



# **ANTI-BULLYING POLICY**

## **(December 2018)**

<b>To</b>	<b>Date</b>
<b>Governors Ratification</b>	<i>12<sup>th</sup> December 2018</i>
<b>Next Review</b>	<b>December 2019</b>

**(To be read in conjunction with the school's Behaviour Policy, Conwy County Borough Council  
'Respecting Others' Anti Bullying Guidance, the school's Equal Opportunities Policy and  
the Home – School Agreement).**

While the main focus of the National Assembly for Wales Circular Number: 23/2003 'Respecting Others: Anti-Bullying Guidance is on bullying between pupils, there is a clearly stated recognition that:

*'...bullying could (also) take place between staff and pupils, between members of staff, between management and staff and between parents and staff.'*

As such, at Ysgol Bryn Elian, we recognise the need to tackle bullying at all levels and to ensure that support is available for all members of the school community who may experience bullying.

All staff, pupils and parents should be aware of the negative effects that bullying can have on individuals and the school in general, and should work towards ensuring that pupils can work in an environment without fear.

Bullying is unacceptable in this school and will not be tolerated. The school also recognises that, because of the verdicts in bullying cases, it must take note of bullying perpetrated outside school which spills over into the school. The school will do what is reasonably practicable to eliminate any such bullying.

### **Aims**

- To demonstrate that the school takes bullying seriously and that it will not be tolerated
- To take measures to prevent all forms of bullying in the school and on off-site activities
- To support everyone in the actions to identify and protect those who might be bullied
- To demonstrate to all that the safety and happiness of pupils is enhanced by dealing positively with bullying
- To promote an environment where it is **not** an offence to tell someone about bullying
- To promote positive attitudes in pupils (including assertiveness training)

### **Bullying Defined**

*Bullying is 'conduct intended to cause hurt, either physical or psychological, which is unprovoked and continues over a long period'*

**(Definition of bullying accepted in a court of law – Bradford Smart v West Sussex 2000)**

Additionally, the 'Safe Schools are Effective Schools' website:

- Defines bullying
- Identifies types of bullying
- States quite clearly what does not constitute bullying

At Ysgol Bryn Elian, we consider the definition, the categories and the distinction between what does and does not constitute bullying to be useful in guiding our practice. This is especially since specific reference is made to an imbalance of power, to individuals or groups who may be at greater risk of being bullied and to 'cyber bullying'.

*'Bullying is when someone, or a group of people, who have more power at the time, deliberately upset or hurt another person, their property, reputation or social acceptance on more than one occasion.'*

**(Safe Schools are Effective Schools, 2007)**

## **Responsibilities**

### **Governing Body**

The 'Nominated Governor' will liaise with the Chair, the Head and 'designated teacher' over all anti-bullying strategies and individual cases where appropriate.

The Governing Body will discuss, review and endorse agreed strategies on the initiative of the 'Nominated Governor', and in any case will discuss the Head's annual report on the working of this policy.

### **The Headteacher**

The Head has a legal duty under the *School Standards and Framework Act 1998* to draw up procedures to prevent bullying among pupils.

The Head will:

- Ensure that all staff have an opportunity of discussing strategies and reviewing them
- Determine the strategies and procedures
- Discuss development of the strategies with the leadership group
- Ensure appropriate training is available
- Ensure that the procedures are brought to the attention of all staff, parents and pupils
- Report annually to the Governing Body

### **Deputy Head - Services to pupils will:**

- Be responsible for the day-to-day management of the policy and systems
- Ensure that there are positive strategies and procedures in place to help both the bullied and bullies
- Keep the Head informed of incidents
- Arrange relevant staff training
- Determine how best to involve parents in the solution of individual problems

### **Learning Managers will:**

- Be responsible for ensuring that the school's positive strategies are put into practice
- Know the school's procedure and deal with any incidents that are reported

### **Form Tutors will:**

- Be responsible for liaising with Learning Managers and their Learning Mentor over all incidents involving pupils in their form
- Be involved in any agreed strategy to achieve a solution

### **All staff will:**

- Know the policy and procedures
- Be observant and to ask pupils what is happening to them
- Deal with incidents according to the Policy
- Never let any incidence of bullying pass by unreported, whether on-site or during an off-site activity

### **Anti-bullying education in the curriculum**

The school will raise the awareness of the anti-social nature of bullying through a PSHE and Citizenship programme, school assemblies, the School Council, use of tutorial time and in the national curriculum programmes of study as appropriate.

- The member of staff in charge of PSHE / Citizenship is responsible for initiating and developing, with appropriate colleagues, an anti-bullying programme as part of the PSHE and citizenship course
- Heads of Department are responsible for introducing anti-bullying material in their programmes of study as appropriate.

Changing the attitude and behaviour of bullies will play a major part in the strategies used by the school.

### **Types of Bullying**

- **Direct physical bullying** eg hitting, tripping, and pushing or damaging property.
- **Direct verbal bullying** eg name calling, insults, homophobic or racist remarks and any remarks relating to a perceived or real disability, verbal abuse.
- **Indirect bullying** - This form of bullying is harder to recognise and often carried out behind the bullied student's back. It is designed to harm someone's social reputation and / or cause humiliation.
- **Indirect bullying includes:**
  - Lying and spreading rumours
  - Playing nasty jokes to embarrass and humiliate
  - Mimicking
  - Encouraging others to socially exclude someone
  - Damaging someone's social reputation and social acceptance
  - Cyber-bullying, which involves the use of email, text messages or chat rooms to humiliate and distress.

**NOTE: It is important to note that when technology is used as a form of bullying that the advice to be given to pupils and parents is that the evidence of the bullying should be saved or printed as evidence which will enable the school to act appropriately.**

### **What Bullying is Not**

Many distressing behaviours are not examples of bullying even though they are unpleasant and often require teacher intervention and management. For example, in mutual conflict situations, there is an argument or disagreement between students but not an imbalance of power. Both parties are upset and usually both want a resolution to the problem.

### **The Signs and Symptoms of Bullying**

At Ysgol Bryn Elian, all members of the school community, including parents, are encouraged to be aware of the possible signs of bullying. While some of what is listed below can be associated with the difficulties some children encounter as part of the maturation process, these behaviours can also be associated with bullying and, as such, we should all be aware of how to identify the possible signs and symptoms of bullying. Such signs and symptoms should always be investigated.

They are, if a child:

- Is frightened of walking to or from school
- Does not want to travel to school on the school bus
- Begs to be driven to school

- Changes their usual routine
- Is unwilling to go to school (school phobia)
- Begins truanting
- Becomes withdrawn, anxious or lacking in confidence
- Starts stammering
- Attempts or threatens suicide or runs away
- Cries themselves to sleep at night or has nightmares
- Feels ill in the morning
- Begins to do poorly at schoolwork
- Comes home with clothes torn or books damaged
- Has possessions 'go missing'
- Asks for money or starts stealing money (to pay bully)
- Loses dinner or other monies regularly
- Has marks, bruises or scratches that are not easily explained

While we recognise that any individual can be bullied, staff at Ysgol Bryn Elian are aware that some are at greater risk than others; for example, those who are:

- Doing especially well at school
- Particularly tall, short, large or small
- From a different background
- From a Different Race or Nationality
- Gay, Lesbian or Bisexual
- New to the school with no friends to back them up
- Shy, giving the impression that they cannot stand up for themselves

### **Strategies to Combat Bullying**

At Ysgol Bryn Elian, whole school preventative measures and the way in which incidents of bullying are managed have the same aim in mind; this aim is to 'put an end to bullying'

### **Whole School Preventative Measures**

At Ysgol Bryn Elian, we recognise the need to have in place preventative measures aimed at preventing bullying as well as effective measures to deal with incidents in such a way as to minimise the reoccurrence of such incidents.

All staff involved in the education and supervision of pupils will be made aware of the issue of bullying and the need to apply the school's policy consistently when episodes of bullying are witnessed or reported. Staff will constantly reinforce the message that bullying is unacceptable and will take action to prevent and control it.

Additionally, the issue of bullying will be raised with pupils at a number of levels including:

- At whole school level - school website and handbook, through home school diaries, and through assemblies.
- At classroom level - in PSHE lessons, during form periods, tutorial groups, cross curricular activities and pastoral events.
- At individual level – pupils perceived to be at risk of bullying (or who have suffered from bullying in the past, will be offered additional support and guidance. Additionally, pupils who have bullied others will be given advice and support and taught strategies to enable them to modify their unacceptable behaviour and to prevent further incidents.

Ysgol Bryn Elian recognises that there are particular times when pupils may be more vulnerable to bullying. Similarly, there may also be particular places around the school where incidents of bullying are more likely to occur. In terms of both time and location, the school will ensure that adequate supervision is available to reduce the risk of bullying.

Parents who believe that their child is either the target for bullying or the perpetrator are asked to share their concerns with the school so that pupils can be kept safe or helped to modify their behaviour respectively.

All of these preventative strategies operate within a school ethos founded on equality, fairness and respect for others in which individual differences are celebrated and seen as a source of enrichment. Crucially, all staff at all times will treat each other pupils and parents / carers with courtesy and respect and will model appropriate and acceptable behaviour.

### **Procedures and Incident Management**

Ysgol Bryn Elian is committed to creating a bully-free environment and will ensure that this policy is applied rigorously. All staff involved in teaching and supervising pupils will take responsibility for addressing incidents which fall within the school's definition of bullying and will ensure that the targeted individual receives appropriate support. A referral will be made immediately to the appropriate Learning manager or Learning Mentor and, if necessary, a senior pastoral colleague. In serious cases, the Headteacher will also be informed and appropriate action taken, in line with the school's behaviour policy. Irrespective of any action taken, the bully will be informed of the unacceptability of his / her behaviour and a record made of the incident.

### **Incident Management**

Actions taken will include:

- Appropriate pastoral staff speaking to the individuals concerned to establish the full facts in any reported incident of bullying.
- Appropriate pastoral staff speaking to the parents / carers of the alleged perpetrator / perpetrators and the targeted pupil /pupils.
- Referring serious incidents to the appropriate member of SLT including the Headteacher, as necessary.
- Inviting the parents / carers of the pupils involved to school to discuss the incident
- Implementing appropriate action swiftly, in line with the school's behaviour policy.
- Record the incident on the appropriate monitoring form

### **Support for the Targeted Individual**

When information is received that a pupil may have been the target of a bullying incident, this report will be taken seriously and investigated. The school will offer a proactive, sympathetic and supportive response to the pupils who are the targeted individuals of bullying. The exact nature of the response will be determined by the particular pupil's individual needs but will always include a sympathetic response and:

- Immediate action to stop the incident and secure the pupil's safety.
- Positive reinforcement that reporting the incident was the correct thing to do.
- Reassurance that the targeted individual is not responsible for the behaviour of the bully.
- Strategies to prevent further incidents.
- Arrangements to review progress

*Additionally, support may include:*

- Counselling from the school EWO or School Based Counsellor
- Support from the Learning Mentor

- Assertiveness training
- Creation of a support group
- Peer mentoring / Peer mediation
- Adult mediation between the perpetrator and targeted individual
- An enforceable anti bullying agreement between targeted pupil and perpetrator (copies sent to parents / carers)
- Kidscape runs a Helpline for parents and children -Tel: 0845 1 205204 and organises free one-day sessions for bullied children. <http://www.kidscape.org.uk/>

### **Support for the Bully**

Ysgol Bryn Elian takes bullying behaviour very seriously and will adopt a supportive, pragmatic, problem solving approach to help the bullies to modify their behaviour. In line with our positive approach to behaviour management, we believe that the positive use of sanctions can be useful in demonstrating to bullies that their behaviour is unacceptable and in promoting change. The school will always respond to incidents of bullying in a proportionate way, with severity of sanctions increasing proportionate to the seriousness of the incident. Having taken immediate action to stop any incident of bullying that may be in progress and in applying sanctions consistently and fairly in line with the school's behaviour policy, the following options will be considered:

- Engagement with the bully to reinforce the message that their behaviour is unacceptable and is a breach of the school's behaviour policy.
- Loss of break / lunchtime privileges
- Detention
- Learning Manager, SLT report
- Removal from class / group
- Withholding participation in extra-curricular activity
- Counselling / anger management sessions
- Adult mediation
- Enforceable anti-bullying agreement with signed copies sent to parents / carers
- Placement in school 'Referral Area'
- Referral to Antisocial Behaviour Officer of North Wales Police and / or the Youth Offending Team
- Fixed-term exclusion either off or on site as determined by the Headteacher
- Permanent exclusion in extreme cases involving violence
- Referral to police Community Beat Manager.

At Ysgol Bryn Elian, we feel that it is important that those perpetrators who have successfully modified their behaviour be acknowledged and recognised as such. Such positive reinforcement is important in helping the pupil sustain improved behaviour.

## Specific types of bullying

### YSGOL BRYN ELIAN - HOMOPHOBIC BULLYING

#### Understanding homophobic bullying

##### Defining homophobic bullying

Homophobic bullying is a specific form of bullying and occurs when bullying is motivated by prejudice against LGBTQ people, or against those perceived to be LGBTQ.

Under the Equalities Act 2010 all schools in Wales are required on the grounds of sexual orientation and gender reassignment schools must promote equality of opportunity and foster good relations. This means doing more than just tackling homophobic, biphobic and transphobic bullying by taking proactive steps to support LGBTQ students and promote a respect and understanding of LGBTQ people and issues across the whole school community.

The Equality Act 2010 applies gender reassignment to anyone who is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning their sex by changing physiological or other attributes of sex.

This means that schools must protect any student taking steps to re-assign their sex, whether those steps are social (for example changing their name, the pronoun they prefer and the way they dress or look) or include medical intervention (for example accessing hormone therapy or accessing surgery).

(Stonewall)

##### Who experiences homophobic bullying?

- Young people who are LGBTQ.
- Young people who are thought to be LGBTQ (whether correct or not).
- Young people who are 'different' in some way – for example, because they may be considered shy by other learners, or because they look and act differently to 'typical' boys and girls.
- Young people who have LGBTQ friends or family, or their parents / carers are LGBTQ.
- Teachers who may or may not be LGBTQ.

##### Who does the bullying and why?

There is no one type of person who bullies in this way. It can be anyone – especially if they have not been told or taught that it's wrong.

Learners may use homophobic bullying because they:

- Do not realise that it is bullying because it has not been properly explained to them
- Think that LGBTQ people should be bullied, because they believe LGBTQ people are 'wrong'
- Think they might be LGBTQ themselves, and this makes them uncomfortable and hostile to others who are
- Think it is acceptable to bully others who do not conform to their 'norm' – for example, people who think 'boys should act like boys' and 'girls should act like girls'
- Think gay parenting is wrong and learners should be treated differently because they have gay parents / carers
- Think LGBTQ people shouldn't have the same rights as heterosexual people and use this as justification for bullying.

Other learners tend to be less likely to intervene in cases of homophobic bullying in case the bully thinks that they might be gay, or they think that it is ok to be gay. This makes the sense of isolation more profound for the person being bullied.

### **What does homophobic bullying look like?**

Generally, homophobic bullying looks like other sorts of bullying, but in particular it can include the following:

- **Verbal abuse** such as suggestive remarks, jokes or name calling, including spreading rumours that someone is gay. It also includes suggesting that something or someone is inferior and so they are 'gay', for example, 'you're such a gay boy!' or 'those trainers are so gay!'. The wide use of 'gay' to illustrate 'something bad' creates a hostile environment at school where difference and diversity is not respected.
- **Non-verbal abuse** such as mimicry, offensive gestures, or body language. This can include ignoring or excluding someone because they are LGBTQ, or thought to be LGBTQ. It can also include the display or distribution of offensive material or graffiti.
- **Physical abuse** including hitting, punching, kicking, unwanted physical contact, sexual assault, and threatening behaviour.
- **Cyberbullying** including through e-mail, chatrooms and mobile phones (text and picture messaging). This might include using online spaces to spread rumours about someone or exclude them.
- **Death threats** – 17 per cent of LGBTQ learners who have been bullied have experienced death threats.

### **The law relating to Homophobic bullying**

Strong legislation exists (for Wales, for the whole of the UK and internationally) which aims to protect the rights of children and young people to a life free from abuse and harm, including bullying:

- Existing legislation with relevance for bullying in general includes:
- Equality Act 2010
- Education and Inspections Act 2006
- Children Act 2004
- Education Act 2002
- The Government of Wales Act 1998
- Human Rights Act 1998
- United Nations Convention on the Rights of the Child (UNCRC).

## **YSGOL BRYN ELIAN – BULLYING AROUND RACE, RELIGION AND CULTURE**

### **Defining bullying around race, religion and culture**

People use the term 'racist bullying' in a range of ways. What one person considers bullying or racism is not necessarily what another person thinks. Discussions among staff and learners can be severely hampered if the same terms are used in a range of different ways.

### **Defining racism and racist incidents**

Most public bodies in the UK, including schools, use the working definitions of racism and racist incident that were proposed in the report of the Stephen Lawrence Inquiry, 1999. The report defined:

- Racism as 'Conduct or words or practices which disadvantage or advantage people because of their colour, culture or ethnic origin'.
- A racist incident as 'Any incident which is perceived to be racist by the victim or any other person'.

Other definitions of racism and racist incidents include those outlined below:

- 'If the child feels the incident is racist – it is'. (A Headteacher's succinct version of the Lawrence Inquiry definition)
- 'Racism is behaviour or language that makes a pupil feel unwelcome or marginalised because of their colour, ethnicity, culture, religion or national origin'. (Northern Ireland schools).
- 'Racism is something someone does or says that offends someone else in connection with their colour, background, culture or religion. It is when a person is:
  - Teased or called names because of their culture or the colour of their skin, their religion, the country they come from, their language and the way they talk, the food they eat, clothes they wear or their background
  - Stereotyped by their colour or religion
  - Rejected or excluded from a group because of their colour or religion
  - Made fun of – or their family is made fun of
  - Treated unfairly because of their way of life'.

### **Defining racist bullying**

The term 'racist bullying' can refer to a range of hurtful behaviour, both physical and psychological, that makes a person feel unwelcome, marginalised, excluded, powerless or worthless because of their colour, ethnicity, culture, faith community, national origin or national status.

This valuably stresses that staff in schools should focus on the feelings of learners at the receiving end of racist bullying. The feelings are typically, as in other forms of bullying, to do with being made to feel unwelcome, excluded and left out; and that racist bullying is connected not only with colour and ethnicity but also, as noted before, with culture and religious affiliation.

### **The distinctions between racist bullying and a racist incident**

All instances of racist bullying in schools are racist incidents (as defined by the Stephen Lawrence Inquiry report). However, not all racist incidents are necessarily instances of racist bullying. To be racist bullying, one or more of the four defining elements of general bullying need to be met. For example:

- If a pupil uses language considered to be racist in a general classroom discussion, not targeted at anyone, this would be regarded as a racist incident. However, it is unlikely to be viewed as racist bullying (as it is not repetitive or persistent; intentionally harmful; involving an imbalance of power; or directly causing feelings of distress).

- If a Sikh boy at a primary school who wears his hair in a knot covered by a piece of cloth (a patka) is repeatedly teased by other pupils, who say he looks like a girl, this would be regarded as racist bullying and is a racist incident.

**The law relating to bullying around race, religion and culture**

Strong legislation exists (for Wales, the UK and internationally) which aims to protect the rights of children and young people to a life free from abuse and harm, including bullying. Existing legislation with relevance for bullying in general includes:

- Equalities Act 2010
- Education and Inspections Act 2006
- Children Act 2004
- Education Act 2002
- The Government of Wales Act 1998
- Human Rights Act 1998
- United Nations Convention on the Rights of the Child (UNCRC)

## **YSGOL BRYN ELIAN – BULLYING AROUND SPECIAL EDUCATIONAL NEEDS (SEN) AND DISABILITIES**

### **Defining SEN and disability**

Local authorities and schools use two key definitions to inform their decisions about providing support to learners with SEN and/or a disability. One definition is from the Education Act 1996; the other is from the Equality Act 2010.

The Education Act 1996 says that a child has special educational needs if he or she has a learning difficulty which calls for special educational provision to be made for him or her. A child has a learning difficulty if he or she has a significantly greater difficulty in learning than the majority of children of his or her age or has a disability, which prevents or hinders them from making use of education facilities of a kind generally provided for children of his or her age in schools within the area of the local authority. Special educational provision is provision that is additional to, or otherwise different from, that normally made available in the area to children of the same age in schools maintained by the local authority.

The definition includes more children than those who have learning difficulties in the commonly accepted sense. This is because the definition of learning difficulties in the Education Act 1996 includes children who have a disability and who need something additional or different to be provided for them. Therefore the term 'learning difficulties / disabilities' is often used. So, for example, a child with a visual impairment who needs materials to be provided in an enlarged font is defined in the legislation as having a learning difficulty even if they are not behind in their learning.

The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on the person's ability to carry out normal day-to-day activities. For the purposes of the Act, 'substantial' means more than minor or trivial; 'long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering progressive, recurring or fluctuating conditions); and 'normal day-to-day activities' include everyday things like eating, washing, walking and going shopping.

The definition of disability under the Equality Act 2010 is not the same as the definition of SEN under the Education Act 1996 so there will be some children who are covered by the Equality Act but not the Education Act and vice versa, although a significant number of children are likely to be covered by both.

### **The law relating to bullying around SEN and disabilities**

Legislation applicable to Wales which aims to protect the rights of children and young people to live a life free from abuse and harm, and which includes bullying, includes the following:

- The Equality Act 2010 – Chapter 1 of Part 6 of the Act prohibits discrimination, harassment and victimisation in schools.
- Education and Inspections Act 2006 – requires schools to establish policies to promote good behaviour and, in particular, prevent all forms of bullying among pupils. It also gives Headteachers the power to impose disciplinary sanctions for inappropriate behaviour.
- Children Act 2004 – requires a local authority to promote cooperation between itself and various other bodies and persons with a view to improving the well-being of children in its area so far as it relates to education, training and recreation

- Education Act 2002 – requires schools to have a complaints procedure. This is particularly important for parents and carers who feel that their school has not adequately dealt with a case of bullying
- Human Rights Act 1998 – requires schools to have policies that comply with the Act, in particular, Part 1 of Schedule 1 to the Act which provides that no one must be subjected to torture or to inhuman or degrading treatment or punishment.
- The Education Act 1996 – Part 4 of the Act makes provision in relation to children with special educational needs
- United Nations Convention on the Rights of the Child (UNCRC).
- United Nations Convention on the Rights of Persons with Disabilities 2009

## YSGOL BRYN ELIAN – CYBERBULLYING

### **Defining cyberbullying**

Cyberbullying can be defined as the use of information and communication technology (ICT), particularly mobile phones and the internet (including social networking sites, blogs, e-mail, video and instant messaging), to deliberately upset someone else.

The Anti-Bullying Alliance defines it as:

*‘ . . . an aggressive, intentional act carried out by a group or individual, using electronic forms of contact, repeatedly and over time against a victim who cannot easily defend him or herself.’*

([www.anti-bullyingalliance.org.uk](http://www.anti-bullyingalliance.org.uk) )

As with a school’s general definition of bullying, however, it is advised that schools involve the whole-school community in agreeing an accessible and meaningful definition. In this way, the school will secure greater awareness of the phenomenon and buy-in for its overall policy and strategies to tackle cyberbullying.

Cyberbullying is a sub-set or ‘method’ of bullying. It can be used to carry out all the different ‘types’ of bullying (such as racist bullying, sexist bullying, homophobic bullying, or bullying related to special educational needs and disabilities), but instead of the perpetrator carrying out the bullying in person, they use technology as a means of conducting the bullying.

Cyberbullying can include a wide range of unacceptable behaviours, including harassment, threats and insults, and like face-to-face bullying, cyberbullying is designed to cause distress and harm. Cyberbullying can be an extension of face-to-face bullying, with technology providing the bully with another route to harass their target. However, cyberbullying does differ in several significant ways to other kinds of bullying. These differences are important ones for people working with children and young people to understand.

Cyberbullying takes place between children, between adults, but also across different age groups. Young people can target staff members or other adults through cyberbullying.