



Orchard Learning Trust

Anti-Bullying Policy -March 2018

Together We

Inspire Enjoy Achieve

Anti-Bullying Policy

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Section 1

Context including National and Local Policy and Legislation

The profile of bullying and anti-bullying work locally and nationally has never been higher. Evidence from national and local research indicates that bullying is widespread and consultations with children and young people (CYP) repeatedly identify bullying as a key concern for them.

Protection from bullying and the right to attend education without fear is covered by a number of national legislative drivers and non statutory guidance (see [appendix A National Legislative and Policy Context](#)). In particular, The Education and Inspections Act (2006) requires every school to establish measures to encourage good behaviour and prevent all forms of bullying amongst pupils. The Equality Act (2010) requires schools to eliminate unlawful discrimination, harassment and victimisation in relation to pupils who share a protected characteristic and therefore may be vulnerable to prejudice driven bullying.

The Common Inspection Framework (2015) requires Ofsted to make a judgement on the effectiveness of leadership and management and pupils' personal development, behaviour and welfare. Under these two criteria inspections will evaluate the effectiveness of measures established by schools to address all forms and types of bullying (see [appendix B Inspecting Schools](#)).

Section 2

What is bullying?

a) Our Shared Beliefs about Bullying

Bullying damages children's and young people's physical and mental health, including their self-confidence and ability to build and sustain relationships. It can also destroy self-esteem sometimes with devastating consequences and with the effects lasting into adult life. Bullying undermines the ability to concentrate and learn and can impact on children's and young people's chances of achieving their full potential at school and later in life. Bullying causes harm to those who bully, those who are bullied and those who observe bullying. This school believes that all children and young people have the right to learn and work in an environment where they feel safe and that is free from harassment and bullying. The

purpose of this policy is to communicate how the school aims to create a climate and school environment in which everyone agrees that bullying is unacceptable and is committed to tackling it to improve outcomes for children and young people.

b) A Definition of Bullying

Bullying is a subjective experience that can take many forms. Various national and international definitions of bullying exist and most of these definitions have three things in common which reflect CYP's experience of bullying and evidence gained from extensive research in this area. The three common aspects in most definitions of bullying are that:

- It is deliberately hurtful behaviour
- It is usually repeated over time
- There is an imbalance of power, which makes it hard for those being bullied to defend themselves.

These factors are reflected in the DfE and Cambridgeshire CFA Services definitions of bullying:

'Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally' DfE, 2011

'Bullying is the persistent, deliberate attempt to hurt or humiliate someone'.

Cambridgeshire CFA Services, 2014

At our school we define bullying as:

'The intentional repetitive or persistent hurting of one person or group by another (emotionally or physically), where the relationship involves an imbalance of power'.

For the children at our school the definition of someone who bullies is someone who:

'Deliberately keeps on hurting you by what they do or say, someone who threatens you and makes you too frightened to tell the teacher'

'Keeps on hurting the feelings of others on purpose by hitting out or by words or gestures; a person who makes you feel small or will not let you join in'

c) Bullying Forms and Types

Forms of Bullying

Bullying behaviour across all types of bullying can represent itself in a number of different forms. Children and young people can be bullied in ways that are:

Physical – by being punched, pushed or hurt; made to give up money or belongings; having property, clothes or belongings damaged; being forced to do something they don't want to do.

Verbal – by being teased in a nasty way; called gay (whether or not it's true); insulted about their race, religion or culture; called names in other ways or having offensive comments directed at them.

Indirect – by having nasty stories told about them; being left out, ignored or excluded from groups.

Electronic / 'cyberbullying' – via text message; via instant messenger services and social network sites; via email; and via images or videos posted on the internet or spread via mobile phones.

Specific Types of Bullying

The school recognises that although anyone can be bullied for almost any reason or difference, some CYP may be more vulnerable to bullying than others. Research has identified various different types of bullying experienced by particular vulnerable groups of CYP. These include:

- Bullying related to race, religion or culture
- Bullying related to special educational needs (SEN) or disabilities
- Bullying related to being gifted or talented
- Bullying related to appearance or health conditions
- Bullying related to sexual orientation
- Bullying of young carers or looked-after children or otherwise related to home circumstances
- Sexist, sexual or transphobic bullying.

(See appendix C Specific Types of Bullying)

The school recognises that bullying is a complex type of behaviour occurring between individuals and groups. Different roles within bullying situations can be identified and include:

- The ring-leader, who through their position of power can direct bullying activity
- Assistants/associates, who actively join in the bullying (sometimes because they are afraid of the ring-leader)
- Reinforcers, who give positive feedback to those who are bullying, perhaps by smiling or laughing
- Outsiders/bystanders, who stay back or stay silent and thereby appear to condone or collude with the bullying behaviour
- Defenders, who try and intervene to stop the bullying or comfort pupils who experience bullying.

Some CYP can adopt different roles simultaneously or at different times e.g. a bullied child might be bullying another child at the same time, or a 'reinforcer' might become a 'defender' when the ringleader is not around.

d) Recognising Signs and Symptoms

The school recognises the fact that some CYP are more vulnerable to bullying than others and is sensitive to the changes of behaviour that may indicate that a child or young person is being bullied. CYP who are being bullied may demonstrate physical, emotional and behavioural problems. The following physical signs and behaviour could indicate other problems but bullying will be considered as a possibility:

- Being frightened of walking to or from school
- Losing self confidence and self-esteem
- Being frightened to say what's wrong
- Developing unexplained cuts, bruises and other injuries
- Unwilling to go to school, development of school phobia and unusual patterns of non attendance
- Failing to achieve potential in school work
- Becoming withdrawn, nervous and losing concentration

- Becoming isolated and disengaged from other CYP
- Developing changes in physical behaviour such as stammering and nervous ticks
- Regularly having books or clothes destroyed
- Having possessions go 'missing' or 'lost' including packed lunch and money
- Starting to steal money (to pay the perpetrator)
- Becoming easily distressed, disruptive or aggressive
- Developing problems with eating and food
- Running away
- Developing sleep problems and having nightmares
- Developing suicidal thoughts or attempting suicide.
- Feeling frustrated, insecure, inadequate, humiliated
- Finding it difficult to socialise and make friends
- Being overly self orientated (possibly displaying good self esteem) and finding it difficult to empathise with the needs of others
- Being unable to resist negative peer pressure
- Being under pressure to succeed at all costs.

Where CYP are exhibiting extreme signs of distress and changes in behaviour, the school will liaise with parents/carers and where appropriate, relevant health professionals and agencies such as the school nurse/G.P. and the Child and Adolescent Mental Health Service.

e) Recognising reasons why CYP may bully

The school recognises the fact that CYP may bully for a variety of reasons. Recognising why CYP bully supports the school in identifying CYP who are at risk of engaging with this type of behaviour. This enables the school to intervene at an early stage to prevent the likelihood of bullying occurring and to respond promptly to incidents of bullying as they occur. Understanding the emotional health and wellbeing of CYP who bully is a key way to selecting the right responsive strategies and to engaging the right external support.

Possible reasons why some CYP may engage in bullying include:

- Struggling to cope with a difficult personal situation e.g. bereavement, changes in family circumstances
- Liking the feeling of power and using bullying behaviour to get their own way
- Having a temperament that may be aggressive, quick tempered or jealous
- Having been abused or bullied in some way

Section 3 – Implementing the Anti-bullying Policy in our School

a) Introduction

This Anti-Bullying Policy is set within the wider context of the school's overall aims and values.

Our Vision Statement

We will provide high quality, inspiring education, ensuring each child develops to reach their full potential.

Our Shared Values:

Aspiration: In all areas of our work we will aspire to achieve the best that we possibly can.

Caring: We care about all members of our community and ensure everyone's well-being and safety is paramount.

Challenge: We will continually challenge ourselves and each other to improve in our work.

Determination: We will succeed in what we do through our determination and resilience.

Enjoyment: Our schools will be positive environments where we all enjoy what we do.

Honesty: We will always be truthful. If we have done something wrong we accept responsibility. We know when to say sorry.

Respect: We expect all who are involved in our schools to display respect to each other at all times.

Sharing: We will always work as a team, sharing experiences and working together to excel in everything we do.

This policy acts as an overarching policy for these specific policies and guidance in the following areas: SRE and PSHE. These policies include more detailed explanation of implementation of these themes.

It is also linked to and is delivered in the context of the following policies: Behaviour, Safeguarding and Child Protection, SMSC, SEN, Equality, Health and Safety, ICT/Computing (including E-safety), Science.

b) Policy Aims

This Policy aims to communicate the school's approach to involving the whole school community in developing and promoting a whole school anti-bullying ethos and culture. The Policy provides clear guidance on how the school intends:

- To raise the profile of bullying and the effect it has on children and young people's emotional health and wellbeing, life chances and achievement
- To make clear to everyone within our whole school community that no form of bullying is acceptable and to prevent, de-escalate and /or stop any continuation of harmful behavior.
- To encourage and equip the whole school community to report all incidents of bullying, including those who have experienced being bullied and bystanders who have witnessed an incident
- To respond quickly and effectively to incidents of bullying using a restorative approach and /or sanctions where necessary
- To apply reasonable and proportionate disciplinary sanctions to CYP causing the bullying
- To support CYP who are bullying in recognising the seriousness of their behaviour and to offer support and counselling to help them to readjust their behaviour
- To safeguard and offer support and comfort to CYP who have been bullied and provide longer term support where necessary to reduce the likelihood of

negative effects on their behaviour and self esteem.

- To address the emotional and behavioural needs of CYP who bully others to reduce the likelihood of repeated incidents of bullying
- To identify vulnerable CYP and those critical moments and transitions when CYP may become more vulnerable to bullying and provide additional support/safeguarding when needed
- To ensure all staff are trained and supported to enable them to model positive relationships][
- To regularly monitor incidents of bullying and harassment and report to responsible bodies e.g. governors
- To provide a curriculum framework for Personal Social and Health Education and Citizenship that includes learning about bullying, diversity, discrimination and personal safety.

c) Reporting Incidents of Bullying

The school encourages and equips the whole school community to report all incidents of bullying, including CYP who have experienced being bullied and bystanders who have witnessed an incident. The school endeavours to provide clear, accessible and confidential incident reporting systems, which include access to:

- Teaching and support staff who are trained in listening skills and anti-bullying issues
- Designated Child Protection staff.
- Trained peer mediators

The school's incident reporting systems and guidance on defining bullying and recognising the signs and symptoms of bullying in CYP are recorded and communicated to the whole school community via:

- The school's anti-bullying leaflet
- The school's prospectus.
- The school's anti-bullying website

d) Responding to Incidents of Bullying

The school has an agreed procedure for responding consistently to incidents or allegations

of bullying. Direct action to respond to incidents of bullying occurs within a context, which reminds all CYP that bullying behaviour is unacceptable to the school and will not be tolerated. At our school, all CYP are encouraged to report incidents of bullying whether they have been bullied or have witnessed bullying. The school will investigate the incident and decide on an appropriate course of action.

When responding to incidents involving any type of bullying the school will consider the situation in relation to the school's Child Protection Policy and procedures. Statutory guidance on safeguarding CYP identifies 'Emotional Abuse' as featuring 'serious bullying causing children frequently to feel frightened or in danger; or the exploitation or corruption of children'. In cases of severe or persistent bullying, staff will liaise with the Designated Person for Child Protection particularly where there are concerns that a child or young person may be suffering or likely to suffer significant harm in terms of emotional abuse.

The procedure and stages in responding effectively to bullying at our school are:

Monitoring and recording behaviour and relationship issues

The school follows a clear behaviour management system, which enables challenging behaviour and relationship problems to be identified, recorded and addressed. The school uses the school's definition of bullying to assess situations as they arise and judge whether or not bullying has occurred or where a pattern of potential bullying behaviour may be developing.

Making sure the person being bullied is safe and feels safe

When a CYP reports being bullied, the school will acknowledge their concerns and the incident will be taken seriously. Incidents of bullying reported by witnesses are treated in the same manner and will always lead to a conversation with the targeted child.

Establishing and recording what happened by listening to the targeted child

After listening to the views and feelings of the targeted child and their account of what has happened to them, the school will record the incident appropriately.

When an incident of bullying is reported the school will endeavour to make a written record of this incident within 24 hours of the incident

occurring. Written records are factual and where opinions are offered these will be based on factual evidence. Recording incidents helps to build a picture of behaviour patterns in school e.g. who, when, how, what action taken. It enables the school to manage individual cases effectively and monitor and evaluate the effectiveness of strategies.

Note: In Cambridgeshire, schools regularly report prejudice-related incidents to the local authority. This information allows the local authority to compare school trends with locality area and county trends and enables the local authority to monitor the occurrence of incidents and identify underlying trends in racist, homophobic and disability-related bullying so that appropriate and relevant training and support can be provided to schools.

Deciding upon a response. After listening to the account of the targeted child, the school will discuss an appropriate course of action with them. All incidents of bullying will be responded to seriously and the behaviour of those who have been bullying will be challenged.

Responding to incidents of cyberbullying

The school will follow the above procedures and will seek guidance on responding to different forms of cyberbullying via organisations which provide information on the safe and responsible use of technology.

Responding to incidents of bullying which occur off the school premises.

The school recognises that bullying can and does happen outside school and in the community. Bullying is a relationship issue and its occurrence reflects the ways in which CYP socialise in school and in the wider community. The school believes that bullying is unacceptable wherever and whenever it happens.

The school encourages CYP to seek help and to tell us about incidents of bullying that happen outside the school so that the school can:

- Raise awareness among the whole school community of possible risks within the community e.g. trouble spots/ gang,
- Offer CYP and parents/cares strategies to manage bullying off the school premises e.g. guidance on how to keep safe on the internet and when using their mobile phones.

e) Working with Parents /Carers

Where the school has become aware of a bullying situation, parents/carers of the child/young person who is being bullied will be invited to the school to discuss their child's situation. The school will endeavour to involve parents/carers of children who have been bullied constructively at an early stage to support the process of working together to find ways of resolving the situation and bringing about reconciliation. The outcome of the meeting and agreed actions/responses will be recorded by the school on the school's Bullying Incident Report Form (**see Appendix D Sample Bullying Incident Report Form**). The school will work alongside those parents/carers whose children have been bullied to support them in developing their children's coping strategies and assertiveness skills where appropriate.

The school takes parents/carers reporting bullying seriously. Parents/carers are initially encouraged to refer their concerns to the class teacher. Senior Deputies/Heads will be involved where appropriate. Parents/carers are encouraged to note details of the incident to share with the class teacher. Again, a record of the incident and the agreed actions/response made at the meeting will be recorded by the school and added to the school's Bullying Incident Report Form (**see Appendix D Sample Bullying Incident Report Form**). The school will discuss the possible responsive options with the parents/carers and the bullied child and agree a way forward.

Where a Restorative Approach has failed to modify the behaviour of a perpetrator and the bullying is continuing or when sanctions are to be used, the parents/carers of the perpetrator will be invited to the school to discuss their child's behaviour. The outcome of the meeting and agreed actions/responses will be recorded by the school on the school's Bullying Incident Report Form (**see Appendix D Sample Bullying Incident Report Form**). The school adopts a problem solving approach with parents/carers e.g. *'It seems your son/daughter and (other child) have not been getting on very well'* rather than *'your son/daughter has been bullying...'* While the school firmly believes that all bullying is unacceptable and that the perpetrators should be made to accept responsibility for their behaviour and make amends, the school understands that a cooperative ethos is desirable when trying to reach a resolution that is effective and long lasting. Parents/carers of those causing the bullying will also have support to come to a balanced view of what is happening and

appreciate their role in helping their children to learn about the consequences of their actions and adopt alternative ways of behaving.

The school ensures that staff and all parents/carers remain fully aware of the measures that have been put into place to prevent the occurrence of further incidents. Follow up appointments are made with parent/carers to share these agreed measures and to monitor their success in preventing further bullying.

Guidance for parents/carers regarding advice on recognising the signs and symptoms of bullying in CYP and how to approach the school to register concerns/incidents and seek support is available via the:

- School's prospectus
- School's anti-bullying website

f) Following Up / Supporting and Monitoring

After following the school's procedures for responding to an incident of bullying (see section **Responding to Incidents of Bullying**), the school will consider employing further longer term measures/strategies to minimise the risk of bullying occurring in the future and to ensure that CYP feel safe. Strategies include longer-term support for all parties including the person being bullied, bystanders and the person who has perpetrated the bullying. Many of the school's strategies include problem solving processes, which enable on-going situations to be disentangled and explored, and help to reveal underlying issues. Many of the following strategies involve active participation from CYP and involve CYP helping themselves and each other. Some strategies form part of the school's anti-bullying preventative work. Our strategies include:

- Providing support groups such as Friendship Clubs where CYP can attend to discuss their friendship problems and receive support and advice from peers, some of whom may be trained mentors or have experienced similar distress and friendship problems.
- Providing supportive and nurturing structures such as a 'Circle of Friends' for identified vulnerable individuals.

g) Prevention

The school believes that the whole school community should work together to reduce bullying as part of our efforts to promote a

positive and inclusive whole school ethos and create a safe, healthy and stimulating environment. Alongside the school's responsive strategies for dealing with incidents of bullying, the school adopts, as part of our pastoral support system, a whole school approach to implementing proactive and preventative interventions to reduce bullying. These interventions are implemented at a school, class and individual level. Our approaches include:

- Implementing an effective school leadership that promotes an open and honest anti-bullying ethos
- Adopting positive behaviour management strategies as part of the school's Behaviour Management Policy
- Implementing a whole school approach to the teaching of PSHE. Implementing a Personal Safety Programme as identified in the Cambridgeshire Personal Development Programme
- Providing opportunities to celebrate effective anti-bullying work.
- Providing a school council and regular Circle Time, enabling CYP to talk about their feelings and concerns in a safe environment and to enable them to share concerns about bullying
- Providing peer support systems such as Friendship Benches and peer mediators.
- Participating in the annual national Anti-Bullying Week and supporting learning on bullying through whole school activities, projects and campaigns
- Reviewing the development and supervision of the school inside and outside including the outdoor areas and playground to ensure provision is safe, inclusive and supports CYP's emotional wellbeing.
- Providing confidential communication systems such as Listening/Bully Boxes, Bubble Time and counselling services, and working with CYP to identify key individuals with whom they can confide
- Providing publicity including information leaflets for CYP and parents/carers to raise awareness of bullying and support those who are being bullied or have witnessed bullying to report incidents and seek help

- Providing social skills groups for vulnerable individuals and groups
- Providing a transition programme to support CYP moving across year groups and key stages.
- Providing information on support agencies such as ChildLine, Kidscape and Beatbullying including telephone numbers for help lines and addresses for supportive websites

h) Delivering the Curriculum for Positive Relationships and Anti-Bullying in our school

The school acknowledges the role of the PSHE and Citizenship curriculum in preventative work on bullying. The PSHE and Citizenship curriculum supports the development of CYP's self esteem and their emotional resilience and ability to empathise with others. The curriculum provides opportunities for CYP to learn and develop the skills to identify manage and challenge incidents of bullying as well as providing opportunities for CYP to learn about bullying in relation to the wider context of diversity and inclusion.

- The school adopts the Primary Cambridgeshire Personal Development Programme for PSHE and Citizenship in which learning related to bullying, diversity and difference is covered within themes such as Myself and My Relationships, Citizenship and Healthy and Safer Lifestyles
- The school also uses the Cambridgeshire Education Child Protection Service's Personal Safety units of work as part of the Cambridgeshire Primary Personal Development Programme
- The school recognises and participates in the national Anti-Bullying week, which provides an annual intensive focussed week on the subject of recognising and combating bullying.

Work on bullying as part of the PSHE and Citizenship curriculum is taught through:

- Other curriculum areas such as Religious Education, Humanities, History

See the school's PSHE and Citizenship Policy for further detailed information on curriculum

planning, teaching methodologies and teaching resources.

i) Children and Young People's Consultation and Participation

The school considers listening to the voices of CYP and actively seeking their views and opinions regarding bullying as an important part of our preventative work. The school regularly audits the way in which bullying is being addressed which includes, listening to CYP and ensuring they are given the opportunity to speak out, and have their voices heard on their experiences of bullying. CYP are actively encouraged to participate in identifying both the problems and solutions to bullying; reviewing and developing the school's Anti-Bullying Policy and practice and engaging in initiatives to support an anti-bullying ethos in school. CYP actively participate in:

- Identifying when and where the bullying happens
- Identifying new forms of bullying e.g. types of cyberbullying
- Making decisions about how to address and tackle bullying
- Reviewing the development and delivery of the taught curriculum focusing on aspects of bullying and discrimination
- Learning how to play an active role in challenging bullying such as engaging in peer support schemes such as buddying, mentoring and mediating.

The school adopts a number of democratic methods/systems for promoting pupil consultation including:

- Class and school councils,
- Active learning and interactive learning techniques included in PSHE and Citizenship such as mind mapping sessions, role play, puppets, group work and creative arts
- Surveys including questionnaires, Draw and Write and research designed and carried out by CYP
- Listening systems such as suggestion boxes and peer mediators.

j) Whole Staff Awareness and Training Opportunities

The school endeavours to ensure that teachers and other adults working with CYP are equipped with the necessary skills and knowledge to identify and address all types and forms of bullying effectively and safely. Training will include recognising the signs of bullying in CYP and how to identify vulnerable CYP who may be susceptible to being bullied or becoming actively involved in bullying and bullying type behaviour. Training for staff is provided to ensure that they feel competent and confident in appropriately challenging bullying.

k) Involving Outside Agencies

The school seeks the support and guidance from relevant local and national agencies and organisations that work collectively to ensure that those who work with and support CYP are equipped with the skills and knowledge to address bullying effectively. Local support and guidance is accessed from county wide services and through liaison with the school's multidisciplinary Locality Team and voluntary agencies.

l) Monitoring and Evaluating the Anti-Bullying Policy

The school's Anti-Bullying Policy and practice is regularly monitored and evaluated to ensure its effectiveness. This process includes reviewing the school's definition of bullying and identifying new types and forms of bullying as they emerge. The Policy review is coordinated by the PSHE coordinator and involves monitoring and evaluating anti-bullying preventative and responsive strategies to ensure the school's practice is effective and successful in fostering an ethos that inhibits bullying and promotes inclusion and respect for diversity.

The review process involves collecting data on the prevalence of bullying at the school and gathering the views and different perceptions of the whole school community including staff, governors, CYP and parents/carers using a range of methods such as:

- Surveys and questionnaires
- Focus groups and interviews
- Whole school audit tools.

The school regularly analyses behaviour records and records of bullying incidents to identify patterns of behaviour regarding individuals and groups of CYP, and places and times where

bullying may be occurring. Other informative data includes:

- Records of peer support initiatives or playground projects
- Parental complaints to the school or local authority regarding bullying
- Records of the Educational Welfare Service identifying where bullying is a factor in non attendance
- Exclusion data relating to bullying
- Risk assessment for CYP who exhibit sexually inappropriate or harmful behaviours
- Transfer and admissions data, specifically requests for transfer due to bullying or harassment
- Outcomes achieved as part of the school's work on promoting children's wellbeing
- Information contained in School Development Plans.

The results of the review are used to inform areas for school development, which are included in the School Development / Improvement Plan and other appropriate actions plans.

The policy is reviewed annually

Review date: March 2019

Section 4 – Appendices

Appendix A - Bullying: National Legislative and Policy Context

The Schools Standards & Frameworks Act (1998)

sets out the expectation that all schools are required by law to have an Anti-Bullying Policy. Children and young people should be involved in both the development and the monitoring of the Anti-Bullying Policy by being encouraged to discuss the policy and its effectiveness (compatible with Article 12 of United Nations Convention on the Rights of the Child 1989).

The Education Act (2002) gives schools and local authorities a legal duty to safeguard and promote the welfare of children and young people. Guidance that shows how this duty applies, issued by the DfES, refers specifically to bullying as an issue that needs to be considered as part of keeping children and young people safe (DfES 2004). More recently a new section has been added to this act, which introduces a duty on schools' governing bodies to promote community cohesion.

The Education and Inspections Act (2006) imposes a statutory duty on governing bodies to promote wellbeing in the context of 'Every Child Matters' and the Children Act (2004). The act also creates a clear, statutory power for members of school staff to impose disciplinary powers for inappropriate behaviour of pupils; enables head teachers as far as is reasonable, to regulate and take action on behaviour that occurs outside the school premises and when a member of staff is not in charge of the students. This can relate to any bullying incidents occurring anywhere off the school premises such as on school or public transport, outside the local shops or in a town or village centre.

Criminal Law Although bullying in itself is not a specific criminal offence in the UK, it is important to bear in mind that some types of harassing or threatening behaviour – or communication- could be a criminal offence, for example under the **Protection from Harassment Act (1997)**, the **Malicious Communication Act (1988)**, the **Communications Act (2003)** and the **Public Order Act (1986)**. If school staff feel that an offence has been committed they should seek assistance from the police. For example, under the Malicious Communication Act (1988), it is an offence for a person to send an electronic communication to another person with the intent to cause distress or anxiety or to send an electronic communication

which conveys a message which is indecent or grossly offensive, a threat or information which is false and known or believed to be false by the sender.

The Crime and Disorder Act 1998 and The Anti Social Behaviour Act (2003) state that schools, youth clubs and other educational settings should liaise with their local police officers where acts of bullying become criminal e.g. harassment, assault, wounding and causing grievous bodily harm with intent, or the carrying of weapons.

Equality Act (2010) brings together a raft of discrimination acts, regulations and codes of practice into one single act. It covers a number of protected characteristics. Those relevant for schools provision are: disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Schools and colleges must:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between people who share a protected characteristic and those who do not share it
- Foster good relations between people who share a protected characteristic and those who do not share it.

This act is vital for the prevention of prejudice-related bullying in schools.

The Children Act (2004) sets out the expectation that all professionals who work with children and young people are expected to work towards the five outcomes for children:

1. Be Healthy
2. **Stay Safe**
3. Enjoy and Achieve
4. **Make a Positive Contribution**
5. Achieve Economic Wellbeing

Bullying and discrimination feature as high-level aims in two of the five ECM outcomes – 'Stay Safe' and 'Make a Positive Contribution'. Schools and local authorities will be held responsible for ensuring that children and young people in their care achieve these outcomes.

The Common Inspection Framework (2015) requires Ofsted to make a judgement on the effectiveness of leadership and management and pupils' personal development, behaviour and welfare. Under these two criteria inspections will evaluate the effectiveness of measures established

by schools to address all forms and types of bullying.

The Children and Families Act (2014) requires a Local Authority to produce a Local Offer that demonstrates the arrangements schools in their local area have in place for *"supporting the emotional mental and social development of disabled children and young people and those with SEN (this should include extra pastoral support arrangements for listening to the views of pupils and students with SEN and measures to prevent bullying)"* - SEN Code of Practice June 2014

The DfE statutory guidance: Keeping children safe in education (2015) states that all school and college members of staff should be aware of the signs of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection. This includes emotional abuse which may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger.

The DfE Working Together to Safeguard Children (2015) states that professional should be alert to the potential need for early help for a child who is showing signs of engaging in anti-social or criminal behaviour or is showing early signs of abuse and neglect.

The Human Rights Act (2000) is based on the European Convention on Human Rights. The act contains two articles, which may be of particular relevance to a bullied child who fails to receive protection from bullying:

Article 3: 'No one shall be subjected to torture or to inhuman or degrading treatment or punishment'.

Article 6: 'Everyone has the right to respect for his private and family life, his home and his correspondence'.

In order for a claim to be brought under the Human Rights Act, the bullying would have to be extremely serious and have resulted in physical or psychiatric damage which is supported by strong medical evidence.

The United Nations Convention on the Rights of the Child (1991) contains the following articles relating to bullying:

Article 2: 'All the rights must be available to all children whatever their race, religion, language or ability'.

Article 3: 'A child's best interests should always be the main consideration'.

Article 12: 'Children's opinions should always be taken into account in matters that concern them'.

Article 19: 'Children have a right to be protected from being hurt or badly treated'.

Article 37a: 'No child should be subjected to torture or other cruel, inhuman or degrading treatment or punishment'.

Although the United Nations Convention on the Rights of the Child cannot be upheld in UK courts of law, the European Convention on Human Rights is a relevant international legal instrument that is legally binding; hence it can be enforced in UK courts.

This policy reflects recommendations and is consistent with the following national guidance:

DCSF (2007) Guidance on the Duty to Promote Community Cohesion

DCSF (2007- 2010) Safe to Learn: Embedding Anti-Bullying Work in Schools:

- *Cyberbullying*
- *Bullying involving Children with Special Educational Needs and Disabilities*
- *Homophobic Bullying*
- *Bullying around Racism, Religion and Culture*
- *Preventing and responding to Sexist, Sexual and Transphobic Bullying.*

DfE (2014) Behaviour and Discipline; Use of Reasonable Force; Screening, Searching and Confiscation.

DfE (2014) Preventing and Tackling Bullying.

It also reflects former national programmes and strategies including:

DH/DfES (2006) National Healthy Schools Programme

DfES (2005) Primary National Strategy: Behaviour and Attendance

DfES (2005) Secondary National Strategy: Behaviour and Attendance

DfES (2005) Excellence and Enjoyment: Primary and Secondary Social and Emotional Aspects of Learning.

Appendix B - Inspecting Schools

Common Inspection Framework 2015

The Common Inspection Framework requires Ofsted to make a judgement on the effectiveness of leadership and management and pupils' personal development, behaviour and welfare. Under these two criteria inspections will evaluate the effectiveness of measures established by schools to address all forms and types of bullying. At the start of an inspection, inspectors will request records and analysis of bullying, discriminatory and prejudicial behaviour, either directly or indirectly, including racist, disability and homophobic bullying, use of derogatory language and racist incidents.

Grade descriptor for the effectiveness of leadership and management

Outstanding (1)

Pupils' spiritual, moral, social and cultural development and, within this, the promotion of fundamental British values, are at the heart of the school's work.

Leaders promote equality of opportunity and diversity exceptionally well, for pupils and staff, so that the ethos and culture of the whole school counters any form of direct or indirect discriminatory behaviour. Leaders, staff and pupils do not tolerate prejudiced behaviour.

Safeguarding is effective. Leaders and managers have created a culture of vigilance where pupils' welfare is actively promoted. Pupils are listened to and feel safe. Staff are trained to identify when a pupil may be at risk of neglect, abuse or exploitation and they report their concerns. Leaders and staff work effectively with external partners to support pupils who are at risk or who are the subject of a multi-agency plan.

Leaders' work to protect pupils from radicalisation and extremism is exemplary. Leaders respond swiftly where pupils are vulnerable to these issues. High quality training develops staff's vigilance, confidence and competency to challenge pupils' views and encourage debate.

Grade descriptor for personal development, behaviour and welfare

Outstanding (1)

Pupils work hard with the school to prevent all forms of bullying, including online bullying and prejudice-based bullying.

Staff and pupils deal effectively with the very rare instances of bullying behaviour and/or use of derogatory or aggressive language.

The school's open culture actively promotes all aspects of pupils' welfare. Pupils are safe and feel safe at all times. They understand how to keep themselves and others safe in different situations and settings. They trust leaders to take rapid and appropriate action to resolve any concerns they have.

Pupils can explain accurately and confidently how to keep themselves healthy. They make informed choices about healthy eating, fitness and their

emotional and mental well-being. They have an age-appropriate understanding of healthy relationships and are confident in staying safe from abuse and exploitation.

Pupils have an excellent understanding of how to stay safe online, the dangers of inappropriate use of mobile technology and social networking sites.

Pupils' spiritual, moral, social and cultural development equips them to be thoughtful, caring and active citizens in school and in wider society.

Appendix C -Types of Bullying

Bullying related to race, religion or culture

Racist or faith-based bullying is bullying based on a person's background, colour, religion or heritage. Some surveys and focus groups have found that a high proportion of bullied pupils have experienced racist or faith-based bullying. Recent political and social issues also appear to have been a factor in the rise in this type of bullying and harassment. There is research to support the suggestion that where black and minority ethnic (BME) children experience bullying, it is more likely to be severe bullying. Moreover, bullying incidents can be a subset of the indirect and direct racist hostility which BME children, children of different faiths and Traveler children can experience in a number of situations.

When racist or faith-based bullying takes place, the characteristics singled out not only apply to the individual child but also make reference to their family and more broadly their ethnic or faith community as a whole. Racial and cultural elements in bullying can be seen to heighten the negative impact on a child's sense of identity, self worth and self esteem.

Schools are advised to log all incidents of racist or faith-based, homophobic and disability-related bullying and submit them on a regular basis (termly) to the local authority. This allows local authorities to monitor the occurrence of incidents and identify underlying trends in racist bullying so that appropriate and relevant training and support can be provided to schools. It is important to note that all incidents that are identified as potentially racist must be recorded, reported and investigated as such. The Stephen Lawrence Inquiry Report (1999) defines racism as 'conduct or words which advantage or disadvantage people because of their colour, culture or ethnic origin. In its more subtle form, it is as damaging as in its more overt form'.

Bullying related to special educational needs and disabilities (SEND)

Research shows that children and young people with SEN and disabilities are more at risk of bullying than their peers. Public bodies have new responsibilities to actively promote equality of opportunity for all disabled people and eliminate disability-related harassment.

Children and young people with special educational needs and disabilities, whether in mainstream or special schools, do not always have the levels of social confidence and competence and the robust friendship bonds that can protect against bullying. Where children with SEN and disabilities are themselves found to be bullying, in most cases (except those related to specific conditions) schools should expect the same standards of behaviour as those which apply to the rest of the school community, having made the reasonable adjustments necessary.

Bullying related to gifted and talented children and young people

Children and young people who are gifted and talented can be vulnerable to bullying. Their achievements, different interests and advanced abilities can set them apart from their peers and can lead to a sense of not 'fitting in' and feelings of isolation. Their talents and abilities may cause feelings of resentment and jealousy among their peers which may make them targets for bullying behaviour.

Bullying related to appearance or health conditions

Those with health or visible medical conditions, such as eczema, may be more likely than their peers to become targets for bullying behaviour. Perceived physical limitations, such as size and weight, and other body image issues can result in bullying, and obvious signs of affluence (or lack of it), can also be exploited.

Bullying related to sexual orientation

Homophobic bullying involves the targeting of individuals on the basis of their perceived or actual sexual orientation. Evidence of homophobic bullying suggests that children and young people who are gay, lesbian or bisexual (or perceived to be) face a higher risk of victimisation than their peers. Homophobic bullying is perhaps the form of

bullying least likely to be self-reported, since disclosure carries risks not associated with other forms of bullying. The young person may not want to report bullying if it means “coming out” to teachers and parents before they are ready to.

Homophobic bullying includes all forms of bullying but in particular it can include:

- Verbal abuse - the regular use, consciously or unconsciously, of offensive and discriminatory language, particularly the widespread use of the term ‘gay’ in a negative context. Also spreading rumours that cause an individual’s perceived sexual orientation to be ridiculed, questioned or insulted
- Physical abuse – including hitting, punching, kicking, sexual assault and threatening behaviour
- Cyberbullying – using on-line spaces to spread rumours about someone or exclude them. Can also include text messaging, including video and picture messaging.

Bullying of young carers or looked after children or otherwise linked to home circumstances

Children and young people may be made vulnerable to bullying by the fact that they provide care to someone in their family with an illness, disability, mental health or substance misuse problem. Young carers may be taking on practical and emotional caring responsibilities that would normally be expected of an adult. Research has highlighted the difficulties young carers face, including risks of ill-health, stress and tiredness, especially when they care through the night. Many feel bullied or isolated. Children in care may also be vulnerable to bullying for a variety of reasons, such as their not living with their birth parents or because they have fallen behind in their studies. Some children and young people are heavily influenced by their communities or homes where bullying and abuse may be common. Some bullying at school may arise from trauma or instability at home related to issues of domestic violence or bereavement or from the experience of being part of a refugee family. Siblings of vulnerable children may themselves be the subject of bullying by association.

Sexist, sexual and transphobic bullying

Sexist, sexual and transphobic bullying affects both genders. Boys may be victims as well as girls, and both sexes may be victims of their own sex. Sexist bullying is based on sexist attitudes that when expressed demean, intimidate or harm another person because of their sex or gender. Sexual bullying may be characterised by name calling, comments and overt “looks” about appearance, attractiveness and emerging puberty. In addition, uninvited touching, innuendos and propositions, pornographic imagery or graffiti may be used. Children and young people identifying as transgender or experiencing gender dysphoria (feeling that they belong to another gender or do not conform with the gender role prescribed to them) can also become a target of bullying.

SECTION B: ACCOUNTS OF THOSE INVOLVED			
Alleged perpetrator(s) account of the incident			
Name(s):	Age:	Year group:	Class:
Bystanders'/ witnesses' accounts of the incident			
Name(s):	Age:	Year group:	Class:
Parents/carers of alleged perpetrators informed:			
Date:	Time:		
SECTION C: ACTION TAKEN			
Details of immediate action taken:			
Monitoring of action taken and details of follow up and longer term action taken:			

Racist, homophobic and other prejudice related incidents

Note: In Cambridgeshire, schools submit termly reports of racist, homophobic and other prejudice- related incidents electronically on the PRIDE website pride.learnntogether.org.uk/ These incidents include prejudice – related bullying. Schools can access their ID number for the website by contacting the Cambridgeshire Race Equality and Diversity Service Tel: 01223 703882 Email creds@cambridgeshire.gov.uk

Policy Details

Date

Name

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Policy approved by Senior Governor March 2018

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