



CHILD ON CHILD ABUSE POLICY

This policy is based on DfE Guidance: [Keeping Children Safe in Education, \(KCSIE\), 2023.](#)

Sexual violence and sexual harassment can occur between children of any age and sex. It can occur through a single child or a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will find the experience stressful and distressing. This will, likely, adversely affect their education attainment as well as their emotional well-being. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and offline (both physically and verbally) and are never acceptable. It is important that all victims are reassured that they are being taken seriously and that they will be supported and kept safe.

Reports of sexual violence and sexual harassment are extremely complex to manage. It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other children, adults, and setting staff are supported and protected as appropriate.

At Nippertime we recognise that child on child abuse is most likely to include, but may not be limited to:

- bullying (including, prejudice-based and discriminatory bullying)
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse)
- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence)
- sexual harassment, such as sexual comments, remarks, jokes, and online sexual harassment, which may be standalone or part of a broader pattern of abuse.
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.
- consensual and non-consensual sharing of nudes and semi-nudes' images and or videos (also known as sexting or youth produced sexual imagery)
- upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm; and
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

We believe that all children have a right to attend our setting and learn in a safe environment. Children should be free from harm by adults and other children in Nippertime.

We recognise that children can abuse other children and their peers, and this will be dealt with under our child protection policy and in line with KCSIE, 2023.

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We are clear that sexual violence and sexual harassment is not acceptable.

We will minimise the risk of child-on-child abuse by:

- making clear that there is a zero-tolerance approach to sexual violence and sexual harassment, that it is never acceptable, and it will not be tolerated. It will never be passed off as “banter”, “just having a laugh”, “a part of growing up” or “boys being boys”. We believe that failure to do so can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse, leading to children accepting it as normal and not coming forward to report it.
- recognising, acknowledging, and understanding the scale of harassment and abuse and that even if there are no reports it does not mean it is not happening, it may be the case that it is just not being reported.
- challenging physical behaviour (potentially criminal in nature) such as grabbing bottoms, breasts, and genitalia, pulling down trousers, flicking bras and lifting skirts. As we believe that dismissing or tolerating such behaviours risks normalising them.

Responding

Children making any report of sexual violence or sexual harassment including “upskirting” ([The Voyeurism Offences Act 2019](#)) will be taken seriously, kept safe and be well supported. If a member of staff becomes aware of an incident, they will follow the Child Protection procedures and refer to the DSL immediately. If a child is at risk of harm, is in immediate danger, or has been harmed, a Request for Support will be made to the C-SPA.

Risk Assessment

Following a report, the DSL will make an immediate risk and needs assessment on a case-by-case basis.

The risk assessment will consider.

- the victim, especially their protection and support.
- the alleged perpetrator, their support needs, and any discipline action.
- all other children at the setting.
- the victim and the alleged perpetrator sharing classes and space at the setting.
- the risk assessment will be recorded and kept under review.

Where there has been other professional intervention and/or other specialist risk assessments, these professional assessments will be used to inform the setting’s approach to supporting and protecting children.

Support regarding risk assessments can be accessed from the [Education Safeguarding Team](#) – education.safeguarding@surreycc.gov.uk

Action:

It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe. Abuse that occurs online or outside of the setting should not be downplayed and should be treated equally seriously. A victim should never be given

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the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report. It is important to explain that the law is in place to protect children rather than criminalise them, and this should be explained in such a way that avoids alarming or distressing them.

The DSL will consider –

- the wishes of the victim.
- the nature of the incident including whether a crime has been committed and the harm caused.
- ages of the children involved.
- developmental stages of the children.
- any power imbalance between the children.
- any previous incidents.
- that sexual violence and sexual harassment can take place within intimate personal relationships between children.
- importance of understanding intra familiar harms and any necessary support for siblings following incidents
- ongoing risks to victim, other children, adult students, or staff.
- other related issues or wider context.

Confidentiality:

The victim may ask the setting not to tell anyone about the sexual violence or sexual harassment. If the victim does not give consent to share information, staff may still lawfully share it, if there is another legal basis under the UK GDPR that applies. The DSL should consider:

- parents or carers should normally be informed (unless this would put the victim at greater risk)
- the basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to local authority children's social care, and
- rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of referring to the police remains. The police will take a welfare, rather than a criminal justice approach, in these cases.

The DSL will have to balance the victim's wishes against their duty to protect the victim and other children.

Options:

- manage internally.
- early Help intervention
- request for support to the C-SPA
- report to the Police (generally in parallel with a request for support to the C-SPA)

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All concerns, discussions, decisions, and reasons for decision will be recorded in written format initially.

Ongoing Response:

The DSL will manage each case individually and will ensure the risk assessment is reviewed regularly with relevant partner agencies, for example the Police and Children's Social Care.

Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, settings should be aware of anonymity, witness support, and the criminal process in general so they can offer support and act appropriately.

Where there is a criminal investigation into a rape, assault by penetration or sexual assault, the alleged perpetrator should be removed from any classes they share with the victim.

The DSL will consider how best to keep the victim and perpetrator a reasonable distance apart on the setting's premises and on transport where appropriate.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the setting will take suitable action. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and may lead to the view that allowing the perpetrator to remain in the same setting would seriously harm the education or welfare of the victim (and potentially themselves and other children).

Where a criminal investigation into sexual assault leads to a conviction or caution, the setting will, if it has not already, consider any suitable sanctions considering their behaviour policy, which may include consideration of permanent exclusion.

Where the perpetrator is going to remain at the setting, the manager should continue keeping the victim and perpetrator in separate rooms and continue to consider the most appropriate way to manage potential contact on the premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

- the victim, alleged perpetrator and any other children and adults affected will receive appropriate support and safeguards on a case-by-case basis.
- Nippertime will take any disciplinary action against the alleged perpetrator in accordance with the setting behaviour policy.
- Nippertime recognises that taking disciplinary action and providing appropriate support are not mutually exclusive actions and will occur at the same time if necessary.
- Nippertime will consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities.
- Nippertime recognises that children who have experienced sexual violence display a wide range of responses to their experiences including clear signs of trauma, physical and emotional responses, or no overt signs at all.

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Physical Abuse

While a clear focus of child-on-child abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals from children to children 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.