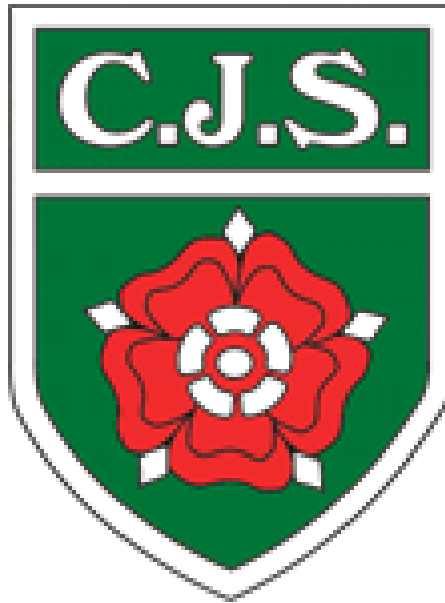


## **Policy & Procedure**



# **(Managing) Allegations Policy 2020-2022**

This policy is reviewed every three years and was agreed by the Governing Body of Chellaston Junior School in Spring 2020 **and will be reviewed again in Spring 2022**

Signed: \_\_\_\_\_ Chair of Governors

Date: \_\_\_\_\_

## **Statutory Policy**

## Chellaston Junior School Managing Allegations against other Pupils

### Aims and Vision

# Chellaston Junior School



“Together we are **stepping to success**. Together we are **working to achieve our best**.”



**Our aim** In striving to become an outstanding school, at CJS we will help ALL pupils to be:

- **Successful Learners** who enjoy learning, make excellent progress and achieve very high standards across the curriculum
- **Confident Individuals** who are able to lead happy, safe, healthy and fulfilling lives
- **Responsible Citizens** who make a positive contribution to British and the global society



## 1. Introduction

DfE guidance Keeping Children Safe in Education (September 2019) says that 'governing bodies should ensure that there are procedures in place to handle allegations against other children'. The guidance also states the importance of minimising the risks of peer-on-peer abuse. In most instances, the conduct of students towards each other will be covered by the school's behaviour policy. Some allegations may be of such a serious nature that they may raise safeguarding concerns. These allegations are most likely to include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is also likely that incidents dealt with under this policy will involve older students and their behaviour towards younger students or those who are vulnerable.

## 2. The safeguarding implications of sexual activity between young people<sup>1</sup>

The intervention of child protection agencies in situations involving sexual activity between children can require difficult professional judgments. Some situations are statutorily clear – for example, a child under the age of 13 cannot consent to sexual activity. However, it may be difficult to be sure that what has or has been alleged to have taken place definitely does have a sexual component.

As usual, important decisions should be made on a case by case basis, on the basis of an assessment of the children's best interests. Referral under safeguarding arrangements may be necessary, guided by an assessment of the extent to which a child is suffering, or is likely to suffer, significant harm.

Key specific considerations will include:

- The age, maturity and understanding of the children;
- Any disability or special needs of the children;
- Their social and family circumstance;
- Any evidence in the behaviour or presentation of the children that might suggest they have been harmed;
- Any evidence of pressure to engage in sexual activity;
- Any indication of sexual exploitation.

There are also contextual factors. Gender, sexuality, race and levels of sexual knowledge can all be used to exert power. A sexual predator may sometimes be a woman or girl and the victim a boy.

### **3. Purpose of Policy**

At Chellaston Junior School we believe that all children have a right to attend school and learn in a safe environment. Children should be free from harm by adults in the school and other pupils.

We recognise that some pupils will sometimes negatively affect the learning and wellbeing of others; their behaviour will be dealt with under the school's behaviour policy.

### **4. Prevention**

As a school we will minimise the risk of allegations against other pupils by:-

- Providing a developmentally appropriate PSHE syllabus which develops pupils' understanding of acceptable behaviour and keeping themselves safe
- Having systems in place for any student to raise concerns with staff, knowing that they will be listened to, believed and valued
- Delivering targeted work on keeping safe to those pupils identified as being at risk
- Developing robust support for pupils identified as being a potential risk to other pupils.

### **5. Sexual Violence and Sexual Harassment (SVSH)**

The school follow the advice included in the DFE document, "Sexual Violence and Sexual Harassment between children in schools and colleges." (December 2017)

Sexual violence refers to criminal acts including rape or assault, as define by the Sexual Offences Act 2003. Sexual harassment is described as "unwanted conduct of a sexual nature".

We have a culture where any sexual misconduct is seen as unacceptable and not "banter" or just "part of growing up". We recognise that certain groups of children may be more vulnerable including girls, pupils who may be, or perceived to be, LGBT+ and pupils with SEND.

Reference to SVSH is included in the school Behaviour Policy and the Anti-Bullying Policy any incidents are considered as serious and dealt with according to the policy.

The curriculum includes content covering the development of healthy relationships, respect and SVSH is covered in SRE and PSHE. Pupils know to report any concerns in line with school policy.

The school record any incidents of SVSH alongside any racist, derogatory or abusive behaviour, which is reported to Governors on a termly basis.

## **6. Searching, Screening and Confiscation**

The school follows the advice in the DFE document, "Searching, screening and confiscation" (January 2018).

If the school becomes aware or obtains and data, files or images that are believed to be illegal, this will be passed to the police as soon as is practicable, including pornographic images of children, without deleting them.

Any data, files or images that are not believed to be unlawful, may be deleted or kept as evidence of a breach of the school's behaviour policy.

The Headteacher, members of SLT, DSL and DDSL are permitted to search electronic devices without consent or parental permission, if there is a suspicion that the pupil has a device prohibited by school rules, or the staff member has good reason to suspect the device may be used to: cause harm, disrupt teaching, break school rules, commit an offence, cause personal injury or damage property.

## **7. Allegations against other pupils which are safeguarding issues**

Occasionally, allegations may be made against pupils by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is likely that, to be considered a safeguarding allegation against a pupil, some of the following features will be found. If the allegation:-

- Is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- Is of a serious nature, possibly including a criminal offence
- Raises risk factors for other pupils in the school
- Indicates that other pupils may have been affected by this pupil
- Indicates that young people outside the school may be affected by this pupil

Examples of safeguarding issues against a student could include:

### **7.1 Physical Abuse**

- Violence, particularly pre-planned
- Forcing others to use drugs or alcohol

### **7.2 Emotional Abuse**

- Blackmail or extortion
- Threats and intimidation

### **7.3 Sexual Abuse**

- Indecent exposure, indecent touching or serious sexual assaults
- Forcing others to watch pornography or take part in sexting

#### **7.4 Sexual Exploitation**

- Encouraging other children to engage in inappropriate sexual behaviour, often with the involvement of older children Photographing or videoing other children performing indecent acts

#### **8. School Procedure**

- When an allegation is made by a pupil against another student, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern the Designated Safeguarding Lead (DSL) should be informed.
- A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances.
- The DSL should contact the First Contact Team to discuss the case. The DSL will follow through the outcomes of the discussion and make a referral where appropriate.
- If the allegation indicates that a potential criminal offence has taken place, the First Contact Team will refer to a Social Worker and the police will become involved.
- Parents, of both the student being complained about and the alleged victim, should be informed and kept updated on the progress of the referral.
- The DSL will make a record of the concern, the discussion and any outcome and keep a copy in the files of both pupils.
- It may be appropriate to exclude the pupil being complained about for a period of time according to the school's behaviour policy and procedures.
- Where neither social services nor the police accept the complaint, a thorough school investigation should take place into the matter using the school's usual disciplinary procedures.
- In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative plan.
- The plan should be monitored and a date set for a follow-up evaluation with everyone concerned.

#### **Equality Statement**

At Chellaston Junior School, we actively seek to encourage equity and equality through our teaching. As such, we seek to advance the equality of opportunity between people who share any of the following characteristics:

- gender;
- ethnicity;
- disability;
- religion or belief;
- sexual orientation;
- gender reassignment;
- pregnancy or maternity.

The use of stereotypes under any of the above headings will always be challenged.

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