.

Staff and volunteers will be aware that children creating, possessing, and distributing indecent imagery of other children is a criminal offence, even where the imagery is created, possessed, and distributed with the permission of the child depicted, or by the child themselves. Incidents of sharing sexualised imagery should be referred to the DSL immediately.

Bullying

Many kinds of behaviour can be considered bullying, and bullying can be related to almost anything.

Bullying is acted out through the following mediums:

- Verbally
- Physically
- Emotionally
- Online (cyberbullying)

Bullying will generally be handled in line with the *Anti-bullying Policy*; however, particularly severe instances will be handled in line with this policy and the *Child Protection and Safeguarding Policy*.

Online abuse

This involves the use of technology and the internet to harass, threaten or intimidate another child. Instances of online abuse will be managed in line with this policy and the *Anti-bullying Policy*.

Discriminatory behaviour

Discriminatory behaviour encompasses abuse inflicted on a child because of their protected characteristics, e.g. religion, ethnicity, gender, sexual orientation, culture, or any SEND. Discriminatory behaviour is never acceptable, and all cases will be handled in line with this policy and the *Child Protection and Safeguarding Policy*.

In accordance with the Equality Act 2010, TSP will not tolerate unlawful discrimination against children because of any protected characteristics they may have.

Intimate partner abuse

This involves a romantic partnership between children in which one or both partners are emotionally, physically, or sexually abusive to the other (sometimes known as 'teenage relationship abuse'). This could include:

- Repetitive insults.
- Controlling behaviour, e.g. preventing a child from socialising with others or deliberately isolating them from sources of support.
- Sexual harassment.
- Threats of physical or sexual abuse.

TSP will manage intimate partner abuse in the same way as a case of abuse between any other children, i.e. via the processes outlined in the *Handling allegations of abuse against participants* section of this policy, and in line with the *Child Protection and Safeguarding Policy*.

5. Protecting participants with increased vulnerability to peer-on-peer abuse

TSP is aware that, while child-on-child abuse can be perpetrated by, and against, anyone, there are certain groups who are at an increased risk of being on the receiving end of child-on-child abuse.

Staff and volunteers will be careful to acknowledge the increased risk certain individuals face while refraining from making assumptions about the nature of any reported, witnessed, or suspected abuse. Staff and volunteers will be aware that children who are generally at increased risk of abuse can also be perpetrators of abuse.

The organisation will ensure that action is taken, where possible, before major concerns arise; therefore, incidents of low-level abuse related to the characteristics of the below groups will be handled in line with early help procedures, which are laid out within the *Child Protection and Safeguarding Policy*.

Girls

Staff and volunteers will be aware that girls are more likely to be on the receiving end of child-on-child sexual abuse than their male counterparts, and that sexual violence and harassment against girls is very common and accounts for the majority of cases.

Taking into account that sexual harassment against girls is widespread in society, and largely based in gender inequality, TSP will aim to encourage gender equality in all aspects of its operations. The organisation will aim to promote and nurture healthy attitudes and relationships amongst participants of all genders, e.g. by challenging and working to deconstruct gender stereotypes.

Staff and volunteers will challenge any incidents of misogynistic language or gender-based abuse, whether of a sexualised nature or not, as holding misogynistic viewpoints can make a child more likely to commit sexualised violence in the future.

LGBTQ+ pupils

Staff and volunteers will be aware that children who are LGBTQ+, or are perceived to be LGBTQ+ whether they are or not, are more likely to be targeted by their peers, e.g. for discriminatory bullying.

The organisation will hold a zero-tolerance policy towards participants using homophobic, biphobic, or transphobic language, regardless of whether or not the language is being directed at another individual. Every staff member or volunteer will be individually responsible for challenging such behaviour and making clear to all children that any abuse towards pupils who are LGBTQ+, or who are perceived to be, is unacceptable.

TSP will ensure that it is able to provide a safe space for LGBTQ+ individuals to speak out and/or share their concerns with members of staff and volunteers.

Children with SEND

Staff and volunteers will be aware that children with SEND are at increased risk of child-on-child abuse, as they are three times more likely to be abused than their peers. TSP will ensure that there are mechanisms in place to support children with SEND in reporting abuse, with due regard that these children may face additional barriers to reporting abuse and that spotting signs of abuse in these children may be harder.

Staff and volunteers will avoid assuming that changes in the behaviour of children with SEND are as a result of their needs or disability and will report any concerns to the DSL. The DSL and the Directors will collaborate in the handling of instances of abuse towards children with SEND to ensure that barriers to communication can be effectively managed.

Black, Asian and minority ethnic (BAME) Participants

Staff and volunteers will be aware that minority ethnic children, particularly black children, may be less likely to report abuse committed against them, and may be more likely to be misidentified as perpetrators of abuse.

The organisation will hold a zero-tolerance policy towards racist language, regardless of whether the language is being directed at another individual. Every staff member and volunteer will be individually responsible for challenging such behaviour and making clear to all participants that any abuse towards anyone from BAME backgrounds is unacceptable.

Staff and volunteers will also be aware that BAME girls, BAME children with SEND, or BAME LGBTQ+, or perceived LGBTQ+ individuals, are likely to face increased abuse due to the intersection of these identities. Staff and volunteers will be vigilant with regard to these children and the ways in which other children behave towards them, in order to ensure any incidents or potential incidents can be handled as soon as they occur.

6. Channels for participants to report abuse

Children and young people will be able to report incidents of child-on-child abuse or concerns about the behaviour of their peers through the following channels:

- Sending a message to a the DSL(s) email address.
- Disclosing to the DSL in-person during set walk-in hours.

All channels for reporting abuse will be promoted and publicised so that child participants will be made aware of how, and to whom, to report incidents of abuse. TSP will also ensure children are aware of the type of behaviour that should be reported, ranging from criminal behaviour, e.g. rape or sexual assault, to everyday harassment, e.g. sexualised jokes or inappropriate comments, to ensure that victims do not view their experience as 'not serious enough' to report.

The organisation will maintain a culture that promotes reporting abuse, whether the individual reporting is the victim, a bystander, or a friend or relative of the victim. Staff and volunteers will address any incidents of children equating reporting abuse to 'snitching' or being a 'tattle-tale', and will convey to these individuals how important it is to report abuse to help tackle the wider problem of child-on-child abuse.

7. Staff identifying and reporting concerns

Staff and volunteers who work directly with young people will receive safeguarding training as part of their induction, and updates on an **annual** basis. This training will include guidance on how to recognise indicators of child-on-child abuse of all kinds, and how to distinguish between behaviour, particularly sexual behaviour, that is developmentally appropriate and that which is harmful.

When identifying children at risk of potential harm or who have been harmed by their peers, staff and volunteers will look out for a number of indicators including, but not limited to, the following:

- Injuries in unusual places, such as bite marks on the neck, that are also inconsistent with their age
- Lack of concentration and acting withdrawn
- Knowledge ahead of their age, e.g. sexual knowledge
- Use of explicit language
- Fear of abandonment
- Depression and low self-esteem
- Changes to their social group, e.g. spending time with older individuals, or social isolation
- Alcohol or substance misuse

Where a child is displaying signs of being impacted by child-on-child abuse, or perpetrating child-on-child abuse, staff and volunteers will report this to the DSL as soon as is reasonably practical.

Staff and volunteers will challenge all instances of abusive or harmful behaviour displayed by children that they witness or are reported to them. Staff and volunteers will not wait for concerns or situations between child participants to escalate before intervening; minor or singular instances of abusive behaviour will still be brought to the attention of the DSL and the child will always be spoken to about their behaviour. Further action will be taken as appropriate.

Staff and volunteers will be aware that just because a victim of abusive behaviour does not report the behaviour or react to the behaviour negatively, this does not mean that the behaviour is not still harmful; they will be made aware that some children will be uncomfortable challenging their peers on inappropriate behaviour, or may not be aware themselves that the behaviour is abusive.

Staff and volunteers will ensure that both the perpetrator(s), or alleged perpetrator(s), and the victim(s) understand that such behaviour inflicted by or against them was unacceptable; staff and volunteers will be made aware that failing to challenge a child on unacceptable behaviour can normalise that behaviour not just for the individual in question, but for all those who see the behaviour going unchallenged.

Staff and volunteers will remain cognisant that downplaying abusive behaviour can lead to a culture of unacceptable behaviour and, as such, will treat all displays or reports of abusive

behaviour with the utmost severity and sensitivity in order to reinforce to all participants that such behaviour will not be tolerated, and to prevent further instances of this behaviour in the future.

8. Handling allegations of abuse against participants

Staff and volunteers will always, when handling an incident of alleged abuse, take the report of the victim seriously, reassure them, support them, and work to keep them safe. Victims will never be made to feel like they are causing a problem by reporting **any** form of abuse, be made to feel ashamed, or have their experience minimised. Staff and volunteers will be aware of the importance of not downplaying any reports of abuse; however, will ensure that they remain sympathetic, and observant of the duty of care, to both the alleged perpetrator(s) and victim(s).

If a friend of a victim makes a report or a member of staff or volunteer overhears a conversation, staff and volunteers will take action – they will never assume that someone else will deal with it, or wait for a disclosure. The basic principles remain the same as when a victim reports an incident; however, staff and volunteers will consider why the victim has not chosen to make a report themselves, and the discussion will be handled sensitively and with the help of children's social care where necessary. If staff or volunteers are in any doubt, they will speak to the DSL. All staff and volunteers will be aware that children may not feel ready or know how to tell someone that they are being abused, and/or they may not recognise their experiences as harmful. This will not prevent staff or volunteers from having a professional curiosity and speaking to the DSL if they have any concerns.

Where an alleged incident took place away from organisational activities or online but involved child participants, the organisation's duty to safeguard the child remains the same and the incident will be treated equally as seriously and in the same way.

All staff and volunteers working directly with children will be trained to handle disclosures. Effective safeguarding practice includes:

- Never promising confidentiality at the initial stage.
- Only sharing the report with those necessary for its progression.
- Explaining to the victim what the next steps will be and who the report will be passed to.
- Recognising that the person the child chose to disclose the information to is in a position of trust.
- Being clear about boundaries and how the report will be progressed.
- Not asking leading questions and only prompting the child with open questions.
- Waiting until the end of the disclosure to immediately write a thorough summary. If notes must be taken during the disclosure, staff and volunteers will ensure they remain engaged and not appear distracted.
- Understanding that victims may not disclose the whole picture immediately and may be more comfortable providing information on a step-by-step basis.
- Ensuring that dialogue is kept open and encouraged.
- Only recording the facts as the child presents them – not the opinions of the notetaker.
- Where the report includes an online element, being aware of searching and screening advice.
- Wherever possible, managing disclosures with two staff members or volunteers present (preferably with the DSL).

- Informing the DSL as soon as possible after the disclosure if they could not be involved in the disclosure.

The DSL will be informed of any allegations of abuse against children with SEND. They will record the incident in writing and, working with the Directors, decide what course of action is necessary, with the best interests of the child in mind at all times.

Confidentiality

TSP will only engage staff, volunteers, and agencies required to support the victim and/or be involved in any investigation. If a victim asks the organisation not to tell anyone about the disclosure, **TSP cannot and will not make this promise**. The organisation will adhere to the principle that, even without the victim's consent, the information may still be lawfully shared if it is in the public interest and protects children from harm.

The DSL will consider the following when making confidentiality decisions:

- Parents/carers will be informed unless it will place the victim at greater risk
- If a child is at risk of harm, is in immediate danger or has been harmed, a referral will be made to children's social care
- Rape, assault by penetration and sexual assault are crimes – reports containing any such crimes will be passed to the police

The DSL will weigh the victim's wishes against their duty to protect the victim and others. If a referral is made against the victim's wishes, it will be done so extremely carefully and the reasons for referral will be explained to the victim. Appropriate specialist support will always be offered.

Anonymity

There are legal requirements for anonymity where a case is progressing through the criminal justice system. TSP will do all it can to protect the anonymity of children involved in any report of sexual violence or sexual harassment. It will carefully consider, based on the nature of the report, which staff or volunteers will be informed and what support will be in place for the children involved. When deciding on the steps to take, TSP will consider the role of social media in potentially exposing victims' identities and facilitating the spread of rumours.

Risk assessment

The DSL or a deputy will make an immediate risk and needs assessment any time there is a report of sexual violence. For reports of sexual harassment, a risk assessment will be considered on a case-by-case basis. Risk assessments are not intended to replace the detailed assessments of experts, and for incidents of sexual violence it is likely that a professional risk assessment by a social worker or sexual violence specialist will be required.

Risk assessments will consider:

- The victim.
- The alleged perpetrator.
- Other child participants, especially any actions that are appropriate to protect them.

Risk assessments will be recorded, either on paper or electronically, and kept under review in accordance with the *Data Protection Policy*.

Taking action following a disclosure

The DSL or a deputy will decide the organisation's initial response, taking into consideration:

- The victim's wishes.
- The nature of the incident.
- The ages and developmental stages of those involved.
- Any power imbalance between them.
- Whether the incident is a one-off or part of a pattern.
- Any ongoing risks.
- Any related issues and the wider context, such as whether there are wider environmental factors in a child's life that threaten their safety and/or welfare.
- The best interests of the child.
- That sexual violence and sexual harassment are always unacceptable and will not be tolerated.

Immediate consideration will be given as to how to support the victim, alleged perpetrator and any other children involved.

For reports of rape and assault by penetration, the alleged perpetrator will be removed from any TSP projects, events, and activities also attended by the victim until the facts are clear. The organisation will consider how to keep the victim and alleged perpetrator apart on TSP premises, and on transport where applicable. These actions will not be seen as a judgement of guilt on the alleged perpetrator.

For reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator and the suitability of shared projects, activities, or events, as well as access to premises and transport will be considered immediately. In all cases, the initial report will be carefully evaluated and the wishes of the victim, nature of the allegations and requirement to protect all children will be taken into consideration.

Where a participant is found to have been involved in harmful sexual behaviour, e.g. non-consensually sharing indecent imagery of another participant, TSP will help the child to move forward from the incident by supporting them in adopting more positive behaviour patterns and attitudes.

Managing the report

The decision of when to inform the alleged perpetrator of a report will be made on a case-by-case basis. If a report is being referred to children's social care or the police, TSP will speak to the relevant agency to discuss informing the alleged perpetrator.

There are four likely outcomes when managing reports of sexual violence or sexual harassment:

- Managing internally
- Providing early help
- Referring to children's social care
- Reporting to the police

Whatever outcome is chosen, it will be underpinned by the principle that sexual violence and sexual harassment are never acceptable and will not be tolerated. All concerns, discussions, decisions, and reasons behind decisions will be recorded either on paper or electronically.

The following situations are statutorily clear and do not allow for contrary decisions:

- The age of consent is 16.
- A child under the age of 13 can **never** consent to sexual activity.
- Sexual intercourse without consent is **always** rape.
- Rape, assault by penetration, and sexual assault are defined in law.
- Creating and sharing sexual photos and videos of children under 18 **is illegal** – including children making and sending images and videos of themselves.

Managing internally

In some cases, e.g. one-off, low-level incidents, the organisation may decide or may be advised to handle the incident internally through policies, scheduling choices, and by providing support to both parties.

Providing early help

TSP may decide or may be advised that statutory interventions are not required, but that children may benefit from early help – providing support as soon as a problem emerges. This approach can be particularly useful in addressing non-violent harmful sexual behaviour and may prevent the escalation of sexual violence.

The DSL will be aware of their local early help process and understand their role in it.

Referral to children's social care

If a child has been harmed, is at risk of harm or is in immediate danger, TSP will make a referral to children's social care. Parents/carers will be informed unless there is a compelling reason not to do so, e.g. if the referral will place the victim at risk. This decision will be made in consultation with children's social care.

The organisation will not wait for the outcome of an investigation before protecting the victim and other children.

The DSL will work closely with children's social care to ensure that the organisation's actions do not jeopardise any investigation. Any related risk assessment will be used to inform all decisions. If children's social care decides that a statutory investigation is not appropriate, TSP will consider referring the incident again if they believe the child to be in immediate danger or at risk of harm. If TSP agrees with the decision made by children's social care,

they will consider the use of other support mechanisms such as referral to early help and specialist support.

Reporting to the police

Reports of rape, assault by penetration, or sexual assault will be passed on to the police – even if the alleged perpetrator is under 10 years of age. Generally, this will be in parallel with referral to children’s social care. The DSL will follow the relevant local process for referral.

Parents/carers will be informed unless there is a compelling reason not to do so. Where parents/carers are not informed, it is essential for the organisation to support the child with any decision they take, in unison with children’s social care and any appropriate specialist agencies.

The DSL and Board of Trustees will agree what information will be disclosed to staff, volunteers, and others, in particular the alleged perpetrator and their parents/carers. They will also discuss the best way to protect the victim and their anonymity. The DSL will be aware of local arrangements and specialist units that investigate child abuse.

In some cases, it may become clear that the police will not take further action, for whatever reason. In these circumstances, TSP will continue to engage with specialist support for the victim as required.

Bail conditions

Child participants against whom further action is taken by the police may be released under bail conditions or ‘released under investigation’ (RUI) in circumstances that do not warrant the application of bail. Where this occurs and the perpetrator seeks to return to TSP projects, events, or activities, the organisation’s primary focus will be conducting an assessment of the risk the perpetrator poses to the victim or other children, as well as staff and volunteers, both physically and in terms of trauma or emotional stress and implementing any mitigating measures necessary to reduce the harm caused. This may include deciding further engagement is not appropriate.

The organisation will work with children’s social care and the police to support the victim, alleged perpetrator, and other children, especially witnesses, during criminal investigations. TSP will seek advice from the police to ensure they meet their safeguarding responsibilities.

Where possible and appropriate, TSP will liaise with police investigators to develop a balanced set of arrangements whereby both the alleged perpetrator and the victim can continue to engage with the organisation without compromising any ongoing investigations or the emotional state of the victim.

Managing delays in the criminal justice system

TSP will not wait for the outcome, or even the start, of criminal proceedings before protecting the victim, alleged perpetrator, and other children. The associated risk assessment will be used to inform any decisions made. The DSL will work closely with the police to ensure TSP does not jeopardise any criminal proceedings, and to obtain help and support as necessary.

The end of the criminal process

Risk assessments will be updated if the alleged perpetrator receives a caution or is convicted. If it is considered appropriate and manageable, where the perpetrator remains engaged in TSP projects, activities, or events at the same time as the victim, TSP will set out clear expectations regarding the perpetrator, including their behaviour and any restrictions deemed reasonable and proportionate with regards to the perpetrator's engagement. The organisation will ensure that the victim and perpetrator remain protected from bullying and harassment (including online).

Where an alleged perpetrator is found not guilty or a case is classed as requiring 'no further action', TSP will offer support to the victim and alleged perpetrator for as long as is necessary or they remain involved in organisational offers. Staff and volunteers will be aware that the victim is likely to be traumatised and the fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. TSP will discuss decisions with the victim and offer support where possible and appropriate. The alleged perpetrator will also be offered ongoing support if needed, and, again, it is possible and appropriate, as they have also been through a difficult and upsetting experience.

The Directors will carefully consider, on a case-by-case basis, whether allowing the victim and the alleged perpetrator to attend the same activities is conducive to either party and will implement alternative arrangements, in consultation with the DSL where necessary.

Ongoing support for the victim

Any decisions regarding safeguarding and supporting the victim will be made with the following considerations in mind:

- The terminology the organisation uses to describe the victim
- The age and developmental stage of the victim
- The needs and wishes of the victim
- Whether the victim wishes to continue in their normal engagements with the organisation.
- The victim will not be made to feel ashamed about making a report
- What a proportionate response looks like

Victims may not disclose the whole picture immediately and they may be more comfortable talking about the incident on a step-by-step basis; therefore, a dialogue will be kept open and the victim can choose to appoint a designated trusted adult at the organisation.

Staff and volunteers will be aware that victims may struggle in previously normal environments and routine. Whilst TSP will understand that it is important not to isolate the victim, the victim may wish to be withdrawn from activities at times. The organisation will ensure that this will only happen when and if the victim wants it to, not because it makes it easier to manage the situation. TSP will provide a physical space for victims to withdraw to where possible, and alternative arrangements where it is not.

TSP will be aware that victims may require support for a long period of time, including beyond their length of engagement with the organisation, and will be prepared to refer to long-term support in liaison with relevant agencies. TSP will ensure that everything possible will be done to prevent the victim from bullying and harassment as a result of any report they

have made. If the victim moves away from TSP onto another organisation, the DSL will, where appropriate, inform any relevant partner of any ongoing support needs or safeguarding concerns; this will always be done with the victim's prior knowledge.

Ongoing support for the alleged perpetrator

Any decisions made regarding the support required for an alleged perpetrator will be made with the following considerations in mind:

- The terminology TSP uses to describe the alleged perpetrator
- The balance of safeguarding the victim and providing the alleged perpetrator with access provision and support
- The reasons why the alleged perpetrator may have abused the victim – and the support necessary
- Their age and developmental stage
- What a proportionate response looks like
- Whether the behaviour is a symptom of their own abuse or exposure to abusive practices and/or materials
- What the outcome of the investigation was

When making a decision, advice will be taken from children's social care, specialist sexual violence services and the police as appropriate. If the alleged perpetrator moves to another project or provision, for any reason, the DSL will inform the destination of any ongoing support needs and ongoing safeguarding concerns.

If the reported abuse is found to have taken place, TSP will work with professionals, as required and appropriate, to understand why the abuse took place and provide a high level of support to help the child understand and overcome the reasons for their behaviour and reduce the likelihood of them abusing again.

TSP actions regarding the alleged perpetrator

Action can be taken whilst investigations are ongoing and the fact that investigations are ongoing will not prevent TSP reaching its own conclusion and acting appropriately.

The organisation will make such decisions on a case-by-case basis, with the DSL taking a leading role. TSP will take into consideration whether any action would prejudice an investigation and/or subsequent prosecution. The police and children's social care will be consulted where necessary. TSP will also consider whether circumstances make it unreasonable or irrational for the organisation to make a decision about what happened while an investigation is considering the same facts.

Action and support can take place at the same time, however TSP will be clear about the reasons behind any decision made.

Shared engagement with TSP offers

Once the DSL has decided to progress a report, they will again consider whether the victim and alleged perpetrator will be separated from any shared projects, activities, events, on

TSP premises and on transport, where applicable. The best interests of children will always come first.

Where there is a criminal investigation into rape or assault by penetration, the alleged perpetrator will be removed from shared engagements with the victim and potential contact on TSP premises and transport, where applicable, will be prevented.

Where a criminal investigation into rape or assault by penetration leads to a conviction or caution, in all but the most exceptional circumstances, this will result in the view that allowing the perpetrator to remain engaged with TSP would harm welfare of the victim and potentially other children.

Where a criminal investigation into sexual assault leads to a conviction or caution, TSP will consider whether further engagement with TSP offers is appropriate. If the perpetrator remains engaged with TSP, the organisation will keep the victim and perpetrator entirely separate and manage potential contact on TSP premises and transport, where applicable. The nature of the conviction or caution, alongside the wishes of the victim, will inform any discussions made.

Where a report of sexual assault does not lead to a police investigation, this does not mean that the offence did not happen or that the victim has lied. Both the victim and alleged perpetrator will be affected, and appropriate support will be provided. Considerations regarding sharing engagements and potential contact will be made on a case-by-case basis.

In all cases, TSP will record its decisions and be able to justify them. The needs and wishes of the victim will always be at the heart of the process.

Working with parents/carers

In most sexual violence cases, TSP will work with the parents/carers of both the victim and alleged perpetrator. For cases of sexual harassment, these decisions will be made on a case-by-case basis.

TSP will meet the victim's parents/carers with the victim present to discuss the arrangements being put in place to safeguard the victim, and to understand their wishes in terms of support arrangements and the progression of the report.

The organisation will also meet with the parents/carers of the alleged perpetrator to discuss arrangements that will impact their child, such as moving them out of shared engagements with the victim. Reasons behind decisions will be explained and the support being made available will be discussed. The DSL or a deputy will attend such meetings, with agencies invited as necessary.

This policy will be made available to parents.

Safeguarding other children

Children who have witnessed sexual violence, especially rape and assault by penetration, will be provided with support. It is likely that children will "take sides" following a report, and TSP will do everything in its power to protect the victim, alleged perpetrator, and witnesses from bullying and harassment.

The organisation will keep in mind that contact may be made between the victim and alleged perpetrator, and that harassment from friends of both parties could take place via social media and will do everything in its power to prevent such activity.

As part of the organisation's risk assessment following a report, transport arrangements will be considered, as it is a potentially vulnerable place for both the victim and alleged perpetrator. TSP will consider any additional support that can be put in place.

9. Monitoring and review

This policy will be reviewed **annually** by the DSL and the Directors.

Any changes made to this policy will be communicated to all members of staff and volunteers who work directly with children. All members of staff and volunteers who work directly with children are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme.

The next scheduled review date for this policy is **25/08/2024**.

Signatory: Samantha Deas, Creative Director and Family Engagement Coordinator (DDSL)



Signatory: Marc Young, Director of Education and Youth Service



Signatory: Steven Ticehurst, Education and Wellbeing Coordinator (DSL)

