

ANTI-BULLYING POLICY

Reviewed without change: June 2020
Status: non-statutory

What constitutes bullying?

Bullying can be experienced by both pupils and adults. Although there is no legal definition of bullying, Tattum and Lane in their book, *'Bullying in Schools'*, describe bullying as: *'...a wilful, conscious desire to hurt another and put him or her under stress'*.

Bullying is defined by the DFE in its advice to schools 'Preventing and tackling bullying' July 2017, as 'behaviour by an individual or group that intentionally hurts another individual or group either physically or emotionally'. Bullying is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation or because a child is adopted or has caring responsibilities. It might be motivated by difference, real or perceived between children.

Bullying can be:

- Physical: pushing, kicking, hitting or pinching, any form of violence, threats.
- Verbal: name-calling, sarcasm, spreading rumours, persistent teasing.
- Emotional: tormenting, threatening ridicule, humiliation, and exclusion from groups or activities.
- Relational: damaging someone's relationships or social status.
- Cyber: the use of the internet and related technologies to harm other people, in a deliberate, repeated, and hostile manner, for example via text messages, social media or gaming, which can include the use of images and videos.
- Racist: racial taunts, graffiti, gesture.
- Extortion: money, gifts, doing homework.
- Sexual: unwanted physical contact, abusive comments.

There is particular concern about an increase in racially motivated, homophobic, biphobic and transphobic bullying. Schools are required to give specific attention to these forms of bullying in developing their anti-bullying policies.

Symptoms of bullying

Children who are being bullied at school will not always be prepared to tell those in authority. However, when a disclosure is made, it should always be treated seriously. While others may not feel that certain actions or words are of a bullying nature, if the recipient feels they are being bullied that is sufficient evidence to treat the case as *prima facie* bullying.

For those pupils who are unable to inform staff about their problem, observations regarding specific behaviour patterns can be routinely established within the school. Signs of bullying might include:

- Unwillingness to come to school.
- Withdrawn, isolated behaviour.
- Complaining about missing possessions.
- Refusal to talk about any problem.
- Easily distressed.

- Damaged or incomplete work.

In the case of work-place bullying of staff and other adults in the school, bullies are often in positions of power or authority over their victims. Telltale signs in victims are indicated in the following list, which is neither inclusive nor exclusive:

- General low morale.
- Increased level of staff turnover.
- High rates of absenteeism.
- Frequent disputes, complaints and grievances.
- Isolated members of staff.
- Inefficient team working.

Firm management style can often be given as an excuse for what is seen by others as bullying, as with the pupils, if the recipient considers himself or herself to be bullied then bullying has *prima facie* taken place.

Ways of reporting bullying must be clearly established for both pupils and staff, and parents must be clear as to how they can ensure their concerns for their child are taken seriously. Consideration should be given to appropriate 'assertiveness' training for the bullied and other vulnerable groups. Some schools now employ an independent counsellor for both staff and pupils who will work with both the bullies and the bullied, developing strategies for each to be supported.

The law

The Children Act 1989 regards a bullying incident as a 'child protection concern when there is reasonable cause to suspect that a child is suffering or is likely to suffer significant harm'. In this kind of situation, the school should report their concerns to the local authority (LA) social care department.

Under the Education and Inspections Act 2006, maintained schools must have measures in place to encourage good behaviour and prevent all forms of bullying amongst pupils. These measures form part of the school's behaviour policy and must be communicated to pupils, staff and parents.

For academies, the equivalent legislation is found in the Education (Independent Schools Standards) (England) Regulations 2010 which provide that the proprietor of the academy is required to have an effective anti-bullying policy in place.

The Public Sector Equality Duty (part of the Equality Act 2010) applies to both maintained schools and academies. Part 6 of the Equality Act 2010 makes it unlawful for the responsible body of a school to discriminate against, harass or victimise a pupil or potential pupil in relation to admissions, the way it provides education for pupils, provision of pupil access to any benefit, facility or service or by excluding a pupil or subjecting them to any other detriment.

In addition, schools also have duties under Part 3 of the Children and Families Act 2014 to ensure that pupils with special educational needs engage in the activities of the school together with children who do not have special educational needs.

Criminal law

Although bullying is not defined in the UK as a crime, nevertheless certain types of harassing or threatening behaviour or communication can constitute a criminal offence. This could come under:

- The Public Order Act 1986.
- The Malicious Communications Act 1988.
- The Protection from Harassment Act 1997.
- The Communications Act 2003.

If the school feels that an offence may have been committed, they should seek advice from the police as soon as is reasonably practicable. This is most likely to occur in schools because of a malicious electronic communication, for example via a social networking site.

The wider search powers included in the Education Act 2011 give schools stronger powers to tackle cyber bullying in particular, because teachers can search for and if necessary delete inappropriate images or files on electronic devices. This power applies to all schools and there is no need to have parental consent to search through a pupil's mobile phone.

Governing Bodys' responsibilities

It is clear that if a school member suffers any or all of the bullying described above there is a breach in the responsibility to provide a safe place of work. That responsibility has to be exercised by the Governing Body, which, therefore, must ensure that an appropriate policy exists in school, that it is effectively implemented and regularly reviewed. When considering the development of such a policy, a Governing Body may wish to take the following points into account:

- It is a mistake to believe that bullying will stop if it is ignored and to believe that bullying is part of growing up and does no harm but helps to 'build character'.
- Bullied pupils may suffer real physical difficulties as a result, including headaches and abdominal pains and may start truanting.
- The development of the school policy and its implementation should include all teaching staff and pupils through school councils, as well as governors, administrative staff, lunchtime supervisors, parents, voluntary helpers and the general community in which the school exists.
- An essential ingredient of the policy must be to ensure good supervision at break times and lunchtimes.
- It is important to take bullying problems of all school members seriously, so that all incidents are investigated thoroughly ensuring that bullies and victims are interviewed separately. Obtain witness information, and keep a written record of the incident, investigation and outcomes.
- If someone has information about possible bullying, they should inform staff about the incident where a pupil is involved and inform appropriate senior staff where a member of staff is involved.
- With pupils, it is vital to ensure that action is taken to prevent further incidents. Such action may include:

- Imposition of sanctions.
- Obtaining an apology.
- Informing parents of both bully and bullied.
- Providing appropriate assertiveness training.
- Providing mentor support for both victim and bully.
- The bullying policy should tie in closely with the school discipline policy and should rely on the same system of punishments and rewards.
- All staff, but especially those with a pastoral or special responsibility for implementing the bullying policy, should receive full and appropriate training.
- The policy should encourage a 'telling' or open culture.
- All pupils will be expected to observe the school's discipline and anti-bullying policy.

A failure by the pupil to observe the discipline and anti-bullying policy may result in the headteacher deciding to implement sanctions outlined in the school's discipline policy, including exclusion. In staff cases, it may lead to dismissal.

The school policy dealing with bullying may be part of another policy (for example, the general discipline policy) or it may stand alone as a separate policy. Whatever its status, there should be full consultation with everyone concerned including the school council of pupils.

Parents should be made aware of the school's complaints procedure, and be assured that, should they make a complaint through that procedure, the matter would be taken seriously and dealt with accordingly.

Headteachers have the legal powers to ensure that pupils at state-funded schools behave properly outside school premises. This includes bullying that happens anywhere off the school premises, for example on school transport or in a town centre. School staff can also choose to report bullying to the police or LA.

In all cases of misbehaviour, the pupil can only be disciplined on school premises or when the pupil is under the lawful control of a staff member.

The latest Ofsted framework which came into effect from September 2015 includes personal development, behaviour and welfare as key criteria for inspection, so schools must be able to demonstrate the impact of their anti-bullying policies. Ofsted's 2016 to 2020 strategic plan further refers to identifying and reporting on issues of concern in the sectors they inspect which undoubtedly captures a school's approach to dealing with bullying.

The DFE has published an updated range of useful and informative documents for schools.

- Online abuse and bullying prevention guide – Home Office Guidance March 2015.
- Preventing and tackling bullying – DFE advice July 2017.

- Cyberbullying – DFE advice November 2014.

Some successful strategies for dealing with bullying amongst pupils

Successful strategies include:

- Increasing the friendship circle for victims.
- Mediation by pupils and adults.
- Active listening including telephone help lines (ChildLine and Samaritans).
- Assertiveness training groups.
- Counselling.
- Developing a non-violent school ethos.
- Involving parents in anti-bullying work.
- The charities/organisations listed below are linked to some highly successful strategies:
- Bullying Advice from Bullying UK – www.bullying.co.uk.
- National Bullying Helpline – www.nationalbullyinghelpline.co.uk.
- National Society for Prevention of Cruelty to Children – www.nspcc.org.uk.
- Advisory Centre for Education (ACE) – www.ace-ed.org.uk.
- ChildLine – www.childline.org.uk.
- The Mix – www.themix.org.uk.
- Kidscape – www.kidscape.org.uk.
- National Children’s Bureau – www.ncb.org.uk.
- The Samaritans – www.samaritans.org.

The role of the curriculum

Teaching and learning strategies can be used in a cross curricular way, particularly in the PSHE programme to:

- Raise awareness of bullying and harassment.
- Increase understanding for victims, and help to build an anti-bullying and anti-violence ethos.
- Teach pupils how to handle their relationships with others.

Through the curriculum it is possible to explore such issues as:

- Why do people bully each other?
- What are the effects of bullying on the bullied, on bullies, and on bystanders?
- What can we do to stop bullying?

There are now many different types of media available in the UK, which illustrate bullying: for example Sticks and Stones (secondary) and The Trouble with Tom (primary). Pupils can explore different characters’ perspectives and suggest anti-bullying strategies.

Staff harassment and bullying

The problem of bullying and harassment at work is sadly one that exists in schools and it is becoming more apparent as more teachers are prepared to make formal complaints against colleagues because of their behaviour.

Employees' health and safety

Employers have significant duties and responsibilities for the health and safety of employees. There is the common law of duty of care and a statutory duty of care under health and safety legislation. The Health and Safety at Work Act 1974 requires employers to ensure, so far as is reasonably practicable, the health, safety and welfare of all employees. This includes mental and physical health. The Management of Health and Safety at Work Regulations 1992 require employers to identify and assess health and safety risks at work and to take appropriate preventative or protective measures to reduce or eliminate those risks. Employers cannot therefore shut their eyes to bullying at work.

Criminal charges

Legislation exists to provide protection under the law. For example, under the Criminal Justice and Public Order Act 1994, a person is guilty of an offence if, with intent to cause someone harassment, alarm or distress, he or she:

- Uses threatening, abusive or insulting words or behaviour, or disorderly behaviour.
- Displays any writing, sign or other visible representation that is threatening, abusive or insulting, thereby causing that or another person harassment, alarm or distress.

An offence under this section may be committed in a public or a private place, except that no offence is committed where the words or behaviour are used, or the writing, sign or other visible representation is displayed, by a person inside a dwelling and the person who is harassed, alarmed or distressed is also inside that or another dwelling.

Other legal recourse may also be taken under the Protection from Harassment Act 1997.

The governors and senior staff believe that each student at of our school is entitled to receive their education free from humiliation, intimidation, oppression and abuse. It is the responsibility of all staff that this takes place in an atmosphere which is caring and protective.

Action

In order to achieve this, our school will:

- Set down whole school strategies to combat bullying, for we must accept that bullying does exist within our school.
- Ensure that there is a procedure to follow when incidents of bullying occur and that it is made clear to all staff and students.
- Put the immediate physical safety of a student as a first priority.
- Follow up every incident of alleged bullying to ensure that the victim is given as much support as possible in order to prevent a recurrence of the behaviour.
- Inform parents of victims and bullies of the action being taken, including exclusion, and what they can do to reinforce and support that action.
- Ensure that all students have an assigned person (for example class teacher/form tutor/head of year/house...member of the Safeguarding Team) to whom they can talk in confidence. Students need to know that something will be done, and that the incident will be handled in a sensitive manner. Students must be told, however, that the school cannot offer limitless confidentiality at all times, especially if issues of child protection are involved.

- Ensure that all areas of our school are patrolled at break and lunchtime and at the beginning and end of the day. Set up procedures for dealing effectively with specific complaints from parents.
- Encourage all school staff to be aware of the problem of bullying and to pass on any worries they may have about individual children.
- Provide a pastoral programme that contains specific sections on bullying.
- Use the curriculum as a positive means for combating bullying.
- Ensure that all students, parents and adults in our school know that bullying is completely unacceptable and if they help to stop it they will be supported.
- Give clear advice to parents on how to look out for signs of distress and whom to contact if their child is being bullied.

Teachers should:

- Watch for early signs of distress in students – deterioration of work, poor attendance, sudden illnesses, isolation, need to stay close to adults. These concerns should be passed on to the relevant head of house/form tutor/class teacher.
- Should listen carefully and record all incidents.
- Respond to the victim, offer help and put school's procedures into operation.
- Make it clear to both the bully and his/her parents that this kind of behaviour is not acceptable in this school.
- Use all students as a positive resource in the stopping of bullying. Peer groups will often be willing to help and support victims once recognised by a teacher. They can also help shy students or newcomers feel welcome and accepted. Sexual and racial harassment also needs to be discussed and dealt with.
- Inform the Headteacher / Member of the Safeguarding Team of incidences of bullying.

The following steps should be followed in recording incidents of bullying and also as a means of conveying to everyone how seriously our school regards bullying behaviour.

- The bullied student should record the events in writing with dates.
- The bully should also record the events in writing.
- The teacher and/or head of house, senior teacher, should record their discussions with both parties.
- The headteacher will decide whether the bully should be excluded.
- The parents/carers of the students should be sent copies of the reports and these should be placed in the files of all students involved for a specified period of time.
- The parents/carers of the students should be asked to respond in writing.

Students should be encouraged:

- To report to an adult when someone is being bullied or in distress.
- Inform an adult immediately if they do not wish to become involved himself or herself.
- To reject bullies in their social group. (Children will stop bullying if they are socially excluded.)

Parents and carers should:

- Raise any change in behaviour of their children with our school.

- Treat seriously any suggestion by their children that they may be being bullied.
- Encourage their son or daughter to talk to a supportive adult they know if they cannot talk to their parents or carers.