



RAINFORD  
HIGH

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PART OF RAINFORD ACADEMIES TRUST

## **Managing Safeguarding allegations from students against other students policy**

**Status & Review Cycle:** Annual review with child protection and safeguarding policy

**Approved on:** 3/02/2020

**Next Review Date:** 3/02/2021

**Response for policy:** Designated Safeguarding Leads

## **Introduction**

Rainford High Academics trust believes that all children and young people have the right to attend school and learn in a safe environment. Children and young people should be free from harm by adults and other students in school.

We recognise that some children and young people will negatively affect the learning and wellbeing of others. When this happens, their behaviour will be dealt in accordance with the below policies:

- Behaviour for learning policy
- Exclusion policy
- Child protection and Safeguarding Children Policy

Along with:

- Keeping Children Safe in Education DFE 2019
- Sexual violence and sexual harassment between children in schools and colleges DFE May 2018

## **Safeguarding Allegations**

Occasionally, students against other students in the school make safeguarding allegations. Safeguarding issues may include physical abuse, emotional abuse, sexual abuse and sexual exploitation.

The below list gives an indication of possible features of these allegations. This list is not exhaustive.

### **The allegation:**

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

### **Examples of safeguarding issues against a student could include:**

#### **Physical Abuse**

- violence, particularly pre-planned
- forcing others to use drugs or alcohol

#### **Emotional Abuse**

- blackmail or extortion
- threats and intimidation

#### **Sexual Abuse**

- indecent exposure, indecent touching or sexual assaults
- forcing others to watch pornography
- taking part in sexting
- Sexual harassment

## **Sexual Exploitation**

- Encouraging other children or young people to engage in inappropriate sexual behaviour (for example - having an older boyfriend/girlfriend, associating with unknown adults or other sexually exploited children or young people, staying out overnight)
- encouraging other children or young to attend inappropriate gatherings
- photographing or videoing other children or young people performing indecent acts
- photographing or videoing other children or young performing indecent acts
- encouraging other children to produce and distribute inappropriate images of themselves or others

In areas where gangs are prevalent, older students may attempt to recruit younger/ vulnerable students using any or all of the above methods. Children and young people suffering from sexual exploitation themselves, may be forced to recruit other children or young people under threat of violence.

Please be aware that all safeguarding allegations will be taken seriously and we will not tolerate any behaviours that harm other students or put them at risk. We will not accept explanations for such behaviours as 'it was just a laugh' or 'it is children being children'. We will treat all situations seriously to ensure appropriate action is taken to prevent further incidents and support everyone involved. The safety of students is of upmost importance and dismissing incidents is unacceptable.

## **When an allegation is made**

When an allegation is made by a student against another student, members of staff should consider whether the complaint raises a safeguarding concern.

If there is a safeguarding concern, the Designated Safeguarding Officer should be informed, who will then inform the Designated Safeguarding Lead.

A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances. The safeguarding officer will check CCTV and check with any staff who are responsible for directly supervising any of the students, to check for basic evidence but no questioning of students will take place. This to help inform the report being made to agencies.

Staff members will record what they have been told. They will not ask students to make a written account of the incident until the decision has been made for school to begin their formal investigation procedures. This will only begin after advice has been taken from the MASH team and the Police.

The Designated Safeguarding Lead or another member of the Safeguarding Team should contact children's services – MASH to discuss the case and/or the Police.

It is possible that social services are already aware of safeguarding concerns around this child or young person. The Designated Safeguarding Lead will follow through the outcomes of the discussion and make a social services referral where appropriate.

The Safeguarding Team will make a record of the concern, the discussion and any outcomes on the school safeguarding system.

## **Criminal Offence**

If the allegation indicates a potential criminal offence has taken place, then the Police will be informed at the earliest opportunity, but following speaking to MASH, and parents will be informed (both the alleged perpetrator and alleged victim). As a school, we will work collaboratively with the Police and if we are unsure if an offence has taken place, then we will contact the Police for advice through MASH (multi-agency safeguarding hub) or 101.

- As stated in the DFE Sexual violence and sexual harassment between children in schools and colleges May 2018 booklet, 'disciplinary action can be taken whilst other investigations by the police and/or children's social services are ongoing. The fact that another body is investigating or has investigated an incident does not in itself prevent a school from coming to its own conclusion, on the balance of probabilities, about what happened, and imposing a penalty accordingly'. This is a matter for the school and should be carefully considered on a case by case basis. The designated safeguarding lead (or deputy) should take a leading role. The school should consider if, by taking any action, they would prejudice an investigation and/or any subsequent prosecution. Careful liaison with the police and/or children's social care should help the school make a determination.

Following the allegation, we will place both the alleged perpetrator and victim with staff members to supervise them until parents arrive so that they can be supported through this time. Only the designated safeguarding lead can authorise these students to return to lessons/social time.

It may be appropriate to exclude the student being complained about for a period of time according to the school's behaviour and exclusion policies 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. Please note that even if Police take no further action, the school may, on the balance of probabilities, conclude that the incident did take place and deal with the issue in accordance with the safeguarding, behaviour for learning and exclusion policies.

In situations where the school considers a safeguarding risk is present, a clear risk assessment and plan of action should be written. The Designated Safeguarding Lead will oversee this plan.

The plan will be monitored regularly and with date set for a follow-up evaluation with everyone concerned.

## **Risk Management and Reduction**

If an allegation is made against a student of a safeguarding nature, then appropriate actions and support will be put into place for the alleged victim and alleged perpetrator. A risk assessment/management plan will be written for each student to ensure these and other students are kept safe and are not vulnerable to malicious allegations being made. This plan may involve group moves to split up the students. Priority will always be given to ensuring minimum disruption for the alleged victim.

We will allocate each student involved with a mentor/trusted adult to support them. These adults will not be involved with the investigation process.

The school should be informed of any situation where a child or young person presents a safeguarding concern as identified by any external agencies. E.g. if a student has been involved with a crime outside of school of a safeguarding nature. As a school, we work collaboratively with other agencies and we will work closely with them to support and manage situations carefully to promote safety for all.

There will always be a balance between privacy and the need to share key information in order to safeguard students. For example, key information may need to be shared with a student's teachers so they can support the young person in lessons. The Designated Safeguarding Lead will make the decision about what information needs to be shared in order to safeguard the student in school, under authorisation of the Principal. These decisions will be documented.

Parents will be involved in the risk management stage and we will seek support from the MASH team and Police, where appropriate, to ensure this plan is robust.

All risk assessments will be reviewed regularly and the student support will be adapted to support all students through the investigation and outcomes.

#### **What if the accused student is from another school?**

If we receive an allegation from a student in our school then we will inform the Multi-Agency Safeguarding Hub, the Police and the Designated Safeguarding Officer from the related schools (where appropriate).

#### **What if the allegation is made against a Rainford student from a student at another school?**

We would follow the same procedures as stated by working collaborative with other agencies and forming appropriate risk management plans to support the student and the safety of other students in our community.

### **Sexting**

Staff and other adults who work with children and young people in Rainford Academics Trust will read this policy within the framework of the following guidance:

- Sexting in schools and colleges: Responding to incidents and safeguarding young people DFE

All incidents involving youth produced sexual imagery should be responded to in line with the school's safeguarding policy.

When an incident involving youth-produced sexual imagery comes to the school attention:

- The incident should be referred to the Designated Safeguarding Lead as soon as possible
- The Designated Safeguarding Lead should hold an initial review meeting with appropriate school staff
- There should be subsequent interviews with the child or young people involved (if appropriate)

- Parents/Carers should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents/carers would put the child or young person at risk of harm

At any point in the process if there is a concern that a child or young person has been harmed or is at risk of harm a referral should be made to children's social care and/or the Police immediately.

If staff believe there are inappropriate images of children on a device, then the device will be confiscated, switched off and locked away. The Police will then be informed. The device will remain confiscated until Police come to school to deal with the issue or instruct us to give the student the phone back. This may then be followed by appropriate school disciplinary action in line with the behaviour for learning policy.

We believe firmly in multi-agency working and we will seek advice from the Multi-Agency Safeguarding Hub and/or Police when dealing with any cases involving youth produced sexual imagery and sexting.

### **Education and Prevention**

As a school, we are committed to the education of our students through our Relationships, Sex and Health Education programme, where we cover these topics in assemblies and in tutor time.

For further information, please consult our webpage links below:

<http://rainford.org.uk/pshce-rshe/>

### **Related Policies**

Anti-bullying Policy  
Behaviour for Learning Policy  
Drugs and substance Misuse Policy  
Exclusion Policy  
Search Policy  
Child protection and safeguarding policy  
Equality and diversity policy  
Relationships, Sex and Health Policy