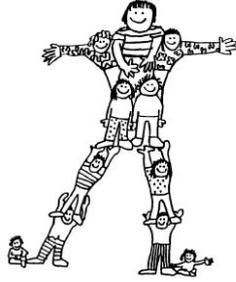


Anti-bullying Policy

None of us is as good as all of us



Policy: Anti Bullying Policy

Revision History:

Date	Changes	Author(s)
6.11.08	Updated in line with CCC strategy	Anna Reeder
11.12.11	Minor amendments	Anna Reeder

Associated Policies:

School Aims
Behaviour and Discipline Policy
Hand in Hand
Complaints procedure
Equal opportunities
Home school partnership document

Date Reviewed by Staff:

11.12.11

Date Reviewed by Education Committee:

January 2012

Date Ratified by Full Governing Body:

February 2012

Next Review Date: (3 years unless otherwise advised)

Autumn 2014

St Luke's Church Of England Primary School Anti-bullying Policy

1 Introduction DEFINITIONS

The Office of Children and Young People's Service defines bullying as ***a persistent, deliberate attempt to hurt or humiliate someone.***

There may sometimes be misunderstanding about the meaning of the term 'bullying': one-off incidents, whilst they may be very serious and must always be dealt with, do not fall within the definition of 'bullying'.

There are various types of bullying, but most have three things in common:

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

Bullying may take various forms, including:

Physical

Examples of such bullying may include:

kicking or hitting
prodding, pushing or spitting
other physical assault
intimidating behaviour
interference with personal property

Verbal/Psychological

Examples of such bullying may include:

threats or taunts
shunning/ostracism
name-calling/verbal abuse
innuendo
spreading of rumours
making inappropriate comments in relation to appearance
extortion

Racist

Examples of such bullying may include:

physical, verbal, written, on-line or text abuse or ridicule based on differences of race, colour, ethnicity, nationality, culture or language
refusal to co-operate with others on the basis of any of the above differences
stereotyping on the basis of colour, race, ethnicity etc
promoting offensive materials such as racist leaflets, magazines or computer software on County Council premises

Racist bullying should be explicitly discussed in the classroom and there must be clear guidelines for dealing with incidents.

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Faith-based

Examples of such bullying may include:
negative stereotyping, name-calling or ridiculing based on religion

Sexist

Examples of such bullying may include:
use of sexist language
negative stereotyping based on gender

Sexual

Examples of such bullying may include:
unwanted/inappropriate physical contact
sexual innuendo
suggestive propositioning
distribution/display of pornographic material aimed at an individual
graffiti with sexual content aimed at an individual

Homophobic

Examples of such bullying may include:
name-calling, innuendo or negative stereotyping based on sexual orientation
use of homophobic language

SEN / Disability

Examples of such bullying may include:
name-calling, innuendo or negative stereotyping based on disability or learning difficulties
excluding from activity on the basis of disability or learning difficulty

The Disability Discrimination Act (1995) places a duty on schools to ensure that any person with 'a physical or mental impairment, which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities' is not subject to discrimination.

The Special Educational Needs and Disability Act (2002) aims to ensure that schools do not treat disabled pupils less favourably than others and that reasonable adjustments are made to avoid putting disabled pupils at a substantial disadvantage.

Gifted/Talented

Examples of such bullying may include:
name-calling, innuendo or negative peer pressure based on high levels of ability or effort
ostracism resulting from perceptions of high levels of ability

Cyber

Examples of such bullying may include:
abuse on-line or via text message
interfering with electronic files
setting up or promoting inappropriate websites
inappropriate sharing of images from webcams/mobile phones, etc
interfering with e-mail accounts

The above categories of bullying are not mutually exclusive.
Whilst recognising that bullying can be a complex problem and that it can sometimes be difficult to resolve such matters quickly, we expect all stakeholders to demonstrate

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their commitment to the implementation of the essential aspects of the Anti-Bullying Strategy and to work together to support vulnerable young people and those at risk.

1.1

Aims and objectives

- St Luke's School is an inclusive school; we aim to ensure that particular groups of pupils are not disadvantaged in school and to promote their participation and success.

2.1 Bullying is wrong and damages individual children. We therefore do all we can to prevent it, by developing a school ethos in which bullying is regarded as unacceptable. We aim to encourage the development of an environment and a climate in which children feel safe and valued, and in which bullying cannot flourish.

2.2 We aim, as a school, to produce a safe and secure environment where all can learn without anxiety. We uphold Cambridgeshire County Council's vision that everyone has a right to live in an inclusive atmosphere free from bullying and to be treated with dignity. The health, well-being and emotional welfare of all children are paramount and will be treated as such.

We will work to encourage the development of an environment in which children and young people can feel free of bullying and can thrive, characterised by:

- preparedness to listen
- approachability
- vigilance
- a calm and positive approach to problems
- involvement of young people in discussion and decision-making
- praise
- a clear anti-bullying strategy which is regularly reviewed
- clear responsibilities for adults
- strong home-school links
- effective communication
- awareness of the needs of others
- a recognition of rights and responsibilities

2.3 This policy aims to produce a consistent school response to any bullying incidents that may occur in line with OCYPS strategy.

2.4 We aim to make all those connected with the school aware of our opposition to bullying, and we make clear each person's responsibilities with regard to the eradication of bullying in our school.

3 The role of the teacher

3.1 Teachers in our school take all forms of bullying seriously, and intervene to prevent incidents from taking place. They keep their own records of all incidents that happen in their class and that they are aware of in the school. These are shared with staff at the weekly staff meeting.

3.2 If teachers witness an act of bullying, they do all they can to support the child who is being bullied. If a child is being bullied over a period of time, then, after consultation with the headteacher, the teacher informs the child's parents.

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- 3.3** We keep a behaviour logbook where we record all serious incidents of bullying that occur within school. If any adult witnesses an act of bullying, they should record the event in the logbook. If, as teachers, we become aware of any bullying taking place, we deal with the issue immediately. This may involve counselling and support for the victim of the bullying, and appropriate action taken for the child who has carried out the bullying. We spend time talking to the child who has bullied: we explain why the action of the child was wrong, and we endeavour to help the child change their behaviour in future. If a child is repeatedly involved in bullying other children, we inform the headteacher and the special needs co-ordinator. We then invite the child's parents into the school to discuss the situation. In more extreme cases, for example where these initial discussions have proven ineffective, the headteacher may contact external support agencies through the LA. Fixed term and / or permanent exclusion would be an ultimate sanction.
- 3.4** Strategies are put in place to support children involved in bullying, either as victims or as the bullies. These may involve members of staff in school or outside agencies, for example our link school nurse.
- 3.5** Teachers attend training as appropriate, which enables them to become equipped to deal with incidents of bullying and behaviour management.
- 3.6** Teachers attempt to support all children in their class and to establish a climate of trust and respect for all. By praising, rewarding and celebrating the success of all children, we aim to prevent incidents of bullying.

4 The role of the headteacher

- 4.1** It is the responsibility of the headteacher to implement the school anti-bullying strategy and to ensure that all staff (both teaching and non-teaching) are aware of the school policy and know how to deal with incidents of bullying. The headteacher reports to the governing body about the effectiveness of the anti-bullying policy on request.
- 4.2** The headteacher ensures that all children know that bullying is wrong, and that it is unacceptable behaviour in this school. The headteacher draws the attention of children to this fact at suitable moments – for example in assemblies.
- 4.3** The headteacher ensures that all staff receive sufficient training to be equipped to deal with all incidents of bullying.
- 4.4** The headteacher sets the school climate of mutual support and praise for success, so making bullying less likely. When children feel they are important and belong to a friendly and welcoming school, bullying is far less likely to be part of their behaviour.

5 The Role of Parents

- 5.1** Parents who are concerned that their child might be being bullied, or who suspect that their child may be the perpetrator of bullying, should contact their child's class teacher immediately.
- 5.2** Parents have a responsibility to support the school's anti-bullying policy and to actively encourage their child to be a positive member of the school.

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6 The Role of Governors

- 6.1 The governing body supports the headteacher in all attempts to eliminate bullying from our school. Any incidents of bullying that do occur are taken very seriously and dealt with appropriately.
- 6.2 The governing body monitors the incidents of bullying that occur, and reviews the effectiveness of the school policy regularly, through a regular agenda item at governor Education Committee meetings. The governors require the headteacher to keep accurate records of all incidents of bullying and to report to the governors on request about the effectiveness of school anti-bullying strategies.

7 Monitoring and review

- 7.1 This policy is monitored on a day-to-day basis by the headteacher, who reports to the governor's curriculum committee, which meets termly.
- 7.2 This anti-bullying policy is the governors' responsibility and they review its effectiveness annually. They do this by examining the school's behaviour logbook, and by discussion with the headteacher. Governors analyse information with regard to gender, age and ethnic background of all children involved in bullying incidents.

Signed:

Anna Reeder

Date11.12.11

This policy should be read in conjunction with the following policies:

The School Aims
School Behaviour and Discipline Policy
Hand in Hand
Complaints procedure
Equal Opportunities

APPENDICES

APPENDIX A: A SURVEY FOR PUPILS

I am a boy		I am a girl		Age		Year	
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Remember this is a secret questionnaire.

<u>During this week at school another person</u>	Not at all	Once	More than once
1. Called me names			
2. Helped with my homework			
3. Was rude about my family			
4. Tried to kick me			
5. Was very nice to me			
6. Was unkind because I am different			
7. Gave me a present			
8. Threatened me (“If you don’t I’ll.....”)			
9. Gave me some money			
10. Demanded money from me (“Oi! Give me your trip money!”)			
11. Tried to frighten me			
12. Asked me a stupid question			
13. Lent me something			
14. Told me off			
15. Teased me			
16. Talked about clothes with me			
17. Told me a joke			
18. Told me a lie			
19. Tried to make me hurt other people			
20. Gave me bad looks			
21. Tried to get me into trouble			
22. Helped me to carry something			
23. Tried to hurt me			
24. Helped me with my class work			
25. Made me do something I didn’t want to do			
26. Took something off me			
27. Shared something with me			
28. Was rude about the colour of my skin			
29. Shouted at me angrily			
30. Played a game with me			
31. Talked about interests with me			
32. Laughed at me			
33. Threatened to tell on me			
34. Tried to break something of mine			
35. Told a lie about me			
36. Tried to hit me			
37. Tried to trip me up			
38. Talked about T.V. with me			
39. Sent me hurtful e-mails or texts			

APPENDIX B: MONITORING CHECKLIST

The following CCC checklist can be used to assist the school in determining the effectiveness of our policy:

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Our School Community

- ✓ Discusses, monitors and reviews our anti-bullying policy on a regular basis
- ✓ Supports staff to identify and tackle bullying appropriately
- ✓ Ensures that pupils are aware that all bullying concerns will be dealt with sensitively and effectively
- ✓ Reports back quickly to parents/carers regarding their concerns on bullying
- ✓ Seeks to learn from anti-bullying good practice elsewhere and utilises the support of the LEA and relevant statutory/voluntary organisations when appropriate

DfES (2003) *Bullying: A Charter for Action*

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APPENDIX C: BULLYING INCIDENT REPORT FORM

Logging and Filing information

This form should be completed within 24 hours of the incident's being reported. Due consideration should be given to issues of confidentiality, including third party information.

<i>ALLEGED BULLYING INCIDENT</i>			
Student allegedly bullied Name(s)	d.o.b.	Year	Group
Ethnicity	Gender M / F	SEN Stage	
Home language	looked-after child Y / N		
Date of incident			
Time of incident			
Location of incident			
Nature of incident, identify details of any injury or damage to property, etc			
Member of staff to whom the incident was reported			

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Alleged perpetrator(s): Name(s)	Year	Group
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Witnesses to the incident

Witness reports of incident (continue on separate sheets if necessary)
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Parents/carers of alleged subject(s) informed: Date	Time
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Parents/carers of alleged perpetrator(s) informed: Date	Time
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Details of immediate action taken

Form completed by	Date
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APPENDIX D: RACIST INCIDENT REPORT FORM

RACIST INCIDENT REPORT FORM

School/Establishment

Date & time of Incident.....

Victim's name.....	
Year Group/Age	<input type="checkbox"/>
Outside Person(s) inc. Parents/Carers	<input type="checkbox"/>
Teaching Staff	<input type="checkbox"/>
Support Staff	<input type="checkbox"/>
Unknown	<input type="checkbox"/>

Perpetrator's name.....	
Year Group/Age	<input type="checkbox"/>
Outside Person(s) inc. Parents/Carers	<input type="checkbox"/>
Teaching Staff	<input type="checkbox"/>
Support Staff	<input type="checkbox"/>
Unknown	<input type="checkbox"/>

Nature of incident (tick any that apply):

- Racist comments and language Ridicule and ostracism Provocative behaviour
- Verbal abuse and threats Racist graffiti Possession/distribution of racist material
- Physical assault Written abuse Other
- Damage to property

Details of incident:.....
.....
.....

To be completed by designated member of staff

Action taken.....
.....

(continue on separate sheet if necessary)

Have parent(s)/carer(s) of victim been informed? (please circle) YES NO

Have parent(s)/carer(s) of perpetrator been informed? (please circle) YES NO

Perpetrator's ethnic origin (including Traveller or Refugee)

Victim's ethnic origin (including Traveller or Refugee).....

Outcome recorded in victim's/perpetrator's files (please circle) YES NO

Record completed by:.....

Signature of designated Member of SMT:.....

Date:.....

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1. The Schools Standards and Framework Act 1998

Section 61(4)(b) of the School Standards and Framework Act 1998 requires headteachers to determine measures to prevent all forms of bullying among pupils. If a parent considers that a school has been negligent in its failure to have such measures or in the implementation thereof, it may sue the Governing Body and / or the LEA for damages. The DfEE circular 10/99 "Social Inclusion: Pupil Support" requires:

- headteachers to put in place effective strategies against bullying which are developed and put into effect by everyone in their school, including pupils
- governing bodies to regularly review their school's bullying policy
- schools to explain in prospectuses and other documents for staff, students and parents/carers the arrangements for students to report bullying to staff, and how staff will investigate.

The Court of Appeal case of Leah Bradford-Smart v West Sussex County Council (2002) established that although, as a rule, a school was not in breach of its duty to a school pupil by failing to prevent the pupil from being bullied outside school, there might occasionally be a breach of duty for failing to take steps within its power to combat the harmful behaviour of one pupil towards another outside school. This would particularly be the case where an incident that started outside of school spilled over into school life.

2. Bullying and Criminal and Civil Law

In 1994 the Judge in the case of R H Walker and Derbyshire County Council provided the following definition of bullying for legal purposes:

'Bullying is long-standing violence, physical or psychological, conducted by an individual or group and directed against an individual who is not able to defend himself in the actual situation, with a conscious desire to hurt, threaten or frighten that individual or put him under stress'. (Quoted in The Herald (1994) in a High Court publication of the Judgement.)

There is not a generic criminal offence of bullying or any one specific remedy in law. However, it is possible that a criminal offence or a civil breach of the law will be committed during a bullying incident. The rights of a child, or his/her family, to apply to civil and criminal court processes should be borne in mind when schools are dealing with alleged bullies.

Relevant legislation regarding possible criminal liability:

- **Protection from Harassment Act 1997**
- **Offences Against the Person Act 1861**
- **Race Relations Act 1976**
- **Theft Act 1968**
- **Race Relations Act 2000**

For criminal proceedings the level of proof required is "*beyond reasonable doubt*".

Civil action can also be taken against an alleged bully and against school staff who are alleged to have been negligent in their duty of care to the child while he or she is at school. The level of proof in the civil courts is lower - "*on the balance of probabilities*"

Activities which may be addressed by legislation:

Assault

A person has been assaulted if s/he is put in a situation where s/he fears *immediate violence* - even if that violence does not actually materialise.

Legally speaking, the threat of violence is actually the *assault*, and the actual violence is *battery*. Criminal offences that may be relevant are:

- assault occasioning actual bodily harm (S20 OAPA 1861). Actual bodily harm can include mental, as well as physical, harm

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- inflicting bodily harm with or without a weapon (S20 OAPA 1861)
- wounding with intent to do grievous bodily harm (S18 OAPA 1861)
- sexual offences

Harassment

The Protection from Harassment Act 1997 made stalking and harassment a criminal offence. For a person to be guilty of an offence, he or she must have *pursued a course of conduct* which he or she *knew or should have known* would cause the victim to be *distressed or alarmed*.

A *course of conduct* is two or more occasions, although if there is a long time gap between two occasions it will be more difficult to build a case. Whether or not a person *should have known* that the course of conduct would cause distress or alarm is judged by whether a *reasonable person* (presumably of the same age, in the case of a child) would think it would.

Note: *There is recent case law regarding the successful prosecution of a 14 year old boy under the Anti-Harassment measures, referred to above, of the Criminal Justice Act 1997. The 14 year old was accused of bullying a 13 year old who subsequently tried to hang himself. Police and Social Services had brought a joint action.*

Racial discrimination

The Race Relations (Amendment) Act 2000 makes illegal direct or indirect discrimination on the grounds of race, colour, nationality (including citizenship) and ethnic origin. It is also unlawful to instruct or aid discrimination by another. The Act defines three types of discrimination - direct, indirect and victimisation. Local authorities have a duty to ensure that services (including education) are provided and functions are carried out with due regard to the need to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between people of different racial groups.

Theft

If a person takes money or possessions with the intention of *permanently depriving the victim of them*, this constitutes criminal theft. If the possessions are 'borrowed' or held without the intention of permanently depriving the owner, there could be a civil action for the *tort of conversion*, requiring the return of the item and payment of any particular damages.

Human Rights

Schools should also note that Article 3 of the Human Rights Act 1998 contains an absolute bar on being subjected to torture or degrading treatment. Bullying behaviour would come within the terms of this Article. This provision can be raised as an additional point in any civil or criminal case.

Disability Discrimination

The Disability Discrimination Act (1995) places a duty on schools to ensure that any person with 'a physical or mental impairment, which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities' is not subject to discrimination.

From 2002, The Special Educational Needs and Disability Act outlines duties which further prevent schools from discriminating against disabled pupils. The two key duties are not to treat disabled pupils less favourably and to take reasonable measures to avoid putting disabled students at a substantial disadvantage.