



The
Maltby Learning Trust

MLT Peer on Peer Abuse Policy

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Reviewed by: Executive Principal (Primary)
Approved by: CEO

This policy provides information on peer on peer abuse which is defined by a child or young person being exploited, bullied and/or harmed by their peers who are the same or similar age. Everyone directly involved in peer on peer abuse is under the age of 18. Peer on peer abuse relates to various forms of abuse, including sexual abuse and exploitation, but does not capture the fact that the behaviour in question is harmful to the child perpetrator as well as the victim.

At Maltby Learning Trust (MLT) we believe that all children and young people have a right to attend school and learn in a safe environment. Children and young people should be free from harm by adults in the school and other children.

All staff in the Trust are aware that safeguarding issues can manifest themselves via peer in peer abuse which could include the following:

Bullying

- Online/cyber bullying
- Targeted/Prejudiced based bullying (e.g. Disability, race, gender, sexual orientation)
- Physical abuse e.g. Hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- Verbal eg name calling
- Psychological eg spreading rumours, isolating

Sexual Harassment

Sexual harassment can be defined as 'unwanted conduct of a sexual nature' and can occur online and offline. It is likely to violate a child or young person's dignity, make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Sexual harassment should never be dismissed as 'banter,' 'having a laugh,' or 'part of growing up.'

Sexual harassment can include:

- Sexual comments eg telling sexual stories, making lewd comments and/or sexual remarks about clothes and appearance, and calling someone a sexualised name
- Sexual 'jokes' or taunting
- Physical behaviour eg deliberately brushing against someone, interfering with someone's clothes, displaying photo's, pictures or drawings of a sexual nature
- Online sexual harassment eg non-consensual sharing of sexual images and videos, sexualised online bullying, unwanted sexual comments and messages and sexual exploitation including coercion and threats
- Upskirting, typically involves taking a picture under a person's clothing without their knowledge, and with the intention of viewing their genitals or buttocks to obtain sexual gratification and/or to cause the victim humiliation, distress or alarm.

Sexual violence

While in this context it is child on child sexual violence which is being considered, due regard must still be made to the Sexual Offences Act 2003 which describes:

- **Rape:** where a person intentionally penetrates the vagina, anus or mouth with his penis of another person who does not consent to the penetration and where there is no reason to believe that consent has been given
- **Assault by Penetration:** where a person intentionally penetrates the vagina or anus of another person with a part of his/her body or anything else, the penetration is sexual, consent has not been given and there is no reason to believe that consent has been given
- **Sexual Assault:** where a person intentionally touches another person, the touching is sexual, consent has not been given and there is no reason to believe that consent has been given

Consent to vaginal, anal or oral penetration can only be given if a person has the freedom and capacity to choose to agree. Consent may be given for one form of penetration but not another, and may be given under certain conditions e.g. The wearing of a condom. Consent can be withdrawn at any time. The age of consent is 16, but under some circumstances sexual activity may be seen to be consensual where children are of a similar age. Referral procedures should still be followed when making this decision. However, it should be remembered that a child under the age of 13 can never consent to any sexual activity and sexual intercourse without consent is rape.

Sexting

Otherwise known as Youth Produced Sexual Imagery and covered in 'MLT Child Sexual Exploitation Policy.'

Initiation type violence

Also known as 'hazing,' this includes rituals associated with gang activity and abusive/harmful initiation practices required to join a gang. This may include acts of sexual violence

WHEN TO REFER

Disclosures of Peer on Peer Abuse should be treated in the same way as other disclosures and reported through the MASH process. All staff in the Trust are clear about the action to take where concerns about peer on peer abuse arise. The age and stage of development of the children may be taken into consideration when making a decision as to next steps, and for some types of peer on peer abuse a graduated approach may be taken. However, a referral to social care and/or police is a likely outcome for most forms of peer on peer abuse and may be an eventual outcome where behaviours persist.

All staff in the Trust will always reassure victims that they are being taken seriously and that they will be supported and kept safe. All MLT Academies recognise that some students will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the individual Academy Behaviour Policy

In cases of 'sexting', the Trust follow guidance given by the UK Council for Child Internet Safety (UKCCIS) published in 2017: 'Sexting in schools and colleges, responding to incidents, and safeguarding young people.'

More information on peer on peer abuse/sexual violence is contained in Part 5 and Annex A of Keeping Children Safe in Education, in the DfE document 'Sexual Violence and Sexual Harassment between Children in Schools and Colleges,' and http://rotherhamscb.proceduresonline.com/chapters/p_abuse_child_yp.html