Appendix K: Peer on Peer Abuse (including bullying)

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1. Purpose and content

The purpose of this appendix of the UCQ Safeguarding Policy is to provide a clear set of guidelines to staff regarding the actions they must take if they become aware that a student is at risk of abuse from peers including through bullying, cyber-bullying and sexting.

The UCQ Safeguarding Policy has been developed in line with statutory guidance and the locally agreed inter-agency procedures put in place by the Newcastle Safeguarding Children Board and the Newcastle Safeguarding Adults Board. The policy applies to all students and all staff (including agency and hourly paid staff) irrespective of anyone's position or role in UCQ, together with governors and any workers who are at UCQ on a voluntary/placement/other professional basis.

Please note that the term 'UCQ' is used throughout this appendix, as a generic term that encompasses all organisations within the wider UCQ group. The term 'staff' is also used as a generic term that encompasses all groups of workers as outlined in the paragraph above.

2. Definitions

The key terms in this document are defined as:

- Child: Those under the age of eighteen

- Vulnerable Adult: For the purpose of safeguarding, and the UCQ duty of care, a vulnerable adult is defined as any adult considered to be at risk

- Education and Health Care Plan (EHCP): From September 2014 EHCPs began to replace Statements of special educational needs and Learning Difficulty Assessments from those under the age of 25. An EHCP outlines information about the person including how they communicate, what support they need and what they would like to achieve

- Bullying: Behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. This includes any repeated words or actions, which are aimed at causing someone to feel frightened, miserable and helpless. Bullying can take many forms, including:
  - Verbal: e.g. name calling, sarcasm, threatening & teasing
  - Physical: e.g. pushing, hitting, kicking, punching or any use of physical aggressive contact
  - Social: e.g. ignoring, spreading rumours or treating someone like an outsider
  - Psychological: e.g. stalking & intimidation

- Cyber-bullying: 'Virtual' bullying using technology (e.g. chat rooms, instant messaging, email & mobile phone) which can occur in or outside UCQ. Cyber- bullying can happen at all times of the day, with a potentially bigger audience, as people can forward on content very quickly and easily

- Sexting: Whilst professionals refer to the issue as 'sexting' there is no clear definition. Many professionals consider sexting to be sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the Internet but students may be more likely to interpret sexting as writing and sharing explicit messages with

people they know. Creating and sharing sexual photos and videos of under-18s, including selfies, is illegal

- Harassment: Any conduct which is unwanted by a student, which affects the dignity of the student or group of students in the UCQ. Harassment may be repetitive or an isolated occurrence against one or more students

3. External guidance

Peer on peer abuse can take many forms including physical, sexual (e.g. inappropriate touching) and emotional abuse (including bullying). Department for Education (DfE) September 2016: Keeping children safe in education; statutory guidance for schools, colleges and private providers, makes it clear that abuse is abuse and should never be tolerated or passed off as 'banter' or part of 'growing up.'

The Equality Act 2010 replaced previous anti-discrimination laws with a single Act. A key provision was a new public sector Equality Duty, which came into force on 5 April 2011. This requires UCQ to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the act

- Advance equality of opportunity between people who share a protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and people who do not share it

- Foster good relations between people who share a protected characteristic and people who do not share it

Peer on peer abuse often involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators having control over the relationship which makes it difficult for those they abuse to defend themselves. This imbalance of power can manifest itself in several ways. It may be physical, psychological (knowing what upsets someone), or social (e.g. isolating or excluding someone). It could also include issues such as revenge porn or what are often gender issues (e.g. girls being touched or boys being involved in initiation activities).

Bullying (including cyber-bullying) can be involved in any type of abuse and is often motivated by prejudice or ignorance due to actual or perceived differences between people or groups or people. People who are lesbian, gay, bisexual or transgender (LGBT), those from minority ethnic groups, or those with disabilities and/or learning difficulties can be more vulnerable to this form of abuse and UCQ takes it duty to protect more vulnerable students very seriously.

Peer on peer abuse should be addressed as a child or vulnerable adult protection concern when there is reasonable cause to suspect that a child or vulnerable adult is suffering, or is likely to suffer, significant harm. Sexting involving those under the age of 18 must always be referred to a Designated Person.

4. Actions

The following actions must be taken by all staff:

- All staff and students have a responsibility to work together to ensure that abuse does not occur, or where it is found, action is taken

- Staff must ensure ground rules are set in induction and that students are made aware of the importance of adhering to fundamental British values, what constitutes abuse (including bullying and cyber-bullying) and how any incidents of abuse will be addressed through the Academic Misconduct Policy

- Course leaders/personal tutors for under 18s, and those under the age of 25 in receipt of an EHCP and/or high needs funding, must ensure students understand how to stay safe from abuse through the tutorial programme

- Staff receiving reports of abuse, including incidents that take place off UCQ premises, must take appropriate action to follow up all allegations/incidents and trigger an investigation which will be managed in line with the Academic Misconduct Policy. Sanctions against perpetrators may include suspension whilst an investigation takes place and permanent exclusion

- Staff must ensure appropriate managers are notified. This includes the Designated Safeguarding Lead

- All staff involved must carefully consider the potential impact of the abuse on both the perpetrator/s and the victim/s and refer those involved for additional support from the welfare team as appropriate. Significant concerns must be referred to a Designated Person for safeguarding following the referral routes outlined in the Safeguarding Policy

- The Designated Safeguarding Lead will consider referring students and their parents/carers to other agencies where appropriate. This may include referral for counselling and to the police as although some types of abuse (e.g. bullying) may not be a specific criminal offence in the UK, some types of harassing or threatening behaviour could be a criminal offence (e.g. under the Protection from Harassment Act 1997)

- All allegations/incidents must be recorded and students involved told what is being recorded, in what context, and why

- Any incident of abuse must be discussed with the students' parents/carers for under 18s and those under the age of 25 in receipt of an EHCP and/or high needs funding, and with the Designated Safeguarding Lead. An agreement must be reached as to what action should be taken subject to compliance with the Academic Misconduct Policy.

5. Useful contacts

- NSPCC Helpline 0808 800 5000
- ChildLine 0800 500 / www.childline.org.uk
- Kidscape www.kidscape.org.uk
- Anti-Bullying Alliance www.antibullyingalliance.org
- Bullying UK www.bullyinguk.org.uk