

Addressing child-on-child abuse: a resource for schools and colleges



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1. Background and context

Introduction

The [Safeguarding Unit](#) at Farrer & Co has produced this resource, led by Adele Eastman (Senior Counsel), in collaboration with Professor Carlene Firmin, MBE (Durham University), Professor Andy Phippen (Bournemouth University), Elizabeth Prochaska (Barrister), and Delyth Lynch (Deputy Head (Safeguarding), Wellington College).

The nature and prevalence of abuse between children clearly remains of serious concern and preventing and tackling it must continue to be a key priority for schools and colleges. A number of significant developments and events have prompted this updated resource, which replaces the peer-on-peer abuse toolkit (2019 version) previously published by the Safeguarding Unit – for example:

- child exploitation – sexual and/or criminal – including abuse between children within this context – has continued to raise increasing concern;
- the global Black Lives Matter movement placed a powerful spotlight on matters of race equality across society, including in schools and colleges;
- Sarah Everard’s tragic murder brought violence against women and girls sharply into focus. It prompted thousands of current and former students to share testimonies of sexual abuse and misogynistic behaviour they have experienced from their peers. To date, more than 50,000 submissions have been made to Everyone’s Invited – the aim of which is “to expose and eradicate rape culture with empathy, compassion, and understanding.” In April 2021, Everyone’s Invited triggered Ofsted’s rapid review of sexual abuse in schools and colleges, and the resultant report and recommendations were published in June 2021. The Department for Education has since incorporated its advice

on Sexual Violence and Sexual Harassment Between Children in Schools and Colleges into its statutory guidance for schools and colleges in England, Keeping Children Safe in Education, September 2022 (**KCSIE 2022**);¹ and

- the Coronavirus pandemic raised a number of challenges, including the loss of support networks for some children, heightening the importance of tackling online abuse, being aware of other potential forms of online harm such as radicalization and involvement in harmful sub-cultures. It has been reported that the pandemic has led to unprecedented demand for children’s mental health services.²

This resource applies to schools and colleges in England to which KCSIE 2022 applies.³ However, the fundamental principles and good practice contained within it are also applicable to organisations which work with children across **all** sectors.

Although some aspects and principles of this resource are applicable to primary school aged children, some are not. For example, some of the specific forms of child-on-child abuse will not be relevant for primary school aged children – for example, abuse in intimate personal relationships between children (sometimes known as ‘teenage relationship abuse’); however, other forms such as bullying, sexualised or racist language, and/or sexualised or racist behaviour will be relevant.

In addition, as explained further below, the response to concerns/allegations of child-on-child abuse will differ depending on the age of the child or children in question. For example, the police will only take a welfare rather than an enforcement approach towards children aged under 10, which is the age of criminal responsibility in England and Wales.

It should be noted that Boarding schools must also pay due regard to the National Minimum Standards, and be mindful of additional

factors that they will need to consider with respect to child-on-child abuse, and where particular attention should be paid to Part D: safeguarding, and Part G: promoting positive behaviour and relationships.⁴

This resource is not necessarily intended to be read cover to cover in one sitting but is primarily intended to be used as a resource and reference document for practitioners – to consult as and when required and to the extent needed, and to help them navigate whichever area(s) of child-on-child abuse they are dealing with.

Information on key areas of the law applicable to child-on-child abuse can be found in [Appendix A](#), a glossary and key facts can be found in [Appendix B](#), and examples of further resources can be found in [Appendix C](#).

Terminology

For the purposes of this resource, unless otherwise specified, for consistency, we use the same terminology as the DfE in KCSIE 2022, as follows:

‘Child’, ‘children’: means a person/persons under the age of 18.⁵

‘Boy(s)’, ‘girl(s)’: means a child/children whose biological sex is male and female respectively, as well as trans boys and trans girls, whose gender identity will be different from their biological sex. It is acknowledged that there will also be some children who identify as non-binary or gender fluid and who will not recognise the term boy or girl in respect to themselves.

‘Victim’ and ‘alleged perpetrator’: the DfE states that, with respect to:

- **‘victim’:** “It is a widely recognised and understood term. It is important that schools and colleges recognise that not everyone who has been subjected to abuse considers themselves a victim or would want to be described in this way. Ultimately, schools and colleges should be conscious of this when managing any incident and be prepared to use any term with which the individual child is most comfortable; and

- **‘alleged perpetrator(s)’** and, where appropriate, **‘perpetrator(s)’:** “These are widely used and recognised terms and the most appropriate aid to effective drafting of guidance. However, schools and colleges should think very carefully about terminology, especially when speaking in front of children, not least because in some cases the abusive behaviour will have been harmful to the perpetrator as well. As above, the use of appropriate terminology will be for schools and colleges to determine, as appropriate, on a case-by-case basis.”

It is important that schools and colleges take a safeguarding approach to all children in their care who are involved in concerns about, or allegations of, child-on-child abuse, including those who are alleged to have been abused, and those who are alleged to have abused another child/other children, in addition to any sanctioning work that may also be required for the latter. Research has shown that many children who present with harmful behaviour towards others, in the context of child-on-child abuse, are themselves vulnerable and may have been victimised by children, parents or adults in the community prior to their abuse of another child/other children.^{6,7}

The point at which an allegation of child-on-child abuse may become substantiated – and therefore the child-on-child incident is no longer alleged – may differ in cases. However, for ease of reference, this resource uses the terms ‘alleged’ and ‘allegedly’ throughout.

- **‘Child-on-child abuse’:** the DfE states that: “**All** staff should be aware that children can abuse other children (often referred to as child-on-child abuse), and that it can happen both inside and outside of school or college and online.” Child-on-child abuse is the term chosen by the DfE and, by definition, it applies to **abuse by one child of another child – regardless of the age, of stage of development, or any age differential between them.** The work of Professor Carlene Firmin on Contextual Safeguarding (see below) focuses on peer-on-peer abuse, which she defines as a narrower category of abuse between peers – ie **abuse between children of the same or**

similar age, or stage of development, and during adolescence". In that sense, peer-on-peer abuse is a **sub-set** of child-on-child abuse, of which practitioners should be aware. However, for the purposes of this resource, only the term child-on-child abuse is used, as adopted by the DfE.⁸

'Zero tolerance': in using this term, we adopt the following principles from the UN Women's definition of zero tolerance with respect to harassment, as follows:

- "At the heart of zero tolerance practice is the certainty that the organisation will never do nothing in response to knowledge of [child-on-child abuse], will always support those who report, and will proactively ensure that equality and non-discrimination inform its work.
- Zero tolerance in practice requires taking all allegations seriously. It does not mean that the same actions will always be taken if a report is upheld; instead there should be a range of options with proportionality being a principle in determining consequences.
- Zero tolerance means that the leadership will make it possible and safe for anyone, no matter their position or contractual status, to be active in shaping a climate where [child-on-child abuse] is never ignored, minimised or excused. Where claims to zero tolerance sit alongside an absence of action, lived experiences undermine the value of the claim...
- Contradictory signals risk damaging the reputation, internal and external, of the organisation and the belief of the staff or students concerned, that here is serious intent to change culture."⁹
- In short, zero-tolerance means taking a proportionate and appropriate response to **every** alleged incident. It does not necessarily mean the use of sanctions in all cases, and where sanctions may be considered, schools and colleges should ensure that they do not disproportionately impact racially minoritised children or young people, those with disabilities and those already known to local authority children's social care.

'Child protection policy': however, it is recognised that some schools and colleges will have in place a 'safeguarding policy,' or a 'safeguarding and child protection policy,' which encompasses the promotion of the welfare of children and young people as well as the child protection element which refers to activities undertaken to prevent children suffering, or likely to suffer, significant harm.

What is child-on-child abuse?

The following is intended to provide a brief overview of child-on-child abuse. Further information on the various forms it can take can be found in [Appendix B](#).

Child-on-child abuse can take various forms, including (but not limited to):¹⁰

- **Bullying** – including cyberbullying, prejudice-based and discriminatory bullying.
- **Hate incidents and hate crimes** – which may also include an online element.
- **Abuse in intimate personal relationships between children (sometimes known as 'teenage relationship abuse')** – which may also include an online element.
- **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).
- **Racism** – occurs when a person is treated less favorably because of their skin colour, nationality, ethnicity, or cultural group.¹¹ Racist behaviour can include verbal abuse, physical attacks, exclusion from activities or opportunities and microaggressions, which can be conscious and unconscious. It can occur in person or online.
- **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.

- **Harmful sexual behaviour (HSB)** – is developmentally inappropriate sexual behaviour which is displayed by children and young people which is harmful or abusive.¹² HSB can occur online and/or face to face, and can also occur simultaneously between the two – and includes, for example:
 - › **Sexual violence** – such as:
 - rape
 - assault by penetration
 - sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence)
 - 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
 - › **Sexual harassment** – which is ‘unwanted conduct of a sexual nature’ that can occur online and offline and both inside and outside of school/college – can include (but is not limited to):
 - sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, calling someone sexualised names, intrusive questions about a person’s sex life, and spreading sexual rumours
 - sexual “jokes” or taunting
 - suggestive looks, staring or leering
 - sexual gestures
 - physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence – it is important to talk to and consider the experience of the victim)
 - displaying pictures, photos or drawings of a sexual nature,
 - upskirting – which is a criminal offence, and 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

- **online sexual harassment** – this may be stand-alone or part of a wider pattern of sexual violence and/or harassment. It may include:
 - » non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery)¹³
 - » sharing of unwanted explicit content
 - » sexualised online bullying
 - » unwanted sexual comments and messages, including on social media
 - » sexual exploitation, coercion and threats, and
 - » coercing others into sharing images of themselves or performing acts they are not comfortable with online.

It should be noted that, whilst a number of the above examples may constitute sexual harassment, they may also (where they are non-consensual) be unlawful in other respects – depending on the facts of a particular case – such as breach of privacy, GDPR, Malicious Communications Act 1988, or constitute stalking or harassment under the Protection from Harassment Act 1997.

Further information on the law – key aspects applicable to child-on-child abuse, can be found in [Appendix A](#).

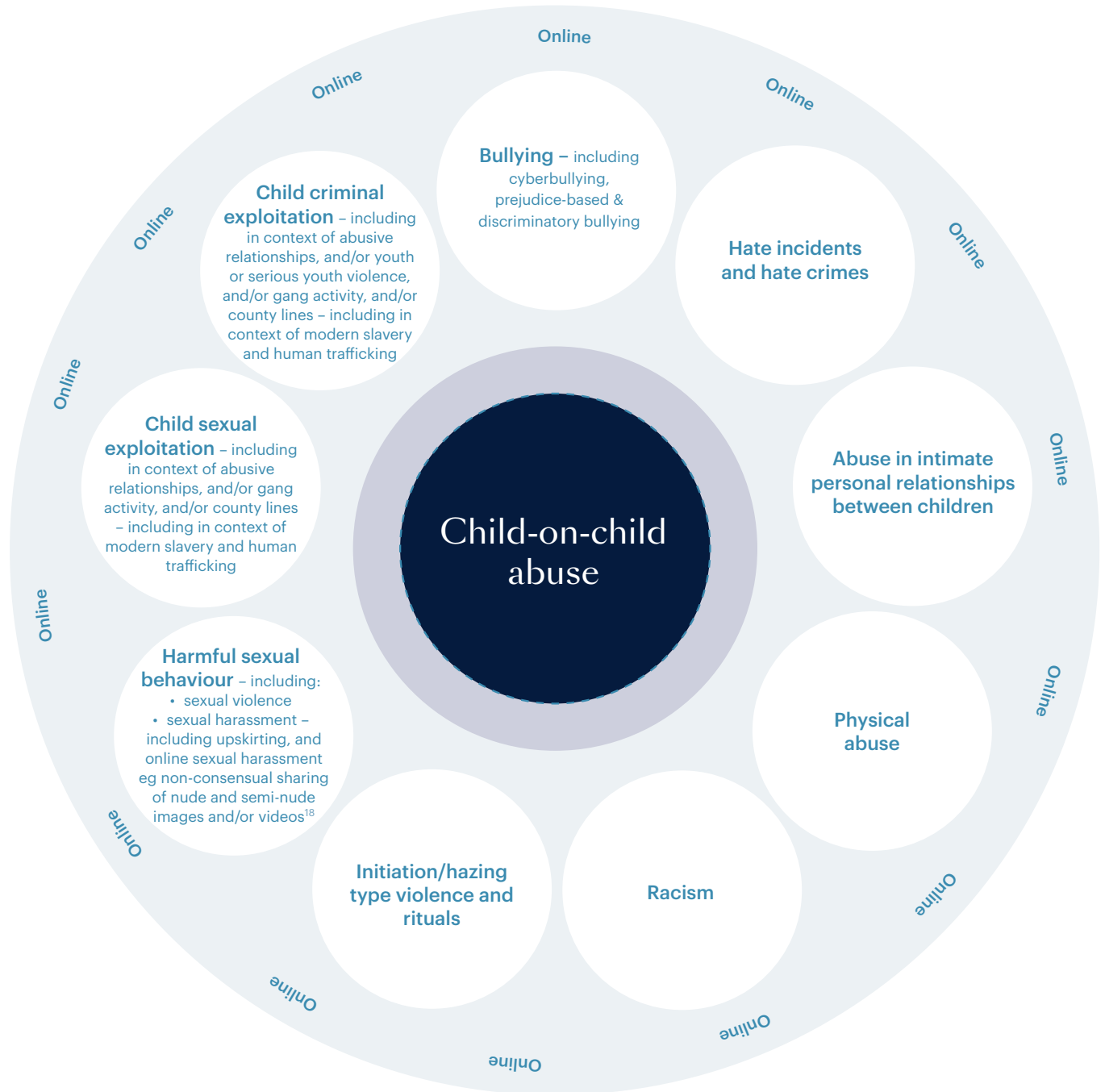
- **Child exploitation:**
 - › **Child sexual exploitation (CSE)** – including in the context of abusive relationships, and/or gang activity, and/or county lines – including in the context of modern slavery and human trafficking; and/or
 - › **Child criminal exploitation (CCE)** – including in the context of abusive relationships, and/or youth or serious youth violence, and/or gang activity, and/or county lines – including in the context of modern slavery and human trafficking.

- › Both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect children, both male and female, and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.
- › CSE and CCE do not always involve physical contact; CSE and CCE can also occur through the use of technology.¹⁴
- **Online child-on-child abuse** is any form of child-on-child abuse where an element might be facilitated by digital technology, for example, consensual and non-consensual sharing of nude and semi-nude images and/or videos (sometimes called 'sexting'), online abuse, coercion and exploitation, child-on-child grooming, threatening and hate speech delivered via online means, the distribution of sexualised content (which might be youth-produced, commercial pornography or pseudo sexual images), and harassment.¹⁵

It is critical to be aware of the role that inequality and discrimination can play in child-on-child abuse. Socio-economic inequality within a school or college can increase bullying, and racial and ethnic minority status can be a risk factor for victimisation by peers. Children from minoritised groups are at much higher risk for poor health and behavioural outcomes as a result of discriminatory bullying.¹⁶ LGBTQ children may also be at greater risk of abusive behaviour from their peers.¹⁷

Further information can be found in [Appendix B](#) which contains a glossary and key facts in relation to the different types of child-on-child abuse.

Fig.1 Overview of child-on-child abuse



Overview of child-on-child abuse

Different types of abuse rarely take place in isolation and often indicate wider safeguarding concerns. For example, a teenage girl may be in a sexually exploitative relationship with a teenage boy who is himself being physically abused by a family member or by older boys. Equally, sexual bullying in schools or colleges, or other settings, can result in the sexual exploitation of children by other children. For 16 and 17 year olds who are in intimate personal relationships which are abusive, what may appear to be a case of domestic abuse may also involve sexual exploitation or coercive control. Children's experiences of abuse and/or violence are rarely isolated events, and they can often be linked to other things that are happening in their lives, and to spaces in which they spend their time. Any response to concerns or allegations of child-on-child abuse therefore needs to consider the range of possible types of child-on-child abuse, and to capture the full context of children's experiences.¹⁹ This can be done by adopting a Contextual Safeguarding approach and by ensuring that a school's or college's response to alleged incidents of child-on-child abuse takes into account any potential complexity.

How prevalent is child-on-child abuse?

By way of example, with respect to:

Bullying: Ditch the Label's Annual Bullying Survey 2020 found that:

- 25% of over 13,000 12 to 18 year olds reported having been bullied in the last 12 months (the number of victims has increased by 25% compared to 2019, in which a quarter of those bullied saying they'd received physical and online attacks).
- Of the 25%, 9% reported that the bullying occurred daily, 13% reported that it occurred several times a week, and 8% said weekly.
- Of this 25%, 47% felt they were bullied because of attitudes towards their appearance and 11% felt it was because of attitudes towards their sexuality.

- In relation to the impact of bullying, 44% of those who reported being bullied in the last 12 months said it left them feeling anxious, 36% said it left them feeling depressed, 33% had suicidal thoughts, 27% had self-harmed and 18% truanted from school/college.²⁰

Online bullying: The Office for National Statistics Online bullying in England and Wales: year ending March 2020, found that:

- Around one in five (19%) 10 to 15 year olds experienced at least one type of online bullying behaviour – equivalent to 764,000 children. More than half (52%) of those children who experienced online bullying behaviours said they would not describe these behaviours as bullying, and one in four (26%) did not report their experiences to anyone.
- Being called names, sworn at or insulted and having nasty messages about them sent to them were the two most common online bullying behaviour types, experienced by 10% of all children aged 10 to 15 years.
- Nearly three out of four children (72%) who had experienced an online bullying behaviour experienced at least some of it at school or during school time.²¹

Harmful sexual behaviour: Ofsted found, in its Review of sexual abuse in schools and colleges, June 2021, that the girls who responded to its questionnaire indicated that the following types of harmful sexual behaviour happened 'a lot' or 'sometimes' between people their age:

Non-contact forms, but face-to-face:

- sexist name-calling – 92%
- rumours about their sexual activity – 81%
- unwanted or inappropriate comments of a sexual nature – 80%

Non-contact forms, online or on social media:

- being sent pictures or videos they did not want to see – 88%
- being put under pressure to provide sexual images of themselves – 80%

- having pictures or videos that they sent being shared more widely without their knowledge or consent – 73%
- being photographed or videoed without their knowledge or consent – 59%
- having pictures or videos of themselves that they did not know about being circulated – 51%

Contact forms:

- sexual assault of any kind – 79%
- feeling pressured to do sexual things that they did not want to – 68%
- unwanted touching – 64%

Ofsted states that: “these findings are strongly supported by existing research into harmful sexual behaviour between peers.”²²

Further information on the prevalence of child-on-child abuse, and relevant contexts in which it can occur, can be found in [Appendix C](#). Statistics are useful to provide indicators of prevalence but we should be mindful that they are rarely representative of the population as a whole. In addition, whilst the relevant statistics provided in [Appendix C](#) are intended to provide an illustration of the prevalence of child-on-child abuse, they do not provide the complete picture.

What is Contextual Safeguarding?

Contextual Safeguarding is about changing the way that professionals approach child protection when risks occur outside of the family (ie in extra familial contexts), thereby requiring all those within a Local Safeguarding Partnership to consider how they work alongside, rather than just refer into, children’s social care, to create safe spaces in which children may have encountered child-on-child abuse.^{23 24} In addition, it:

- is an approach to understanding, and responding to, the risk of harm to which children can be exposed, and/or harm which they can experience, in extra-familial contexts, and seeks to include these contexts

within prevention, identification, assessment and intervention safeguarding activities;

- recognises that as children enter adolescence they spend increasing amounts of time outside of the home in public environments (including those online) within which they may be exposed to risk of harm and/or experience abuse, and that the different relationships that children form in their neighbourhoods, schools, and online can feature violence, coercive control, and abuse. Parents can have little influence over these contexts, and the risk of harm to which children can be exposed, and/or harm which they can experience, outside of the family, can undermine parent-child relationships; and
- considers interventions to change the systems or social conditions of the environments in which abuse has occurred. For example, rather than move a child from a school, professionals could work with the school leadership and student body to challenge harmful, gendered school cultures, thus improving the pre-existing school environment.²⁵

Therefore, children’s educators and social care practitioners, alongside wider safeguarding partnerships, need to engage with individuals and sectors that do have influence over/within extra-familial contexts, and recognise that assessment of, and intervention with, these extra-familial contexts is a critical part of safeguarding practices. Contextual Safeguarding, therefore, expands the objectives of child protection systems in recognition that children are vulnerable to, and can experience, abuse in a range of social contexts.

When adopted by a wider safeguarding partnership, a Contextual Safeguarding approach supports services to respond to different forms of extra-familial harm (including child-on-child abuse) across four ‘system-domains’. These domains require that systems:

1. Target the contexts in which extra-familial harm occurs.
2. Use a child protection and wider child welfare lens in response to extra-familial harm.
3. Feature partnerships with individuals and organisations that have a reach into, or influence over, extra-familial contexts where harm occurs.

4. Measure the contextual impact of their responses to extra-familial harm.

The Contextual Safeguarding Network states that: “‘Extra-familial harm’ refers to a broad category of harm types, including [child-on-child] harm, sexual and criminal exploitation and bullying. Often these different harm types share overlapping drivers, methods and consequences for young people. Schools can be settings in which young people are harmed and exploited and they can also be settings that support positive peer relationships and safety.”

What does Contextual Safeguarding mean for schools and colleges?

As part of their efforts to prevent and address child-on-child abuse, schools and colleges can encapsulate a Contextual Safeguarding approach in their child protection policy, and adopt a whole-school/college community Contextual Safeguarding approach (see Fig.2 below) – which means:

- being aware of and seeking to understand the impact that these wider social contexts may be having on their students;
- creating and embedding a safe culture in the school or college by, for example,

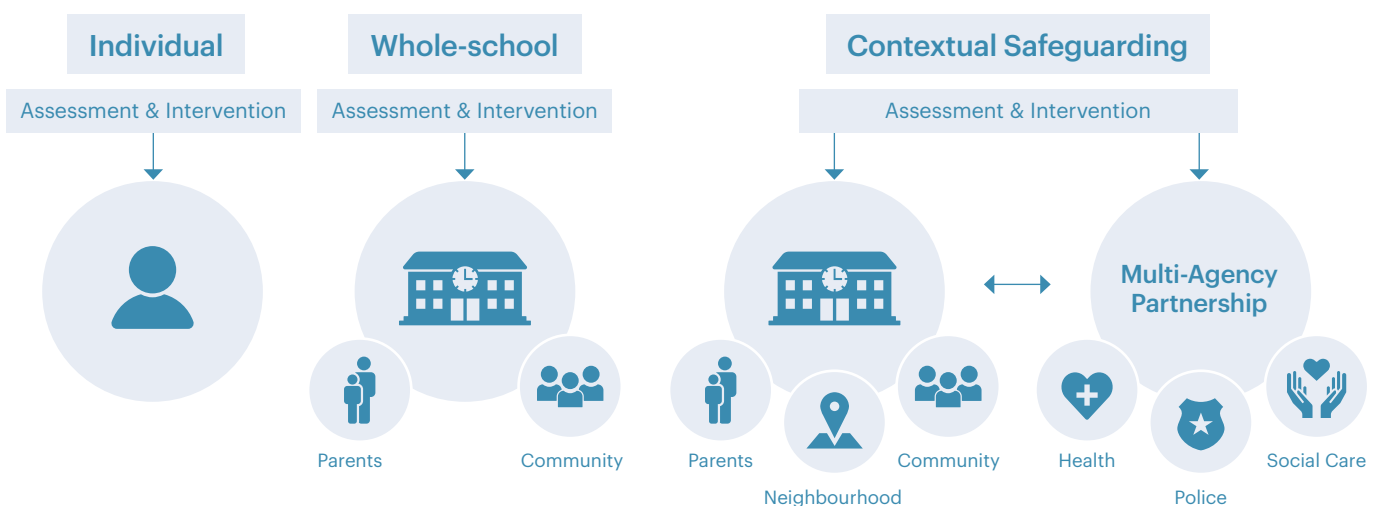
fostering an environment in which all types of extra-familial harm (including child-on-child abuse) are promptly identified and appropriately responded to; effectively implementing policies and procedures that address child-on-child abuse and harmful attitudes; promoting positive and healthy relationships and attitudes to difference (including gender, ethnicity, sexuality, disability); hotspot mapping to identify risky areas in the school or college; training on potential bias and stereotyped assumptions;

- being alert to and monitoring changes in students’ behaviour and/or attendance; and
- contributing to local child protection agendas by, for example, challenging poor threshold decisions about children at risk of harm in extra-familial settings but who are relatively safe within their families; as well as referring concerns about contexts to relevant local agencies (see section entitled ‘multi-agency working’).

The following diagram demonstrates that this whole school/college community approach is by definition already part of a contextual safeguarding approach:²⁶

As schools and colleges embed a whole-school/college community Contextual Safeguarding approach, outlined in this resource, it assists them in working towards the four system-domains outlined above.

Fig.2 Contextual Safeguarding approach



A total of 58 local areas across England are formally adopting a Contextual Safeguarding approach as part of their response to extra-familial harm and it is important that schools identify if they are operating in one of these areas.

Further information and resources can be found on the [Contextual Safeguarding Network](#) – including: [Beyond Referrals – Harmful Sexual Behaviour \(HSB\) and Extra-familial Harm \(EFH\) in school settings](#).²⁷

“Using [an intersectional] approach provides a framework for professionals to better understand the oppressions Black children may experience. It may also support a cultural shift in safeguarding practice, where Black boys are treated with care rather than suspicion.”³⁰

Further information can be found in [Appendix C](#).

What is intersectionality?

Intersectionality is the recognition that people’s experiences are shaped by their multi-layered identities. A person’s interactions with the world are shaped by their ethnicity, age, gender, sexuality, class and abilities, and these aspects of a person’s identity interrelate. Someone may experience racism, sexism and ageism collectively or individually at different times and in different environments. For example, a teenage Black boy may experience discrimination based on the fact that he is both Black and male. The effect of his experiences may influence whether he is comfortable accessing support if he is a victim of child-on-child abuse.

One aspect of intersectionality that is particularly relevant to managing child-on-child abuse is adultification.²⁸ This is a form of racial prejudice in which children from minoritised groups are treated as more mature than they actually are by a reasonable social standard of development. This may lead to failure to recognise victims of child-on-child abuse and to respond appropriately to the experiences of children from minoritised ethnic groups. Whilst adultification can impact all children in certain ways it is important that there is an acknowledgement that it specifically affects Black children.²⁹ Their behaviour may also attract a harsher disciplinary response than the same behaviour in white peers of the same age. To address this risk, behaviour policies should be applied consistently and behaviour sanctions regularly reviewed for evidence of discrimination against children from minoritised ethnic groups.

2. Safeguarding policies, procedures and practice

General principles

Relevant extracts from KCSIE 2022³¹

“What school and college staff need to know

All staff should be aware of systems within their school or college which support safeguarding, and these should be explained to them as part of staff induction. This should include the:

- *child protection policy (which should amongst other things also include the policy and procedures to deal with child-on-child abuse)*
- *behaviour policy (which should include measures to prevent bullying, including cyberbullying, prejudice-based and discriminatory bullying)...³²*
- *safeguarding response to children who go missing from education, and*
- *role of the designated safeguarding lead [DSL] (including the identity of the [DSL] and any deputies)...”*

“All staff should know what to do if a child tells them they are being abused [or] exploited... Staff should know how to manage the requirement to maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the [DSL] (or a deputy) and local authority children’s social care. Staff should never promise a child that they will not tell anyone about a report of any form of abuse, as this may ultimately not be in the best interests of the child.

*All staff should be able to reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting **any** form of*

abuse...Nor should a victim ever be made to feel ashamed for making a report.

All staff should be aware that children may not feel ready or know how to tell someone that they are being abused [or] exploited..., and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or...threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having a professional curiosity and speaking to the [DSL] if they have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication.”

It is important for all the governors, senior leadership team, and staff to be committed to the prevention, early identification, and appropriate management of child-on-child abuse both within and beyond the school or college. In particular:

- in order to protect children, all schools and colleges should (a) be aware of the nature and level of risk to which their students are or may be exposed, and put in place a clear and comprehensive strategy which is tailored to their specific safeguarding context; and (b) take a whole-school/college community Contextual Safeguarding approach to preventing and responding to child-on-child abuse;
- it is not acceptable merely to take a reactive approach to child-on-child abuse in response to alleged incidents of it. In order to tackle child-on-child abuse proactively, it is necessary to focus on all five of the following areas: (i) systems and structures,

(ii) prevention, (iii) identification, (iv) response/intervention, and (v) culture context;³³ and

- parents should be encouraged by schools and colleges to hold them to account on this issue, so that if their child is feeling unsafe as a result of the behaviour of another child, they should inform the school or college so that it can ensure that appropriate and prompt action is taken in response.

Schools and colleges are encouraged not to restrict their approach to child-on-child abuse to just children, but instead to adopt a wider interpretation of their safeguarding responsibilities so that they apply to all students, regardless of their age.

Although the starting point is that a school's or college's response to child-on-child abuse should be the same for all students, regardless of age, there may be some different considerations in relation to, for example, a child aged under 10 (as set out above), or a student aged 18 or over, in terms of how local agencies and/or partners respond. This, for example, is likely to be different on the part of local authorities, given that their safeguarding duties are limited, in the case of local authority children's social care – save for a number of specific exceptions³⁴ – to children and, in the case of adult social care services, to adults with care and support needs. Similarly, a school's or college's response to incidents involving the consensual/non-consensual sharing of nude/semi-nude images and/or videos will need to differ depending on the age of the students involved. There is also likely to be a more significant criminal justice response in relation to any student responsible for abuse who is aged 18 or over.

Schools and colleges should adopt a zero-tolerance policy towards all forms of child-on-child abuse, and ensure that no form of any such abuse (no matter how 'low level' it may appear) is ever dismissed as a joke or banter.

Schools and colleges should identify and handle cases sensitively, appropriately, and promptly. They should ensure that they have effective policies, procedures and practices in place to prevent, identify, and appropriately respond to cases of child-on-child abuse.

The content on child-on-child abuse within a school's or college's child protection policy should set out its strategy for improving prevention, and identifying and appropriately managing such abuse. This should be the product of a comprehensive consultation involving students, staff and parents, and a risk assessment. A robust child protection policy which is effectively implemented, training for staff on identifying and managing cases of child-on-child abuse (see further below), and providing resources to staff to assist in the consistent identification and recognition of such abuse, are also key.

Schools and colleges should consider how much of their wider equalities approach to issues such as ethnicity, disability, sexuality and religious affiliation supports their content on child-on-child abuse within their child protection policy. In order to provide an appropriate response to child-on-child abuse, schools and colleges (i) should pose themselves a number of questions on gender and other equality issues that can help to inform the nature of the phenomena; and (ii) may need to consider gender and other equality issues including, for example, the extent to which girls access STEM subjects (if the school or college is a mixed provision), or the extent to which behaviours displayed by boys are perceived as aggressive or not, and how boys or children from different ethnic backgrounds are responded to differently – including evidence that disproportionate disciplinary sanctions are applied to Black Caribbean boys and Gypsy, Roma and Traveler children.³⁵

Schools may also wish to consult the [Respectful School Communities Self-Review and Signposting Tool](#) (designed for school senior leadership teams) which has been designed to support schools to develop a whole-school approach which promotes respect and discipline, in order to combat bullying, harassment and abuse of any kind.

Safeguarding policies, procedures and practice

Relevant extracts from KCSIE 2022³⁶

“Safeguarding policies and procedures

Governing bodies and proprietors should ensure there are appropriate policies and procedures in place in order for appropriate action to be taken in a timely manner to safeguard and promote children’s welfare.

These policies should include individual schools and colleges having:

- an **effective child protection policy** which:
 - › reflects the whole school/college approach to child-on-child abuse...
 - › reflects reporting systems...
 - › describes procedures which are in accordance with government guidance
 - › refers to locally agreed multi-agency safeguarding arrangements put in place by the safeguarding partners...
 - › includes policies as reflected elsewhere in Part two of [KCSIE 2022], such as online safety..., and special educational needs and disabilities (**SEND**)...
 - › is reviewed annually (as a minimum) and updated if needed, so that it is kept up to date with safeguarding issues as they emerge and evolve, including lessons learnt; and
 - › is available publicly either via the school or college website or by other means.
- a **behaviour policy**, which includes measures to prevent bullying (including cyberbullying, prejudice-based and discriminatory bullying)...³⁷
- **appropriate safeguarding arrangements** in place to respond to children who go missing from education, particularly on repeat occasions...”

“Online safety policy

Online safety and the school or college’s approach to it should be reflected in the child protection policy. Considering the 4cs (above) [ie content, contact, conduct and commerce] will provide the basis of an effective online policy. The school or college should have a clear policy on the use of mobile and smart technology. Amongst other things this will reflect the fact that many children have unlimited and unrestricted access to the internet via mobile phone networks (ie 3G, 4G and 5G). This access means some children, whilst at school or college, sexually harass, bully, and control others via their mobile and smart technology, share indecent images consensually and non-consensually (often via large chat groups) and view and share pornography and other harmful content. Schools and colleges should carefully consider how this is managed on their premises and reflect this in their mobile and smart technology policy and their child protection policy.”

“Child-on-child abuse

All staff should recognise that children are capable of abusing other children (including online). **All** staff should be clear about their school’s or college’s policy and procedures with regard to child-on-child abuse.

Governing bodies and proprietors should ensure that their child protection policy includes:

- procedures to minimise the risk of child-on-child abuse
- the systems in place (and they should be well promoted, easily understood and easily accessible) for children to confidently report abuse, knowing their concerns will be treated seriously
- how allegations of child-on-child abuse will be recorded, investigated, and dealt with
- clear processes as to how victims, perpetrators and any other children affected by child-on-child abuse will be supported
- a recognition that even if there are no reported cases of child-on-child abuse, such abuse may still be taking place and is simply not being reported

- *a statement which makes clear there should be a zero-tolerance approach to abuse, and it should never be passed off as “banter,” “just having a laugh,” “part of growing up” or “boys being boys” as this can lead to a culture of unacceptable behaviours and an unsafe environment for children*
- *recognition that it is more likely that girls will be victims and boys perpetrators, but that all child-on-child abuse is unacceptable and will be taken seriously, and*
- *the different forms child-on-child abuse can take, such as:*
 - › *bullying (including cyberbullying, prejudice-based and discriminatory bullying)*
 - › *abuse in intimate personal relationships between children (also known as teenage relationship abuse)*
 - › *physical abuse which can include hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm*
 - › *sexual violence and sexual harassment. Part five of [KCSIE 2022] sets out how schools and colleges should respond to reports of sexual violence and sexual harassment*
 - › *consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery): the policy should include the school or college’s approach to it. The [DfE] provides Searching, Screening and Confiscation Advice for schools. The UKCIS Education Group has published Sharing nudes and semi-nudes: advice for education settings working with children and young people which outlines how to respond to an incident of nude and/or semi-nude images and/or videos being shared*
 - › *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*
 - › *upskirting (which is a criminal offence)..., and*
 - › *initiation/hazing type violence and rituals.”*

An effective child protection policy should therefore reflect the whole school/college approach to child-on-child abuse – including online safety, and should (amongst other things) include the policy and procedures to deal with child-on-child abuse. Appropriate cross-reference should be made, and consistency ensured, between other relevant policies in the school’s/college’s suite of safeguarding policies and procedures – eg the behaviour policy – which should include measures to prevent bullying (including cyberbullying, prejudice-based and discriminatory bullying), online safety policy, and the school’s/college’s safeguarding response to children who go missing from education.

Again, further information on the different types of child-on-child abuse can be found in [Appendix B](#) which contains a glossary and key facts on them.

Information sharing, data protection and record keeping

Relevant extract from KCSIE 2022³⁸

“Information sharing

Information sharing is vital in identifying and tackling all forms of abuse..., and in promoting children’s welfare, including in relation to their educational outcomes. Schools and colleges have clear powers to share, hold and use information for these purposes.

As part of meeting a child’s needs, it is important for governing bodies and proprietors to recognise the importance of information sharing between practitioners and local agencies. This should include ensuring arrangements are in place that set out clearly the processes and principles for sharing information within the school or college and with local authority children’s social care, the safeguarding partners and other organisations, agencies, and practitioners as required.

School and college staff should be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or where a child is already known to the local authority children’s social care.

It is important that governing bodies and proprietors are aware that among other obligations, the Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR) place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure.”

Data protection practices relating to child-on-child abuse should be in line with the school’s and college’s data protection policies and notices. By the same token, the school’s and college’s policies and notices need to reflect and allow sufficiently for safeguarding practices. This includes setting out clearly to

parents and students what these practices are, and why they are needed, in a privacy notice.³⁹

Working Together to Safeguard Children, July 2018 (WTSC 2018) sets out to correct common myths about the laws of privacy, data protection and confidentiality; fears that can hamper effective keeping and sharing of records. The bottom line is that, if there are legitimate safeguarding concerns about a child, then data protection law will allow schools and colleges and professionals to record, share and retain even the most sensitive personal data as necessary to support their policies (even when it is not feasible to obtain consent).

Further information about information sharing, data protection and record keeping, in the context of responding to alleged incidents of child-on-child abuse, can be found in [Section 5](#) below.

Specifically tailored

Schools and colleges should regard their approach to and management of child-on-child abuse as a constant work in progress, and may wish to draw upon the following key points to inform the child-on-child abuse content within their child protection policy. It is vital that schools and colleges regularly review, tailor and maintain their policy according to their particular safeguarding context, the needs of their students, and the specific risks to which their students are or may be exposed – both in and outside of the school or college community (including online), and with due regard to local safeguarding guidance and Ofsted or ISI inspection requirements published from time to time. This will help to ensure that the policy:

- a. continually identifies and addresses the level and nature of risk to which the school’s or college’s students are, or may be, exposed;
- b. remains fit for purpose;
- c. is ‘owned’ by the school or college; and
- d. is effectively implemented in practice – including to mitigate harmful attitudes and child-on-child abuse within the setting.

Schools and colleges ought to develop a whole-school community Contextual Safeguarding approach (defined above) to child-on-child abuse, and ensure that it is focused on all forms of child-on-child abuse, and across a spectrum of behaviours – including concerns/allegations of inappropriate behaviour through to those of serious sexual assault.

Schools and colleges should use their students' views, experiences, and contributions (a) as a baseline against which to measure the impact of their approach to and management of child-on-child abuse – student surveys can help with this process;⁴⁰ and (b) to underpin and inform every stage of their ongoing design, implementation, and review of the child-on-child abuse content within their child protection policy.

In order to ensure that this content is appropriately tailored to their specific safeguarding context, it is recommended that schools and colleges should conduct a comprehensive consultation on it annually, and seek input from key members of staff, as well as students and parents – for example, through a steering group. This should secure a positive and enthusiastic level of 'buy-in' on an ongoing basis, particularly from students and parents – where the school or college is acting proactively, and seeking their contribution to help maintain an effective policy, as opposed to conducting the exercise in response to a safeguarding incident.

Schools and colleges should identify a number of questions to ask as part of their consultation, including, by way of example:

- Do we have a clear and full understanding of what constitutes child-on-child abuse?
- What have we experienced as a school community in the past in terms of child-on-child abuse, and have we learned from it? If so, how?
- Do we take a whole-school community Contextual Safeguarding approach to preventing and responding to child-on-child abuse?

- Do we have any concerns about existing child-on-child relationships and, if so, what are these?
- Are there particular features or types of child-on-child abuse that our students are exposed to, and do our policies and procedures appropriately address these? For example, are any of our students exposed to child criminal exploitation in the context of any – or a combination of – youth/serious youth violence, gang activity and/or county lines? Do any of our students carry weapons? Is prejudice-based bullying a problem?
- What about cyber-bullying or online grooming?
- Is our teaching of Relationships Education (for primary school students) and/or Relationships and Sex Education (for secondary school students) high-quality, evidence-based, age appropriate, and delivered by expert staff? If so, is it effective, and delivered in accordance with the statutory guidance and the school's Relationships Education policy and/or Relationships and Sex Education policy, and in such a way that our students engage positively with it?⁴¹ Are key messages to students (a) pragmatic – recognising, for example, that not all sexual imagery with which children are involved is abusive or intended to cause harm, and (b) supportive – avoiding, for example, placing a sense of responsibility with the child who takes and/or is the subject of the image, without recognising the potential for coercion or threat in the production of that image? Where relevant, do we have a 'visiting speakers' policy'? And, is our internal and external education and training in this area quality assured?
- Do we know of any physical or online locations which may be particularly vulnerable to being used by students to threaten or inflict abuse on other students, such as toilets, bus stops, unsupervised corridors, or areas which are poorly lit, enclosed or hidden from adult view like the locker area?⁴² One practical approach to this question could, for example, be to walk around the school, and talk to students, and

ask them about the physical spaces, and any concerns they may have about them, and to ask students to map out 'hot and cold zones.' In respect of the online locations, do we have appropriate internet monitoring and filtering in place in the school setting?⁴³ Outside of school, parks (where students can gather) and private parties, where alcohol and/or drugs maybe present, can be vulnerable locations where, in particular, there is scope for child-on-child abuse.

- Do we have an inclusive and equitable school environment, where students from minoritised backgrounds feel safe, and where incidents are learned from – including those which are lower level, as well as those which are more serious?

In addition to the above, schools and colleges should undertake a **proactive risk assessment** (referred to within [Section 3](#) below) – the outcome of which should be used to inform the child-on-child abuse content within their child protection policy.

Multi-agency working

Relevant extracts from KCISE 2022⁴⁴

"[WTSC] is very clear that all schools (including those in multi-academy trusts) and colleges in the local area should be fully engaged, involved, and included in safeguarding arrangements. It is expected that, locally, the safeguarding partners will name schools and colleges as relevant agencies. Safeguarding partners will set out in their published arrangements which organisations and agencies they will be working with, and the expectations placed on any agencies and organisations by the arrangements. Once named as a relevant agency, schools, and colleges, in the same way as other relevant agencies, are under a statutory duty to co-operate with the published arrangements. They must act in accordance with the safeguarding arrangements.

It is especially important that schools and colleges understand their role within the local safeguarding arrangements. Governing bodies, proprietors, and their senior leadership

teams, especially their [DSLs], should make themselves aware of and follow their local arrangements.

Governing bodies and proprietors should understand the local criteria for action and the local protocol for assessment and ensure they are reflected in their own policies and procedures. They should also be prepared to supply information as requested by the safeguarding partners."

"Effective safeguarding practice is demonstrated when schools and colleges are clear, in advance, about what local processes are in place and what support can be accessed when sexual violence or sexual harassment has occurred. It is important to prepare for this in advance and review this information on a regular basis to ensure it is up to date..."

The response of local authorities and other external agencies to alleged child-on-child abuse, and their engagement with it, can vary depending on the geographical area. Schools and colleges should know what is expected on their part in advance of a potential future concern/allegation of child-on-child abuse. Again, schools and colleges should consult their local multi-agency safeguarding arrangements, and be aware of any harmful sexual behaviour operational framework that may exist between agencies.

Schools and colleges should ensure that they maintain an up-to-date knowledge and understanding of what the local criteria for action and the local protocol for assessment is with respect to child-on-child abuse (including whether advice can be provided to schools and colleges on a no-names basis in borderline cases), and ensure that the position is reflected in their own policies and procedures.

3. Prevention

Relevant extracts from KCSIE 2022⁴⁵

“Equality Act 2010

Schools and colleges have obligations under the Equality Act 2010 (the Equality Act).

According to the Equality Act, schools and colleges **must** not unlawfully discriminate against pupils because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation (protected characteristics).

Whilst all of the above protections are important, in the context of safeguarding, [KCSIE 2022], and the **legal duties** placed on schools and colleges in relation to safeguarding and promoting the welfare of children, governing bodies and proprietors should carefully consider how they are supporting their pupils and students with regard to particular protected characteristics – including disability, sex, sexual orientation, gender reassignment and race.

Provisions within the Equality Act allow schools and colleges to take positive action, where it can be shown that it is proportionate, to deal with particular disadvantages affecting pupils or students with a particular protected characteristic in order to meet their specific need. This includes a duty to make reasonable adjustments for disabled children and young people, including those with long term conditions. A school or college, could, for example, consider taking positive action to support girls if there was evidence they were being disproportionately subjected to sexual violence or sexual harassment.”

“Children requiring mental health support

Schools and colleges have an important role to play in supporting the mental health and wellbeing of their pupils.

Mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse..., or exploitation. Governing bodies and proprietors should ensure they have clear systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems.”

“Children with special educational needs and disabilities or health issues

Children with special educational needs or disabilities (SEND) or certain medical or physical health conditions can face additional safeguarding challenges both online and offline. Governing bodies and proprietors should ensure their child protection policy reflects the fact that additional barriers can exist when recognising abuse...in this group of children. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s condition without further exploration
- these children being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children
- the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs...
- communication barriers and difficulties in managing or reporting these challenges.
- cognitive understanding – being unable to understand the difference between fact and fiction in online content and then repeating the content/behaviours in schools or colleges or the consequences of doing so.

Any reports of abuse involving children with SEND will therefore require close liaison with the [DSL] (or deputy) and the SENCO or the named person with oversight for SEND in a college.

Schools and colleges should consider extra pastoral support and attention for these children, along with ensuring any appropriate support for communication is in place.”

“Children who are lesbian, gay, bi, or trans (LGBT)

The fact that a child or young person may be LGBT is not in itself an inherent risk factor for harm. However, children who are LGBT can be targeted by other children. In some cases, a child who is perceived by other children to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.

Risks can be compounded where children who are LGBT lack a trusted adult with whom they can be open. It is therefore vital that staff endeavour to reduce the additional barriers faced and provide a safe space for them to speak out or share their concerns with members of staff.

LGBT inclusion is part of the statutory Relationships Education, Relationship and Sex Education and Health Education curriculum and there is a range of support available to help schools counter homophobic, biphobic and transphobic bullying and abuse.”

Are some children particularly vulnerable to abusing or being abused by other children?

Any child can be vulnerable to child-on-child abuse – including due to the strength of peer influence during adolescence, and staff should be alert to signs of such abuse amongst all children. Individual and situational factors can increase a child’s vulnerability to abuse by their peers. For example, an image of a child could be shared, following which they could become more vulnerable to peer-on-peer abuse due to how others now perceive them, regardless of any characteristics which may be inherent in them and/or their family. Peer group dynamics can also play an important role in determining a child’s vulnerability to such abuse. For

example, children who are more likely to follow others and/or who are socially isolated from their peers may be more vulnerable to peer-on-peer abuse. Children who are questioning or exploring their sexuality or gender identity may also be particularly vulnerable to abuse by their peers.

Research suggests that:

- peer-on-peer abuse may affect boys differently from girls, and that this difference may result from societal norms (particularly around power, control and the way in which femininity and masculinity are constructed) rather than biological make-up. Barriers to disclosure will also be different. As a result, schools and colleges need to explore the gender dynamics of peer-on-peer abuse within their settings, and recognise that these will play out differently in single sex, mixed or gender-imbalanced environments;⁴⁶
- children with SEND are three times more likely to be abused than their peers without SEND,⁴⁷ and – as above – additional barriers can sometimes exist when recognising abuse in this group of children;
- some children may be more likely to experience peer-on-peer abuse than others as a result of certain characteristics such as sexual orientation, trans status, disability, ethnicity, race or religious beliefs.^{48 49}
- Children and young people with mental health difficulties may not only be at greater risk of being targeted, but bullying can exacerbate their mental health needs.⁵⁰
- LGBTQ children and young people experience significantly higher levels of verbal, physical and sexual abuse than their peers.⁵¹

Being alert to and monitoring changes in student behaviour

Maintaining and monitoring behaviour incident logs provides one route to a summary assessment of any behavioural trends that may be emerging across a cohort of students, at a particular time of day or in a specific location. It is important that the language used to describe alleged student behaviour is clear and avoids using euphemisms which can prevent potential patterns from being identified.

Behaviour incident logs can also provide a summary account of the nature of the actions that staff take to address such behaviours – particularly those on the inappropriate and problematic end of the behaviours spectrum.⁵²

The school's or college's safeguarding team should regularly review behaviour incident logs which can help to identify any changes in behaviour and/or concerning patterns or trends at an early stage.

Proactive assessment

Schools should:

- 1. Conduct a proactive assessment to determine the risks to which their students are or may be exposed, as well as any protective factors which may exist, and monitor those risks and protective factors.**

The assessment should consider:

- the nature and level of risk of the different variants of child-on-child abuse within the school or college;
- the makeup of the student body, including specific characteristics that might affect their vulnerability to child-on-child abuse such as, for example, gender, age, learning difficulties, special educational needs and/or disabilities, sexual orientation, ethnicity and/or religious belief;
- the fact that students may not always understand that they have experienced or carried out child-on-child abuse, for

example, because they do not know what constitutes inappropriate sexualised behaviour, they have experienced sexual abuse and do not realise that what happened to them was wrong, they do not know whether consent was given, they are younger and therefore lack knowledge of sex/sexuality as they are less likely to have received sex or relationships education, or the abuse happened between friends or partners;

- which of these students are affected, or are more at risk of being affected, by child-on-child abuse;
- any trends;
- the various sociocultural contexts to which those students are associated including, for example, their peer group (both within and outside the school or college), family, the school environment, their experience(s) of crime and/or victimisation in the local community, and their online identities – which may impact on their behaviour and engagement in school or college; and
- the levers and barriers within the school or college environment that will affect your ability to respond to child-on-child abuse – ie systems and structures, prevention, identification, response and intervention, and culture context.⁵³ It should be noted that such abuse can be harmful to children who engage in it as well as those who experience it, and schools and colleges must balance their duties to both. In addition, there may be barriers to a child disclosing abuse, such as a culture of “no sneaking,” how the child thinks they will be perceived, and/or thinking that their parents will be informed.

It should be noted that this assessment:

- is a proactive assessment of the general risks facing the student body, and any protective factors which may exist with respect to them. It is distinct from any responsive risk and needs assessment(s) that may be required following a concern or allegation of child-on-child abuse (which are discussed later in this resource);
- should inform the child-on-child abuse content within the child protection policy; and

- should feed into and inform (i) the governors' oversight of safeguarding, to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in their school/college are effective and support the delivery of a robust whole school approach to safeguarding, and (ii) any safeguarding risk register(s) that they may choose to put in place.
- 2. Put in place action plans to address any identified risks and keep these under regular review.**

Multi-agency working

Schools and colleges should actively engage and work closely with their local partners in relation to child-on-child abuse. For example, they should (i) request any updates on local trends relating to child-on-child abuse that might be impacting upon students; (ii) ask the local authority whether they have access to any resources associated with child-on-child abuse that can be used to strengthen their curriculum; and (iii) seek out the education representative who sits on local multi-agency operational or strategic groups where child-on-child abuse is discussed.

The relationships that schools and colleges build with their local partners are essential to enabling them to prevent, identify early, and appropriately handle cases of child-on-child abuse. They should help schools and colleges to:

- develop a good awareness and understanding of the different referral pathways that operate in their local area, as well as the preventative and support services which exist;
- ensure that their students are able to access the range of services and support they need quickly;
- support and help inform their local community's response to child-on-child abuse; and
- increase their awareness and understanding of any concerning trends and emerging risks in their local area to enable them to take preventative action to minimise the risk of these being experienced by their students.

Education, training and practice

Relevant extracts from KCSIE 2022⁵⁴

“Opportunities to teach safeguarding

Governing bodies and proprietors should ensure that children are taught about how to keep themselves and others safe, including online. It should be recognised that effective education will be tailored to the specific needs and vulnerabilities of individual children, including children who are victims of abuse, and children with [SEND].

In schools, relevant topics will be included within Relationships Education (for all primary pupils), and Relationships and Sex Education (for all secondary pupils) and Health Education (for all primary and secondary pupils). In teaching these subjects schools must have regard to the statutory guidance... Colleges may cover relevant issues through tutorials.

Schools and colleges play a crucial role in preventative education. Preventative education is most effective in the context of a whole-school or college approach that prepares pupils and students for life in modern Britain and creates a culture of zero tolerance for sexism, misogyny/misandry, homophobia, biphobic and sexual violence/harassment. The school/college will have a clear set of values and standards, upheld and demonstrated throughout all aspects of school/college life. These will be underpinned by the school's/college's behaviour policy and pastoral support system, as well as by a planned programme of evidence-based RSHE delivered in regularly timetabled lessons and reinforced throughout the whole curriculum. Such a programme should be fully inclusive and developed to be age and stage of development appropriate (especially when considering the needs of children with SEND and other vulnerabilities). This program will tackle, at an age-appropriate stage, issues such as:

- *healthy and respectful relationships*
- *boundaries and consent*

- stereotyping, prejudice and equality
- body confidence and self-esteem
- how to recognise an abusive relationship, including coercive and controlling behaviour
- the concepts of, and laws relating to – sexual consent, sexual exploitation, abuse, grooming, coercion, harassment, rape, domestic abuse..., and how to access support, and
- what constitutes sexual harassment and sexual violence and why these are always unacceptable.”

“It is effective safeguarding practice for the [DSL] (and their deputies) to have a good understanding of HSB. This could form part of their safeguarding training. This will aid in planning preventative education, implementing preventative measures, drafting and implementing an effective child protection policy and incorporating the approach to sexual violence and sexual harassment into the whole school or college’s approach to safeguarding.”

A whole-school/college approach

School/college environment

Relevant extracts from KCSIE 2022⁵⁵

*“Governing bodies and proprietors should have a senior board level (or equivalent) lead to take **leadership** responsibility for their school’s or college’s safeguarding arrangements.*

*Governing bodies and proprietors should ensure that **all** governors and trustees receive appropriate safeguarding and child protection (including online) training at induction. This training should equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in schools and colleges are effective and support the delivery of a robust whole school approach to safeguarding. Their training should be regularly updated.*

Governing bodies and proprietors should be aware of their obligations under the Human Rights Act 1998, the Equality Act 2010, (including the Public Sector Equality Duty), and their local multi-agency safeguarding arrangements.”

Schools and colleges should actively seek to raise awareness of and prevent all forms of child-on-child abuse by:

- Educating all governors, their senior leadership team, staff, students, and parents about this issue. This includes: training all governors, the senior leadership team, and staff on the nature, prevalence and effect of child-on-child abuse, and how to prevent, identify, and respond to it. This includes (i) Contextual Safeguarding, (ii) the identification and classification of specific behaviours, including digital behaviours, (iii) the importance of taking seriously all forms of child-on-child abuse (no matter how ‘low level’ they may appear) and ensuring that no form of child-on-child abuse is ever dismissed as horseplay or teasing, and (iv) social media and online safety, including how to encourage children to use social media in a positive, responsible and safe way, and how to enable them to identify and manage abusive behaviour online.

In terms of governor, senior leadership team and staff training, there are questions that schools and colleges should pose themselves – including, for example, “do we think we have a good awareness and understanding of child-on-child abuse?” We suggest that staff themselves develop relevant and engaging case studies. Resources – including webinars – for general staff awareness training – are available on the [Contextual Safeguarding Network](#).

Training on child-on-child abuse should also be incorporated into wider safeguarding training, and schools and colleges should give careful consideration as to how to include key messages and principles applicable to the content on child-on-child abuse within their child protection policy.

- Educating children:
 - › about (a) the nature and prevalence of child-on-child abuse, positive, responsible and safe use of social media, and the unequivocal facts about consent, via PSHE and the wider curriculum – for example, by addressing gender inequality in a Statistics class, tackling racial injustice in a History class, or by reviewing literature in an English class which addresses bullying and its effect on mental health; and (b) consent, including teaching them basic facts such as (i) a child under the age of 13 can never consent to any sexual activity; (ii) the age of consent is 16; and (iii) sexual intercourse without consent is rape;
 - › frequently telling them what to do if they witness or experience such abuse, the effect that it can have on those who experience it, and the possible reasons for it, including vulnerability of those who inflict such abuse; and
 - › regularly informing them about the school's or college's approach to such issues, including its zero-tolerance policy (and explaining exactly what that means) towards all forms of child-on-child abuse.
- Engaging parents on these issues by:
 - › talking about them with parents, both in groups and one to one;
 - › addressing these issues in newsletters and other school communications as appropriate;
 - › asking parents what they perceive to be the risks facing their child and how they would like to see the school address those risks;
 - › involving parents in the review of relevant school or college policies and lesson plans; and
 - › encouraging parents to hold the school or college to account on this issue, in part as a result of visibility of the child protection policy.
- Supporting and promoting the on-going wellbeing and mental health of the student body by drawing on multiple resources that prioritise student wellbeing, resilience and mental health, and by providing in-school/ college counselling and therapy to address underlying mental health needs. These interventions can be 'de-clinicised' and brokered through a positive relationship with the school or college and its staff. All staff should be trained to meet low-level mental health difficulties within the students.⁵⁶
- Working with governors, senior leadership team, and all staff, students and parents to address equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the school or college community.
- Creating an inclusive and equitable school or college culture where students from all racial and ethnic backgrounds feel safe and can thrive. Schools and colleges should ensure that they actively promote equality of gender, ethnicity and other characteristics, positive values and healthy relationships, and incorporate work on child-on-child abuse into their curriculum. Show Racism the Red Card, for example, offers resources and training for students and staff on the causes and consequences of racism.
- Creating conditions in which students can aspire to, and realise, safe and healthy relationships – fostering a whole-school/ college culture:
 - › which is founded on the idea that every member of the school or college community is responsible for building and maintaining safe and positive relationships, and helping to create a safe school or college environment in which violence and abuse are never acceptable, and in which certain behaviour such as the carrying of weapons is not tolerated (where that is appropriate to the school's or college's particular circumstances);
 - › in which students are able to develop trusting relationships with staff, and in which staff understand, through regular discussion and training, the importance of these relationships in providing students with a sense of belonging, which could otherwise be sought in problematic contexts;

- › in which students feel able to share their concerns openly, in a non-judgmental environment, and have them listened to;
 - › which (i) proactively identifies positive qualities in students; (ii) nurtures these qualities; (iii) teaches and encourages students to think about positive hopes for the future; and (vi) supports students in developing small-scale goals that enable realistic ambitions; and
 - › which provides supervised activities to students that give them the experience of having their needs met that might otherwise apparently be met in abusive circumstances. These can include experiencing (i) status; (ii) excitement; and (iii) a degree of risk.
- Responding to cases of child-on-child abuse promptly and appropriately.
 - Ensuring that all child-on-child abuse issues are fed back to the school's or college's safeguarding team so that they can (i) ensure that any referrals which may be necessary are made to the relevant statutory services as appropriate, (ii) spot and address any concerning trends, (iii) identify students who may be in need of additional support, and (iv) address any locations in or around the school or college in need of attention. This can be done by way of a weekly staff meeting at which all concerns about students (including child-on-child abuse issues) are discussed; challenging the attitudes that underlie such abuse (both inside and outside the classroom).⁵⁷

Examples of resources and other support which schools and colleges can draw upon are provided in KCSIE 2022, and [Appendix C](#) of this resource.

The internet and social media

The internet can provide students with extraordinary positive opportunities, including for learning, sharing information and developing key skills, but it can also facilitate harm. Schools and colleges should focus on enabling and empowering their students, staff and parents to navigate the online world in a safe, responsible and positive way via relevant, accurate and engaging training and education.

With respect to students, this should involve developing their understanding and education about social media from an early age, and before they start to engage with social media platforms. This can be done gradually by, for example, weaving age-appropriate discussions into their curriculum, and encouraging safe and positive use of social media.

Any such discussions should:

- reinforce (as appropriate) that most social media platforms require users to be at least 13 years of age before they sign up (and some sites have raised this age limit to 16),⁵⁸ and acknowledge that a significant number of children, in some cases young children, nevertheless access these platforms by providing a false date of birth;
- explain these age limits (as appropriate) to children, the reasons for them, and the consequences of breaching them. The Data Protection Act 2018 states that children who are aged 13 years or older are capable of giving consent for data collection online. Although not illegal for the children, under-age use of social media constitutes a breach of the platform's terms and conditions. It can also mean that these children are exposed to material that is not appropriate for their age, and to safeguarding risks. Where a child provides a false age of 18 or over, it can mean that they access sites without the additional protections that some sites provide to users under the age of 18. It also means that any liability for harm from the service provider can be waived, because the user has invalidated terms and conditions. If discovered, it can also lead to the child's profile, and any content that they shared, being deleted;
- celebrate difference. Not all children want to be on social media and children should never feel pressured into making choices that are not right for them;
- always encourage children to share any concerns they may have from using the online environment, including social media – even if they are accessing a site that they should not and, where possible, provide reassurance to them that they will not be punished for doing so; and

- provide children with advice on how to (i) share their concerns with staff in school or college, (ii) report inappropriate or harmful online content or contact to a platform provider or an independent agency, and (iii) seek support and advice if they are worried, either from the school or college, or from an external body. Children should know that they will not get into trouble for disclosing a concern.⁵⁹

Schools and colleges should have a comprehensive and age-appropriate plan to address social media use, which may include, for example:

- developing online and/or social media charters or agreements with students and parents. Charters are a set of agreements which everyone should feel comfortable adhering to. They can be used to (i) encourage kind, safe, and responsible internet use; and (ii) provide a useful reference point for students, parents, and staff if any concerns or allegations should subsequently arise by enabling the school or college to revisit what was previously agreed. A useful starting point for creating a charter can be a school's or college's set of values and/or any behaviour codes. Involving children in the creation of these documents has two benefits. First, it helps them take ownership of what they do online, and second, it can provide an opportunity to open up useful group discussions. Further information on, and examples of social media charters, can be found [here](#);
- holding in-class discussions about the social media sites and applications that children like and why. The age at which schools introduce these discussions will vary depending on the particular context of individual schools and their students. It may need to be lowered where, for example, staff become aware that children are accessing sites at an earlier age, and
- drawing on engaging and accurate resources and content where possible.⁶⁰

It is also vital to educate, train and empower staff and parents (as above), so that they are equipped to help students to take full advantage of the opportunities provided by the internet, and to navigate the online world safely.

For guidance on educating children and young people about the sharing of nudes and semi-nudes, please see [Sharing nudes and semi-nudes: Advice for education settings working with children and young people](#).⁶¹

4. Identifying and assessing behaviour

Relevant extract from KCSIE 2022⁶²

“Mental Health

All staff should be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse...or exploitation.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Education staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. Schools and colleges can access a range of advice to help them identify children in need of extra mental health support, this includes working with external agencies.

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following their child protection policy, and speaking to the [DSL] or a deputy.”

How can a child who is being abused by another child be identified?

All staff should be vigilant in respect of the dynamics of peer groups in their school or college, and should be alert to the wellbeing of students and to signs of abuse. They should engage with these signs, as appropriate, to determine whether they are caused by child-on-child abuse. However, staff should be mindful of the fact that the way(s) in which children will disclose or present with behaviour(s) as a result of their experiences will differ.

Signs that a child may be suffering from child-on-child abuse can also overlap with those indicating other types of abuse and can include – for example:⁶³

- being afraid of particular places and/or situations and/or making excuses to avoid particular people
- being afraid/reluctant to go to school, being mysteriously ‘ill’ each morning, or skipping school
- running away or regularly going missing from home, care or education
- experiencing difficulties with mental health and/or emotional wellbeing
- becoming nervous, anxious, distressed, clingy or depressed
- becoming isolated from peers/usual social networks, losing confidence and becoming withdrawn
- self-harming or having thoughts about suicide
- having problems eating (including developing eating disorders) and/or sleeping (including suffering from nightmares)
- regularly wetting the bed or soiling their clothes
- belongings getting ‘lost’ or damaged
- asking for, or stealing, money (to give to a bully)
- unexplained gifts, money or new possessions (eg clothes and/or mobile phone)
- unexplained physical injuries and other signs of physical abuse
- changes in appearance – eg weight loss
- changes in performance and/or behaviour at school

- knowing about or being involved in 'adult issues' which are inappropriate for their age or stage of development, for example, alcohol, drugs and/or sexual behaviour
- involvement in abusive relationships
- involvement in gangs or gang fights
- having angry outbursts, or behaving aggressively or abusively (including displaying HSB) towards others

Abuse affects children very differently. The above list is by no means exhaustive, and the presence of one or more of these signs does not necessarily indicate abuse. The behaviour that children present with will depend on their particular circumstances. Concerns may also of course be raised by parents, peers, and others.

Rather than checking behaviour against a list, staff should be trained to be alert to behaviour that might cause concerns, to use their professional curiosity and think about what the behaviour might signify, to encourage children to share with them any underlying reasons for their behaviour (by asking open questions at the right time to prompt discussion) and, where appropriate, to engage with their parents so that the cause(s) of their behaviour can be investigated. Where a child exhibits any behaviour that is out of character or abnormal for their age, staff should always consider whether an underlying concern is contributing to their behaviour (for example, whether the child is being harmed or abused by their peers) and, if so, what the concern is and how the child can be supported going forwards.

The power dynamic that can exist between children is also very important when identifying and responding to their behaviour: in all cases of peer-on-peer abuse a power imbalance will exist within the relationship. This inequality will not necessarily be the result of an age gap between the child responsible for the abuse and the child being abused. It may, for example, be the result of their relative social or economic status. Equally, while children who abuse may have power over those who they are abusing, they may be simultaneously powerless to others.

Further information on signs of child-on-child abuse can be found, for example, in KCSIE 2022, on the NSPCC's website, and in material contained within [Appendix C](#).

All behaviour takes place on a spectrum. Understanding where a child's behaviour falls on a spectrum is essential to being able to respond appropriately to it.

Sexual behaviour

Relevant extract from KCSIE 2022⁶⁴

"Harmful sexual behaviour

*Children's sexual behaviour exists on a wide continuum, ranging from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is 'harmful sexual behaviour' (HSB). The term has been widely adopted in child protection and is used in [KCSIE 2022]. **HSB can occur online and/or face-to-face and can also occur simultaneously between the two.** HSB should be considered in a child protection context.*

When considering HSB, both ages and the stages of development of the children are critical factors. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years' difference or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature...

*HSB **can**, in some cases, progress on a continuum. Addressing inappropriate behaviour **can** be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. Children displaying HSB have often experienced their own abuse and trauma. It is important that they are offered appropriate support."*

Primary school aged children

As explained by the NSPCC, Research in Practice and Professor Simon Hackett in their harmful sexual behaviour framework (**HSB framework**) “it should be standard professional practice to view the sexual behaviours of children and young people along a continuum, ranging from normal to abusive...It is vital that professionals consider the continuum in line with children’s development. Some behaviours that are considered normative in earlier childhood, may be highly abnormal and inappropriate in adolescence. Similarly, some behaviours that are part of normal adolescent sexual development are highly problematic if expressed by younger children...In particular, younger children (under 12) exhibiting harmful or problematic sexual behaviours should be identified early to prevent the possible establishment of persistent patterns later...Guidance indicates that professionals should avoid analysing single behaviours, and instead consider the sexual behaviour within a wider context...Assessment should consider wider welfare needs and concerns, including family issues, and social, economic, and developmental factors...and should be dealt with differently to adolescents, who are likely to have different motivations for their behaviour... Professionals should notice any changes in the sexual behaviour of younger children that appear to be out of step with their developmental stage and level of understanding as such behaviours may be reflective of sexual victimisation, physical abuse, family violence, neglect, poor parenting or exposure to sexually inappropriate material...”⁶⁵

The distinction between sexual behaviours

The HSB framework explains the distinction between problematic and abusive sexual behaviours:

- **“Problematic** behaviours don’t include overt victimisation of others [sic] may be disruptive to the child’s development and can cause distress, rejection or increase victimisation of the child displaying the behaviour. They include behaviours involving sexual body parts that are developmentally inappropriate or potentially harmful to the child or others.

They range from problematic self-stimulation and nonintrusive behaviours, to sexual interactions with other children that include behaviours more explicit than sex play, and aggressive sexual behaviours. Sometimes, the term ‘problematic sexual behaviour’ is used to describe behaviours that may be developmentally appropriate but that are expressed inappropriately in a given context.

When this type of behaviour appears to be trauma-related – for example when symptoms originate from sexual abuse the child has experienced – the behaviour may be termed sexually reactive. Sexually reactive and sexually problematic behaviours are more commonly associated with children in the pre-adolescent age range...

- **Abusive** behaviours involve an element of coercion or manipulation and a power imbalance that means the victim cannot give informed consent, and where the behaviour has potential to cause physical or emotional harm. Power imbalance may be due to age, intellectual ability, disability or physical strength. Abusive sexual behaviour may or may not have resulted in a criminal conviction or prosecution. Such behaviours are more commonly associated with young people over the age of criminal responsibility or those in puberty...”⁶⁶

The HSB framework also states that: “it is vital for professionals to distinguish normal from abnormal sexual behaviours. Chaffin [et al, 2002]...suggest a child’s sexual behaviour should be considered abnormal if it:

- › occurs at a frequency greater than would be developmentally expected
- › interferes with the child’s development
- › occurs with coercion, intimidation, or force
- › is associated with emotional distress
- › occurs between children of divergent ages or developmental abilities
- › repeatedly recurs in secrecy after intervention by caregivers.”⁶⁷

The Hackett continuum, Brook Sexual Behaviours Traffic Light Tool, and NICE guideline

Professor Hackett has proposed the below continuum model (see Fig.3) to demonstrate the range of sexual behaviours presented by children and young people, which may be helpful when seeking to understand a child’s sexual behaviour and deciding how to respond to it.⁶⁸

Alongside the notion of a continuum of HSB, the [Brook Sexual Behaviours Traffic Light Tool and training](#) can help professionals to identify, understand and respond appropriately to sexual behaviours in children. As explained in the HSB framework, in broad terms the categories in Hackett’s continuum of sexual behaviour and the Brook Traffic Light Tool “relate to each other in the following way:

- Green behaviours (Brook) are those that constitute normal behaviours on the continuum model.
- Amber behaviours (Brook) are those that are likely to [constitute] inappropriate or problematic behaviours on the continuum model.

- Red behaviours (Brook) are likely to be those classified as abusive or violent behaviours on Hackett’s continuum.

Once identified harmful sexual behaviour (ie those behaviours that are not part of a child’s normal sexual development) should be viewed within a child protection context and Children’s Services should be contacted to provide assessment and recommendations if more specialist help is need. In some cases, children’s HSB may be a marker of their own histories of abuse that need to be addressed.”⁶⁹

It should be noted, as explained by Brook, that in order to access their Traffic Light Tool, professionals must complete training on it – “to ensure safe use of the Tool. The Tool cannot be shared with people who have not completed the training. Both the Tool and training are designed to complement existing safeguarding processes and should not be considered a replacement for your organisation’s safeguarding procedures.”⁷⁰

The HSB framework states that it should be used alongside the National Institute for Health and Care Excellence (NICE) guideline [NG55] on harmful sexual behaviour among children and young people, which “makes

Fig.3 Sexual behaviours continuum model

Normal	Inappropriate	Problematic	Abusive	Violent
<ul style="list-style-type: none"> • Developmentally expected • Socially acceptable • Consensual, mutual, reciprocal • Shared decision making 	<ul style="list-style-type: none"> • Single instances of inappropriate sexual behaviour • Socially acceptable behaviour within peer group • Context for behaviour may be inappropriate • Generally consensual and reciprocal 	<ul style="list-style-type: none"> • Problematic and concerning behaviour • Developmentally unusual and socially unexpected • No overt elements of victimisation • Consent issues may be unclear • May lack reciprocity or equal power • May include levels of compulsivity 	<ul style="list-style-type: none"> • Victimising intent or outcome • Includes misuse of power • Coercion and force to ensure compliance • Intrusive • Informed consent lacking or not able to be freely given • May include elements of expressive violence 	<ul style="list-style-type: none"> • Physically violent sexual abuse • Highly intrusive • Instrumental violence which is psychologically and/or sexually arousing to the child responsible for the behaviour • Sadism

recommendations about the roles of universal services, early help assessment and risk assessment, supporting families and the key principles and approaches for intervention;” and “aims to ensure that children and young people who display HSB, are offered early support so that their sexual behaviour problems don’t escalate and possibly lead to them being charged with a sexual offence. It also aims to ensure that children are not referred to specialist services unnecessarily.”⁷¹

NSPCC guidance and resources

The NSPCC highlights that a child’s behaviour can change depending on the circumstances they are in, and sexual behaviour can move in either direction along the continuum, so it is important to look at each situation individually, as well as considering any patterns of behaviour.⁷²

The NSPCC has produced a range of resources on harmful sexual behaviour – including, for example, guidance on understanding sexualised behaviour in children, on the stages of developmentally typical sexual development and behaviour in children, on learning about healthy sexual development in children, on responding to an incident of HSB, and on how to prevent HSB in children; and offers online training courses to help manage harmful sexual behaviour in primary and secondary schools in the UK.⁷³ It has also produced, in partnership with Professor Hackett, Durham University and NHS Health Education England, a continuum ‘quick guide’ [Responding to children who display sexualised behaviour](#).⁷⁴ The NSPCC explains that this is a tool to support objective decision making about a child’s sexual behaviour, and does not replace professional judgement or policy and legislation. Schools will note the slightly different terms used by the NSPCC and which feature within the continuum guide, as follows:

- ‘developmentally typical’ – to describe green behaviours on the continuum – ie ‘healthy’, ‘normal’ or ‘developmentally expected’;
- ‘problematic sexual behaviour (PSB)’ – used by the NSPCC as an umbrella term for all

amber behaviours on the continuum – ie ‘inappropriate’ and ‘problematic’; and

- ‘harmful sexual behaviours’ – used by the NSPCC as an umbrella term for all red behaviours on the continuum – ie ‘abusive’ and ‘violent’.

In terms of identifying the sexualised behaviour, and what to consider in deciding where it sits on the continuum, the NSPCC suggests the following:

- The age of the child or young person who has displayed the sexual behaviour.
- The age of the other children or young people involved.
- Is the behaviour unusual for that particular child or young person?
- Have all the children or young people involved freely given consent?
- Are the other children or young people distressed?
- Is there an imbalance of power?
- Is the behaviour excessive, degrading or threatening?
- Is the behaviour occurring in a public or private space?

It also states that other behaviours might give cause for concern if they are particularly secretive or are being carried out in private after intervention from adults.⁷⁵

Approaches to HSB assessment

The HSB framework highlights that there is a wide range of approaches to HSB assessment across different agencies in the UK, and that core considerations in the assessment of all children and young people displaying HSB include:

- working within a multi-agency, multi-disciplinary context
- close attention to child protection concerns
- use of evidence-based assessment models
- risks and needs based, not just focused on the HSB

- effective inter-professional communication
- analysis of the behaviour in quality written reports

It also highlights the distinction made by NICE, in its aforementioned guideline, between early help assessments and more specific HSB risk and needs assessments ie that:

- “An ‘early help’ assessment is warranted when a child’s sexual behaviours are indicated at the level of ‘inappropriate’ on the continuum. NICE suggests that a designated lead practitioner acts as a single point of contact for the child and family, coordinates early help and develops a care plan to deliver agreed actions. A NICE early help assessment would take into account the child or young person’s development status, gender and any neurodevelopmental or learning disabilities. The purpose of the assessment is to ascertain whether the child’s needs can be met by universal services or whether a referral for a more specialist HSB risk and needs assessment is necessary.
- For children and young people whose sexual behaviours are more indicative of abusive and violent categories on the continuum model, a more specific assessment of risk and need is likely to be required. NICE recommends that professionals responsible for risk assessments should consider using tools judiciously, taking into account the child or young person’s age, neurodevelopmental disabilities and gender...⁷⁶ A number of the specific recommendations made by NICE with respect to appropriate risk assessment tools are also set out. It should be noted that, in the NICE guideline, the term ‘risk assessment tool’ is used “for tools that estimate the risk of sexual re-offending or the level of supervision needed, and helps users decide what action to take. It includes tools such as J-SOAP-11 and ERASOR, which are North American tools designed to assess the risk of sexual reoffending. The AIM assessment model was developed in the UK and considers the level of management and supervision needed for people displaying [HSB].”

The HSB framework contains a [continuum of HSB assessment](#) – listing key behavioural

elements, assessment levels indicated, possible frameworks and tools, and likely intervention focus.⁷⁷

Local authorities use a range of assessment and intervention frameworks and tools which can be very helpful in assessing where any given behaviour falls on a continuum. The AIM Project assessment models are one example.⁷⁸

Sharing nudes and semi-nudes

The (non-statutory) Sharing nudes and semi-nudes: advice for education settings working with children and young people, produced by the UK Council for Internet Safety (UKCIS) Education Group, outlines how to respond to an incident of nudes and semi-nudes being shared, and states that:

“The types of incidents which this advice covers are:

- a person under the age of 18 creates and shares nudes and semi-nudes of themselves with a peer under the age of 18
- a person under the age of 18 shares nudes and semi-nudes created by another person under the age of 18 with a peer under the age of 18
- a person under the age of 18 is in possession of nudes and semi-nudes created by another person under the age of 18

This advice does not cover:

- the sharing of nudes and semi-nudes of under 18s by adults (18 and over) as this constitutes child sexual abuse and education settings should always inform their local police force as a matter of urgency
- children and young people under the age of 18 sharing adult pornography or exchanging sexual texts which do not contain images

In response to these issues, education settings should follow their local authority’s guidance and schools and colleges should also refer to [KCSIE 2022].⁷⁹

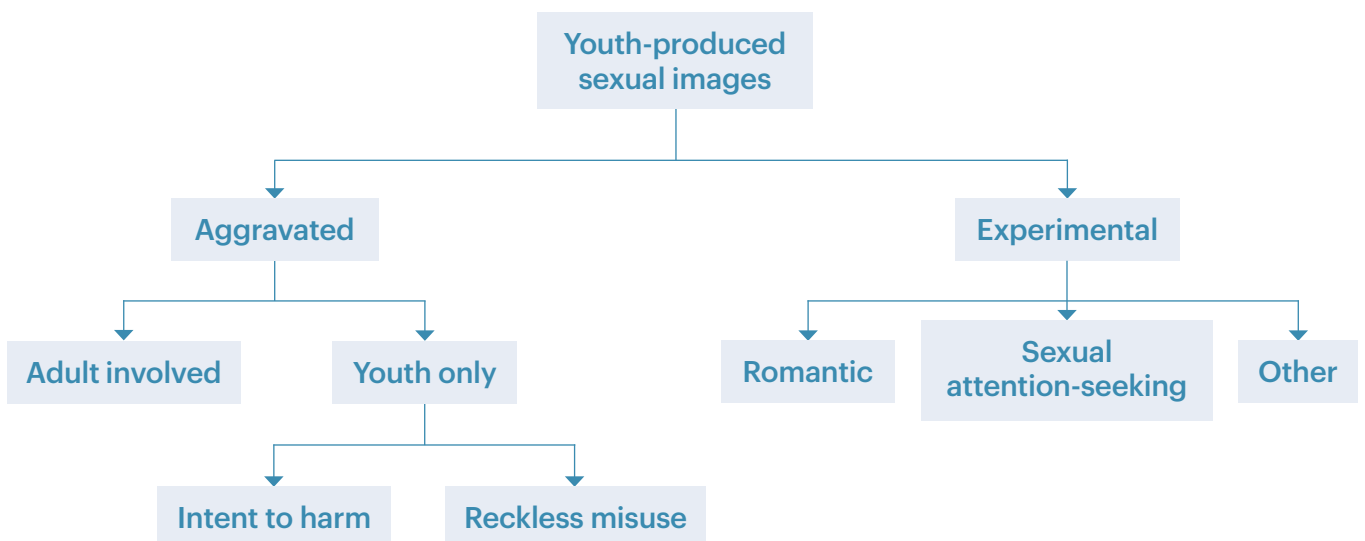
The UKCIS guidance explains, in terms of:

- **“Understanding motivations and behaviours:** Nudes and semi-nudes can be shared by, and between, children and young people under a wide range of circumstances, and are often not sexually or criminally motivated. An education setting’s response to an incident will differ depending on the motivations behind the incident and the appropriateness of the schild or young person’s behaviour. In order to ensure an appropriate and proportionate response to an incident of nudes and semi-nudes being shared, education settings can use the tools set out below”; and
- **“Defining the incident:** Finkelhor and Wolak’s typology of youth-produced imagery cases [(see Fig.4 below)] can be used to define and assess incidents according to motivations.
- Incidents can broadly be divided into two categories:
 - › **aggravated:** incidents involving additional or abusive elements beyond the creation, sending or possession of nudes and semi-nudes. These can further be sub-categorised into:
 - **adult involved:** adult offenders attempt to develop relationships by grooming children and young people, in criminal sex offences even without the added

element of nudes and semi-nudes. Victims may be family friends, relatives, community members or contacted via the Internet. The images may be solicited by adult offenders

- **youth only – intent to harm:** these cases can arise from interpersonal conflict, such as break-ups and fights among friends, or criminal/abusive conduct such as blackmail, threats or deception, sexual abuse or exploitation by young people
- **youth only – reckless misuse:** no intent to harm but images are taken or sent without the knowing or willing participation of the young person who is pictured. In these cases, pictures are taken or sent thoughtlessly or recklessly and a victim may have been harmed as a result
- › **experimental:** incidents involving the creation and sending of nudes and semi-nudes with no adult involvement, no apparent intent to harm or reckless misuse. These can further be subcategorised into:
 - **romantic:** incidents in which young people in ongoing relationships make images for themselves or each other, and images were not intended to be distributed beyond the pair
 - **‘sexual attention seeking’:** the phrase ‘sexual attention seeking’ is taken

Fig.4 Sexting, a typology (Finkelhor and Wolak)



directly from the typology however it is important to note that incidents within this category can be a part of normal childhood. A child or young person should not be blamed for taking and sharing their image

- **other:** cases that do not appear to have aggravating elements, like adult involvement, malicious motives or reckless misuse, but also do not fit into the Romantic or Attention Seeking sub-types. These involve either young people who take pictures of themselves for themselves (no evidence of any sending or sharing or intent to do so) or pre-adolescent children (age 9 or younger) who did not appear to have sexual motives

Annex B sets out an exercise that education settings can use within staff training to illustrate the different types of [child-on-child] sharing incidents that can occur and highlight that an appropriate and proportionate response needs to be considered for each incident.

- **Assessing behaviour:** DSLs (or an education setting's equivalent) will need to be mindful of that behaviour, which may not initially appear to be sexually motivated, may have occurred as a result of risky or harmful behaviour or sexual abuse being 'normalised' for children and young people.

Hackett's 'Continuum of children and young people's sexual behaviours' model can also help practitioners to understand that children and young people's sexual behaviours exist on a wide continuum..., and may move fluidly between each category. It is important to note that an isolated incident that demonstrates problematic or abusive behaviour may not necessarily be indicative of the child or young person's overall sexual behaviour. The incident should be dealt with proportionally to the behaviour being displayed.

...It is important for professionals to place a child's sexual behaviour within the context of their age and development. DSLs (or equivalents) must ensure that they are familiar with and follow the relevant local policies and procedures to help them do so.

This includes contact with safeguarding partners and guidance on recognising and responding to harmful behaviours and/or underage sexual activity when dealing with children under 13. Frameworks such as Brook's Sexual Behaviours Traffic Light Tool can also be used to identify when a child or young person's sexual behaviour is a cause for concern in relation to their development.

Any child or young person displaying [HSB] should be safeguarded and supported in moving forward from the incident and adopting positive behaviour patterns.

Where a child or young person displays appropriate sexual behaviour within the context of their age or development, consideration should still be given as to whether the taking or sharing of the nude or semi-nude raises any additional concerns.⁸⁰

The UKCIS guidance signposts to further support and resources on addressing HSB in education settings on the Contextual Safeguarding Network website.

It should be noted that the UKCIS guidance includes a slightly adapted version of Hackett's continuum (referred to above).⁸¹

Other behaviour

When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, schools and colleges can draw on aspects of Hackett's continuum to assess where the alleged behaviour falls on a spectrum and to decide how to respond. This could include, for example, whether it:

- is socially acceptable,
- involves a single incident or has occurred over a period of time,
- is socially acceptable within the peer group,
- is problematic and concerning,
- involves any overt elements of victimisation, or discrimination eg related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability,

- involves an element of coercion or pre-planning,
- involves a power imbalance between the child/ children allegedly responsible for the behaviour and the child/children allegedly the subject of that power, and
- involves a misuse of power.

When drawing on Hackett's continuum, in order to assess the seriousness of other (ie non HSB) alleged behaviour, it should be borne in mind that there are some aspects of Hackett's continuum which may not of course be relevant or appropriate to consider. For example, the issue of consent and the nuances around it, are unlikely to apply in the same way in cases where the alleged behaviour is reported to involve emotional and/or physical abuse, as it could in cases of alleged HSB.

In addition, schools or colleges could be required to deal with cases involving one type or a range of alleged behaviours including sexual behaviour, emotional, and/or physical behaviour and/or digital behaviour, and by a single child or by groups/gangs of children, and involving single incidents or ongoing, and the alleged behaviour(s) may be entirely offline or online, or a combination of both.

Schools and colleges must consult their own local multi-agency safeguarding arrangements. By way of example, in terms of recognition (and referral – for which see below) of abuse, the London Safeguarding Children Procedures state the following:

“Professionals must base their decision on whether behaviour directed at another child should be categorised as harmful or not on the circumstances of each case. It will be helpful to consider the following factors:

- The relative chronological and developmental age of the two children (the greater the difference, the more likely the behaviour should be defined as abusive);
- Whether the alleged abuser is supported or joined by other children;
- A differential in power or authority (eg related to race, gender, physical, emotional or intellectual vulnerability of the victim);

- The actual behaviour (both physical and verbal factors must be considered);
- Whether the behaviour could be described as age appropriate or involves inappropriate sexual knowledge or motivation;
- The degree of physical aggression, intimidation or bribery;
- The victim's experience of the behaviour and the impact it is having on their routines and lifestyle (eg not attending school...;
- Attempts to ensure secrecy;
- Duration and frequency of behaviour.

...These procedures are written with particular reference to sexually harmful behaviour, though when there are serious child protection concerns as a result of serious non-sexual violence or serious emotional abuse by a child or children, these procedures should also be followed.”⁸²

In terms of online behaviour, the HeadStart Kernow Online Resilience Tool provides a practical way for staff to assess children's and young people's behaviour, and help them make informed judgements and decisions about whether that behaviour represents risk of harm. Behaviours are organised by age group and divided into 'Not Harmful', 'Potentially Harmful' and 'Harmful' – explanations for which are provided, as well as information on how to respond to identified behaviour. As explained by Headstart Kernow, when using the Tool, staff should always consider the wider context of a child's life – if they are less mature, they may want to assess their behaviour based on a lower age group. Equally, if it is known that certain behaviours are unsafe for a child, that information should be used to make a safeguarding decision.⁸³

It should be recognised that the same behaviour presented by different children may be understood at different points on a spectrum, depending on the particular context. For example, an incident involving kissing and touching may be inappropriate in one context for example – during a lesson between two 14 year olds who are in a consensual relationship, and abusive in another – for example, when it (a) occurs without the consent of one of those

involved; (b) takes place as a result of coercion; or (c) is then used to pressure a child into other sexual acts.

Behaviour which starts out as inappropriate may escalate to being problematic and then abusive, either quickly or over time. Intervening early and addressing any inappropriate behaviour which may be displayed by a child is vital, and could potentially prevent their behaviour from progressing on a continuum to becoming problematic, abusive and/or violent – and ultimately requiring (greater/more formal) engagement with specialist external and/or statutory agencies. For example, a physical fight between two children may not constitute child-on-child abuse where the fight is a one-off incident, but may be abusive where the child's/children's behaviour subsequently deteriorates into a pattern of bullying behaviour and requires a safeguarding response from a multi-agency partnership – including a statutory assessment of whether this has led, for example, to a risk of significant harm to a child. When there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm' a bullying incident should of course be addressed as a child protection concern under the Children Act 1989.⁸⁴

The importance of intervening early and addressing any inappropriate behaviour does not just apply on an individual student basis, but could also apply to a cohort of the student body, such as a year group or key stage, or across the student body as a whole.

Behaviour generally considered inappropriate may in fact indicate emerging concerning behaviour to which schools and colleges need to take a whole-school/college approach in order to prevent escalation. For example, where multiple boys are making inappropriate comments about girls, one-off sanctions are unlikely to be effective and wider actions should be considered, such as implementing a bystander intervention model throughout the school/college, or arranging for an external person to deliver a year group intervention exercise; and/or a discussion around whether anything is happening within the wider community that might be affecting the students' behaviour.

It will also be important to consider the wider context in which the alleged behaviour is reported to have occurred, and which may trigger the need for a referral. For example, some behaviour that is considered inappropriate may be capable of being dealt with internally. However, if there are wider safeguarding concerns relating to the child/children in question, a referral to statutory agencies may be necessary. Where the behaviour which is the subject to the concern(s)/allegation(s) is considered or suspected by the DSL to constitute child-on-child abuse, schools should follow the procedures set out in their child protection policy.

Further information and resources on identifying and assessing behaviour can be found in [Appendix C](#).

5. Handling incidents

Responding to alleged incidents of child-on-child abuse

Relevant extracts from KCSIE 2022⁸⁵

“What school and college staff should do if they have concerns about a child

Staff working with children are advised to maintain an attitude of ‘**it could happen here**’ where safeguarding is concerned. When concerned about the welfare of a child, staff should always act in the **best interests** of the child.

If staff have **any concerns** about a child’s welfare, they should act on them **immediately**. See page 22 for a flow chart setting out the process for staff when they have concerns about a child.

If staff have a concern, they should follow their own organisation’s child protection policy and speak to the [DSL] (or deputy).

Options will then include:

- managing any support for the child internally via the school’s or college’s own pastoral support processes
- undertaking an early help assessment, or
- making a referral to statutory services, for example as the child might be in need, is in need or suffering, or is likely to suffer harm.

The [DSL] or a deputy should always be available to discuss safeguarding concerns. If in exceptional circumstances, the [DSL] (or deputy) is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team and/or take advice from local authority children’s social care. In these

circumstances, any action taken should be shared with the [DSL] (or deputy) as soon as is practically possible.

Staff should not assume a colleague, or another professional will take action and share information that might be critical in keeping children safe. They should be mindful that early information sharing is vital for the effective identification, assessment, and allocation of appropriate service provision, whether this is when problems first emerge, or where a child is already known to local authority children’s social care (such as a child in need or a child with a protection plan)...⁸⁶

DPA and UK GDPR **do not** prevent the sharing of information for the purposes of keeping children safe and promoting their welfare. If in any doubt about sharing information, staff should speak to the [DSL] or a deputy. Fears about sharing information **must not** be allowed to stand in the way of the need to safeguard and promote the welfare of children.

Early help assessment

If early help is appropriate, the [DSL] (or deputy) will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner. Any such cases should be kept under constant review and consideration given to a referral to local authority children’s social care for assessment for statutory services if the child’s situation does not appear to be improving or is getting worse.

Statutory children’s social care assessments and services

Where a child is suffering, or is likely to suffer from harm, it is important that a referral to local authority children’s social care (and if appropriate to the police) is made immediately. Referrals should follow the local referral process.

Local authority children’s social care assessments should consider where children are being harmed in contexts outside the home, so it is important that schools and colleges provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and enable a contextual approach to address such harm...

Children in need

A child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989.

Children suffering or likely to suffer significant harm

Local authorities, with the help of other organisations as appropriate, have a duty to make enquiries under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child’s welfare and must be initiated where there are concerns about maltreatment. This includes **all forms of abuse...**

“Record keeping

All concerns, discussions and decisions made, and the reasons for those decisions, should be

recorded in writing. This will also help if/when responding to any complaints about the way a case has been handled by the school or college. Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child.

Records should include:

- a clear and comprehensive summary of the concern
- details of how the concern was followed up and resolved, and
- a note of any action taken, decisions reached and the outcome.

If in any doubt about recording requirements, staff should discuss with the [DSL] (or deputy).”

Again, schools and colleges must consult their own local multi-agency safeguarding arrangements. By way of example, in terms of (recognition – for which see above) and referral of abuse, the London Safeguarding Children Procedures state that:

“All professionals should make a referral to local authority children’s social care in line with Referral and Assessment Procedure when there is a suspicion or an allegation of a child:

- Having been seriously physically abused or being likely to seriously physically abuse another child...;
- Having been seriously emotionally abused or being likely to seriously emotionally abuse another child...;
- Having harmed another child...

These procedures are written with particular reference to sexually harmful behaviour, though when there are serious child protection concerns as a result of serious non-sexual violence or serious emotional abuse by a child or children, these procedures should also be followed... It is possible that the child with harmful behaviours may pose a significant risk of harm to their own siblings, other children and/or adults. The child will have considerable needs themselves, and may also be or have been the victim of abuse.”⁸⁷

Specifically, when responding to alleged incidents of the following, schools and colleges should, in addition to following their own child protection policy, WTSC 2018, and their local multi-agency safeguarding arrangements, have regard to:

- **Sexual violence and sexual harassment:** Part five of KCSIE 2022.⁸⁸
- **Sharing nudes and semi-nudes:** Sharing nudes and semi-nudes: Advice for education settings working with children and young people.⁸⁹

The DfE's Behaviour in Schools, Advice for headteachers and school staff also contains a section on 'Guidance on specific behaviour issues' – including child-on-child sexual violence and sexual harassment, behaviour incidents online, mobile phones and, as below, suspected criminal behaviour.⁹⁰

Suspected criminal behaviour

The DfE's Behaviour in Schools, Advice for headteachers and school staff states that:

"In cases when a member of staff or headteacher suspects criminal behaviour, the school should make an initial assessment of whether an incident should be reported to the police only by gathering enough information to establish the facts of the case. These initial investigations should be fully documented, and schools should make every effort to preserve any relevant evidence. Once a decision is made to report the incident to police, schools should ensure any further action they take does not interfere with any police action taken. However, schools retain the discretion to continue investigations and enforce their own sanctions so long as it does not conflict with police action.

When making a report to the police, it will often be appropriate to make in tandem a report to local [authority] children's social care. As set out in [KCSIE 2022], it would be expected in most cases that the [DSL] (or deputy) would take the lead.

Reports of child-on-child sexual violence and abuse can be especially difficult to manage and Part 5 of KCSIE 2022 provides guidance."⁹¹

With respect to reporting to the police, Part five of KCSIE 2022 states:⁹²

"Any report to the police will generally be in parallel with a referral to local authority children's social care..."

It is important that the [DSL] (and their deputies) are clear about the local process for referrals and follow that process.

Where a report of rape, assault by penetration or sexual assault is made, the starting point is that this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator(s) is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach..."

Where a student has potentially committed a crime on their premises, schools and colleges should refer to the National Police Chiefs' Council, When to call the police: Guidance for schools and colleges.⁹³ It provides advice on what they should bear in mind when considering contacting the police in the following situations: assault, criminal damage, cyber crime, drugs, harassment, sexual offences, theft and weapons.

If a referral to the police is necessary, schools and colleges should manage police presence on their premises very carefully, following the safeguarding review in the Child Q case.⁹⁴ New guidance on police attendance at schools is forthcoming from the Department for Education. In the meantime, KCSIE 2022 states that the DSL is expected to be aware of the requirement for children to have an Appropriate Adult, and signposts to further information being available in the statutory guidance, PACE Code C 2019.⁹⁵

Where a concern or allegation of child-on-child abuse also involves a concern or allegation about an adult working with children that may meet the harm threshold, then schools and colleges should, in response to that, follow their own child protection policy, WTSC 2018, and their local multi-agency safeguarding arrangements. KCSIE 2022 also provides guidance (at paragraphs 71 to 73) including in respect of low-level concerns which may be relevant (depending on the particular facts and

circumstances) where, for example, staff behaviour/school culture may have facilitated or failed to deter child-on-child abuse.

Where schools are registered charities, where appropriate, according to the particular facts and circumstances of the concern or allegation raised, they will need to consider whether to make a serious incident report to the Charity Commission in accordance with the Commission's guidance (see further details in [Appendix A](#)).

Further sources of support for schools and colleges when responding to alleged incidents of child-on-child abuse can be found in [KCSIE 2022](#), and [Appendix C](#) of this resource.

General principles when responding to alleged incidents of child-on-child abuse

It is essential that all alleged incidents of child-on-child abuse are handled sensitively, appropriately and promptly. The way in which they are responded to can have a significant impact on the children involved as well as the school or college environment.

Individuals raising a concern or allegation about child-on-child abuse should not be promised confidentiality as it is very likely that it will be in the best interests of the child/children involved to seek advice and guidance from others (eg the DSL (or deputy)) in order to provide support and engage relevant agencies (if/as appropriate). Staff should only share the report with those people who are necessary in order to progress it.

A key point to raise here is that child-on-child abuse can be a complex issue, and even more so where wider safeguarding concerns exist. It is often not appropriate for one single agency (where the alleged incident cannot appropriately be managed internally by schools or colleges themselves) to try to address the issue alone – it requires effective partnership working.

Any response should:

- include a thorough investigation of the concern(s) or allegation(s), and the wider context in which it/they may have occurred (as appropriate). However, depending on the nature and seriousness of the alleged incident(s), it may be appropriate for local authority children's social care and/or the police to carry out this investigation;
- treat all children involved as being at potential risk – and be mindful that there may be other victims who have not yet been identified. While the alleged perpetrator(s) of the abuse may pose a significant risk of harm to other children, they may also have considerable unmet needs and be at risk of harm themselves. Schools and colleges should ensure that a safeguarding response is in place for both the alleged victim(s) and the alleged perpetrator(s), and additional sanctioning work may be required for the latter. To inform the risk and needs assessment, a range of considerations should be taken into account such as risk of retribution from alleged perpetrators or individuals associated with them, risk of harm from gossip and social media, known relevant history of other behaviours and any other factors that could have an impact on the children involved; and
- take into account:
 - › that the abuse may indicate wider safeguarding concerns for any of the children involved, and consider and address the effect of wider sociocultural contexts – such as the child's/children's peer group (both within and outside the school or college); family; the school or college environment; their experience(s) of crime and victimisation in the local community; and the child's/children's online presence. Consider what changes may need to be made to these contexts to address the child's/ children's needs and to mitigate risk,
 - › whether there is a discriminatory aspect to the alleged incident, or whether the child/children involved may have any particular vulnerabilities because of a protected characteristic,

- › the potential complexity of child-on-child abuse and of children’s experiences, and consider the interplay between power, choice and consent. While children may appear to be making choices, if those choices are limited they are not consenting, and
- › the views of the child/children affected. Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSL should discuss the proposed action with the child/children and their parents, and obtain consent to any referral before it is made.

Information sharing, data protection and record keeping

When responding to a concern or allegation of child-on-child abuse, schools and colleges should:

- report any (potential) crime(s) to the police;
- consider carefully, in consultation with local authority children’s social care, and/or the police and/or other relevant agencies (where they are involved), any case in which it is considered unsafe to share information about the concern or allegation with the student(s) affected, and their parents;
- record the information that is necessary for the school or college and aforementioned agencies (where they are involved) to respond to the concern(s) or allegation(s) and safeguard everyone involved;
- keep a record of the legal purpose for sharing the information with any third party, including relevant authorities, and ensure that the third party has agreed to handle the information securely and to only use it for the agreed legal purpose; and
- be mindful of and act in accordance with their safeguarding and data protection duties, including those set out in KCSIE 2022, WTSC 2018,⁹⁶ and the HM Government advice on Information Sharing (updated in July 2018).⁹⁷

When considering whether and how to share information, schools and colleges should

consider a number of factors, in consultation with the above (as relevant), and in accordance with the aforementioned HM Government advice on Information Sharing. These factors include (but are not limited to) ensuring, as far as possible, that:

- a. the information sharing does not prejudice any investigation(s);
- b. the information sharing keeps individuals’ personal sensitive data confidential unless it is not appropriate to do so (for example, where a school or college needs to share information in order to enable individuals to safeguard and support a child and comply with its obligations to make referrals to the local authority children’s social care and/or the police and/or other relevant agencies);
- c. the school or college shares information about a child with that child’s parents unless there are legitimate reasons not to do so (for example, it would put a child or children at greater risk);
- d. the school or college keeps individuals updated on developments where possible and appropriate; and
- e. the school’s or college’s responsibilities to inform everyone involved of the need for confidentiality to ensure the integrity of investigations, whilst giving them a point of contact at school or college who they can speak to as well as other appropriate support as identified by a risk and needs assessment.

Where appropriate, the views of the student(s) affected should be sought on how information about the concern or allegation is shared. These views should be taken into account and properly balanced against the school’s or college’s duty to safeguard and protect any child/ren affected by the alleged incident. Where a decision is taken to share information with local authority children’s social care and/or the police and/or any other relevant agency against the wishes of a child, this needs to be handled extremely carefully, the reason(s) explained to them, and appropriate professional support offered; the school or college may wish to seek legal advice on how best to handle the situation.

It is essential that written records of concerns or allegations of child-on-child abuse are made.

These should:

- be contemporaneous;
- be comprehensive and accurate;
- clearly and explicitly describe the nature of the alleged behaviour without using euphemisms, and contain the exact words that have been said, irrespective of the vulgarity or impropriety of the language;
- note where the incident occurred and whether anyone else was around;
- distinguish between fact and opinion;
- contain adequate information for the purpose;
- include details of how the concern/allegation was followed up and resolved; and
- include a note of any action taken, decisions reached and the outcome.

These records – including in behaviour incident logs, individual risk and needs assessments, and records of any conversations with children, their parents, staff, and external agencies – are likely to contain highly impactful, sensitive personal data about children.

Schools and colleges should take care when creating them and ensure that they are accessed on a need-to-know basis only by trained and appropriate staff.

Those with the responsibility for doing so must bear in mind that any records may need to be provided to the children involved and/or their parents in the future. For example, records could be requested as part of a parental complaint, or a legal claim, or under a subject access request (subject to limited exceptions – such as where it might not be in the child’s best interests to disclose to a parent, or if there are overriding privacy interests of other children or families – although, generally speaking, the requester’s rights will trump the privacy needs of staff). Increasingly individuals also seek to challenge records with ‘right to be forgotten’ or rectification requests.

All notes and related communications should always be concise, factual and objective, and focused on what is necessary for the safeguarding purpose. The language used should always be appropriate and professional.

That being said, professionals should not feel hampered by excessive caution. The core aim here is to capture any relevant information that could help protect children, and important details should never be missed because of unfounded data protection concerns.

Risk assessments

Harmful Sexual Behaviour

In this section (and throughout this resource) references to ‘risk assessment’ mean ‘risk and needs assessment.’

Introduction

A comprehensive framework is set out below on which schools and colleges can draw to inform their risk assessment – ie when (i) identifying and building on protective factors; (ii) identifying, assessing and mitigating risks; and (iii) considering how to support students and other members of the school and college community.⁹⁸

Is a risk assessment required?

Sexual violence and sexual harassment

Relevant extract from KCSIE 2022⁹⁹

“When there has been a report of sexual violence, the [DSL] (or a deputy) should 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 for a report of sexual violence should consider:

- *the victim, especially their protection and support*
- *whether there may have been other victims*
- *the alleged perpetrator(s)*
- *all the other children, (and, if appropriate, adult students and staff) at the school or college, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms, and*

- *the time and location of the incident, and any action required to make the location safer.*

Risk assessments should be recorded (paper or electronic) and should be kept under review. At all times, the school or college should be actively considering the risks posed to all their pupils and students and put adequate measures in place to protect them and keep them safe. The [DSL] (or a deputy) should ensure they are engaging with local authority children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. The above school or college risk assessment is not intended to replace the detailed assessments of expert professionals. Any such professional assessments should be used to inform the school or college approach to supporting and protecting their pupils and students and updating their own risk assessment."

Examples of what constitutes sexual violence and sexual harassment can be found in [Appendix B](#), and reflect those contained in KCSIE 2022. As explained earlier in this resource, schools and colleges can refer to Hackett's continuum, and the Brook Sexual Behaviours Traffic Light Tool, as well as, for example, guidance provided by the NSPCC and Lucy Faithful Foundation (links to which can be found in [Appendix C](#)) to identify and assess the sexual behaviour in question.

Abusive or violent behaviour

A risk assessment should always be carried out in respect of:

- any child who is alleged to have **behaved** in a way that is considered to be abusive or violent;
- any child who has reportedly been **abused or affected by** the alleged abusive or violent behaviour by another child; or
- any child who may be **at risk due to** the alleged abusive or violent behaviour by another child as deemed appropriate by the DSL.

Consideration may need to be given to having separate but aligned risk assessments for the alleged perpetrator(s), and the victim(s), and any other child/children who may be affected by the alleged abusive or violent behaviour.

Where other children have been identified as witnesses to the alleged abusive or violent behaviour, consideration should also be given by the DSL to the impact on them, and whether there might be any risks posed to those children, and whether a risk assessment for them would be appropriate in the circumstances.

Inappropriate or problematic behaviour

Where it is alleged that a child has behaved in a way that is considered to be inappropriate or problematic (as opposed to abusive or violent), the DSL will need to exercise careful consideration and judgement regarding a range of factors when deciding whether (a) it would be appropriate to contact the local authority children's social care, (b) whether it is necessary and appropriate to carry out a risk assessment, and (c) for which children – based on:

- the particular concern(s) or allegation(s) raised – including the context;
- the severity of the alleged behaviour, and whether – whilst it might be judged to be inappropriate or problematic by an adult – it might actually be harmful to another child. Consultation is recommended with the local authority children's social care if there is any doubt about this;
- the extent to which any child/children (i) may have experienced or otherwise been affected by the alleged behaviour, (ii) may be at risk due to the alleged behaviour, and (iii) been identified as witnesses – and the impact on and possible risk posed to each of them. This will depend not only on the nature and extent of their involvement in, or proximity to the alleged behaviour, but also on factors such as their possible wider circumstances and needs, their age and understanding, and the extent to which the alleged behaviour might trouble or distress other children, or expose them to inappropriate or problematic behaviour;

- any information recorded about the child/children concerned in a Behaviour Log (if there is one in place);
- whether there are any patterns of behaviour occurring;
- the needs and circumstances of the child/children concerned, and whether there are any wider safeguarding concerns about them – for example, where a child's behaviour may be considered to be inappropriate or problematic on Hackett's continuum, or at risk of escalating, the DSL and/or the local authority children's social care, and/or other relevant external agencies, may determine that a risk assessment is required to control emerging risks; and
- the importance of early intervention to address and to prevent escalation of inappropriate and/or problematic behaviours.

Again, consideration may need to be given to having separate but aligned risk assessments for the alleged perpetrator(s), and the victim(s), and any other child/children who may be affected by the alleged inappropriate or problematic behaviour.

In all cases where a risk assessment is not considered to be appropriate, the school or college should nonetheless take steps to safeguard and support the alleged perpetrator(s), victim(s), and any other child/children who may be affected by the alleged behaviour, and should continue to monitor the situation. If risks increase, consideration should again be given to conducting a risk assessment.

1. Key points to consider when conducting a risk assessment

In conducting a risk assessment the school or college should:

- always act in accordance with WTSC 2018, KCSIE 2022, and their locally agreed multi-agency safeguarding arrangements;
- following a referral (where it is deemed to be necessary according to the particular facts of the case) to local authority children's social care, and/or a report to the police, and/or referral to other relevant agencies,

seek to consult with them on the need for, and on developing and, whenever possible, agreeing the school's or college's risk assessment. As above, KCSIE 2022 states that in cases where professional risk assessments are required (for example, by social workers and/or sexual violence specialists where there has been a report of sexual violence), they should be used to inform the school or college approach to supporting and protecting their students, and updating their own risk assessment, which should be consistent with any such professional risk assessment(s);

- in cases where the police are involved, ensure that the risk assessment does not potentially prejudice any criminal investigation(s), and that it protects all children concerned in any such investigation(s) to the greatest extent possible;
- if their local authority children's social care, and/or the police, and/or other relevant agencies do not, for whatever reason, engage with them, then the school or college should advise the relevant agency/ies that it intends to conduct the risk assessment for the child/children concerned, and should consider escalating its referral if it believes that the local authority children's social care and/or the police should be engaged;
- give consideration to consulting with and involving the child/children concerned and their parents, in accordance with any advice given by the relevant agencies. Where a report has been made to the police, the school or college should consult with them, and agree what information can be disclosed to the alleged perpetrator and their parents. There may be other circumstances where there are legitimate obstacles presented to parental knowledge/engagement – for example, if there is a suggestion or concern that informing the parents will put the/any child at additional risk; in these cases the school or college should work closely with local authority children's social care and/or the police to take advice on how best to proceed; and
- consider whether a planning meeting may be helpful to develop the risk assessment. Careful consideration will need to be given to whether the alleged perpetrator and/or

their parents should attend such a meeting. Where a child or parent does not attend, their wishes and feelings should still be sought in relation to any proposed risk assessment in advance of the meeting by a professional – in the case of the child, by a designated trusted professional with whom they have a positive relationship. A version of the risk assessment which is appropriate for the child's age and level of understanding should be provided to the child and their parents. Efforts should also be made to ensure that they understand what is proposed and to seek their agreement to the arrangements.

These steps will help to ensure that the risk assessment is appropriately tailored to the relevant child's/children's needs, and will enable the school or college to work with others in an effort to meet those needs in the longer-term.

2. Content of risk assessment

A risk assessment should:

- Be as clear and user friendly as possible.
- Be proportionate, and not stigmatise or shame the (as relevant to each particular case) alleged perpetrator(s), or victim(s), or other child/children who may be affected by the alleged behaviour.
- Set out all relevant background information – including an overview of:
 - › the context;
 - › the specific concern(s) or allegation(s);
 - › any relevant detail about the relationships, and any power differentials between the children concerned; and
 - › the frequency of the alleged behaviour and any changes in it over time.

Details should also be shared of action taken regarding the alleged concern(s) or allegation(s), and any advice provided by local authority children's social care, and/or the police, and/or other relevant agencies in accordance with the locally agreed multi-agency safeguarding arrangements, and/or any other practitioner(s) working with the child/children concerned.

- Set out any relevant information regarding the child/children concerned. For example:
 - › any relevant medical information;
 - › any impact on their academic performance or social life (views of the parents or teachers may be helpful); and
 - › any previous concerns about their behaviour, needs or harm that they may have been exposed to in the past.

Information should be shared on their wishes and feelings regarding the proposed risk assessment.

- Identify and assess the nature and level of risk that is posed and/or faced by the child/children concerned:
 - a. in school or college – such as that which may arise in relation to locations, activities, contact with particular students and influential peer groups, or transport arrangements to and from school or college; and
 - b. contexts outside the school or college – including at home, in relationships with friends, peer groups, interactions in the neighbourhood and/or during online activity.

In order to give children a sense of freedom and opportunity to develop, spaces where no extra supervision is required should be promoted as far as is safe to do so.

- Set out the steps and controls that can be put in place to reduce or manage any risk – to avoid, so far as possible, the child/children concerned missing out on beneficial activities. Issues that may be addressed include:
 - › how safety will be ensured in the classroom, outside of the classroom, on transport, and during unstructured or extra-curricular activities – including trips and residential stays away from school or college. This may involve separating the alleged perpetrator(s) from the victim(s) and any other child/children who may be affected by the alleged behaviour;
 - › how to ensure that the victim(s) and any other child/children who may be affected

by the alleged behaviour feel(s) supported, including by appointing a trusted member of staff (a 'critical friend') with whom they can speak if they have existing concerns, or if there are any future developments which cause them concern;

- › how best to draw on any other trusting relationships where these exist, and create them where they do not, to provide the child/children concerned with support and a sense of belonging;
- › where relevant, how to manage the child's/ children's behaviour – this can be done in a number of ways including, for example, by way of a de-escalation plan for staff which identifies any triggers, explains how their behaviour can escalate, sets out the function of the behaviour for the child/ children, and proposes an appropriate action or response to it; identifying language that should be used and avoided; a positive handling plan; or implementing controls and measures to reduce or manage any risk;
- › whether restorative action would be appropriate and, if so, how best to take such action, bearing in mind the specific needs of the child/children concerned, and the appropriateness of any such action given the nature and seriousness of the concern(s) or allegation(s). Advice should be taken from the local authority children's social care, sexual violence specialists, and the police, where they are involved (to avoid proposed restorative action potentially jeopardising any police investigation);
- › whether any targeted interventions are needed to address the underlying attitudes or behaviour of the child/ children, any emotional and behavioural disorders, developmental disorders, or learning difficulties, and/or to meet the child's/children's psychological, emotional or physical needs; drawing on local statutory, private and/or voluntary services as appropriate; and
- › whether the behaviour is of such high risk that suitable controls cannot be put in place within the school or college setting which would enable it to be adequately managed.

In this case consideration will need to be given to alternative plans for the alleged perpetrator(s). The principle that any child who is reported to have experienced child-on-child abuse should not have restrictions or controls placed on them as a result of another child's alleged behaviour should be given priority consideration.

- Identify and consider how to build on the strengths that the/each child possesses and/ or is exposed to – such as those emanating from activities or lessons that they enjoy and engage with (whether within or outside of school); positive characteristics and skills that they possess; and/or pre-existing positive and trusting relationships with their family, other students or staff; and consider how best to promote their positive development, for example do they respond well to praise?
- Assess any risks that are posed and/or faced by the wider school or college community (including all other students and, where appropriate, staff and parents) and identify any steps that the school or college can take to mitigate these risks. This may include consideration of:
 - › how to support any students (and, where appropriate, staff and parents) who may be affected by or know about the alleged behaviour, and/or who may be required to participate in any investigation(s). Where any students have their own standalone risk assessment, they should cross refer to and be consistent (where appropriate) with one another; and
 - › work that can be undertaken with the wider staff or student population to help to protect children against child-on-child abuse in the future (see [section 6](#) for more details). Careful consideration will need to be given to managing confidentiality for victims and any other child/children affected by the alleged behaviour or engaged themselves in any such behaviour.
- Set out the steps needed to implement the risk assessment, including how to communicate with and what information should be shared with relevant staff members – in the strictest confidence – so that they are able to implement the actions

set out in the risk assessment and safeguard the child/children concerned appropriately. Disclosure of the whole risk assessment may not be necessary for all individuals, and some may only need to be informed about relevant aspects. Additionally, the alleged perpetrator should be given a “safe story” to explain their behaviour/restrictions to someone who does not know about the risk assessment or that aspect of it.

3. Format and review of risk assessment

As stated by KSCIE 2022 – in the context of sexual violence but with the same principles applying to the wider context of harmful sexual behaviour – risk assessments should be recorded (paper or electronic) and should be kept under review. At all times, the school or college should be actively considering the risks posed to all their students and put adequate measures in place to protect them and keep them safe.

Risk assessments should be reviewed on a regular basis – ie at least every three months or, if there is another alleged incident, or a material change of circumstances. Reviews should be carried out in light of the child’s/ children’s ongoing needs to ensure that real progress is being made which benefits the child/children concerned.

If at any stage the risk increases, there is a further alleged incident, or any individual child’s needs escalate, the DSL should contact local authority children’s social care, and/or other relevant agencies, in accordance with their locally agreed multi-agency safeguarding arrangements, to determine the appropriate course of action.

In the event that any new information is disclosed at any time indicating that a child may have been harmed, is at risk of harm, or is in immediate danger, the school or college should, again, act in accordance with WTSC 2018, KCSIE 2022, and their locally agreed multi-agency safeguarding arrangements, and make a (new) referral to local authority children’s social care and, if appropriate, report to the police. Similarly any new information disclosed at any time regarding alleged rape, assault by penetration or sexual assault must always be shared with the police.

Sharing nudes and semi-nudes

The UKCIS guidance states that: “The circumstances of incidents can vary widely. If at the initial review stage a decision has been made not to refer to police and/or children’s social care, the DSL (or equivalent) should conduct a further review (including an interview with any child or young person involved) to establish the facts and assess the risks, referring back to any relevant assessment tools.

When assessing the risks and determining whether a referral is needed, the following should be also considered:

- Why was the nude or semi-nude shared? Was it consensual or was the child or young person put under pressure or coerced?
- Has the nude or semi-nude been shared beyond its intended recipient? Was it shared without the consent of the child or young person who produced the image?
- Has the nude or semi-nude been shared on social media or anywhere else online? If so, what steps have been taken to contain the spread?
- How old are any of the children or young people involved?
- Did the child or young person send the nude or semi-nude to more than one person?
- Do you have any concerns about the child or young person’s vulnerability?
- Are there additional concerns if the parents or carers are informed?

These questions will help the DSL (or equivalent) decide whether a child or young person is at risk of harm, in which case a referral will be appropriate, whether additional information or support is needed from other agencies or whether the education setting can manage the incident and support any child or young person directly. DSLs (or equivalent) should always use their professional judgement in conjunction with that of their colleagues to assess incidents.”¹⁰⁰ Further detail is provided in Annex A of the UKCIS guidance on why these questions should be used to complement and support the DSL’s (or equivalent’s) professional judgement.

Disciplinary action

The school or college may wish to consider whether disciplinary action, under their behaviour policy, may be appropriate for any child/children involved – including the alleged victim if it is determined that they deliberately raised a false or malicious allegation. However, if there are police proceedings underway, or there could be, it is critical that the school or college works in partnership with the police and/or the local authority children's social care.

Where a matter is not of interest to the police and/or the local authority children's social care, the school or college may still need to consider what is the most appropriate action to take to ensure positive behaviour management. Disciplinary action may sometimes be appropriate – in accordance with the school's or college's behaviour policy, including to:

- a. ensure that the child/children take(s) responsibility for and realise(s) the seriousness of their behaviour;
- b. demonstrate to the child/children and others that child-on-child abuse can never be tolerated; and
- c. ensure the safety and wellbeing of other children.

These considerations must be balanced against any police investigations, the child's/children's own potential unmet needs, and any action or intervention planned regarding safeguarding concerns. Before deciding on appropriate action the school or college should always consider its duty to safeguard all children in its care from harm; the underlying reasons for a child's behaviour; any unmet needs, or harm or abuse suffered by the child; the risk that the child may pose to other children; and the severity of the child-on-child abuse and the causes of it. Schools and colleges should also be conscious of students' ethnic backgrounds, and the evidence that disproportionate disciplinary sanctions are applied to Black Caribbean boys and Gypsy, Roma and Traveler children.¹⁰¹

Schools and colleges should, where appropriate, consider the potential benefit, as well as challenge, of using managed moves or exclusion as part of a response, and not as an

intervention, recognising that even if this is ultimately deemed to be necessary, some of the other measures referred to in this resource may also be required. For example, action may still need to be taken by the school or college in relation to other students who have been involved with and/or affected by child-on-child abuse. Exclusion should only be considered as a last resort, in accordance with the behaviour policy, and where necessary to ensure the safety and wellbeing of the other children in the school or college.¹⁰² In the event of any exclusion or managed move, consideration must be given to sharing information with the receiving school or college regarding the child-on-child abuse in order to allow best protection of children in the new school or college.

Disciplinary interventions alone are rarely able to solve issues of child-on-child abuse, and the school or college will always consider the wider actions that may need to be taken, and any lessons that may need to be learnt going forwards, as set out above and below.

6. Ongoing proactive work

On-going proactive work for a whole-school/college community Contextual Safeguarding approach

A school's or college's response to concerns or allegations of child-on-child abuse should be part of its on-going proactive work to embed best practice and in taking a whole-school/college community Contextual Safeguarding approach to such abuse. As such a school's or college's response can become part of its wider prevention work.

This response may involve the school or college working with the local authority to undertake, for example, a Contextual Safeguarding school assessment which would fit into a systems approach to Contextual Safeguarding.¹⁰³ The response could also include the school or college asking itself a series of questions about the context in which an incident of child-on-child abuse occurred in the school/college, the local community in which it is based, and the wider physical and online environment – such as:¹⁰⁴

- What protective factors and influences exist within the school/college (such as positive peer influences, examples where child-on-child abuse has been challenged, etc) and how can the school/college bolster these?
- How (if at all) did the school's/college's physical environment or the students' routes to and from the school/college contribute to the abuse, and how can the school/college address this going forwards, for example by improving its safety, security and supervision, or by working with local safeguarding partners to mitigate the risks to students' safety whilst travelling to and from the school/college?
- How (if at all) did the online environment contribute to the abuse, and how can the school/college address this going forwards, for example by strengthening the way in which the school/college encourages positive and safe use of the internet by students?
- Did wider gender norms, equality issues, and/or societal attitudes contribute to the abuse?
- What was the relationship between the abuse and the cultural norms between staff and students, and how can these be addressed going forward?
- Does the abuse indicate a need for staff training on, for example, underlying attitudes, a particular issue or the handling of particular types of abuse, or to address any victim-blaming narratives from staff?
- How have similar cases been managed in the past and what effect has this had?
- Does the case or any identified trends highlight areas for development in the way in which the school/college works with children to raise their awareness of and/or prevent child-on-child abuse, including by way of the school's/college's PSHE curriculum and lessons that address underlying attitudes or behaviour such as gender and equalities work, respect, boundaries, consent, children's rights and critical thinking and/or avoiding victim-blaming narratives?
- Are there any lessons to be learnt about the way in which the school/college engages with parents to address child-on-child abuse issues?
- Are there underlying issues that affect other schools/colleges in the area and is there a need for a multi-agency response?
- Does this case highlight a need to work with certain children to build their confidence, and teach them how to identify and manage abusive behaviour?

- Were there opportunities to intervene earlier or differently and/or to address common themes amongst the behaviour of other children in the school/college?

Answers to these questions can be developed into an action plan that is reviewed on a regular basis by the school's/college's leadership and the DSL. The school/college should, where possible and appropriate, work with the local authority and wider partners to deliver on this plan, possibly as part of a wider Contextual Safeguarding school assessment led by or with input from the local authority. A self-assessment toolkit, including assessment methods and guidance for measuring performance are available on the [Contextual Safeguarding Network](#).

Ongoing parental engagement is also key, and could be sought, for example, by providing sessions on child-on-child abuse, the internet and social media at parents' evenings, and other appropriate events, as well as providing clear information on, for example, the school's or college's website, notice boards, and in letters to parents.

In the context of child-on-child sexual violence and sexual harassment, and an ongoing response to safeguarding and supporting the victim, KCSIE 2022 states that: "It will be important in all scenarios that decisions and actions are regularly reviewed and that relevant policies are updated to reflect lessons learnt. It is particularly important to look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, the school or college should decide on a course of action. Consideration should also be given as to whether there are wider cultural issues within the school or college that enabled the inappropriate behaviour to occur and where appropriate extra teaching time and/or staff training could be delivered to minimise the risk of it happening again."¹⁰⁵

APPENDICES

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Appendices

Appendix A: The law – key areas applicable to child-on-child abuse

As stated in KCSIE 2022, governing bodies and proprietors must ensure that they comply with their duties under legislation. They must have regard to KCSIE 2022 and ensure that the policies, procedures and training in their schools and colleges are effective and comply with the law at all times. Governing bodies and proprietors should be aware of their obligations under the **Human Rights Act 1998**; the **Equality Act 2010** (including the **Public Sector Equality Duty**); the criminal law; and charity law.

The Human Rights Act 1998

All public bodies, including state nurseries, schools and colleges, are subject to the Human Rights Act 1998 and must respect human rights.

KCSIE 2022 states that:¹⁰⁶

“The Human Rights Act 1998 (HRA) sets out the fundamental rights and freedoms that everyone in the UK is entitled to and contains the Articles and protocols of the European Convention on Human Rights (ECHR) (the Convention) that are deemed to apply in the UK. It compels public organisations to respect and protect an individual’s human rights when they make individual decisions about them.

Under the HRA, it is unlawful for schools and colleges to act in a way that is incompatible with the Convention. The specific Convention rights applying to schools and colleges are:

- *Article 3: the right to freedom from inhuman and degrading treatment (an absolute right)*

- *Article 8: the right to respect for private and family life (a qualified right) includes a duty to protect individuals’ physical and psychological integrity*
- *Article 14: requires that all of the rights and freedoms set out in the Act must be protected and applied without discrimination, and*
- *Protocol 1, Article 2: protects the right to education.*

Being subjected to harassment, violence and or abuse, including of a sexual nature, may breach any or all of these rights, depending on the nature of the conduct and the circumstances...”

United Nations Convention on the Rights of the Child (UNCRC)

The United Convention on the Rights of the Child (**UNCRC**) is the most widely ratified international human rights treaty in history and contains the most complete existing statement of children’s rights. The UK government ratified the UNCRC in 1989. It is not directly enforceable in UK law but by ratifying the UNCRC the UK committed to making legislation and policy decisions to realise the inalienable and universal rights within it. The Children Act 1989 is a notable piece of implementing legislation and the well-established principle that the **best interests of the child** must be a top priority in all decisions and actions that affect children (also known as the “welfare principle”) originates in Article 3 of the UNCRC. The UNCRC will be used to interpret the rights in the Human Rights Act 1998.

The fundamental principle of the UNCRC is that the **best interests of the child** must be a top priority in all decisions that affect children (Article 3). The UNCRC makes clear that every child has the **right to be protected from abuse and neglect** (Article 19), and **sexual exploitation** (Article 34). However, there are other children’s rights that need to be acknowledged, such as the **child’s right to be heard** (Article 12), **freedom of expression, thought, conscience and religion** (Article 13 & 14), **privacy** (Article 16) **education** (Article 28), and **freedom from discrimination** (Article 2).

In aspiring to ensure that children are free from harm, we should be mindful that their rights are not eroded in order to keep them ‘safe’. Unicef UK has prepared a useful summary of the UNCRC.¹⁰⁷

The Equality Act 2010 (the Equality Act)

KCSIE 2022 states that:¹⁰⁸

“Schools and colleges have obligations under the Equality Act 2010 (the Equality Act).

*According to the Equality Act, schools and colleges **must** not unlawfully discriminate against pupils because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation (protected characteristics).”*

There are different types of prohibited conduct under the Equality Act, including:

- **Direct discrimination** occurs where a person is treated less favorably than others because of their (or a family member’s) actual or perceived protected characteristic.
- **Indirect discrimination** occurs when a provision, criterion or practice is applied which disadvantages people with a protected characteristic and which cannot be justified as a proportionate means of achieving a legitimate aim.
- **Disability discrimination** includes direct and indirect discrimination (as above) as well as discrimination arising out of disability, ie where someone is treated less favourably because of something arising in consequence of their disability and it cannot be justified as a proportionate means of achieving a

legitimate aim. Schools also have an obligation to make “reasonable adjustments” for disabled students to help alleviate disadvantages caused by their disability.

- **Harassment** is unwanted conduct related to a protected characteristic which has the purpose or effect of violating a person’s dignity or creating a hostile, humiliating, degrading or offensive environment for them.
- **Sexual harassment** is unwanted conduct of a sexual nature which has the purpose or effect of violating a person’s dignity or creating a hostile, humiliating, degrading or offensive environment for them.

It is important to note that children are not liable for breaches of the Equality Act 2010 themselves, so child-on-child abuse will not constitute a breach of the Act by the child. However, schools and colleges may unlawfully discriminate themselves if they do not take proper steps to address child-on-child abuse.

KCSIE 2022 also states that:¹⁰⁹

*“Whilst all of the above protections are important, in the context of safeguarding, [KCSIE 2022], and the **legal duties** placed on schools and colleges, in relation to safeguarding and promoting the welfare of children, governing bodies and proprietors should carefully consider how they are supporting their pupils and students with regard to particular protected characteristics – including disability, sex, sexual orientation, gender reassignment and race.*

Provisions within the Equality Act allow schools and colleges to take positive action, where it can be shown that it is proportionate, to deal with particular disadvantages affecting pupils or students with a particular protected characteristic in order to meet their specific need. This includes a duty to make reasonable adjustments for disabled children and young people, including those with long term conditions. A school or college, could, for example, consider taking positive action to support girls if there was evidence they were being disproportionately subjected to sexual violence or sexual harassment.”¹¹⁰

The DfE has published guidance, The Equality Act 2010 and schools, to help schools to

understand how the Equality Act affects them, and how to fulfil their duties under the Equality Act.¹¹¹ KCSIE 2022 states that this may also be useful for colleges. The Equality and Human Rights Commission (EHRC) has also published technical guidance about the applicability of the Equality Act for schools in England.¹¹²

Public sector equality duty

KCSIE 2022 states that:¹¹³

“The Public Sector Equality Duty (PSED) is found in the Equality Act. Compliance with the PSED is a legal requirement for state-funded schools and colleges, advice on this – including on specific duties, is set out in the advice linked in paragraph 90 [of KCSIE 2022].

The PSED places a general duty on schools and colleges to have, in the exercise of their functions, due regard to the need to [1] eliminate unlawful discrimination, harassment, and victimisation (and any other conduct prohibited under the Equality Act), [2] to advance equality of opportunity and [3] foster good relations between those who share a relevant protected characteristic and those who do not. The duty applies to all protected characteristics (see para 87 [of KCSIE 2022]) and means that whenever significant decisions are being made or policies developed, specific consideration must be given to the equality implications of these such as, for example, the need to eliminate unlawful behaviours that relate to them, such as sexual violence and sexual harassment, misogyny/misandry and racism. This is one reason why good record-keeping and monitoring of all forms of abuse and harassment is essential.

The PSED helps schools and colleges (which are subject to it) to focus on key issues of concern and how to improve pupil and student outcomes. Some pupils or students may be more at risk of harm from specific issues such as sexual violence, homophobic, biphobic or transphobic bullying or racial discrimination. Such concerns will differ between education settings, but it is important schools and colleges are conscious of disproportionate vulnerabilities and integrate this into their safeguarding policies and procedures...”

The EHRC has published Technical Guidance on the Public Sector Equality Duty: England,¹¹⁴ and

Chapter 5 of the DfE’s guidance The Equality Act 2010 and schools provides some useful commentary on what meeting this duty means in practice.¹¹⁵ It explains that having “due regard” means that whenever significant decisions are being made or policies developed “thought must be given to the equality implications.”

Data Protection Act 2018 and the UK GDPR

KCSIE 2022 states that:¹¹⁶

“It is important that governing bodies and proprietors are aware that among other obligations, the Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR) place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure...”

Criminal law

Some child-on-child abuse can constitute a criminal offence.

Further information can be found in [Appendix B](#) and [Appendix C](#) – including, for example, regarding:

- **Bullying** – the Government states that: “some forms of bullying are illegal and should be reported to the police. These include:
 - › violence or assault
 - › theft
 - › repeated harassment or intimidation, for example name calling, threats and abusive phone calls, emails or text messages
 - › hate crimes...”¹¹⁷
- **Assault** – is described, by the National Police Chiefs’ Council (NPCC), as: “An act which intentionally or recklessly causes violence to another.”¹¹⁸
- **Theft** – the NPCC states that: “A person is guilty of theft if they dishonestly appropriate property belonging to another with the intention of permanently depriving the other of it.”

- **Harassment** – is described, by the NPCC, as “causing alarm or distress to another on more than one occasion, which [the perpetrator knows] or should have known would amount to harassment of the [victim]. Harassment can include repeated attempts to impose unwanted communications and contact upon a victim in a manner that could be expected to cause distress or fear in any reasonable person.”¹¹⁹
- **Hate incidents and hate crimes** – are, described by the NPCC, as follows: “Hate incidents and hate crimes are acts of violence or hostility directed at people because of who they are or who someone perceives them to be. The police and Crown Prosecution Service have agreed a common definition of hate incidents. An incident is considered a hate incident when the victim or anyone else believes that the incident was motivated by hostility or prejudice based on one of the following things:
 - › disability
 - › race
 - › religion
 - › transgender identity
 - › sexual orientation...

When hate incidents become criminal offences they are known as hate crimes. Any criminal offence is a hate crime if it is motivated by hostility or prejudice based on disability, race, religion, transgender identity or sexual orientation.”¹²⁰

Hate incidents and hate crimes can also occur online, and the legislation applies equally to online and offline incidents.

- **Sexual violence** – see KCSIE 2022 which refers to sexual offences (ie rape; assault by penetration; sexual assault; and causing someone to engage in sexual activity without consent) under the Sexual Offences Act 2003.
- **Sexual harassment** – there is no criminal offence of ‘sexual harassment’ in the UK. Claims can be brought for sexual harassment under the Equality Act 2010 (see above), which employers and service providers, including education providers, can be directly and vicariously liable for.

For the purposes of KCSIE 2022, reference to sexual harassment is made in the context of child-on-child abuse and defined as “‘unwanted conduct of a sexual nature’ that can occur online and offline and both inside and outside of school/college. Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated, and/or create a hostile, offensive or sexualised environment.”

Paragraph 454 of KCSIE 2022 sets out some (non-exhaustive) examples of conduct that could be described as sexual harassment (such as displaying images of a sexual nature, sexualised online bullying, unwanted sexual comments including on social media etc). Some of the examples it provides are also criminal offences (eg upskirting) (see further below).

- **Upskirting** – the Voyeurism (Offences) Act 2019 amends the Sexual Offences Act 2003 to make upskirting a specific offence of voyeurism. It typically involves taking a picture under a person’s clothing of their genitals or buttocks (whether exposed or covered with underwear) or the underwear covering their genitals or buttocks, without their consent (or a reasonable belief in their consent), with the intention of viewing the images to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It carries a maximum penalty of two years’ imprisonment (and with the most serious offenders being put on the sex offenders register).
- **Sharing nudes and semi-nudes** – and see UKCIS Sharing nudes and semi-nudes: Advice for education settings working with children and young people (December 2020).¹²¹
 - › **Indecent images of children:** as explained in the Advice “making, possessing and distributing any imagery of someone under 18 which is ‘indecent’ is illegal. This includes imagery of yourself if you are under 18. The relevant legislation is contained in the Protection of Children Act 1978 (England and Wales) as amended in the Sexual Offences Act 2003 (England and Wales). Specifically:
 - it is an offence to possess, distribute, show and make indecent images of children,

– the Sexual Offences Act 2003 (England and Wales) defines a child, for the purposes of indecent images, as anyone under the age of 18”.

- › **Non-consensual image sharing:** the non-consensual sharing of private sexual images or videos with the intent to cause distress is also illegal. The relevant legislation is contained in section 33 of the Criminal Justice and Courts Act 2015 (which covers the act of non-consensual sharing of an image) and section 69 of the Domestic Abuse Act 2021 (which covers threats to non-consensually share an image). This legislation generally applies to adult-on-adult abuse.¹²²

- **Drugs**¹²³ – the NPCC states that with respect to:

“Possession: It is an offence for any person to unlawfully have a controlled drug in their possession.

Supply: It is an offence to either supply, be concerned in the supply, offer to supply or be concerned in making an offer to supply a controlled drug.”¹²⁴

- **Weapons**¹²⁵ – the NPCC states that: “An offensive weapon is any article which is made, intended or adapted to cause injury. Offensive weapon can be broken down into two categories:
 - a. Those that are made as an offensive weapon (eg knuckle-duster, dagger, gun) or adapted (eg broken bottle) for use for causing injury to the person; and
 - b. Weapons not made or adapted as an offensive weapon (eg kitchen knife, spanner, hammer) but intended by the person having in possession of it to cause injury to another”.¹²⁶

The NPCC also sets out the potential offences and defences with respect to weapons in its “When to call the police: Guidance for schools and colleges.”

The Sentencing Council for England and Wales

The Sentencing Council produces guidelines on sentencing for the judiciary and criminal

justice professionals as well as seeking to increase public understanding of sentencing. The guidelines include information on the sentencing of children and young people (see here). Professionals in schools may find the guidelines helpful if supporting young people through the criminal justice system as the guidelines set out the range of factors to be taken into account in the criminal justice system.

Charity Commission

Some independent schools are registered charities and therefore need to act in accordance with charity law and the regulatory requirements as set by the Charity Commission. Governors of schools that are registered charities will also be charity trustees and will need to ensure they comply with their trustee duties. The Charity Commission has published guidance explaining the key duties of all trustees of charities in England and Wales, and what trustees need to do to carry out those duties competently.¹²⁷

Charity trustees have ultimate responsibility for safeguarding in the charity and the Charity Commission’s guidance – Safeguarding and Protecting People for Charities and Trustees – sets out what it expects charity trustees to do in this regard.¹²⁸

Charities are also expected to report any serious incidents to the Charity Commission, which can include safeguarding incidents where individuals who have come in contact with the charity’s activities, including staff or beneficiaries (which in a school context would mean students) have been harmed or are at risk of harm. The Commission’s Serious Incident Reporting guidance explains what would constitute a serious incident and explains how it should be reported.

Insurance

Where incidents occur which may have regulatory or legal implications for the school or college, they should consider whether their insurers should be notified in compliance with the terms of any contractual obligations within their policies.

Appendix B: Glossary and key facts

Bullying

There is no legal definition of bullying.

The Anti-Bullying Alliance and its members have a shared definition of bullying, as follows: “the repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power. It can happen face to face or online. There are four key elements to this definition: hurtful, repetition, power imbalance, intentional.”¹²⁹

The Department for Education (DfE) describes bullying as: “...behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences... Many experts say that bullying involves an imbalance of power between the perpetrator and the victim...”¹³⁰

Cyberbullying

Childnet International describes cyberbullying as: “...purposeful, repeated behaviour designed to cause physical and emotional distress. Cyberbullying (or online bullying) is bullying using technologies, particularly over the internet or via mobile and gaming networks.

Cyberbullying is the use of technologies by an individual or by a group of people to deliberately and repeatedly upset someone else.

Technology can be used to carry out a wide range of unacceptable or illegal behaviours. Cyberbullying can include: intimidation and threats, harassment and stalking, vilification/defamation, exclusion or peer rejection, impersonation, unauthorised publication of personal information or images, manipulation.

Cyberbullying can be an extension of face-to-face bullying, with technology providing an additional route to harass an individual or group...

Cyberbullying can include discrimination and hate crimes, including: sexist bullying, racist and faith targeted bullying, bullying related to sexual orientation (homophobic or biphobic bullying), bullying related to gender identity (transphobic bullying), bullying of people because they have special educational needs and disabilities.”¹³¹

The Headstart Kernow Online Resilience Tool states that:

“Online bullying, which is now frequently, and unfortunately, used to describe any kind of online abuse. Bullying requires some level of threat (either physical or emotional) and also requires persistent abuse. Its [sic] inaccurate use can cause us both to overreact to what we might refer to as brief online fallout, and to devalue the impact of different types of abuse, for example harassment.”¹³²

Hate incidents and hate crimes

The **Metropolitan Police** state that: “In most crimes it is something the victim has in their possession or control that motivates the offender to commit the crime. With hate crime it is ‘who’ the victim is, or ‘what’ the victim appears to be that motivates the offender to commit the crime.”

A **hate incident** is any incident which the victim, or anyone else, thinks is based on someone’s prejudice towards them because of their race, religion, sexual orientation, disability or because they are transgender. Not all hate incidents will amount to criminal offences, but it is equally important that these are reported and recorded by the police. Evidence of the hate element is not a requirement. You do not need to personally perceive the incident to be hate related. It would be enough if another person, a witness or even a police officer thought that the incident was hate related.

A **hate crime** is defined as “Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person’s race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.”

Hate crime can fall into one of three main types:

Physical assault of any kind is an offence. If someone has been a victim of physical assault they should report it. Depending on the level of the violence used, a perpetrator may be charged with common assault, actual bodily harm or grievous bodily harm.

Verbal abuse, threats or name-calling can be a common and extremely unpleasant experience for minority groups. Victims of verbal abuse are often unclear whether an offence has been committed or believe there is little they can do. However, there are laws in place to protect them from verbal abuse.

The offence of **incitement to hatred** occurs when someone acts in a way that is threatening and intended to stir up hatred. That could be in

words, pictures, videos, music, and includes information posted on websites. Hate content may include:

- messages calling for violence against a specific person or group
- web pages that show pictures, videos or descriptions of violence against anyone due to their perceived differences
- chat forums where people ask other people to commit hate crimes against a specific person or group¹³³

Domestic abuse/abuse within intimate personal relationships between peers

The **DfE** states that: “The Domestic Abuse Act 2021 received Royal Assent on 29 April 2021. The Act introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse. The statutory definition of domestic abuse, based on the previous cross-government definition, ensures that different types of relationships are captured, including ex-partners and family members. The definition captures a range of different abusive behaviours, including physical, emotional and economic abuse and coercive and controlling behaviour. Under the statutory definition, both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be ‘personally connected’ (as defined in section 2 of the 2021 Act).

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child to parent abuse. Anyone can be a victim of domestic abuse, regardless of sexual identity, age, ethnicity, socio-economic status, sexuality or background and domestic abuse can take place inside or outside of the home. The government has issued statutory guidance to provide further information for those working with domestic abuse victims and perpetrators, including the impact on children...

Young people can also experience domestic abuse within their own intimate relationships.

This form of child-on-child abuse is sometimes referred to as ‘teenage relationship abuse.’ Depending on the age of the young people, this may not be recognised in law under the statutory definition of ‘domestic abuse’ (if one or both parties are under 16). However, as with any child under 18, where there are concerns about safety or welfare, child safeguarding procedures should be followed and both young victims and young perpetrators should be offered support.”^{134 135}

Physical abuse

The DfE states that physical abuse includes “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).”¹³⁶

Racism

Racism occurs when a person is treated less favorably because of their skin colour, nationality, ethnicity, or cultural group.¹³⁷ Racist behaviour can include verbal abuse, physical attacks, exclusion from activities or opportunities and microaggressions, which can be conscious and unconscious. It can occur in person or online. Structural or systemic racism is racism that is embedded in laws, policies and practices in society, such as the use of stop and search by the police which disproportionately affects Black people.

Initiation/hazing type violence and rituals

The DfE states that initiation/hazing type violence and rituals “...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.”¹³⁸

StopHazing explains that “A simple way to distinguish hazing from bullying is that hazing typically occurs for the expressed purpose of inclusion whereas youths who bully are typically seeking to exclude and marginalize another child. It’s important to understand the differences between hazing and bullying because many hazing incidents may go

unrecognized or be overlooked if a school simply relies on its bullying policy to “cover” hazing.”¹³⁹

Harmful sexual behaviour

Harmful sexual behaviour is defined by Hackett et al., for the purpose of their **Harmful Sexual Behaviour Framework** as: “Sexual behaviours expressed by children and young people under the age of 18 years old that are developmentally inappropriate, may be harmful towards self or others, or be abusive towards another child, young person or adult.”¹⁴⁰

The DfE states that: “children’s sexual behaviour exists on a wide continuum, ranging from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is ‘harmful sexual behaviour’ (HSB). The term has been widely adopted in child protection and is used in [KCSIE 2022]. **HSB can occur online and/or face-to-face and can also occur simultaneously between the two.** HSB should be considered in a child protection context.

When considering HSB, both ages and the stages of development of the children are critical factors. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years’ difference or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature. Confidential specialist support and advice on HSB is available from the specialist sexual violence sector and sources are listed in Annex B [of KCSIE 2022].”¹⁴¹

Hackett has proposed a continuum model to demonstrate the range of sexual behaviours presented by children and young people, from those that are normal to those that are highly deviant.¹⁴² Hackett’s continuum model is used in this resource.

Sexual violence and sexual harassment

As stated by the DfE: “Sexual violence and sexual harassment can occur between two or more children of any age and sex, from primary through to secondary stage and into college. It can occur also through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face-to-face (both physically and verbally) and are never acceptable. Schools and colleges should be aware of the importance of:

- 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 should **never** be passed off as ‘banter’, ‘just having a laugh’, ‘a part of growing up’ or ‘boys being boys.’ 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 up skirts. Dismissing or tolerating such behaviours risks normalising them.

Children who are victims of sexual violence and sexual harassment wherever it happens, may find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school or college.”¹⁴³

Sexual violence

The DfE states that: “It is important that schools and colleges are aware of sexual violence and the fact children can, and sometimes do,

abuse other children in this way and that **it can happen both inside and outside of school/college.”**

Consistent with KCSIE 2022, reference to sexual violence in this resource is made in the context of child-on-child sexual violence, and when referring to sexual violence, we are referring to sexual offences under the Sexual Offences Act 2003, described in KCSIE 2022 as follows:

“Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (NOTE – schools and colleges should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent, or touching someone’s bottom/breasts/genitalia without consent, can still constitute sexual assault.)

Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (NOTE – this could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)”¹⁴⁴

Consent

The DfE states that “Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, eg to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be

withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

- a child under the age of 13 can never consent to any sexual activity
- the age of consent is 16
- sexual intercourse without consent is rape.¹⁴⁵

With respect to consent and the second bullet point above, the DfE respectively states that: “It is important school and college staff (and especially [DSLs] and their deputies) understand consent. This will be especially important if a child is reporting they have been raped or sexually assaulted in any way,” and “it is important to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion or exploitation. Due to their additional training, the [DSL] (or deputy) should be involved and generally speaking leading the school or college response. If in any doubt, they should seek expert advice.”^{146 147}

Sexual harassment

Consistent with KCSIE 2022, reference to sexual harassment in this resource means ‘unwanted conduct of a sexual nature’ that can occur online and offline and both inside and outside of school/college; and when we refer to sexual harassment we do so in the context of child-on-child sexual harassment. **The DfE** states that: “Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.”¹⁴⁸ Whilst not intended to be an exhaustive list, sexual harassment can include:¹⁴⁹

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, calling someone sexualised names, intrusive questions about a person’s sex life, and spreading sexual rumours;
- sexual “jokes” or taunting;
- suggestive looks, staring or leering;

- sexual gestures;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes. (Schools and colleges should be considering when any of this crosses a line into sexual violence – it is important to talk to and consider the experience of the victim);
- displaying pictures, photos or drawings of a sexual nature;
- upskirting (see further below); and
- online sexual harassment. This may be stand-alone or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
 - › non-consensual sharing of nude and semi-nude images and/or videos.¹⁵⁰ Taking and sharing nude photographs of U18s is a criminal offence...
 - › sharing of unwanted explicit content,
 - › sexualised online bullying,
 - › unwanted sexual comments and messages, including on social media.
 - › sexual exploitation; coercion and threats, and
 - › coercing others into sharing images of themselves or performing acts they’re not comfortable with online.

Upskirting

Upskirting typically involves taking a picture under a person’s clothing of their genitals or buttocks (whether exposed or covered with underwear) or the underwear covering their genitals or buttocks, without their consent (or a reasonable belief in their consent), with the intention of viewing the images to obtain sexual gratification, or cause the victim humiliation, distress or alarm.

The HeadStart Kernow Online Resilience Tool states that: “...this legislation is untested in the criminalisation of minors. While these behaviours are problematic among young peers, and warrants discussion and investigation, we have concerns that threatening minors with criminalisation as a result of these behaviour [sic] is disproportionate and counter-productive.”¹⁵¹

- While upskirting is a criminal offence, it is believed to be unlikely that the CPS would consider it to be in the public interest to pursue criminal proceedings against a minor who has committed such an offence. It is therefore suggested that, in terms of (i) education, schools should not use the fact that upskirting is a criminal offence as a key educational message in itself but should also focus on providing teaching and learning opportunities to develop students' understanding of what upskirting is, the potential harm that can be caused by it, the nature of the legislation, and likely police responses; and (ii) handling incidents of upskirting, avoid, as a first response to a child-on-child abuse incident, informing the alleged perpetrator(s) that they have broken the law.

Downblousing and sharing pornographic deepfakes

The Law Commission has called for downblousing – the act of taking photographs down a woman's top without consent – to be made a criminal offence in England and Wales, and for a ban on sharing pornographic deepfakes without consent. The government is considering its recommendations.¹⁵²

Sharing nudes and semi-nudes

UKCIS explains that the term 'sharing nudes and semi-nudes' means "the sending or posting of nude or semi-nude images, videos or live streams by young people under the age of 18 online. This could be via social media, gaming platforms, chat apps or forums. It could also involve sharing between devices via services like Apple's AirDrop which works offline.

The term 'nudes' is used as it is most commonly recognised by young people and more appropriately covers all types of image sharing incidents. Alternative terms used by children and young people may include 'dick pics' or 'pics.' The motivations for taking and sharing nude and semi-nude images, video and live streams are not always sexually or criminally motivated. Such images may be created and shared consensually by young people who are in relationships, as well as between those who are not in a relationship. It is also possible for a

young person in a consensual relationship to be coerced into sharing an image with their partner. Incidents may also occur where:

- children and young people find nudes and semi-nudes online and share them claiming to be from a peer
- children and young people digitally manipulate an image of a young person into an existing nude online
- images created or shared are used to abuse peers eg by selling images online or obtaining images to share more widely without consent to publicly shame...

The sharing of nudes and semi-nudes can happen publicly online, in 1:1 messaging or via group chats and closed social media accounts.

Nude or semi-nude images, videos or live streams may include more than one child or young person.

Creating and sharing nudes and semi-nudes of under-18s (including those created and shared with consent) is illegal which makes responding to incidents involving children and young people complex. There are also a range of risks which need careful management from those working in education settings."¹⁵³

UKCIS also provides the following alternative definitions, and states:

"Many professionals may refer to 'nudes and semi-nudes' as:

- youth produced sexual imagery or 'youth involved' sexual imagery
- indecent imagery. This is the legal term used to define nude or semi-nude images or videos of children and young people under the age of 18...
- 'sexting.' Many adults may use this term, however some young people interpret sexting as 'writing and sharing explicit messages with people they know' rather than sharing images
- image-based sexual abuse. This term may be used when referring to the non-consensual sharing of nudes and semi-nudes

Terms such as ‘revenge porn’ and ‘upskirting’ are also used to refer to specific incidents of nudes and semi-nudes being shared. However, these terms are more often used in the context of adult-to-adult non-consensual image sharing offences outlined in s.33-35 of the Criminal Justice and Courts Act 2015, Voyeurism (Offences) Act 2019 and s.67A of the Sexual Offences Act 2003.¹⁵⁴

Depending on the facts of the particular case, when an incident of sharing nudes or semi-nudes is reported to the police, it does not necessarily mean that the child will be criminalised. Since January 2016, the police are able to record the outcome of their investigation using an “Outcome 21” code where an incident is found to be non-abusive, meaning it is not in the public interest to pursue a charge. The majority of cases would fall into this category.

Whilst Outcome 21 recording will not result in a criminal charge against the child, it will still, however, remain on record and an incident of sharing nudes and semi-nudes can be disclosed on a DBS certificate at the police’s discretion, so should not be considered a “let off”, or an easy way of recording an incident with no repercussions. The School should communicate with their police liaison to determine awareness of Outcome 21 recording and its appropriateness in any given incident.

In March 2019, the police introduced a further “Outcome 22” code, defined as “Diversionary, educational or intervention activity, resulting from the crime report, has been undertaken and it is not in the public interest to take any further action.”¹⁵⁵ Again, this would be applicable in a large number of child-on-child abuse cases in schools and colleges and is potentially a more progressive outcome than an Outcome 21 record. The school or college should discuss potential outcomes with police liaison and should an Outcome 22 be deemed appropriate, consider how an educational intervention might best be developed.

However, if an incident is found to have abusive and/or aggravating factors (eg coercion, grooming, exploitation, intent to harm), it is valid for police involvement to result in criminal charge.

Child exploitation

The DfE states that: “We know that different forms of harm often overlap, and that perpetrators may subject children and young people to multiple forms of abuse, such as criminal exploitation (including county lines) and sexual exploitation.

In some cases the exploitation or abuse will be in exchange for something the victim needs or wants (for example, money, gifts or affection), and/or will be to the financial benefit or other advantage, such as increased status, of the perpetrator or facilitator.

Children can be exploited by adult males or females, as individuals or in groups. They may also be exploited by other children, who themselves may be experiencing exploitation – where this is the case, it is important that the child perpetrator is also recognised as a victim.

Whilst the age of the child may be a contributing factor for an imbalance of power, there are a range of other factors that could make a child more vulnerable to exploitation, including, sexual identity, cognitive ability, learning difficulties, communication ability, physical strength, status, and access to economic or other resources.”¹⁵⁶

The Home Office states that: “Where children are victims of county lines type activity, they will also be victims of Child Criminal Exploitation and may also be victims of Child Sexual Exploitation.”¹⁵⁷

Child Sexual Exploitation (CSE)

The definition of CSE is as follows: “[CSE] is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. [CSE] does not always involve physical contact; it can also occur through the use of technology.”¹⁵⁸

The DfE further states that: “CSE is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet)...

Like all forms of child sexual abuse, [CSE]:

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex;
- can still be abuse even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity;
- can take place in person or via technology, or a combination of both;
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- may occur without the child or young person’s immediate knowledge (through others copying videos or images they have created and posted on social media, for example);
- can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse; and
- is typified by some form of power imbalance in favour of those perpetrating the abuse...

Even where a young person is old enough to legally consent to sexual activity, the law states that consent is only valid where they make a choice and have the freedom and capacity to make that choice. If a child feels

they have no other meaningful choice, are under the influence of harmful substances or fearful of what might happen if they don’t comply (all of which are common features in cases of [CSE]) consent cannot legally be given whatever the age of the child. **[CSE] is never the victim’s fault, even if there is some form of exchange:** all children and young people under the age of 18 have a right to be safe and should be protected from harm.”¹⁵⁹

The London Safeguarding Children Procedures (LSCPs) highlight, with respect to 16 and 17 year olds, that: “it is important to emphasise that because a child is 16 or 17 and can legally consent to sex, it does not make them less vulnerable to sexual exploitation. A child who is being exploited has not consented to sex regardless of their age. Hence the law regarding the age when a child or young person can consent to sex is only relevant when considering the offences with which a perpetrator may be charged.”¹⁶⁰

With respect to CSE which is perpetrated online, **the NSPCC** states that: “...a child...might be persuaded or forced to:

- send or post sexually explicit images of themselves
- film or stream sexual activities
- have sexual conversations

Once an abuser has images, video or copies of conversations, they might use threats and blackmail to force a young person to take part in other sexual activity. They may also share the images and videos with others or circulate them online.”¹⁶¹

The LSCPs explain that “Offenders may use technology to exploit children and young people in the following ways:

- Harassment and bullying through text messaging;
- Purchasing mobile phones for victims and sharing their numbers among group or gang members;
- Randomly contacting children via social networking sites;

- Using ‘friends’ lists on networking sites of known victims to target children and young people;
- Viewing extreme or violent pornography and discussing it during sexual assaults;
- Posting images of victims with rival gang members to invite a sexual assault as punishment;
- Filming and distributing incidents of rape and sexual violence;
- Distributing lists of children for the purpose of sexual exploitation.¹⁶²

Peer-perpetrated CSE

As explained by **the DfE**, children can be both experiencing CSE and perpetrating it at the same time; examples might include a child who is forced to take part in the exploitation of another child under duress, or a child who is forced to introduce other children to their abuser under threats to their family’s safety; these situations require a nuanced approach that recognises and engages with the young person’s perpetration within the context of their own victimisation.¹⁶³

The LSCPs state that “Young people can be sexually exploited by people of a similar age as well as adults. Research is increasingly demonstrating that a significant number of sexually exploited young people have been abused by their peers and a London Councils report in 2014 found that peer-on-peer exploitation was the most frequently identified form of child sexual exploitation in London. Young people can be exploited by their peers in a number of ways. In some cases young women and young men who have been exploited themselves by adults or peers, will recruit other young people to be abused. In other instances, sexual bullying in schools and other social settings can result in the sexual exploitation of young people by their peers. Sexual exploitation also occurs within and between street gangs, where sex is used in exchange for safety, protection, drugs and simply belonging. For 16 and 17 year olds who are in abusive relationships, what may appear to be a case of domestic abuse may also involve sexual exploitation. In all cases of peer-on-peer exploitation, a power imbalance

will still inform the relationship, but this inequality will not necessarily be the result of an age gap between the abuser and the abused.”¹⁶⁴

The LSCPs also explain, in the context of organised/networked sexual exploitation or trafficking, that: “Young people (often connected) are passed through networks, possibly over geographical distances, between towns and cities where they may be forced/coerced into sexual activity with multiple men. Often this occurs at ‘parties’ and young people who are involved may recruit others into the network. Some of this activity is described as serious organised crime and can involve the organised ‘buying and selling’ of young people by offenders. Organised exploitation varies from spontaneous networking between groups of offenders, to more serious and organised crime where young people are effectively ‘sold.’ Children are known to be trafficked for sexual exploitation and this can occur across local authority boundaries and regions and across international borders.”¹⁶⁵

Relationship between HSB and CSE

The relationship between ‘HSB’, ‘CSE’ and other terms is explored in the **HSB framework** (referred to above), which states that “in particular, the relationship between the terms ‘HSB’ and ‘CSE’ warrants some clarification.”¹⁶⁶ It highlights that with respect to the definition of CSE provided by the DfE (as above): “As Hackett and Smith (2018) have pointed out this definition specifies age limits for the victims but not the perpetrators of CSE, so it is open to young people being responsible for the sexual exploitation of children. They state that conceptually, HSB could be deemed to be CSE if there is an imbalance of power between the young people involved, and if there is an element of exchange involved in the harmful sexual activities between them. However, they point out that there are complexities when young people are identified for transgressive sexual behaviour: ‘Should this be seen through an HSB or a CSE lens? This is not just about definitional niceties: it has very significant consequences for the services on offer, and potentially life-changing consequences for young people in terms of the labels they acquire as a result of their behaviours.’ It is clear that some young people who display HSB are committing acts which would fit with

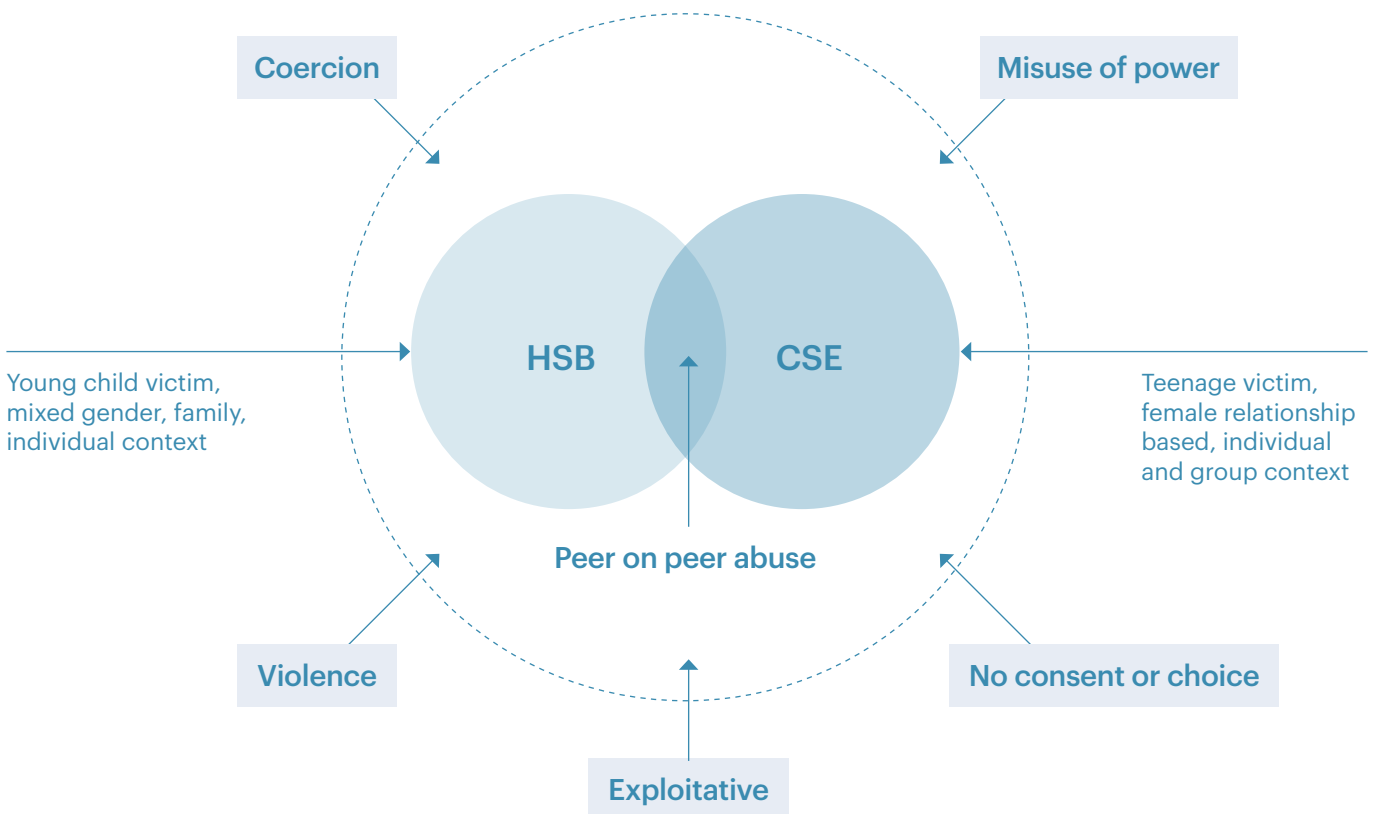
the above definition of CSE. In particular, those young people who sexually abuse other young people within the context of relationships, often described as ‘peer-on-peer’ abuse, fit both the definition of HSB as sexual behaviour which victimises others and CSE as exploitative, exchange-based abuse. As depicted in [Fig.5 (below)], it is perhaps most appropriate therefore to view both HSB and CSE as distinct but overlapping forms of sexual abuse. Both share the elements of coercion, misuse of power, violence and lack of consent and choice.

The figure is conceptual and the size of the crossover between HSB and CSE in any area will shift in relation to changing local definitions and prevalence of CSA. In order to explore the crossover between HSB and CSE, Hackett and Smith (2018) explored 14 cases known to a CSE team over a 24-month period where an alleged perpetrator was under the age of 18 at the point of their harmful or exploitative sexual behaviours. All 14 young people had targeted

female victims and only one was known to have sexually offended against a male (in addition to multiple female victims). HSB towards teenage peers was preceded in only three cases by sexual abuse of pre-pubescent children...¹⁶⁷

However, Hackett and Smith (2018), conclude that ‘it has been difficult to separate the young people’s behaviours meaningfully and neatly into categories of CSE and HSB. While all fit the widely used definition of HSB, the extent to which they are accompanied by overt elements of exchange (as would fit the definition of CSE) is much less clear in many cases. The sexual behaviours of all the young people in the sample required disruption, management and intervention – but it is unclear whether that should be undertaken by a CSE team or an HSB team. This perhaps reflects the present inadequacy of using distinct sets of language and concepts (CSE and HSB) and service frameworks to respond to the problem of transgressive sexual behaviour in adolescence.’¹⁶⁸

Fig.5 The fit of HSB and CSE in the context of wider sexual abuse



Child Criminal Exploitation (CCE)

“When someone you trusted makes you commit crimes for their benefit.”

Definition of CCE from young people, used by The Children’s Society¹⁶⁹

There is no statutory definition of CCE.

CCE takes a variety of different forms, and has become strongly associated with one specific model, known as ‘county lines’ (see below) – with practitioners and police reporting increasing awareness of children being exploited in this context;¹⁷⁰ however, children and young people may be criminally exploited in multiple ways, including county lines, child sexual exploitation, trafficking, gang and knife crime.¹⁷¹

CCE is defined by **the Government**, in its **Serious Violence Strategy**, as follows: “...where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. [CCE] does not always involve physical contact; it can also occur through the use of technology.”¹⁷²

The DfE states that: “...CSE and CCE can affect children, both male and female and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation...”

Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting or pickpocketing. They can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to others.

Children can become trapped by this type of exploitation, as perpetrators can threaten victims (and their families) with violence or

entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals, (particularly older children), and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to.

It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.¹⁷³ Black children (particularly boys) are more likely to be excluded from school, which puts them at risk of experiencing criminal exploitation, and to be victims of serious youth violence.¹⁷⁴

Catch 22 reports that: “According to Knowsley Council, Merseyside: ‘perpetrators of CCE may themselves be children who are criminally exploited and victims of CCE may also be at risk of becoming perpetrators themselves.’”¹⁷⁵

The NSPCC explains that: “Exploiting a child into committing crimes is abusive. Children who are targeted can also be groomed, physically abused, emotionally abused, sexually exploited or trafficked. However, as children involved in gangs often commit crimes themselves, sometimes they aren’t seen as victims by adults and professionals, despite the harm they have experienced. It’s important to spot the signs and act quickly if you think a child is being groomed or is becoming involved with a gang.”¹⁷⁶

The Children’s Society reinforces that “all forms of criminal exploitation have a detrimental impact on a child’s life. As such, any child being forced or coerced to commit crime must be seen as a victim of exploitation. Too often children are criminalised rather than seen as victims of criminal exploitation and given the appropriate child protection response.” It also highlights that there is no statutory definition of

CCE, and that “...although some guidance does exist, the lack of a consistent definition (for example, one defined in legislation) means that responses are variable across different services and in different parts of the country. As a result, too many children are falling through gaps in support.” Furthermore, it explains that where children are being criminally exploited, safeguarding responses are largely reactive, with professionals reporting that many children come to the attention of statutory agencies when exploitation is **already** present in their lives and criminal groups are controlling them to deliver drugs; and that typically, in these instances professionals report that law enforcement takes precedence over safeguarding responses.¹⁷⁷

Serious youth violence

The Metropolitan Police Service defines serious youth violence as: ‘any offence of most serious violence or weapon enabled crime, where the victim is aged 1 to 19, ie murder, manslaughter, rape, wounding with intent and causing grievous bodily harm.’¹⁷⁸

Youth violence

Youth violence is defined in the same way as serious youth violence, but also includes assault with injury offences.¹⁷⁹

Gang activity

“It is not illegal for a young person to be in a gang – there are different types of ‘gang’ and not every ‘gang’ is criminal or dangerous. However, gang membership can be linked to illegal activity, particularly organised criminal gangs involved in trafficking, drug dealing and violent crime.”

NSPCC, *Criminal exploitation and gangs*¹⁸⁰

The Children’s Commissioner for England explains that some children use the term ‘gang’ to signify a simple social association, and highlights that the Government guidance distinguishes between:

- “‘Peer Group’ – a relatively small and transient social grouping which may or may not describe themselves as a gang depending on the context.

- ‘Street Gang’ – “groups of young people who see themselves (and are seen by others) as a discernible group for whom crime and violence is integral to the group’s identity”.
- ‘Organised Criminal Gangs’ – “A group of individuals for whom involvement in crime is for personal gain (financial or otherwise). For most crime is their ‘occupation’.”

The relationship between these different layers is complex. ‘Street Gangs’ as defined here will often recruit from particular ‘peer groups’ to the degree that in many areas any form of peer group will involve some loose association with a ‘street gang’. This situation can be extremely fluid, as different gangs jostle for control of areas or merge, meaning there is often a large degree of flux. It is often the children on the periphery who are groomed by gangs, and end up in the greatest danger, but may not ever either consider themselves or be considered full gang members.

Though the exact form of ‘street gangs’ may vary, three elements are almost invariably present: violence, drugs and geographical definition. It is often these elements which form the basis of the link back to the organised criminal gangs who are those providing the supply of drugs and are those making huge money from the violence on our streets.¹⁸¹ The Metropolitan Police has been strongly criticised for its use of a gangs database, which includes disproportionate numbers of Black children who may face enforcement action, restrictions on employment, housing, education and benefits, as a result of their inclusion in the database.

The LSCPs state that: “Groups of children often gather together in public places to socialise, and peer association is an essential feature of most children’s transition to adulthood. Groups of children can be disorderly and/or anti-social without engaging in criminal activity.

Defining a gang is difficult, however it can be broadly described as a relatively durable, predominantly street-based group of children who see themselves (and are seen by others) as a discernible group for whom crime and violence is integral to the group’s identity. Children may be involved in more than one

'gang', with some cross-border movement, and may not stay in a 'gang' for significant periods of time...

Definitions may need to be highly specific to particular areas or neighbourhoods if they are to be useful. Furthermore, professionals should not seek to apply this or any other definition of a gang too rigorously; if a child or others think s/he is involved with or affected by 'a gang', then a professional should act accordingly.

Violence is a way for gang members to gain recognition and respect by asserting their power and authority in the street, with a large proportion of street crime perpetrated against members of other gangs or the relatives of gang members.

Youth violence, serious or otherwise, may be a function of gang activity. However, it could equally represent the behaviour of a child acting individually in response to his or her particular history and circumstances."¹⁸²

The NSPCC explains that "Young people in gangs can also be sexually exploited...Anybody can be a perpetrator of CSE, no matter their age, gender or race...Children and young people who are exploited may also be used to 'find' or coerce others to join groups. Gangs use sexual exploitation to exert power and control, for initiation, to use sexual violence as a weapon. Children or young people might be invited to parties or gatherings with others their own age or adults and given drugs and alcohol. They may be assaulted and sexually abused by one person or multiple perpetrators. The sexual assaults and abuse can be violent, humiliating and degrading."¹⁸³

The LSCPs also tell us that "There is evidence of a high incidence of rape of girls who are involved with gangs. Some senior gang members pass their girlfriends around to lower ranking members and sometimes to the whole group at the same time. Very few rapes by gang members are reported," and that "Gang members often groom girls at school using drugs and alcohol, which act as disinhibitors and also create dependency, and encourage/coerce them to recruit other girls through school/social networks."¹⁸⁴

Research in Practice, The Children's Society and University of Bedfordshire highlight the following in the context of gangs and youth violence: "Youth violence is often considered an individual or group-based phenomenon, with 'gang membership' a frequent reference-point (Decker & Pyrooz, 2010). A body of evidence suggests that gang affiliation can be a driver of violence between young people, as well as creating obstacles to meaningful desistance from crime. Evidence suggests, moreover, that the nature, form and character of group crime is reconfiguring in the global era, reacting dynamically to social, economic and technological change (Fraser, 2017).

At the same time, however, it is increasingly clear that gangs are a social phenomenon that is frequently misunderstood. In both media and policy depictions, youth gangs are often misrepresented, resulting in the perpetuation of what can be highly racialised stereotypes (Williams & Clarke, 2016).

Not only is there evidence that gang-specific interventions have mixed success (Matjasko et al., 2012; Davies, Grossmith & Dawson, 2016), there is increasing evidence that the designation of 'gang member' is applied in ambiguous and opaque ways, resulting in a range of discriminatory consequences (Jacobs, 2009; Fraser, Armstrong & Hobbs, 2020).

An excessive focus on 'gangs' as the primary driver of violence between young people can distract attention from deeper structural drivers of violence such as inequality, oppression and exploitation."¹⁸⁵

Organised criminal groups

The internationally agreed definition of an organised criminal group is "A group of three or more persons existing over a period of time acting in concert with the aim of committing crimes for financial or material benefit."¹⁸⁶

The LSCPs explain that an organised criminal group "...involves serious and organised criminality by a core of violent gang members who exploit vulnerable young people and adult [sic]. This may also involve the movement and selling of drugs and money across the country, known as 'county lines' because it extends across county boundaries. It is a tactic used

by groups or gangs to facilitate the selling of drugs in an area outside of the area in which they live, often coordinated by mobile phone and reducing their risk of detection. It almost exclusively involves violence, intimidation and the offer of money or drugs. Young people can become indebted to gang [sic]/groups and exploited in order to pay off debts. Young people may go missing and travelling to market and seaside towns often by rail but sometimes car or coach. They may have unexplained increases in money or possessions. Young men and women may be at risk of sexual exploitation in these groups... There is a distinction between organised crime groups and street gangs based on the level of criminality, organisation, planning and control, however, there are significant links between different levels of gangs. Activity can include street gangs' involvement in drug dealing on behalf of organised criminal groups and the sexual abuse of girls and boys by organised criminal groups."¹⁸⁷

County lines

The DfE states that: "County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs using dedicated mobile phone lines or other form of 'deal line.' This activity can happen locally as well as across the UK – no specified distance of travel is required. Children and vulnerable adults are exploited to move, store and sell drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims.

Children can be targeted and recruited into county lines in a number of locations including any type of schools (including special schools), further and higher educational institutions, pupil referral units, children's homes and care homes.

Children are also increasingly being targeted and recruited online using social media. Children can easily become trapped by this type of exploitation as county lines gangs can manufacture drug debts which need to be worked off or threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network."¹⁸⁸

The NSPCC also explains that county lines "is a cross-cutting issue that often overlaps with other forms of abuse and criminal exploitation.

It can lead to serious physical and emotional harm to young people."¹⁸⁹ **The NSPCC** defines county lines as "...a term used by the police to describe the way urban gangs supply drugs to suburban areas, market towns and coastal towns. It is a form of criminal exploitation involving violence and coercion. The gangs often use children to move drugs and/or money via public transport; and may take over the homes of vulnerable adults in outlying areas to use as a base for their illegal activity [known as 'cuckooing']. Gangs are known to target vulnerable people, for example, those who have experienced abuse or neglect, children whose families are facing adversity, or children in care. Indicators that a child may be involved in county lines include persistently going missing without an explanation; being found out-of-area; acquiring money or possessions without an explanation; and receiving an excessive amount of texts or phone calls from unknown numbers. There is evidence to suggest that some children who are involved with county lines gangs are sexually abused."¹⁹⁰

The Children's Society has found that "14 to 17 year olds are the most likely age group to be exploited by criminal gangs," and has uncovered "alarming evidence of primary school children as young as seven or eight being targeted and exploited."¹⁹¹ It also reports, more recently, having seen children as young as six being manipulated into trafficking and selling drugs.¹⁹² It describes how children are being forced to carry and sell drugs far away from their homes; made to skip school, sleep in drug dens, keep secrets from their loved ones, and that they are treated as criminals when they often feel trapped in a hopeless situation.¹⁹³ It highlights the 'cycle of horror' that children can be trapped in, and those it has encountered who are deeply affected psychologically from physical abuse like torture, and varying forms of sexual abuse.¹⁹⁴

The NCA has reported that "children from seemingly stable backgrounds are also targeted by offenders, who exploit vulnerabilities such as difficulties with parents and peer groups. Children without a criminal footprint are also targeted in an attempt to reduce attention from law enforcement."¹⁹⁵

The NCA has also reported that "Victims of exploitation in county lines activity are recruited

both face-to-face and via social media, with both controlling offenders and those recruited into offending responsible for identifying and recruiting new vulnerable individuals.”¹⁹⁶

Modern slavery

The Home Office states that: “Modern slavery is a serious crime that violates human rights. Victims are forced, threatened or deceived into situations of subjugation, degradation and control which undermine their personal identity and sense of self...Modern slavery encompasses human trafficking and slavery, servitude and forced or compulsory labour.”¹⁹⁷

Human trafficking

The Home Office states that:

- “Human trafficking consists of three basic components: action, means and purpose of exploitation. All three components must be present in an adult trafficking case; for child trafficking the ‘means’ component is not required.
- In human trafficking cases, exploitation can take many forms, including: sexual exploitation, forced labour, slavery, servitude, forced criminality and removal of organs.

- Some people may not be victims of human trafficking but still victims of modern slavery if they have been subject to slavery, servitude and forced or compulsory labour.
- Human trafficking is not the same as human smuggling. There are common myths about modern slavery, such as misconceptions that UK nationals cannot be victims and that a person cannot be a victim if they reject offers of help.”¹⁹⁸

Further information on the above, and on the signs that someone may be victim of modern slavery, the support available to victims, and how to refer them to the National Referral Mechanism (NRM) (a framework for identifying and referring potential victims of modern slavery and human trafficking and ensuring they receive the appropriate support) can be found in the [Home Office’s Statutory Guidance – Modern Slavery: How to identify and support victims](#). Further information can also be found on the charity [Unseen’s website](#).

The Children’s Society reported, in August 2020, that there had been a 807% increase in children referred for support by councils in relation to modern slavery in the context of county lines.¹⁹⁹ The following table illustrates the position with respect to NRM (see Fig.6) referrals from July 2020 to June 2022.

Fig.6 NRM referrals

Quarter	NRM referrals flagged as county line referrals	% of all referrals received in the quarter	Majority for male children
3 – 2020 ²⁰⁰	411	16%	81%
4 – 2020 ²⁰¹	503	17%	79%
1 – 2021 ²⁰²	489	17%	76%
2 – 2021 ²⁰³	444	14%	76%
3 – 2021 ²⁰⁴	517	16%	75%
4 – 2021 ²⁰⁵	545	16%	74%
1 – 2022 ²⁰⁶	530	14%	75%
2 – 2022 ²⁰⁷	589	14%	76%

The NCA reported, in 2020, that “The number of claims of exploitation in coerced criminality – where victims are forced to commit crimes – continued to increase during 2019, overtaking those of both labour and sexual exploitation for the first time...Exploitation in county lines drugs supply remains the most frequently identified form of coerced criminality, with children representing the vast majority of victims...”²⁰⁸; and in 2021, that “the most commonly reported form of exploitation in the UK is coerced criminality...with UK nationals as the most commonly identified victim group...Lockdowns likely contributed to a continued rise in cases relating to County Lines offending, with potential victims more visible. At least 14.5% of referrals were flagged as County Lines in 2020 compared to around 11% in 2019.”²⁰⁹

The Home Office explains that “Potential victims of modern slavery may be suspected or accused of committing criminal offences. Section 45 of the Modern Slavery Act 2015 provides for a statutory defence for adult and child victims who have been forced, threatened or deceived into committing certain crimes by their exploiters. This provision is intended to strengthen prosecutorial discretion as to whether it is in the public interest to prosecute an individual in these circumstances and prevent victims of slavery from being punished for crimes they were forced to commit, such as being forced, threatened or deceived into producing or selling illegal drugs...The defence does not apply to the most serious crimes, such as sexual offences or offences involving serious violence.”²¹⁰

Online child-on-child abuse

Online child-on-child abuse is any form of child-on-child abuse where an element might be facilitated by digital technology, for example, consensual and non-consensual sharing of nude and semi-nude images and/or videos (sometimes called ‘sexting’), online abuse, coercion and exploitation, child-on-child grooming, threatening and hate speech delivered via online means, the distribution of sexualised content (which might be youth-produced, commercial pornography or pseudo sexual images), and harassment.²¹¹

Appendix C: Examples of further resources

Research/statistics

Healthy relationships/sexual behaviour/ child sexual exploitation

Radford, L. et al. (2011) Child abuse and neglect in the UK today. London: NSPCC

65.9% of contact sexual abuse of children and young people (based on the reports of 0 to 17 years) was perpetrated by other children and young people under the age of 18.

Teenage girls aged between 15 and 17 reported the highest past year rates of sexual abuse.

Children's Commissioner for England, "I thought I was the only one. The only one in the world," The Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation In Gangs and Groups, Interim Report, November 2012

16,500 children from across England were identified as being at high risk of child sexual exploitation during April 2010 to March 2011, and 2,409 children were confirmed as victims of sexual exploitation in gangs and groups during the 14-month period from August 2010 to October 2011 – although evidence to the Inquiry indicated that in any given year the actual number of children being abused is far greater.

Hackett, S. et al (2013) Individual, Family and Abuse Characteristics of 700 British Child and Adolescent Sexual Abusers, Child Abuse Review, 22(4):232–245

The most common age at referral was 15. Overall, those aged between 14 and 16 constituted over half of all referrals (54%); however, over a third of referrals related to children aged 13 or under. A total of 38% was identified as learning disabled.

It is important to note that whilst the age at which children were referred mostly reflected the commission of a specific abusive act, age at referral does not necessarily equate with age at which the sexually abusive behaviour first developed.

Of those referred, 97% were male and 3% female – the evidence therefore strongly supports the view that the vast majority of children and adolescents engaging in sexually abusive behaviours are male.

Two thirds of the children referred were known to have experienced at least one form of abuse or trauma.

Children's Commissioner for England, protecting children from harm: A critical assessment of child sexual abuse in the family network in England and priorities for action, November 2015

A significant number of cases of sexual abuse in and around the family involve young people as the perpetrator. In total, 25% of all cases of child sexual abuse in the family examined involved a perpetrator under the age of 18 who in these cases is also a child with harmful sexual behaviour.

Parliamentary publication, The scale and impact of sexual harassment and sexual violence in schools, September 2016

5,500 sexual offences were recorded in UK schools over a three-year period, including 600 rapes. However, this 'reflects the tip of the iceberg in relation to sexual harassment in UK schools' due to problems with how data is recorded and a reluctance to record incidents.

59% of girls and women aged 13 to 21 said in 2014 they had faced some form of sexual harassment. 29% of girls aged 16 to 18 years said they had experienced unwanted sexual touching; 41% of girls aged 14 to 17 reported sexual violence from a partner; 22% of girls aged 7 to 12 had experienced jokes of a sexual nature from boys; 71% of girls aged 16 to 18 heard sexual name-calling used towards girls at schools on a daily basis or a few times a week; and 28% had seen sexual pictures on mobile phones a few times a week.

Girlguiding's Girls' Attitudes Survey, 2017

64% of girls aged 13 to 21 had experienced sexual violence or sexual harassment at school or college in the past year. This included 39% having their bra strap pulled by a boy and 27% having their skirts pulled up within the last week.

Women's Aid and Cosmopolitan Survey, May 2018

A third of teenage girls knew they had been in an abusive relationship. However, when the remaining two-thirds were asked more detailed questions about their relationships, it became clear that 64% of them had in fact experienced abusive behaviour, but they did not recognise it as such.

NSPCC, "Is this sexual abuse?" NSPCC helplines report: peer sexual abuse, 2018

An analysis of the concerns raised about peer-on-peer sexual abuse to the NSPCC helpline and Childline – including that, in 2016/17, Childline delivered 3,004 counselling sessions to children and young people about peer sexual abuse.

BBC News, Peer-to-peer abuse: Victim's parents call for changes to guidelines, August 2019

Figures from the Metropolitan Police, published by the BBC in August 2019, reveal that the number of reports of sexual assaults on children under 13 by another child in London had increased over the last year by 6%. In 2018, 268 incidents were reported in London, the highest level since 2013.

Research commissioned by the British Board of Film Classification, September 2019

The majority of young people's first time watching pornography was accidental, with over 60% of children aged 11 to 13 who had seen pornography saying their viewing of it was unintentional; 51% of 11 to 13 year olds reported having seen pornography at some point, rising to 66% of 14 to 15 year olds.

The report also looked into the effects of pornography on young people: 41% who knew about pornography agreed that watching it made people less respectful of the opposite sex; girls in particular spoke of their fear that aggressive depictions of sex would be seen as 'normal' by young male viewers of pornography, and accordingly copied in real-life sexual encounters.

Channel 4 News, The scale of school sexual harassment and violence revealed, January 2020

A two-part special on peer-on-peer abuse reported that, in the last three years, there had been 6800 cases of rape and sexual abuse in schools reported to the police.

Beyond Referrals: harmful sexual behaviour in school: a briefing on the findings, implications and resources for schools and multi-agency partners, June 2020

Almost a quarter (24%) of female students and 4% of male students at mixed-sex schools have been subjected to unwanted physical touching of a sexual nature while at school.

The most prevalent forms of harmful sexual behaviours between students were: sexual/sexist name calling (73% of students surveyed indicated this type of harm occurred in their school); rumours about students' sexual activity (55%); sexual harassment (36%); sexual images/videos of students shared without consent (30%); and unwanted touching (22%).

NSPCC, Statistics briefing: Harmful Sexual Behaviour, March 2021

In 2019/2020, Childline delivered 1,069 counselling sessions on peer-on-peer sexual abuse. In 221 of these counselling sessions (21%), young people said they had been abused by a current partner and in 184 sessions (17%) they said that they had been abused by an ex-partner. In 385 sessions (36%) they said they had been abused by a friend, and in 279 sessions (26%) they raised concerns about abuse by another young person.

BBC News, Teachers 'struggle to deal with classroom sexual abuse', May 2021

More than half of the 1,500 UK teachers who responded to the BBC Radio 4's File on 4 and NASUWT's questionnaire said they did not think adequate procedures were in place in their schools to deal with abuse.

Almost a third witnessed peer-on-peer sexual harassment or abuse, and almost one in 10 said they saw it on a weekly basis. Many are unsure of how to deliver elements of the new compulsory Sex and Relationships curriculum.

Ofsted, Review of sexual abuse in schools and colleges, June 2021

The girls who responded to Ofsted's questionnaire indicated that the following types of harmful sexual behaviours happened 'a lot' or 'sometimes' between people their age:

Non-contact forms, but face-to-face:

- sexist name-calling – 92%
- rumours about their sexual activity – 81%
- unwanted or inappropriate comments of a sexual nature – 80%

Non-contact forms, online or on social media:

- being sent pictures or videos they did not want to see – 88%
- being put under pressure to provide sexual images of themselves – 80%
- having pictures or videos that they sent being shared more widely without their knowledge or consent – 73%
- being photographed or videoed without their knowledge or consent – 59%
- having pictures or videos of themselves that they did not know about being circulated – 51%

Contact forms:

- sexual assault of any kind – 79%
- feeling pressured to do sexual things that they did not want to – 68%
- unwanted touching – 64%

These findings are strongly supported by existing research into harmful sexual behaviour between peers.

Bullying/racism/equality

Childline annual review, 2018/2019

Childline delivered 15,851 counselling sessions about peer-to-peer bullying, either face to face or online.

Anti-Bullying Alliance, 2019

24% of over 1,000 11 to 16 year olds who were polled said they were bullied once per week or more in the last six months. 3% said they had experienced bullying every day in the last six months.

Girlguiding's Girls' Attitudes Survey, 2019

79% of girls and young women (aged 7 to 21) have experienced bullying or unacceptable behaviours.

29% of those who experienced bullying between 7 and 10, and 19% of those between 11

and 21, have experienced having their hair or clothes pulled (or skirt lifted up over the age of 11). 38% of those who experienced bullying between 7 and 10, and 26% of those between 11 and 21 have been hit, pushed, punched or kicked. For more details see pages 10 and 11.

Ditch the Label, The Annual Bullying Survey 2019

25% of young people surveyed said that in the last 12 months they had been bullied, 26% had witnessed bullying, and 3% said they had bullied others. For those bullied, the most frequent type reported was social exclusion (89%); this was closely followed by verbal bullying (86%) and then spreading rumours (54%), intimidation (35%) and cyberbullying (27%).

9% of the those who said they were victims of bullying believed they were targeted because of their race. Of those, only 3.2% were white, but 46% Black, 33% of mixed, 45% Southeast Asian, and 60% of Chinese or other Asian, were targeted.

Although only 2% of participants identified as other than male or female, 5% of the victimised participants were targeted because of their gender identity. Just under 7% of participants identified as bisexual, gay, lesbian, or asexual, but 10% of bullied youth believed they were targeted because of their sexuality.

Ditch the Label, The Annual Bullying Survey 2020

25% of over 13,000 12 to 18 year olds reported having been bullied in the last 12 months (the number of victims has increased by 25% compared to 2019, in which a quarter of those bullied said they'd received physical and online attacks).

Of the 25%, 9% reported that the bullying occurred daily, 13% reported that it occurred several times a week, and 8% said weekly. Of this 25%, 47% felt they were bullied because of attitudes towards their appearance and 11% felt it was because of attitudes towards their sexuality.

In relation to the impact of bullying, 44% of those who reported being bullied in the last 12 months said it left them feeling anxious, 36%

said it left them feeling depressed, 33% had suicidal thoughts, 27% had self-harmed and 18% truanted from school/college.

The Diana Award Anti-Bullying Campaign, 2020

1 in 10 (11%) 8 to 11 year olds say they have personally experienced some form of bullying behaviour.

1 in 5 (20%) 12 to 15 year olds say they have personally experienced some form of bullying behaviour.

YMCA, Young and Black, The Young Black Experience of Institutional Racism in the UK, October 2020

95% of young Black people report that they have heard and witnessed the use of racist language at school;

- 49% of young Black people feel that racism is the biggest barrier to attaining success in school, while 50% say the biggest barrier is teachers' perceptions of them – eg being seen as "too aggressive".

Young Black people feel that they are more likely to be permanently excluded, which is mirrored in national data. UK Government statistics on pupil exclusion and ethnicity show that Black Caribbean pupils were around three times as likely to be permanently excluded than white British pupils (0.29% compared with 0.10% respectively), and around twice as likely to receive a fixed period exclusion (10.1% compared with white British pupils (5.2%). Young Black people in the focus group on education felt that this higher exclusion rate could be linked to false perceptions that their teachers have of them.

Child criminal exploitation

The Centre for Social Justice, It Can Be Stopped, A proven blueprint to stop violence and tackle gang and related offending in London and beyond, August 2018

The number of victims of serious youth violence in London has grown by more than 50 per cent since 2012, with more than 8,150 victims of

serious youth violence in 2017. This means that almost 680 young people each month and 22 young people each day become victims of serious youth violence.

It is estimated that gangs are responsible for as much as half of all knife crime with injury, 60 per cent of shootings, and 29 per cent of reported child sexual exploitation.

National Crime Agency, Intelligence Assessment, County Lines Drug Supply, Vulnerability and Harm 2018, January 2019

The National Referral Mechanism (NRM), the UK framework for identifying victims of human trafficking and modern slavery, highlighted that potential victims of county lines are aged between 11 and 56. However, the majority of referrals related to a narrow band between 15 and 17 years old. Individuals within this age group are likely to be targeted as they remain easier to control, exploit and reward than adults.

Children's Commissioner for England, Keeping kids safe, Improving safeguarding responses to gang violence and criminal exploitation, February 2019

34,000 children in England are either in a gang or on the periphery of a gang and have experienced violence in the past 12 months. Only a tiny fraction of these are known to authorities – with more than 27,000 children in England believed to be experiencing gang violence but who are not identified by the authorities.

23% of gang associated children have child sexual exploitation recorded as a factor at assessment. This is 5 times more common than other children assessed by children's services.

The Children's Society, Counting lives: Responding to children who are criminally exploited, July 2019

14 to 17 year olds are most likely to be exploited by criminal groups but children as young as 7 are also targeted.

There has been a 50% increase in the number of 10 to 17 year olds arrested outside of London for intent to supply drugs.

Mayor of London, Sadiq lifts the lid on true scale of County Lines, September 2019

4,000 young people are involved in lines operating in 41 counties across the UK, with children as young as 11 being exploited by criminal gangs.

NSPCC, How safe are our children? 2020

After infants, young people aged 16 to 24 are the second most likely age group to be victims of homicide in England and Wales. Recorded rates of physical abuse offences are also higher among adolescents. In England, the most common relationship recorded by the police between the victim and perpetrator in homicide cases in 2018/2019 was stranger, followed by friend or acquaintance.

Data from the NRM shows sharply increasing numbers of under-18-year-olds are being referred as potential victims of exploitation, with new data suggesting around half of NRM referrals relate to criminal exploitation.

The first thematic review from the Children Safeguarding Practice Review Panel in England focused on adolescent deaths or serious harm where criminal exploitation was a factor. It found that Black and minority ethnic boys were significantly overrepresented in cases, as were victims who had been excluded from education.

Unseen, Modern Slavery & Exploitation Helpline, Annual Assessment, 2020

During 2020, reports of sexual exploitation were up by 25% – and nearly a quarter of potential victims were children; and reports of criminal exploitation were up by 42% – and a fifth of potential victims were children.

Online

Public Health England, Cyberbullying: An analysis of data from the Health Behaviour in School-aged Children (HSBC) survey for England, 2014

17.9% of 11 to 15 year olds reported being cyberbullied in the two months prior to being surveyed. Girls were twice as likely as boys to report being cyberbullied. Cyberbullying

increased with age for both boys and girls; the reported prevalence rates of cyberbullying at age 15 were almost double those for 11 year olds. Cyberbullying is associated with socio-economic status – young people from affluent families were more likely to report being victims of cyberbullying.

NSPCC, Children and young people who engage in technology-assisted harmful sexual behaviour, A study of their behaviours, backgrounds and characteristics, May 2017

Of all the children and young people who were assessed for the NSPCC's Turn the Page service, which supports 5-18-year-olds who display harmful sexual behaviour, 46% had displayed some form of TA-HSB, including 7% who only displayed TA-HSB with no offline HSB.

Within the sample of boys and young men, the most common form of TA-HSB was the possession, making and/or distribution of indecent images of children (including sexting images); 68% engaged in more than one form of TA-HSB.

The developmentally inappropriate use of pornography was identified as a trigger for online HSB in more than half of the cases where boys and young men displayed both offline and TA-HSB.

NSPCC, "...I wasn't sure if it was normal to watch it...", May 2017

48% of children who participated in the study said they had seen online pornography (65% of 15 to 16 year olds, and 28% of 11 to 12 year olds). Of those who had seen it, 94% were exposed by age 14. Children are at risk of becoming 'desensitised' to online pornography – 21% of 11 to 12 year olds, 39% of 13 to 14 year olds and 42% of 15 to 16 year olds (boy respondents in each case) wanted to emulate what they see – this is despite more than three quarters of respondents agreeing that pornography does not help them understand consent.

Just over half of boys believed that the pornography they had seen was realistic compared to 39% of girls. A number of girls said they were worried about how pornography would make boys see girls and the possible impact on attitudes to sex and relationships.

Brook and the National Crime Agency's Child Exploitation and Online Protection Command, Digital Romance, December 2017

26% of young people had sent a nude image to someone they were interested in, and 48% had received one of someone else, sent by that same person.

Project deSHAME, Young people's experiences of online sexual harassment, December 2017

51% of UK youth aged 13 to 17 years have witnessed their peers sharing nude or nearly nude images of someone they know online; 10% said they have received sexual threats online; 39% have witnessed people setting up 'bait out' pages in order for their peers to share sexual images or gossip.

University of Suffolk, Online Peer-on-Peer Abuse, A national survey of Headteachers and Safeguarding Leads in England and Scotland, June 2018

Online peer-on-peer abuse is a growing problem in schools, with 83% of respondents saying incidents have increased over the last three years, and with the majority of respondents considering that online peer-on-peer abuse begins before secondary school, particularly between the ages of 8 to 10 years.

Girlguiding's Girls' Attitudes Survey 2020

14% of girls aged 11 to 21 have experienced bullying when gaming online. Crucially, those in this age range who identify as LGBQ are more likely to experience mean comments (36%), sexist comments (36%) and bullying (24%) compared to girls who don't identify in this way (21%, 13% and 12% respectively).

Ofcom, Children and parents: Media use and attitudes report 2019, February 2020

20% of children aged 8 to 15 years old have been bullied in some way, and for children aged 12 to 15 bullying incidence is consistent between 'real life' (16%) and online (14% on social media and 12% in message apps). Half of 12 to 15 year olds say they saw something hateful about a particular group of people – up from 34% in 2016.

Office for National Statistics, Online bullying in England and Wales: year ending March 2020

Around one in five (19%) 10 to 15 year olds experienced at least one type of online bullying behaviour – equivalent to 764,000 children. More than half (52%) of those children who experienced online bullying behaviours said they would not describe these behaviours as bullying, and one in four (26%) did not report their experiences to anyone.

Being called names, sworn at or insulted and having nasty messages about them sent to them were the two most common online bullying behaviour types, experienced by 10% of all children aged 10 to 15 years. Nearly three out of four children (72%) who had experienced an online bullying behaviour experienced at least some of it at school or during school time.

UK Safer Internet Helpline Annual Report, November 2020

42.86% of calls made to the national Professionals Online Safety Helpline (part of the UK Safer Internet Centre) concerned peer on peer abuse.

Girlguiding's Girls' Attitudes Survey 2021

With respect to online harms, overall seven in ten (71%) girls and young women aged 7 to 21 have experienced some form of harmful content while online in the previous year. This includes half (49%) aged 7 to 10, rising to almost three quarters (73%) aged 11 to 16, and nine in ten (91%) 17 to 21s. These harms include misinformation and hate speech, appearance pressures, harassment and bullying. Exposure to hate speech and hateful comments is the most common type of online harm girls and young women have experienced.

Identification, assessment and response to child-on-child abuse – resources for practitioners

General

NSPCC, Gillick competency and Fraser guidelines – helps those working with children to balance the need to listen to children's wishes with the responsibility to keep them safe

NSPCC, Types of abuse

NSPCC, Managing allegations made against a child

Contextual Safeguarding Programme – the website for the Contextual Safeguarding Programme (previously at the University of Bedfordshire, now run from Durham University) features a host of resources for schools to assess and develop safer schools environments in response to peer-to-peer abuse and other forms of extra-familial harm.

National Police Chiefs' Council (NPCC), Child Centred Policing, When to call the police: Guidance for schools and colleges, February 2020

Healthy relationships/sexual behaviour

Farrer & Co, Everyone's Invited: OFSTED report – analysis and action plan – draws together OFSTED's findings and recommendations as well as reactions from the Police, DfE, Minister for Education and NSPCC. Contains suggested actions for schools, with information in table format to help senior leaders and governors identify the issues clearly with a view to creating an action plan in response.

Safe Young Lives, Young People and Domestic Abuse – is a policy report which brings together the expertise of survivors, professionals, academics and SafeLives Insights data to include recommendations for professionals and policymakers to improve the response to young people experiencing domestic abuse. The report

refers to SafeLives research: Safe Young Lives: Young People and domestic abuse, July 2017.

SafeLives, My Story Matters: Understanding young people's perceptions of abuse in their romantic relationships – is a report which sets out how young people (aged 13 to 18) in the UK understand, discuss and respond to harmful behaviour in their romantic relationships, and how they can be best supported.

SafeLives, Resources for identifying the risk victims face, including their Dash (domestic abuse, stalking and 'honour'- based violence) risk checklist, 2019 – the checklist can be used for all intimate partner relationships, including LGBTQ+ relationships, 'honour'-based violence and family violence. It is primarily intended for professionals – both specialist domestic violence workers and other professionals working for mainstream services. It aims to provide a uniform understanding of risk across professions. There is a specific police version which is used by most of the police forces in England and Wales. SafeLives also provides training for professionals working on the frontline.

NSPCC, Understanding sexualised behaviour in children

NSPCC, Sexual development and behaviour in children

NSPCC, Healthy sexual development in young people

NSPCC, Harmful sexual behaviour

NSPCC's, Research in Practice's and Professor Simon Hackett's Harmful Sexual Behaviour Framework, 2nd Edition – contains the continuum model proposed by Professor Simon Hackett (2010), and helps local areas develop and improve multi-agency responses to children displaying harmful sexual behaviour.

National Institute for Health and Care Excellence (NICE), Guidance [NG55] – Harmful sexual behaviour among children and young people

Brook Sexual Behaviours Traffic Light Tool – complements organisational safeguarding procedures by supporting professionals

working with children and young people to identify, understand and respond appropriately to sexual behaviours.

The Contextual Safeguarding Programme, Beyond Referrals: Harmful Sexual Behaviour (HSB) and Extra-familial Harm (EFH) in school settings, School Self-Assessment Toolkit & Guidance – supports schools to assess their own response to harmful sexual behaviour, including guidance on the traffic-light tool for self-assessment, an example completed self-assessment, a range of resources to help schools complete their self-assessment, and an online scorecard where they can enter their scores and print tailored reports.

Anti-Bullying Alliance, Sexual Bullying: Developing Effective Anti-Bullying Practice – A guide for school staff and other professionals

Bullying/racism/equality

Equality and Human Rights Commission, Technical Guidance for Schools in England, July 2014 – guide to help school leaders meet the equality duty and describes some of the benefits it can bring.

Equality and Human Rights Commission – Help and advice on tackling prejudice-based bullying in schools

Equality and Human Rights Commission and the Anti-Bullying Alliance – Tips for tackling discriminatory bullying, November 2017 – for schools and education authorities.

Stonewall Education Guides, Tackling homophobic language

UK Council for Child Internet Safety (UKCCIS, now the UK Council for Internet Safety (UKCIS)) and the Anti-Bullying Alliance – Tackling race and faith targeted bullying face to face and online, A short guide for schools, November 2017

NSPCC, Safeguarding children who come from Black, Asian and minoritised ethnic communities

NSPCC, Talking to children about racism

Educate Against Hate, Respectful School Communities: Self Review and Signposting Tool – designed to support schools to develop a whole-school approach which promotes respect and discipline, in order to combat bullying, harassment and abuse of any kind. It is intended for use by the senior leadership team within schools, and builds on the recommendations in Tom Bennett’s independent review on behaviour in schools.

Child sexual and/or criminal exploitation

The Children’s Society, Victim Support, NPCC – Capturing and Reporting Intelligence: Child Sexual and/or Criminal Exploitation, Guidance for Families, Professionals and the Community

The Children’s Society, Victim Support, NPCC – Appropriate Language: Child sexual and/or criminal exploitation, Guidance for professionals

The Children’s Society, Victim Support, NPCC – Boys and young men at risk of sexual exploitation, A toolkit for professionals, March 2018

The Children’s Society, Victim Support, NPCC – Working with deaf and physically disabled children and young people in relation to child sexual abuse and other forms of exploitation, A toolkit for professionals, March 2018

The Children’s Society, Victim Support, NPCC – Children and young people trafficked for the purpose of criminal exploitation in relation to county lines, A toolkit for professionals, March 2018

The Children’s Society, Victim Support, NPCC – Supporting black and minority ethnic children and young people experiencing child sexual exploitation, Guidance for professionals, April 2018

The Children’s Society, Victim Support, NPCC – Supporting LGBTQ+ children and young people at risk of child sexual exploitation, Guidance for professionals, May 2018

The Children’s Society, Appropriate Language in Relation to Child Exploitation, Guidance for professionals, January 2022

Online

Childnet International, Cyberbullying: Understand, Prevent and Respond, Guidance for Schools, 2016

Childnet, Step Up, Speak Up! – Guidance and training for schools and professionals – providing practical tips and advice on understanding, preventing and responding to online sexual harassment in educational settings.

UK Council for Internet Safety (UKCIS), Sharing nudes and semi-nudes: advice for education settings working with children and young people, December 2020

Headstart Kernow, Online Resilience Tool, 2022 – helps professionals assess young people’s online behaviour, and make informed judgements about whether that behaviour represents a risk of harm.

Educating practitioners, children and parents

General

Fearless – offers educational tools and resources to professionals on crime, including on different crime types, and signposts to other agencies who are industry experts, and has outreach workers who deliver workshops to professionals and young people to speak out about crime.

PSHE Association and the NPCC, Police in the classroom: A handbook for police and PSHE teachers, 2019 – police officers can support teachers in delivering a range of topics in PSHE lessons, and are keen to identify how they can work most effectively with schools to tackle a range of pressing issues facing young people today. The PSHE Association and the NPCC have worked in partnership to produce a handbook on current good practice, and to ensure that police contributions to PSHE education are of maximum benefit to teachers and students.

PHE and Children & Young People’s Mental Health Coalition, Promoting children and young people’s mental health and wellbeing. A whole school and college approach, September 2021 – sets out key actions that headteachers and college principals can take to embed a whole school approach to promoting emotional health and wellbeing. The document signposts to practice examples and resources to support implementation.

Farrer & Co, Investigations in schools – top tips and problem areas, March 2022 – this briefing examines ‘top tips and problem areas’ when conducting investigations involving children in schools with guidance on interviewing techniques and handling requests for confidentiality and anonymity.

Farrer & Co, Handling cases of affluent neglect in schools and adverse childhood experiences, May 2022 – this briefing discusses ACEs, their impact on children from affluent families and provides guidance on how schools can identify and respond to children experiencing ACEs. It makes the case that schools who become

“ACE aware” and “trauma-informed” will give all children access to protective factors as well as the opportunity to develop resilience, therefore mitigating against the impact of ACEs they may be suffering at home. This not only increases the life chances of a child in the longer-term but should also reduce the propensity of the child engaging in harmful or anti-social behaviours in school. The legal and safeguarding considerations of ACEs are also discussed.

Healthy relationships/sexual behaviour/child sexual exploitation

SafeLives, My Story Matters: Understanding young people’s perceptions of abuse in their romantic relationships

The Children’s Society, Abusive teenage relationships – provides advice for teenagers in abusive relationships

Love Respect – (created by Women’s Aid) – helps young people to think about the health of their relationship, and features a relationship health check, survivor stories and practical advice.

Disrespect NoBody – provides teaching resources on preventing teenage relationship abuse, including discussion guides and session plans to support the Government’s Disrespect NoBody campaign, developed by the PSHE Association with the Home Office and Government Equalities Office.

Women’s Aid, The Expect Respect: Healthy Relationships Toolkit – includes a range of session plans, with supporting resources, to explore the issue of domestic abuse in an age appropriate way with 4 to 18 year olds, including challenging assumptions about gender, power and equality, knowing the difference between abusive and non-abusive relationships, and understanding consent online and offline.

AVA – supports schools and other youth settings to develop their students’ understanding and skills to encourage healthy relationships and overcome the impact of exposure to gender-based violence and abuse.

Tender – supports relationships education in schools and other youth settings delivering a range of creative short-and long-term workshops and programmes, aimed at preventing domestic abuse and sexual violence, and promoting healthy relationships based on equality and respect.

Barnardo's, Real Love Rocks – provides primary, secondary and SEND educational resources on healthy relationships and exploitation designed in collaboration with young people. These resources are intended to help teachers and other education professionals explore and talk to children and young people confidently about difficult issues such as consent, grooming, technology, bullying, pornography, sexual harassment and relationships.

PSHE Association, Guidance on teaching about consent in PSHE education (key stage 1 through to the end of secondary school) – provides general advice for schools on teaching about consent accompanied by eight lesson plans.

NSPCC, Speak Out Stay Safe programme – of assemblies and workshops which helps children aged 5 to 11 years old to understand about different types of abuse, and to speak out if they are worried.

NSPCC, Talk PANTS (The Underwear Rule) – provides resources for parents, children and schools.

NSPCC, Online training courses to help manage harmful sexual behaviour in primary or secondary schools in the UK

The Lucy Faithfull Foundation, Harmful Sexual Behaviour Prevention Toolkit, October 2020 – designed for professionals, parents, carers, and family members to help everyone play their part in keeping children safe. It has links to useful information, resources and support as well as practical tips to prevent harmful sexual behaviour and provide safe environments for families.

NSPCC, Child sexual exploitation

Child Exploitation and Online Protection Command (CEOP), Thinkuknow – the education programme delivered by the National Crime Agency's CEOP Command, which aims

to empower and protect children and young people from sexual abuse and exploitation both online and offline by providing education through the following websites: 4 to 7 year olds; 8 to 10 year olds; 11 to 13 year olds; 14+ year olds; parents; children's workforce. Alongside the Thinkuknow websites, the programme provides educational resources, including films, animations, presentations and lesson plans to enable professionals to explore difficult and sensitive issues safely with children and young people, such as supporting positive sexual behaviour.

CEOP, Exploited – is a film, aimed at young people aged 14 and over, which has been produced by Thinkuknow. It explores issues of emotional and sexual abuse within teenage relationships – helping young people to recognise the signs that their relationship may be putting them at risk and exploitative behaviours. There is an accompanying pack of supporting activities and lesson plans.

Parents Protect (created by Stop It Now! UK and Ireland, and the Lucy Faithful Foundation) – helps parents and carers protect children from sexual abuse and exploitation by providing child safety resources, including What's the problem? A guide for parents of children and young people who have got in trouble online.

Parents against Child Exploitation (Pace) – offers a range of different support services for parents and carers, such as local parent liaison officers, a national telephone-based support service, online parent forum and parent newsletter.

Bullying/racism/equality

Anti-Bullying Alliance – official organisers of Anti-Bullying Week, offers online training, tools, information and advice for schools and youth organisations, parents, children and young people (including the interactive anti-bullying information tool).

Family Lives – offers information and advice, as well as courses and workshops for schools, youth organisations, parents, children and young people.

Childline – guidance on racism and racial bullying.

Childline – guidance on faith and religious bullying.

Equality and Human Rights Commission – Equal Choices, Equal Chances:
Primary education resources
Secondary education resources

Words for Life, Be an anti-racist: age 13+ – resources to help 13+ children to explore race and identity, and learn how to be an anti-racist.

Show Racism the Red Card – offers a range of educational training, workshops, resources and activities, all designed to educate children, young people and adults about the causes and consequences of racism.

Difficult Discussions Easy Songs – a resource to help adults, schools and children in discussing and dealing with sensitive topics such as racism and abuse.

PSHE Association, #ImWithSam – anti-disability discrimination resources for Key Stage 3 by Dimensions

Public Health England, Every Mind Matters – provides teachers with lesson plans and activities to help schools teach PSHE, RHE and RSHE, including forming positive relationships, bullying and cyberbullying.

Davis, J. and Marsh, N. (2020), Boys to men: the cost of ‘adultification’ in safeguarding responses to Black boys, Critical and Radical Social Work, vol 8, no 2

Agenda, Paul Hamlyn Foundation, Girls Speak, Girls at risk of exclusion: Girls Speak briefing, September 2021

Anna Freud National Centre for Children and Families, Talking racism and mental health in schools, podcast series, January 2022 – A series of five podcast episodes featuring mental health, anti-racism and education experts

Farrer & Co: Adultification bias of Black children: Q&A with Jahnine Davis, March 2022

Gamble, J. and McCallum, R., Local Child Safeguarding Practice Review, Child Q, March 2022

AGBIS and Farrer & Co, Towards an Equality, Diversity and Inclusion Strategy: A Resource for Governors of Independent Schools, March 2022

Gangs/child criminal exploitation

Childline, Gangs

Childline, Gun and Knife Crime

NSPCC, Criminal exploitation and gangs

NSPCC, Protecting children from county lines

Home Office, #knifefree campaign – in collaboration with the PHSE association, the Home Office has developed knife crime lesson plans for young people in KS3 and KS4.

The Children’s Society, Guide for parents worried about their child being criminally exploited

Fearless, Educational resource on county lines – for professionals working with young people throughout the UK – to educate young people on recognising the signs of this issue and how to report it.

The Child Safeguarding Practice Review Panel (2020) It was hard to escape: safeguarding children at risk from criminal exploitation

Barnardo’s, Exploited and Criminalised, What can the Police, Crime, Sentencing and Courts do to ensure that children who are criminally exploited receive the care and support they need?, October 2021

Online

NSPCC – a range of resources advising on online safety – including on setting up parental controls, sexting, online games and video apps.

Childnet International, PHSE Toolkits – including lessons plans and films, for 11 to 14 year olds to explore online issues, including links to Relationships, Sex and Health Education

Childnet, Step Up, Speak Up! Teaching Toolkit

– a practical, interactive and scenario-based resource which addresses the issue of online sexual harassment amongst 13 to 17 year olds.

CEOP, #LiveSkills – package of resources for 8 to 18 year olds focusing on live streaming, and specific risks they can face, and with comprehensive guidance on delivering each session and fact sheets for professionals and parents.

Be Internet Legends – helps children be safe and confident in exploring the online world, including classroom and home tools and resources like lesson plans, games and an animated series to learn internet safety lessons.

UKCIS, Education for a Connected World, 2020 edition: A framework to equip children and young people for digital life, June 2020 – is a tool which enables the development of teaching and learning as well as guidance to support children and young people to live knowledgeably, responsibly and safely in a digital world, including dealing with issues like online relationships and copyright and ownership.

UKCCIS, Using External Visitors to Support Online Safety Education, Guidance for Educational Settings, July 2018 – aims to support informed decisions regarding the most appropriate use of external visitors to ensure online safety education approaches are effective.

Digital Awareness UK – works with schools delivering interactive and age-appropriate workshops and webinars to inspire students to use the internet safely, and with support for parents to promote effective digital parenting.

The Marie Collins Foundation and the NWG Network – The Online Sexual Harm Reduction Guide – aimed at professionals

The Marie Collins Foundation and the NWG Network – How Can I Help My Child? – aimed at parents

London Grid for Learning – includes information and resources dealing with the sharing of nudes and semi-nudes as well as Parentsafe, which provides advice and resources covering various issues such as online safety, apps and how to report concerns.

Parentzone – provides advice, knowledge and support to improve outcomes for children in a digital world, including helping parents develop the right skills and understanding, and providing training and resources to educate and equip professionals.

Support services and interventions

General

Crimestoppers

Anonymous – 0800 555 111

NSPCC

NSPCC Helpline (which incorporates the NSPCC's Child Trafficking Advice Centre (CTAC) services): 0808 800 5000
Email: help@nspcc.org.uk

Childline

Childline Helpline: 0800 1111

Ask Sam: <https://www.childline.org.uk/get-support/ask-sam/>

1-2-1 counsellor chat: <https://www.childline.org.uk/get-support/1-2-1-counsellor-chat/>

Fearless – young people can access non-judgmental information and advice about crime and criminality – including an A to Z of crime types, and can pass on information about crime anonymously.

The Student Voice – a child-centred, preventative tool which allows schools and staff to listen and respond to student concerns, prevent and intercept safeguarding issues, and promotes safe student communities.

Healthy relationships/sexual behaviour/child sexual exploitation

“Your Best Friend” by SafeLives – a project from the national domestic abuse charity, SafeLives, which aims to (i) give 10,000, and ultimately over 1 million other young people the knowledge, confidence and tools to keep themselves and their friends safe in their intimate relationships, (ii) give at least 40 young people's organisations, groups and networks across England and Wales grants, resources and tools to empower girls and young women, as well as supporting young people who want to step up to peer leadership to do this, and (iii) make it easy for girls, young women and non-binary people to find what they need in a way that suits them.

SafeLives and On Our Radar – Draw The Line

mobile platform – a digital space for young people containing stories about real relationships written by teens and drawing a line through harmful behaviour – to help them recognise the early signs of abuse in their intimate partner relationships, put a human face on recovery and help others by increasing awareness.

The Duluth Model “Power and Control” Wheel

– a well-known and widely used model in domestic abuse intervention programmes. It is also used to educate people about the impact of power and control on intimate relationships. The reverse of the ‘power and control’ wheel is the ‘equality wheel’.

The Reward Foundation

– focuses on sex and relationship education. It is a key source of evidence-based information about love, relationships and the impact of internet pornography on mental and physical health, relationships, attainment and legal liability. It has, for example, developed a set of seven free lesson plans for schools on sexting and internet pornography to help pupils make informed choices, and produced a free parents' guide to internet pornography.

National Clinical Assessment and Treatment

Service (NCATS) – assessment, treatment, consultation and training for and about children and young people who have sexually abused others.

NSPCC – provides therapeutic services to support children who have experienced, or are at risk of, sexual abuse and exploitation, and their families in caring for them.

Mosac – supportive services (including a confidential helpline) for non-abusing parents whose children have been sexually abused.

The AIM Project – works in the field of children and adolescents with harmful sexual behaviours, and offers training, consultancy and resources for practitioners and managers to educate, support and develop their practice.

LimeCulture – over the last 12 months, LimeCulture has been working with a range of schools and colleges across the country to help design and deliver a whole school approach to

preventing and responding to sexual misconduct, including child-on-child abuse.

Its 'Preventing Sexual Misconduct Education' (PSME) programmes have been developed to provide teachers with the confidence and competence to engage with children and young people in Key Stages 3, 4 and 5 (ages 11 to 18) about consent, healthy relationships and sexual misconduct as part of the Relationship and Sex Education (RSE) curriculum. These prevention programmes have been developed to allow flexibility in delivery through bite size sessions, with step-by-step guides, resources and tools to support teachers.

LimeCulture's Sexual Misconduct Liaison Officer (SMLO) Model has been developed for schools and colleges to support the response to sexual misconduct for both the reporting and reported student. The SMLO Model was successfully piloted with The Perse, an independent school, where LimeCulture worked closely with the leadership team, teaching staff and students to develop and embed the SMLO Model into the school. The SMLO Model has subsequently been implemented in a range of independent and state schools, with specialist accredited training delivered to a cadre of staff across the school to enable them to appropriately support students who either report sexual misconduct or are reported against.

Moving forward, and in light of recent updates to KCSIE 2022, LimeCulture will be combining these initiatives to provide a comprehensive prevention and response model for schools and colleges. 'Embedding a Whole School Approach to Sexual Misconduct – Prevention and Response Model for Schools and Colleges' will be launched in the autumn 2022. For further information email schoolsandcolleges@limeculture.co.uk

The Lucy Faithful Foundation – works to prevent and tackle child sexual abuse and exploitation – with adults, young people and their families about concerning sexual behaviour, both online and offline, and with victims of sexual abuse; offers a range of services for organisations, professionals and the public – including risk assessments and intervention, expert training, specialist consultancy, and public education.

Stop It Now! UK & Ireland – offers advice on how to prevent harmful sexual behaviour, what's normal and what's harmful development, and the signs that a child might be abusing another, and provides a confidential and anonymous helpline available to anyone who is worried about a child's sexual behaviour: 0808 1000 900, as well as live chat and secure messaging services.

Stop It Now! UK & Ireland – offers advice and support for professionals working in child sexual abuse prevention, as well as an online self-care resource, and provides an anonymous and confidential helpline (see below).

NWG Network – tackles child sexual exploitation; and offers support, advice, and training for practitioners – including an out-of-hours helpline for those who require immediate assistance, and access to an online resource library.

Faceup2it.org – FACE (Fighting Against Child Exploitation) is a group of young people who are aware of the dangers of grooming and sexual exploitation. The website was developed by them to help other young people who are vulnerable or taking risks, to let them know about the dangers out there, and give them information on how to keep safe.

Barnardo's – runs specialist child sexual exploitation support services – including 1:1 counselling, group work and drop-in sessions, helping young people to report their experience and feel supported in the criminal justice system, running prevention programmes in schools, and training professionals and people in the community to recognise the signs of child sexual exploitation.

The Children's Society – provides services to prevent the abuse, exploitation and neglect of children and young people, such as one-to-one therapy sessions, group sessions and parental support due to issues like child sexual exploitation.

Parents against Child Exploitation (Pace) – a specialist charity that brings the parent perspective to tackling child exploitation. Pace provides a range of different support services for parents and carers such as local parent liaison officers, a national telephone-based support service, online parent forum and parent newsletter.

NHS – Help after rape and sexual assault

– provides advice and support, and includes links to locate nearest rape and sexual assault referral centres, which offer medical, practical and emotional support, and have specially trained doctors, nurses and support workers.

Rape Crisis England and Wales – a feminist organisation that supports the work of Rape Crisis Centres across England and Wales (which provide frontline specialist, independent and confidential services for women and girls of all ages who have experienced any form of sexual violence, at any time in their lives), and raises awareness and understanding of sexual abuse in all its forms. It has a 1:1 Live Chat Helpline.

The Survivors Trust – made up of 120-member organisations based in the UK & Ireland which provide specialist support for adults and children who have survived rape, sexual violence or childhood sexual abuse, including a free helpline: 08088 010818.

The Male Survivors Partnership – a consortium of male survivor services working together to better support male survivors of sexual abuse, rape and sexual exploitation. It provides links to national and local support services for anyone looking for specialist help.

Bullying/racism/equality

Anti-Bullying Alliance – a coalition of organisations and individuals working to stop bullying and create safer environments for children and young people to live, grow, play and learn, including delivering programme work at a national and local level, and raising awareness of bullying through campaigns like Anti-Bullying Week.

Ditch the Label – dedicated to promoting equality, and offers support to children and young people aged 12 to 25 to navigate the issues affecting them most – including bullying, mental health, relationships and identity.

Kidscape – provides practical support, training and advice to challenge bullying and protect young lives, and runs a parent advice line.

Red Balloon Learning Centres – offers an alternative to school; provides a full-time education for children who have self-excluded from mainstream school because of severe bullying or trauma, and supports them to re-engage with education.

Equality and Human Rights Commission – provides advice and guidance to individuals and organisations, reviews the effectiveness of the law and takes legal enforcement action to clarify the law, and addresses significant breaches of rights, including children’s rights.

Galop – supports all LGBT+ people who have experienced hate crime, domestic abuse or sexual violence, including children and young people aged 16 to 25 who live in London.

Gangs/child criminal exploitation

Unseen, Modern Slavery Helpline, Young People – 08000 121 700: 24/7 free helpline with a trained advisor who provides advice on the situation and the options for getting out of it.

Home Office, #knifefree campaign – website signposts to a search function for all local authority websites for local community support groups and organisations that can offer advice.

St Giles Trust – supports vulnerable children and young people involved in or at risk of criminal exploitation through, for example, Rescue and Response – a partnership project helping children and young people in London involved in county lines activity; and the SOS+ service – which offers prevention and diversion for young people in schools and other educational settings and raises awareness (including on gangs and county lines) amongst parents and professionals.

The Children’s Society – supports children and young people affected by criminal exploitation, and works with schools, the NHS, local authorities, and the police through, for example, its Disrupting Exploitation Programme; builds more positive opportunities for children and young people, away from drug trafficking and organised crime through its Climb Programme; and empowers professionals and the public to help keep children and young people safe through its Prevention Programme.

Catch 22 – runs missing from home or care, and child exploitation services, which identify reasons for children and young people running away and provide support for them and their families, whilst working closely with a range of partner agencies including children’s social care and the police, and with services also preventing or stopping child exploitation, raising awareness amongst children and young people, and providing training for professionals and parents; also runs Gangs and Violence Reduction services which includes schools work – supporting children at risk of or involved in gangs.

Leap Confronting Conflict – provides conflict management programmes and support to children and young people – many of whom have grown up in care, are not in mainstream education, are at risk of gang involvement and exploitation, or are caught up in the criminal justice system; and training sessions and programmes for practitioners – including in education, criminal justice, the voluntary sector and local councils.

Gangline – supports young men and women involved in gang culture, providing a mentoring programme, multi-agency training, consultancy, and running assemblies in schools, and interactive group workshops.

Safer London – supports young Londoners, their families, peers and communities affected by violence and exploitation, and is a key delivery partner on the Rescue and Response project – providing specialist support to help young Londoners to break free from county lines; it also provides targeted group work sessions to support peer groups who may be at higher risk of exploitation or harm.

Online

CEOP – children and young people who are victims of online grooming or sexual abuse, or a parent, worried friend or concerned adult, can make a report to one of CEOP’s Child Protection Advisors. Information and advice to help children and young people stay safe if something has happened to them online can also be found on CEOP’s Thinkuknow website (listed above).

Internet Watch Foundation (IWF) – individuals who have seen something they think may be illegal online – ie child sexual abuse content, or non-photographic child sexual abuse images – can report this anonymously and confidentially to the IWF, the majority of whose work focusses on removing child sexual abuse images and videos globally.

The Marie Collins Foundation – equips agencies and professionals with the knowledge and understanding they need to respond to children who have been abused via the internet and mobile technologies; works in partnership with other agencies in the UK and internationally; offers services to children, young people and their families, and offers training and consultancy to professionals.

Internet Matters (supported by BT, Sky, TalkTalk, Virgin, Google, BBC and child online safety experts) – empowers parents and carers to tackle online safety issues through advice, information and support, such as the social media advice hub and setting controls for devices.

UK Safer Internet Centre – a partnership of Childnet International, IWF and SWGfL which provides online safety tips, advice and resources to help children and young people stay safe online, including an advice centre, hotline for reporting and removing sexual images of children online and helplines for reporting harmful content and professionals online safety (POSH).

South West Grid for Learning (SWGfL) – ensures children benefit from technology, free from harm, and provides resources and tools for schools, and an advice hub for parents, carers and professionals the Inclusive Digital Safety Hub (in partnership with Internet Matters), and So You Got Naked Online which offers children, young people and parents advice and strategies to support the issues resulting from sexting incidents.

360 Degree Safe: Online Safety Self-Review Tool for Schools – intended to help schools review their online safety policy and practice, taking them through each aspect of online safety, helping them to collaborate, report and progress.

ProjectEVOLVE – resources each of the 330 statements from UKCIS framework “Education for a Connected World” with perspectives, research, activities, outcomes, supporting resources and professional development materials. The new content has been written by a team of experts at the UK Safer Internet Centre.

Mental health/wellbeing

Children and young people’s mental health services (CYPMHS) – CYPMHS is used as a term for all services that work with children and young people who have difficulties with their mental health or wellbeing. Services vary depending on the local authority. Most CYPMHS have their own website, which will have information about access, referrals, and contact numbers.

‘CAMHS’ is an older term for the main specialist NHS community service within the wider CYPMHS that may be available locally. Local areas have a number of different support services available.

Public Health England (PHE), Better Health – Every Mind Matters – a campaign which provides NHS- endorsed tips and advice to help children’s and young people’s mental wellbeing, to equip parents and carers with the knowledge to support them; and offers a **free online self-care tool for teachers** to help them take simple steps to look after their mental health and wellbeing.

PHE, Rise Above – a campaign and website created to improve the resilience of young people and delay or prevent them from exploring risky behaviours; it also provides a **range of resources** (including lesson plans which are curriculum linked and accredited by the PHSE Association) to support secondary school teachers to promote positive health, wellbeing and resilience among children.

Anna Freud National Centre for Children and Families – conducts research to improve understanding of mental health and resilience, and to evaluate and improve the treatments and services children, young people and families are offered; develops new approaches, tools and services to support children, young people and families in distress – and provides a range of specialist therapies at its London Centre; teaches and trains a new

generation of professionals and researchers in the latest skills and tools to improve mental health globally; and develops policy.

Anna Freud National Centre for Children and Families – Schools in Mind – a free network for educational professionals which shares practical, academic and clinical expertise about mental health and wellbeing in schools and FE colleges. The network aims to translate research into practice by providing evidence-based, accessible information and resources that can be used to embed good mental health across the whole school community.

Anna Freud National Centre for Children and Families – On My Mind – an online resource which aims to empower young people to make informed choices about their mental health and wellbeing. It has been co-produced by young people to help other young people, and includes a Youth Wellbeing Directory for young people to find free mental health support local to them, and sections on understanding referrals, working with services and self-care strategies.

Young Minds – supports children and young people, parents and practitioners, and campaigns for children’s and young people’s mental health and wellbeing. It offers **extensive resources** – including free, 24/7 text support for children and young people experiencing a mental health crisis, and a free parent helpline – 0808 802 5544. It supports staff, pupils and parents with tools and resources to build resilience across the wider school community; it also provides resources and materials for teachers and school staff to build their skills and make mental health and wellbeing a core, rewarding part of their job.

Young Minds Professionals – is a toolbox of consultancy and training services for leaders and front-line workers across the children’s mental health system.

Charlie Waller – provides mental health and wellbeing advice, resources and training for educators, employers, primary care, and parents and carers.

Papyrus (Prevention of Young Suicide) – provides confidential support and advice for young people struggling with thoughts of suicide, and anyone worried about a young person, through its helpline, HOPELINEUK, on 0800 068 4141.

Samaritans – provides 24/7 support to those experiencing difficulties, or who are worried about someone else – including on a free helpline on 116 123; and supports schools, college communities and other youth settings through its postvention services, lesson plans and school talks. DEAL (Developing Emotional Awareness and Listening) is a free resource for teachers and other educational professionals designed to help develop resilience in young people.

Department for Education, Mental Health and Wellbeing Resources for Teachers and Teaching Staff, June 2021

Now and Beyond – the UK’s first multidisciplinary directory for children’s and young people’s mental health and wellbeing providers.

Government guidance

General

HM Government, What to do if you’re worried a child is being abused, Advice for practitioners, March 2015

Department for Education, Children missing education: Statutory guidance for local authorities, November 2013 (Last updated September 2016)

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Department for Education, Guidance – Equality Act 2010: Advice for schools, February 2013 (Last updated June 2018)

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Appendix D: Case studies

Case study one

You have just started as the DSL at Hilltop School, an independent boarding school for 13 to 18 year olds. Sarah Jones (student, aged 17) is a student at Hilltop School. Sarah is new into the 6th Form this year and although she made a good start, she has been displaying increasingly concerning behaviour and disclosure of self harm to her housemistress. Towards the end of last term, she left the boarding house without permission at the weekend. She returned late on Saturday evening very drunk and shouted and swore at her housemistress. As a result, she was suspended from school for one week.

Whilst on suspension Sarah made a formal report to the police that Benjamin Green (also a boarder at Hilltop School) had raped her six months previously. The local police contacted the school later that day, and informed the DSL of Sarah's report and that the police were going to interview Benjamin and investigate the allegation. They also said that Sarah had told them that she was very worried about seeing Benjamin in school, and that she did not think that she could come back to school if he was there. Sarah also claimed that she had spoken to her form tutor about the incident a few weeks ago, and no action had been taken.

You have alerted the School's Principal to the developments, who responds that he "did not know what to make of the allegation" because he was concerned for Benjamin who was "a star student who had never caused any trouble in the past." The Principal also explained that he was worried about the stigma that would be associated with Benjamin as a result of the police investigation. You indicate you are also worried about Sarah, particularly her self-harming

behaviour and her general mental health. As the new DSL, the Principal turns to you for your advice:

Questions

1. Where does Benjamin's alleged behaviour sit on Simon Hackett's continuum?

On the basis of the current allegation, and subject to further information which may emerge from any investigation, it would be violent behaviour.

2. What are your concerns?

- Sarah's welfare – in addition to the alleged rape, she has been self-harming and there is reference to her presenting with increasingly concerning behaviour, as well as the more recent incident which resulted in her suspension. The risk posed to Sarah by Benjamin both inside and outside of school, the impact on Sarah of a police investigation, and the impact on her education. The fact that Sarah's parents may not be aware of the matter may mean that they are less able to safeguard her from risk when she is at home.
- Has Benjamin possibly harmed and/or does he pose a risk of harm to other students at the school? Have any other students been involved in or otherwise been affected by Sarah's allegation? The impact on any students who may be asked to participate in a police investigation, and the impact on their education.
- Benjamin's welfare – what are the possible contributing factors to his alleged behaviour? Are there any wider safeguarding concerns? Has he experienced abuse and/or

is he at risk of harm? The impact on Benjamin of a police investigation, and the impact on his education.

- How and when do the police propose to interview Benjamin, and, if that is not to happen immediately, should he be permitted to remain in school – and, if so, what risk assessment should be in place to protect Sarah and any other students? If Benjamin is to be seen by the police in school, you should request plain clothed officers arriving in an unmarked car so as to not draw attention. A suitable room needs to be sourced which is private and where an interview may take place undisturbed. Benjamin should be accompanied by a responsible adult and you will want to consider with the police whether his parents can accompany him.
- The wider school community, including students, staff and parents – including the extent to which they may be affected. Decisions need to be made about what communication needs to take place with those in the same house / year as Benjamin and Sarah as well as how to manage any rumours which may be circulating around the school. There is a risk of trial by social media, and Sarah's right to anonymity and Benjamin's right not to be prejudged need to be protected.
- The school appears to have suspended Sarah in response to her behaviour – in the absence of any reference to appropriate pastoral care and support being in place for her; there is no mention of the existence of any risk assessment for Sarah.

3. What are your next steps?

Next steps include (but are not limited to):

- A referral to local authority children's social care in respect of both Sarah and Benjamin (in each case the local authority where they live, not the school's), and informing both sets of parents of your intention to refer and your reasons for doing so. If it is your understanding that Sarah does not want her parents informed, you should discuss with local authority children's social care before overriding her wishes and agree your approach with them.

- Local authority children's social care may want to carry out a Section 47 assessment for Sarah and for Benjamin which would be led by social workers in consultation with other agencies.
- Complete a risk assessment for Sarah and Benjamin, and each student who may be affected by the alleged abuse (if appropriate). This should be done in consultation with the police, local authority children's social care, the school's local authority safeguarding adviser in education (or equivalent), the students' parents (assuming there are no obstacles presented to parental engagement), and any other relevant professionals (for example, a child psychologist), as appropriate.
- Speaking to the tutor who Sarah confided in a few weeks ago about the incident. What was said and was this reported to any one at the time? If any disclosure was not handled properly by the tutor consider a LADO referral.
- Gaining clarification from the police about any actions that the school should be taking. It is likely that the school will not be able to make any internal disciplinary decisions until the police have finished their investigations. It is important for the school to gain clarity over this, timescales and to be asked to be kept fully informed of any relevant actions / information they become aware of.

The risk assessment should set out, for example:

- › How best to safeguard and support Sarah and Benjamin – are there any specialist services (whether provided by the school or sourced via the local authority) that the school can refer them to?
- › How best to inform and engage with Sarah's parents. The school should speak to Sarah about this, and encourage her to inform her parents before it does.
- › What the likely impact will be on both Sarah and Benjamin of the police investigation; what the impact will be on Sarah of Benjamin's presence in school (can a social worker or psychologist provide a view on this?); whether the school can and should segregate

Benjamin and Sarah using a separate risk assessment; whether local authority children's social care and/or the police have any concerns about Benjamin being in school; or whether consideration will need to be given to alternative plans for Benjamin, and what the impact of this would be on Benjamin's welfare and education.

- › Who should be told about the allegation internally to ensure that the children are safeguarded appropriately, and how will the school manage any potential gossip and rumour which can be damaging to the parties involved and the processes.
- Consider the school's wider reporting obligations, for example, to the Charity Commission, insurers, and/or inspectorate, as appropriate.
- Consider how to keep the allegation confidential where possible and appropriate, and what to communicate to students, staff and parents if the allegation becomes public.
- Consider what aspects of the school's systems need to be strengthened as a result of the alleged incident. For example, do staff need training on child-on-child abuse, and their and the school's responsibilities in reporting and responding to alleged incidents, including those that take place outside of school? Does the school teach students effectively and facilitate discussion about sex and consent?
- Consider and plan for what might happen or what the school might need to do once the case has reached a conclusion with statutory services. In particular, the school needs to consider what (if any) internal disciplinary approach will need to be taken should the police investigation not be pursued or is discontinued. There are many complex factors to consider here, not least the school's competence to carry out such an investigation and the risk of prejudicing a future criminal investigation where the reason for the police not proceeding is because Sarah withdraws her co-operation.

Case study two

Karla Olivares (aged 5) is a student at Greengrove Primary School.

Karla told her mother one morning that she did not want to wear a skirt to school. When her mother asked why Karla said that she didn't want "those boys" to hurt her again. Karla then disclosed to her mother that two boys in her class had taken her behind a tree in the playground the day before, they had lifted her skirt and touched her inappropriately in a way that hurt her. Karla was too upset to say who the boys were, and her mother had taken her to the Doctor for a full examination.

Karla's father then contacted the Headteacher to inform her of the disclosure. He said that he thought that the "predators" might be Sam and Yen, two boys in Karla's class who he said had been "causing trouble for some time now". Karla's father was very upset and angry and said he and his wife were outraged that this could have happened at school. He referred back to previous concerns that he had raised with the school about its security. He also demanded an immediate investigation which he said should include interviews with all staff and children "until we can find out who the predators are". Finally, he said that "once the predators are known they must of course be expelled immediately".

Questions

1. Where does the boys' alleged behaviour sit on Simon Hackett's continuum?

On the basis of the current facts (and in particular the children's ages), and subject to further information which may emerge from any investigation regarding, for example, possible coercion, intimidation, or force, it is likely to be problematic sexual behaviour.

2. What are your concerns?

- Karla's welfare – she may have suffered physical and emotional harm as a result of the boys' alleged behaviour, and may be distressed and feel unsafe in school. The impact on her education, and the impact on Karla of any investigation. Karla's background

and history – have there been any concerns about her in the past or about her family background?

- The boys' welfare – what are the possible contributing factors to their alleged behaviour? Are there any wider safeguarding concerns? Have they experienced abuse and/or are they at risk of harm? The impact on their education, and the impact on the boys of any investigation. The family background of both boys and the support that they may receive at home.
- Have either or both of the boys possibly harmed and/or do they pose a risk of harm to other children – at or outside of the school? What will the impact of an investigation be on the other children at the school?
- The school's security and supervision procedures – what are the previous concerns raised by the father? Have they been appropriately addressed by the school, if/as necessary? Does the school need to improve its security and supervision procedures in light of this alleged incident?
- The father suspects that Sam and Yen may be responsible for allegedly harming Karla, without, on the facts, having any actual evidence. He is also labelling the boys as 'predators,' and demanding that they be expelled immediately.

3. What are your next steps?

Next steps include (but are not limited to):

- Having consulted with her parents first, the school should contact local authority children's social care in respect of Karla, to determine which referrals to external agencies should be made. For example, should the school make only referrals to local authority children's social care or also to the police? As Karla's allegation relates to children who are under the age of criminal responsibility (10), the police will likely take a welfare approach to the alleged incident rather than a criminal one.
- Complete a risk assessment for Karla and the class, in consultation with local authority children's social care, and the police (if involved), the school's local authority

safeguarding adviser in education (or equivalent), their parents, and any other relevant professionals (for example, Karla's Doctor), as appropriate.

The risk assessment plan should set out, for example:

- › How best to safeguard and support Karla. Are there any specialist services that the school can refer her to?
- › Karla's medical needs. Ask her parents whether they would like the school to be made aware of any issues that arise from the Doctor's examination so that the school can ensure that Karla is appropriately supported.
- › Karla's safety and welfare in school – how can the school help Karla to feel safe and happy in school, and likewise promote the safety and welfare of other children in her class?
- › How to work with Karla's parents to help them to mitigate any psychological harm resulting from the alleged behaviour, and/or her parent(s) or other(s) reactions to it.
- › Who should be told about the allegation internally to ensure that the children are safeguarded appropriately, and how will the school manage any potential gossip and rumour which can be damaging to the parties involved and the processes?

- Consider who is best placed to investigate the alleged incident, and how it can be carried out in a way which minimises the impact on the children and ensures that they are supported throughout – is it likely to be local authority children's social care who should investigate it?
- Consider, in light of the investigation's findings, whether any other referrals should be made to local authority children's social care and/or the police, and whether a risk assessment needs to be carried out for any other children.
- Consider the school's wider reporting obligations, for example, to the Charity Commission, insurers, and/or inspectorate, as appropriate.

- Consider how to keep the allegation confidential where possible and appropriate, and what to communicate to students (age appropriately), parents and staff if the allegation becomes public.
- Consider what aspects of the school's systems need to be strengthened as a result of the alleged incident. For example, should the school's supervision arrangements in the playground and any other locations be improved? Does the school educate the children effectively and in an age appropriate manner about how to stay safe from sexual abuse? Does the school communicate with parents effectively about children's safe and healthy sexual development, and problematic and harmful sexual behaviour in young children?
- Consider and plan for what might happen or what the school might need to do once the case has reached a conclusion with statutory services.

Case study three

Paul (student, aged 15) is a student at King George secondary school. He is from a Black Caribbean background.

Paul has become increasingly unhappy at school over the past two years.

He recently told his father that he was being badly bullied by a number of boys and girls in his class, and that this had been going on for over two years. He explained that they had posted racist comments about him on Instagram, that they would steal his lunch, chase him, and make him do things during Mr Reed's class which he found humiliating – like repeat sexually explicit comments from social media. They also forced him to drink unpleasant things which made him physically sick. Mark Stone, another student aged 14, was also picked on and made to do this.

Paul's mother informed his form tutor Mr Reed, who said that he would investigate the matter. She met with Mr Reed last week. He told Paul's mother that he had had a quick word with some of the students in question, who were clearly just "having a bit of fun," and that she should not

be overly worried about it. He said that he had spoken to Mark's mother, Mary, who had said that Mark told her he was "honoured to have been chosen" to perform the same tasks for the students in question. He said that he was always present during Mr Reed's class, and that he thought they were a very good and fun way to bring the class together. When Paul's mother asked about the racist and sexist language that Paul had told her was routinely used in the class, Mr Reed said that he had overheard some jokes, although generally he thought they were "in the right spirit".

Questions

1. Where does the alleged behaviour sit on Simon Hackett's continuum?

On the basis of the current facts, and subject to further information which may emerge from any investigation, it would be abusive – on the basis that it appears to involve victimisation, intent, coercion and force.

2. What are your concerns?

- Paul's and Mark's welfare – the alleged behaviour appears to have been taking place over a number of years (at least two years in Paul's case), and the psychological impact of it may be significant; the impact on their education; the impact of any investigation on them.
- The welfare of the students who are the subject of Paul's allegations – what are the possible contributing factors to their alleged behaviour? Are there any wider safeguarding concerns? Have they experienced abuse and/or are they at risk of harm? The impact on their education, and the impact of any investigation on them.
- Have those students possibly harmed and/or do they pose a risk of harm to other children – at or outside the school? Have any other students been involved in or otherwise been affected by their alleged behaviour? The impact on their education, and the impact of any investigation on them.
- Mr Reed's response – he does not appear to realise the seriousness of the alleged behaviour, or the harm that it seems to have

caused Paul (and possibly Mark and others). He has not investigated Paul's mother's complaint, and appears to be normalising the alleged behaviour.

- Mr Reed has not considered the racist element of the alleged abuse of Paul and whether this indicates wider issues about racist and discriminatory attitudes at the school.
- Mary's response – Mark's mother likewise does not seem to realise the seriousness of the alleged behaviour, or the harm that it may be causing to her son, Paul and possibly others.
- Culture in the school – Mary's and Mr Reed's attitude may be the result of and/or have contributed to the normalisation of the alleged behaviour amongst the students in question, and possibly other students, staff and parents.

3. What are your next steps?

- A referral to local authority children's social care in respect of Paul, and seek clarification as to whether or not they will carry out a statutory assessment into the case and/or whether the school should investigate the alleged incidents under its behaviour policy?
- Devise a risk assessment for Paul and Mark, each of the students who are the subject of Paul's allegation, and each student who may be affected by the alleged abuse (if appropriate). This should be done in consultation with local authority children's social care, the school's local authority's safeguarding adviser in education (or equivalent), the children's parents, and any other relevant professionals, as appropriate.

The risk assessments should set out, for example:

- › How to best safeguard and support Paul and Mark – are there any specialist services that the school can refer them to?
- › In light of findings of any statutory assessment and/or investigation, whether any other referrals should be made to local authority children's social care and/or the police, and risk assessments devised for any other children.

- › Who should be told about the allegation internally to ensure that the children are safeguarded appropriately, and how will the school manage any potential gossip and rumour which can be damaging to the parties involved and the processes?
 - › Consider whether any disciplinary action should be taken against Mr Reed, and/or any of the students – in considering the latter, the children's age, the harm to which they may have been exposed, and the extent to which their behaviour had been encouraged and/or normalised by other children or Mr Reed, should all be taken into account.
- Consider whether Mr Reed and other school staff need specialist training on anti-racism, in order to be able to identify and tackle racist behaviour.
 - Consider the school's wider reporting obligations, for example, to the Charity Commission, insurers, and/or inspectorate, as appropriate.
 - Consider how to keep the allegation confidential where possible and appropriate, and what to communicate to students (age appropriately), parents and staff if the allegation becomes public.
 - Consider what aspects of the school's systems need to be strengthened as a result of the alleged incidents. For example, how can the school address the harmful norms that seem to have become embedded within this particular class? Is a whole-school approach required? How can the school strengthen the way that it prevents, identifies and responds to sexual harassment, bullying, racism, and sexism within school?
 - Consider and plan for what might happen or what the school might need to do once the case has reached a conclusion with statutory services.

Appendix E: References

Section 1

1. Department for Education, *Keeping Children Safe in Education: Statutory guidance for schools and colleges*, September 2022 (KCSIE 2022): <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
2. Iacobucci G., *Covid-19: Pandemic has disproportionately harmed children's mental health, report finds*, *BMJ* 2022; 376: o430: doi:10.1136/bmj.o430
3. Although KCSIE 2022 is specifically applicable to schools and colleges in England, it could, as a matter of best practice, be applied to any organisation working with children
4. Department for Education, *National minimum standards for boarding schools*, In force from 5 September 2022: <https://www.gov.uk/government/publications/boarding-schools-national-minimum-standards>
5. The United Nations Convention on the Rights of the Child, 1989 (ratified by the UK in 1991); the Children Act, 1989; and KCSIE 2022 all define 'child' as a person aged under 18. For the purposes of this resource, unless otherwise specified, 'youth' and 'young person'/'young people' also refers to anyone under the age of 18; 'adult' refers to anyone aged 18 or over
6. All references to 'parents' throughout this resource should be interpreted as referring to parents and carers
7. Radford, L. et al. (2011) *Child abuse and neglect in the UK today*. London: NSPCC: <https://www.nspcc.org.uk/globalassets/documents/research-reports/child-abuse-neglect-uk-today-research-report.pdf>
8. For practitioners who have read/studied the underlying research on peer-on-peer abuse, it is appreciated that reference is made in this resource to research which may relate to peer-on-peer abuse but which is being treated, for the purposes of this resource, as falling within the wider category of child-on-child abuse
9. Sen, P., *What will it take? Promoting Cultural Change to End Sexual Harassment*, UN Women, 2019, page 28: <https://www.unwomen.org/en/digital-library/publications/2019/09/discussion-paper-what-will-it-take-promoting-cultural-change-to-end-sexual-harassment>
10. Unless otherwise specified, this section reflects (i) the definition of child-on-child abuse, and the definitions of sexual violence and sexual harassment – including online sexual harassment, contained within KCSIE 2022, and (ii) the Equality and Human Rights Commission's (EHRC) non-statutory technical guidance for employers which gives further useful examples of what can constitute sexual harassment, *Sexual harassment and harassment at work*, January 2020: https://www.equalityhumanrights.com/sites/default/files/sexual_harassment_and_harassment_at_work.pdf. It should be noted that the technical guidance is not intended to apply to child-on-child abuse. As KCSIE 2022 highlights, the list of examples of child-on-child abuse it provides is not intended to be exhaustive, and further examples of the various forms child-on-child abuse can take, beyond those listed in KCSIE 2022, are provided within this resource
11. See also the definition used by the NSPCC, *Talking to children about racism*: <https://www.nspcc.org.uk/keeping-children-safe/support-for-parents/children-race-racism-racial-bullying/>
12. NSPCC, *Harmful sexual behaviour: What is harmful sexual behaviour?*: <https://learning.nspcc.org.uk/child-abuse-and-neglect/harmful-sexual-behaviour>, citing Hackett, S. (2014) *Children and young people with harmful sexual behaviours*. London: Research in Practice
13. Consensual sharing is unlikely to be sexual harassment but may still be illegal depending on the particular circumstances of each case. The UKCIS guidance provides detailed advice about sharing of nude and semi-nude images and videos
14. Department for Education, *Child Sexual Exploitation: Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation*, February 2017: <https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>; Home Office, *Criminal exploitation of children and vulnerable adults: county lines*, February 2020: <https://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines>

15. With reference to KCSIE 2022, and adapted from Phippen, A., Bond, E., Tyrrell, K., *Online Peer on Peer Abuse: A national survey of Headteachers and Safeguarding Leads in England and Scotland*, University of Suffolk, 2018: https://www.mariecollinsfoundation.org.uk/assets/news_entry_featured_image/MCF-Peer-on-peer-Abuse-Research-Report-sunday-final-version.pdf
 16. Xu M, Macrynikola, N, Waseem, M, Miranda R., *Racial and Ethnic Differences in Bullying: Review and Implications for Intervention*. *Aggress Violent Behav*. 2020;50 doi:10.1016/j.avb.2019.101340
 17. METRO Youth Chances, 2014. *Youth Chances Summary of First Findings: the experiences of LGBTQ young people in England*. London: METRO: https://servicesforeducation.files.wordpress.com/2014/01/yc_report_firstfindings_2014.pdf
 18. Consensual sharing is unlikely to be sexual harassment but may still be illegal depending on the particular circumstances of each case. The UKCIS guidance provides detailed advice about sharing of nude and semi-nude images and videos
 19. Firmin C., and Curtis G., MsUnderstood Partnership, *Practitioner Briefing #1: What is peer-on-peer abuse?* 2015: <https://www.contextualsafeguarding.org.uk/resources/resource/what-is-peer-on-peer-abuse/>
 20. Ditch the Label, *The Annual Bullying Survey 2020: The Annual benchmark of Bullying in the United Kingdom, with an Additional Focus on Mental Wellbeing*, November 2020: <https://www.ditchthelabel.org/wp-content/uploads/2020/11/The-Annual-Bullying-Survey-2020-2.pdf>
 21. Office for National Statistics, *Online bullying in England and Wales: year ending March 2020*, November 2020: <https://www.ons.gov.uk/releases/onlinebullyinginenglandandwales/yearendingmarch2020>
 22. Ofsted, *Review of sexual abuse in schools and colleges*, June 2021: <https://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges>, citing Women and Equalities Committee Report, *Sexual harassment and sexual violence in schools*, September 2016: <https://publications.parliament.uk/pa/cm201617/cmselect/cmwomeq/91/9102.htm>, and Contextual Safeguarding Network, *Beyond referrals: levers for addressing harmful sexual behaviour in schools* [now found at]: <https://www.contextualsafeguarding.org.uk/toolkits/beyond-referrals-toolkit-schools/>
 23. For the purposes of this resource, 'Local Safeguarding Partnership' refers to (i) the three local safeguarding partners set out in *Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children*, July 2018 (WTSC): <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>; and (ii) any other agencies whose involvement either those partners, or schools or colleges, consider appropriate to safeguard and promote the welfare of children
 24. Firmin C., and Curtis G., MsUnderstood Partnership, *Practitioner Briefing #1: What is peer-on-peer abuse?* 2015: <https://www.contextualsafeguarding.org.uk/resources/resource/what-is-peer-on-peer-abuse/>
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 26. Lloyd J, *Response and interventions into harmful sexual behaviour in schools*, *Child Abuse and Neglect*, Volume 94, 2019, 104037: <https://doi.org/10.1016/j.chiabu.2019.104037>
 27. For example, see Contextual Safeguarding Network, *Introductory webinar to Contextual Safeguarding and Schools*: <https://www.contextualsafeguarding.org.uk/resources/resource/introductory-webinar-to-contextual-safeguarding-and-schools/>; and *Beyond referrals: Harmful Sexual Behaviour (HSB) and Extra-familial Harm (EFH) in school settings*: <https://www.contextualsafeguarding.org.uk/toolkits/beyond-referrals-toolkit-schools/>
 28. Davis, J. and Marsh, N. (2020) *Boys to men: the cost of 'adultification' in safeguarding responses to Black boys*, *Critical and Radical Social Work*, vol 8, no 2, 255-259, DOI: 10.1332/204986020X15945756023543
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- ## Section 2
31. KCSIE 2022, paragraphs 13, and 17-19
 32. Please note that this extract provides an abridged version of KCSIE 2022 – ie the bullet point regarding staff behaviour policy is purposefully missing from it
 33. Contextual Safeguarding Network, *Beyond Referrals: Harmful Sexual Behaviour (HSB) and Extra-familial Harm (EFH) in school settings*: <https://www.contextualsafeguarding.org.uk/toolkits/beyond-referrals-toolkit-schools/>
 34. For example, young adults aged 18 or over who are eligible for care leaving services
 35. Graham, B. et al., *School exclusion: a literature review on the continued disproportionate exclusion of certain children*, Department for Education, May 2019: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800028/Timpson_review_of_school_exclusion_literature_review.pdf
 36. KCSIE 2022, paragraphs 98-99, 138, and 156-157

37. Please note that this extract provides an abridged version of KCSIE 2022 – ie the bullet point regarding staff behaviour policy is purposefully missing from it
38. [KCSIE 2022](#), paragraphs 115-118
39. It is assumed that schools and colleges will generally be relying on the safeguarding condition under paragraph 18 of Schedule 1 of the Data Protection Act 2018 for the processing of safeguarding data, including for the purposes of their approach to and management of child-on-child abuse. If so, this will require an appropriate policy document within the meaning of paragraph 39 of that Schedule, explaining the school's/college's compliance with that condition and its policies as regards retention and erasure
40. For an example of a student survey see *Beyond Referrals: Harmful Sexual Behaviour (HSB) and Extra-familial Harm (EFH) in school settings*: <https://www.contextualsafeguarding.org.uk/toolkits/beyond-referrals-toolkit-schools/>
41. Department for Education, *Relationships Education, Relationships and Sex Education (RSE) and Health Education: Statutory guidance for governing bodies, proprietors, head teachers, principals, senior leadership teams, teachers*, September 2021: <https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education>
42. For an animation and guidance on hotspot mapping see *Beyond Referrals: Harmful Sexual Behaviour (HSB) and Extra-familial Harm (EFH) in school settings*: <https://www.contextualsafeguarding.org.uk/toolkits/beyond-referrals-toolkit-schools/>
43. See UK Safer Internet Centre, *A Guide for education settings and filtering providers*, about establishing 'appropriate levels' of filtering and monitoring: <https://saferinternet.org.uk/guide-and-resource/teachers-and-school-staff/appropriate-filtering-and-monitoring>; and South West Grid for Learning's Internet Filter Test for Schools: <http://testfiltering.com/schools/>
44. [KCSIE 2022](#), paragraphs 110-112, and 459
- ## Section 3
45. [KCSIE 2022](#), paragraphs 86-89, 180-181, 199-201, 203-205
46. Barter, Christine, McCarry, Melanie, Berridge, David and Evans, Kathy (2009) *Partner exploitation and violence in teenage intimate relationships*. [London]: NSPCC: <https://www.nspcc.org.uk/globalassets/documents/research-reports/partner-exploitation-violence-teenage-intimate-relationships-report.pdf>
47. Jones, L. et al., *Prevalence and risk of violence against children with disabilities: a systematic review and meta-analysis of observational studies*, *Lancet*, 2012: <https://www.ncbi.nlm.nih.gov/pubmed/22795511>
48. Dennell, B.L.L. and Logan, C., *Prejudice-based Bullying in Scottish Schools: A research report*, EHRC, 2015: https://www.equalityhumanrights.com/sites/default/files/prejudice-based_bullying_in_scottish_schools_research_report_0.pdf
49. Smith, P., *Focus on: Bullying 2020*, Anti-Bullying Alliance: https://anti-bullyingalliance.org.uk/sites/default/files/uploads/attachments/Focus_on_Bullying_2020%20-%20FINAL.pdf. The Annual Bullying Survey 2020 by Ditch the Label surveyed individuals aged 12 to 18 years (mostly 12-16), across the UK (mostly England and Scotland), between September 2019 and March 2020
50. Smith, P., *Focus on: Bullying 2020*, Anti-Bullying Alliance: https://anti-bullyingalliance.org.uk/sites/default/files/uploads/attachments/Focus_on_Bullying_2020%20-%20FINAL.pdf
51. METRO Youth Chances, 2014. *Youth Chances Summary of First Findings: the experiences of LGBTQ young people in England*. London: METRO: https://servicesforeducation.files.wordpress.com/2014/01/yc_report_firstfindings_2014.pdf. This report outlines the experiences of LGBTQ 16-25 year olds in England – as reported by young people themselves
52. For more information see Contextual Safeguarding Network, *Reviewing Safeguarding and Behaviour Logs in Schools*: <https://www.contextualsafeguarding.org.uk/toolkits/beyond-referrals-toolkit-schools/>
53. Contextual Safeguarding Network, *Beyond Referrals: Harmful Sexual Behaviour (HSB) and Extra-familial Harm (EFH) in school settings*: <https://www.contextualsafeguarding.org.uk/toolkits/beyond-referrals-toolkit-schools/>
54. [KCSIE 2022](#), paragraphs 129-131 and 457
55. [KCSIE 2022](#), paragraphs 80-82
56. In its *Guidance Promoting and supporting mental health and wellbeing in schools and colleges*, July 2022, the Department for Education encourages schools and colleges to identify a senior mental health lead who will have strategic oversight of their setting's whole school or college approach to mental health and wellbeing (and we would expect all staff training to sit within their remit), and states that school and college staff are not expected to, and should not, diagnose mental health conditions or perform mental health interventions: <https://www.gov.uk/guidance/mental-health-and-wellbeing-support-in-schools-and-colleges#senior-mental-health-leads-training>. *The Mental Health Champions Foundation programme*, developed by Place2Be's work in schools, is an online children's mental health training course, which aims to enhance professionals' understanding of children's mental health and introduce approaches that foster positive wellbeing in schools, colleges and communities: <https://www.place2be.org.uk/our-services/services-for-schools/mental-health-champions-foundation-programme/>

57. Also, a variety of online apps and packages are available to help improve personal safety and wellbeing, and create safe spaces in schools and colleges – for example: <https://www.thestudentvoice.co.uk/safe-spaces-how-can-we-build-on-the-brilliant-work-schools-are-already-doing/>; and <https://www.imabi.com/>
58. The age limit of 13 is often set in compliance with the Children’s Online Privacy Protection Act – an American law which protects the privacy of children under the age of 13, and states that they cannot be exposed to advertising without parental consent. Following the introduction of the EU’s General Data Protection Regulation (GDPR), some social media sites and apps have raised their age limit to 16 (in line with the usual standard set by GDPR, although the UK and some Member States adopted the minimum GDPR permissible age of 13). This ‘digital age of consent’ sets the age at which a child can consent to their data being collected and profiled
59. For reporting advice and support please see examples provided in [Appendix C](#)
60. For examples of digital awareness resources, please see [Appendix C](#)
61. UK Council for Internet Safety (UKCIS) *Sharing nudes and semi-nudes: advice for education settings working with children and young people*, December 2020, Section Three: <https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people#sec1>
- ## Section 4
62. [KCSIE 2022](#), paragraphs 45-47
63. It should be noted that there is currently no definitive list of indicators of child-on-child abuse. The above list has been drawn from the following: NSPCC, *Protecting children from bullying and cyberbullying*, February 2022: <https://learning.nspcc.org.uk/child-abuse-and-neglect/bullying>; NSPCC, *Definitions and signs of child abuse, Guidance for professionals who work with children on how to recognise the signs of child abuse*, July 2020: <https://learning.nspcc.org.uk/media/1188/definitions-signs-child-abuse.pdf>; NSPCC, *Protecting children from sexual exploitation*, July 2021: <https://learning.nspcc.org.uk/child-abuse-and-neglect/child-sexual-exploitation>
64. [KCSIE 2022](#), paragraphs 455-456 and 458
65. Hackett, S., Branigan, P. and Holmes, D. (2019) *Harmful sexual behaviour framework: an evidence-informed operational framework for children and young people displaying harmful sexual behaviours*. 2nd ed. London: NSPCC, page 28 and 31
66. *Ibid*, page 14
67. *Ibid*, page 15, citing Chaffin, M, Letourneau, E, and Silovsky, JF (2002). *Adults, adolescents, and children who sexually abuse children: a developmental perspective*. In Myers, JEB, Berliner, L, Briere, J, Hendrix, CT, Jennyx, C and Reid, TA (eds) *The APSAC handbook on child maltreatment*. Thousand Oaks, CA: Sage
68. *Ibid*, page 15
69. *Ibid*, page 28
70. Brook, *Sexual Behaviours Traffic Light Tool*: <https://www.brook.org.uk/product/traffic-light-tool/>
71. NICE, Guideline NG55, *Harmful sexual behaviour among children and young people*, 2016: <https://www.nice.org.uk/guidance/NG55/chapter/Recommendations#risk-assessment-for-children-and-young-people-referred-to-harmful-sexual-behaviourservices> – NICE states that ‘young people’ in the context of those covered by Guideline NG55 refers mainly to those aged 10 to 18 but also includes people up to 25 with special educational needs or disability; and Hackett, S., Branigan, P. and Holmes, D. (2019) *Harmful sexual behaviour framework: an evidence-informed operational framework for children and young people displaying harmful sexual behaviours*. 2nd ed. London: NSPCC, page 10
72. NSPCC, *Understanding sexualised behaviour in children*, November 2021: <https://learning.nspcc.org.uk/child-abuse-and-neglect/harmful-sexual-behaviour/understanding>
73. NSPCC, *Understanding sexualised behaviour in children*, November 2021: <https://learning.nspcc.org.uk/child-abuse-and-neglect/harmful-sexual-behaviour/understanding>; NSPCC, *Sexual development and behaviour in children*, August 2022: <https://learning.nspcc.org.uk/child-health-development/sexual-behaviour>; NSPCC, *Healthy sexual development in young people*: <https://www.nspcc.org.uk/keeping-children-safe/sex-relationships/sexual-behaviour-children>; NSPCC, *Harmful sexual behaviour in schools training*: <https://learning.nspcc.org.uk/training/harmful-sexual-behaviour-hsb-schools>
74. NSPCC, *Responding to children who display sexualised behaviour*: <https://learning.nspcc.org.uk/media/2685/responding-to-children-who-display-sexualised-behaviour-guide.pdf>
75. NSPCC, *Understanding sexualised behaviour in children*, November 2021: <https://learning.nspcc.org.uk/child-abuse-and-neglect/harmful-sexual-behaviour/understanding>
76. Hackett, S., Branigan, P. and Holmes, D. (2019) *Harmful sexual behaviour framework: an evidence-informed operational framework for children and young people displaying harmful sexual behaviours*. 2nd ed. London: NSPCC, page 39-40
77. *Ibid*, page 41
78. The AIM Project, *Models and Guidance*: <https://aimproject.org.uk/portfolio-item/model-and-guidance>

79. UKCIS, *Sharing nudes and semi-nudes: advice for education settings working with children and young people*, December 2020, section 1.2: <https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people#sec1>
80. Ibid, section 1.6
81. le under the heading 'Inappropriate' – 'Behaviour accepted by peers within peer group context,' under the heading 'Abusive' with the inclusion of 'victim,' and under the heading 'Violent' with use of the term 'perpetrator'
82. London Safeguarding Children Partnership (LSCP), *London Children Safeguarding Procedures, Practice Guidance PG18. Harmful Behaviour*, 2022: https://www.londonsafeguardingchildrenprocedures.co.uk/ch_harm_others.html
83. HeadStart Kernow, *Online Resilience Tool*, 2022: <https://www.headstartkernow.org.uk/digital-resilience/>
84. Department for Education, *Preventing and tackling bullying: Advice for headteachers, staff and governing bodies*, July 2017: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1069688/Preventing_and_tackling_bullying_advice.pdf
85. KCSIE 2022, paragraphs 51-60, 62-63, and 68-69
86. KCSIE 2022 refers here to the HM Government, *Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers*, July 2018: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1062969/Information_sharing_advice_practitioners_safeguarding_services.pdf. This supports staff who have to make decisions about sharing information, and contains seven golden rules for sharing information and considerations with regard to the Data Protection Act 2018 and UK General Data Protection Regulation
87. LSCP, *London Children Safeguarding Procedures, Practice Guidance PG18. Harmful Behaviour*, 2022: https://www.londonsafeguardingchildrenprocedures.co.uk/ch_harm_others.html
88. KCSIE 2022
89. UKCIS, *Sharing nudes and semi-nudes: advice for education settings working with children and young people*, December 2020: <https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people#sec1>
90. Department for Education, *Behaviour in Schools, Advice for headteachers and school staff*, July 2022, paragraphs 112-127: <https://www.gov.uk/government/publications/behaviour-in-schools--2>
91. Ibid, paragraphs 125-127
92. KCSIE 2022, paragraphs 505-507
93. National Police Chiefs' Council (NPCC), *When to call the police: Guidance for schools and colleges*: <https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20police%20guidance%20for%20schools%20and%20colleges.pdf>
94. See Gamble, J. and McCallum, R., *Local Child Safeguarding Practice Review, Child Q*, March 2022: <https://chscp.org.uk/wp-content/uploads/2022/03/Child-Q-PUBLISHED-14-March-22.pdf>
95. KCSIE 2022, page 163, which cites Statutory guidance, *PACE Code C 2019 (accessible)*, November 2020: <https://www.gov.uk/government/publications/pace-code-c-2019/pace-code-c-2019-accessible>
96. Department for Education, WTSC, July 2018: <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
97. HM Government, *Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers*, July 2018: <https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>
98. Various terms can be used to describe this risk assessment process. The NSPCC uses the term 'safety plan'. Our framework is informed by (i) the NSPCC's safety plan template, which is included as a resource within their online training courses to help manage harmful sexual behaviour in primary and secondary schools (see [Appendix C](#) further details), and (ii) KCSIE 2022 – Section five on child-on-child sexual violence and sexual harassment
99. KCSIE 2022, paragraphs 480-482
100. UKCIS, *Sharing nudes and semi-nudes: Advice for education settings working with children and young people*, December 2020, section 2.4: <https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people#sec1>
101. See Graham, B. et al., *School exclusion: a literature review on the continued disproportionate exclusion of certain children*, Department for Education, May 2019: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800028/Timpson_review_of_school_exclusion_literature_review.pdf

Section 6

102. Maintained schools, academies and pupil referral units should refer to the DfE's Suspension and Permanent Exclusion Guidance: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101498/Suspension_and_Permanent_Exclusion_from_maintained_schools_academies_and_pupil_referral_units_in_England_including_pupil_movement.pdf; independent schools should refer to their parent contract
103. See Contextual Safeguarding Network: <https://www.contextualsafeguarding.org.uk/>
104. Everything that a school or college needs to answer these questions can be found here: <https://www.contextualsafeguarding.org.uk/toolkits/beyond-referrals-toolkit-schools/>
105. Various safeguarding databases also have lessons learned tabs for individual cases – for example MyConcern and CPOMS

Appendix A

106. *KCSIE 2022*, paragraphs 83-85. *KCSIE 2022* states that further information can be found at the EHRC: <https://www.equalityhumanrights.com/en/human-rights>
107. Unicef UK, *A summary of the UN Convention on the rights of the child*: <https://www.unicef.org.uk/rights-respecting-schools/wp-content/uploads/sites/4/2017/01/Summary-of-the-UNCRC.pdf>
108. *KCSIE 2022*, paragraphs 86-87
109. *Ibid*, paragraphs 88-89
110. Positive action means voluntary steps taken to redress disadvantages or meet specific needs of those with specific protected characteristics. The EHRC provides some further guidance on the conditions that need to be met for such steps to be considered "positive action" and lawful under the Equality Act in Chapter 7 of its *Technical Guidance for Schools in England*, July 2014: https://www.equalityhumanrights.com/sites/default/files/technical_guidance_for_schools_england.pdf
111. Department for Education, *The Equality Act 2010 and schools: Departmental advice for school leaders, school staff, governing bodies and local authorities*, May 2014: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf
112. EHRC, *Technical Guidance for Schools in England*, July 2014: https://www.equalityhumanrights.com/sites/default/files/technical_guidance_for_schools_england.pdf
113. *KCSIE 2022*, paragraphs 91-93
114. EHRC, *Technical Guidance on the Public Sector Equality Duty: England*, August 2014: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>
115. Department for Education, *The Equality Act 2010 and schools: Departmental advice for school leaders, school staff, governing bodies and local authorities*, May 2014: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf
116. *KCSIE 2022*, paragraph 94
117. GOV.UK, *Bullying at school*: <https://www.gov.uk/bullying-at-school>
118. NPCC, *When to call the police: Guidance for schools and colleges*: <https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20police%20guidance%20for%20schools%20and%20colleges.pdf>
119. *Ibid*
120. *Ibid*, see also Metropolitan Police, *What is hate crime?*: <https://www.met.police.uk/advice/advice-and-information/hco/hate-crime/what-is-hate-crime/>
121. UKCIS, *Sharing nudes and semi-nudes: advice for education settings working with children and young people*, December 2020: <https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people#sec1>
122. Adapted from the UKCIS, *Sharing nudes and semi-nudes: advice for education settings working with children and young people*, December 2020: www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people#sec1, and updated to reflect current legislation
123. See Department for Education, *Searching Screening and Confiscation: Advice for schools*, July 2022: <https://www.gov.uk/government/publications/searching-screening-and-confiscation>
124. NPCC, *When to call the police: Guidance for schools and colleges*: <https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20police%20guidance%20for%20schools%20and%20colleges.pdf>
125. See Department for Education, *Searching Screening and Confiscation: Advice for schools*, July 2022: <https://www.gov.uk/government/publications/searching-screening-and-confiscation>

126. NPCC, *When to call the police: Guidance for schools and colleges*: <https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20police%20guidance%20for%20schools%20and%20colleges.pdf>
127. Charity Commission, *The essential trustee: what you need to know, what you need to do*, May 2018: <https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3/the-essential-trustee-what-you-need-to-know-what-you-need-to-do>
128. Charity Commission, *Safeguarding and Protecting People for charities and trustees*, June 2022: <https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees>
- ## Appendix B
129. Anti-Bullying Alliance, *The ABA definition of bullying*: <https://anti-bullyingalliance.org.uk/tools-information/all-about-bullying/understanding-bullying/definition>
130. Department for Education, *Preventing and tackling bullying: Advice for headteachers, staff and governing bodies*, July 2017: <https://www.gov.uk/government/publications/preventing-and-tackling-bullying>
131. Childnet International, *Cyberbullying: Understand, Prevent and Respond: Guidance for schools*, 2016: <https://www.childnet.com/resources/cyberbullying-guidance-for-schools/>
132. HeadStart Kernow, *Online Resilience Tool*, 2022: <https://www.headstartkernow.org.uk/digital-resilience/>
133. Metropolitan Police, *What is hate crime?*: <https://www.met.police.uk/advice/advice-and-information/hco/hate-crime/what-is-hate-crime/>
134. *KCSIE 2022*, page 145
135. Further information on teenage relationship abuse is provided, for example, by The Children's Society: <https://www.childrenssociety.org.uk/information/young-people/advice/teenage-relationship-abuse>, and ask AVA, *Teenage Relationship Abuse*: <https://ask-ava.org.uk/index.php/toolkit/understand/teenage-relationship-abuse/>
136. *KCSIE 2022*, paragraph 35
137. See also the definition used by the NSPCC, *Talking to children about racism*: <https://www.nspcc.org.uk/keeping-children-safe/support-for-parents/children-race-racism-racial-bullying/>
138. *KCSIE 2022*, paragraph 35
139. StopHazing.org, *Intersections of Hazing*: <https://stophazing.org/issue/intersections/>
140. Hackett, S., Branigan, P. and Holmes, D. (2019) *Harmful sexual behaviour framework: an evidence-informed operational framework for children and young people displaying harmful sexual behaviours*. 2nd ed. London: NSPCC, page 12, which cites reference to the definition of harmful sexual behaviours as derived from Hackett, S. *Children and young people with harmful sexual behaviours*, 2014. London. Research in Practice
141. *KCSIE 2022*, paragraphs 455-456
142. Hackett, S., Branigan, P. and Holmes, D. (2019) *Harmful sexual behaviour framework: an evidence-informed operational framework for children and young people displaying harmful sexual behaviours*. 2nd ed. London: NSPCC, page 15, which cites reference to the continuum model in Hackett, S (2010). *Children, young people and sexual violence*. In Barter, C and Berridge, D (eds) *Children behaving badly? Exploring peer violence between children and young people*. London: Blackwell Wiley
143. *KCSIE 2022*, paragraphs 447-448
144. *Ibid*, paragraph 451
145. *Ibid*
146. *Ibid*, footnote 135 (and which signposts to Rape Crisis) and footnote 137
147. See also NHS, *What is consent?*: <https://www.nhs.uk/aboutNHSChoices/professionals/healthandcareprofessionals/child-sexual-exploitation/Documents/Consent-information-leaflet.pdf>
148. *KCSIE 2022*, paragraph 452
149. Unless otherwise specified, this section reflects (i) the definition of sexual harassment – including online sexual harassment, contained within *KCSIE 2022*, and (ii) EHRC non-statutory technical guidance for employers which gives further useful examples of what can constitute sexual harassment, *Sexual harassment and harassment at work*, January 2020: https://www.equalityhumanrights.com/sites/default/files/sexual_harassment_and_harassment_at_work.pdf. It should be noted that the technical guidance is not intended to apply to child-on-child abuse. As *KCSIE 2022* highlights, the list of examples of child-on-child abuse it provides is not intended to be exhaustive, and further examples of the various forms child-on-child abuse can take, beyond those listed in *KCSIE 2022*, are provided within this resource
150. Consensual sharing is unlikely to be sexual harassment but may still be illegal depending on the particular circumstances of each case. The UKCIS guidance provides detailed advice about sharing of nude and semi-nude images and videos
151. HeadStart Kernow, *Online Resilience Tool*, 2022: <https://www.headstartkernow.org.uk/digital-resilience/>

152. McCallum, S., *Calls for downblousing to be made a criminal offence in England and Wales*, BBC News, July 2022: <https://www.bbc.co.uk/news/technology-62045112>
153. UKCIS, *Sharing nudes and semi-nudes: advice for education settings working with children and young people*, December 2020: <https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people>. The advice states that: "Consent is defined as an agreement made by choice, whereby an individual has the freedom and capacity to make that choice. This is outlined in s.74 of the Sexual Offences Act 2003. This mean[s] the child or young person must have the capacity (ie the age and understanding) to make the choice and be in the position to make that choice freely without exploitation, threat or fear"
154. Ibid
155. NPCC, *Outcome 22 – NPCC Briefing Note*, March 2019: https://justiceinnovation.org/sites/default/files/media/document/2021/outcome_22_-_npcc_briefing_note_v1_march_2019.pdf
156. *KCSIE 2022*, page 141
157. Home Office, *Statutory Guidance – Modern slavery: How to identify and support victims*, July 2022: <https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims>
158. Department for Education, *Child sexual exploitation: Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation*, February 2017: <https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>
159. Ibid
160. LSCP, *London Safeguarding Children Procedures: Practice Guidance: PG37. Sexual Exploitation*, 2022: https://www.londonsafeguardingchildrenprocedures.co.uk/sg_sex_exploit_ch.html
161. NSPCC, *Child sexual exploitation*: <https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/child-sexual-exploitation/>
162. LSCP, *London Safeguarding Children Procedures: Practice Guidance: PG37. Sexual Exploitation*, 2022: <https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>
163. Department for Education, *Child Sexual Exploitation: Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation*, February 2017: <https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>
164. LSCP, *London Safeguarding Children Procedures: Practice Guidance: PG37. Sexual Exploitation*, 2022: https://www.londonsafeguardingchildrenprocedures.co.uk/sg_sex_exploit_ch.html
165. Ibid
166. Hackett, S., Branigan, P. and Holmes, D. (2019) *Harmful sexual behaviour framework: an evidence-informed operational framework for children and young people displaying harmful sexual behaviours*. 2nd ed. London: NSPCC, pages 18-19
167. With respect to the Hackett and Smith (2018) sample, the Harmful Sexual Behaviour Framework states that: "Typically, the young people were involved in multiple and in some cases escalating harmful sexual behaviours: nine engaged in exploitative or harmful sexual behaviours online or using social media, accompanied in most cases by contact sexual exploitation or sexual abuse. There was not strong evidence of a clear progression from online to offline HSB: it was just as likely for offline HSB to precede online behaviours. Twelve of the young people had long-standing non-sexual offending histories including theft, burglary, criminal damage and general antisocial behaviours. All the young people appear to fit a 'generalist' category where their HSB appeared to be more directed towards peers as part of a broader catalogue of deviance and non-sexual offending. They suggest that 'It may be that CSE-type behaviours in adolescence, much more so than more general HSB, are more strongly related to general deviance than a history of sexual victimisation; if so, this has significant implications for both intervention approaches and prevention activities.'" Ibid
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