



Date	Minute number	Amendment	Signed
26 <sup>th</sup> July 2016			
19 <sup>th</sup> Feb 2018		Updated linked to peer to peer Abuse policy	

## Managing allegations against other pupils

The 'Keeping Children safe in Education' statutory guidance published in April 2014 and revised in June 2015, says that 'governing bodies... should ensure that there are procedures in place to handle allegations against other children' (paragraph 40).

The conduct of our children towards each other is 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.

At St Oswald's 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 children. We recognise that some students will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with through the school's Behaviour Policy.

### Safeguarding allegations

Occasionally, allegations may be made against children 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.

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
- 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

Sexual Exploitation

- photographing or videoing other children performing indecent acts

**Minimising the risk of safeguarding concerns towards pupils from other students**

On occasion, some students will present a safeguarding risk to other students.

**What to do**

When an allegation is made by a pupil against another student, 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.

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 social services to discuss the case. It is possible that social services are already aware of safeguarding concerns around this young person. The DSL will follow through the outcomes of the discussion and make a social services referral where appropriate.

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

If the allegation indicates a potential criminal offence has taken place, the police should be contacted at the earliest opportunity and parents informed (of both the student being complained about and the alleged victim).

It may be appropriate to exclude the pupil being complained about for a period of time according to the school'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 school'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.

The paramount consideration should always be the welfare of the children involved. Issues that will need to take into account are;

- the children's wishes and feelings,
- the parents right to know
- the impact of telling or not telling parents
- the current assessment of the risk to the child who has been abused and the source of that risk.
- Any risk management plans that currently exist.

**What should I say to a child who says that he/she or another child is being abused by another child/young person?**

- Reassure the child that they have done the right thing by telling someone.
- Tell them that you now have to do what you can to keep them safe.
- Let the child know what you are going to do next and who else needs to know about it.
- Let the child tell their whole story. Don't try to investigate or quiz the child but make sure that you are clear as to what they are saying.

- If possible explain to the child parent what has happened. Do this without the child being present and then summarise it again in front of the child so that it is an open subject between parent and child.
- Check what the child would like to happen as a result of what they have said but don't make or infer promises.
- Make sure the parent has support too.

**What should say to a child who says they have abused another child?**

- Reassure the child they have done the right thing by telling someone about it.
- Tell them that you now have to do what you can to keep them and the child who has been abused safe.
- Let the child know what you are going to do next and who else know about it.
- Let the child tell the whole story. Don't try and investigate or quiz the child but make sure you are clear as to what they are saying.
- If there is no risk to the child from the child's parent then explain to the parent what has happened. Do this first without the child there and then summarise it again in front of the child so that it is an open subject between parent and child. This may enable them to talk about it together more easily.

This policy will be reviewed according to the KCSiE document as changes are brought in.

Policy adopted on 26th January 2016

Reviewed February 2018