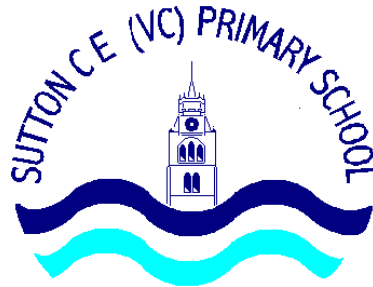


# SUTTON CE (VC) PRIMARY SCHOOL



# ANTI-BULLYING POLICY

Version 2018:1

Approved by Staff

Date: May 2018

Approved by Governors

Date: May 2018

**To be reviewed annually**

# SUTTON CE (VC) PRIMARY SCHOOL

## ANTI BULLYING POLICY

### Anti Bullying Statement

It is widely recognised that bullying, in its various manifestations, as well as making young people unhappy at school, can seriously affect their progress and well-being and that the impact of bullying can follow victims and perpetrators into adult life.

The School Standards and Framework Act 1998 requires all schools to ensure that measures are in place to prevent all forms of bullying amongst its pupils. The staff and governors at Sutton CE (VC) Primary School are committed to combating bullying in school.

At Sutton CE (VC) Primary School every child has a right to be safe, secure and happy. We will not tolerate any form of bullying and will investigate all allegations thoroughly and give support to both victim and perpetrator.

### Definition of Bullying

Most bullying has 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

It is a persistent deliberate attempt to hurt or humiliate. The hurtful action can be physical ranging from prodding and poking to kicking, hitting and serious physical assault or psychological – threats, taunts, shunning, name calling, verbal abuse, sexual innuendo or spreading rumours.

One-off incidents, which must always be dealt with, do not fall within this definition.

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 Local Authority premises.

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

**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 pupils less favourably than others and that reasonable adjustments are made to avoid putting disabled pupils at a substantial disadvantage.

**Gifted and Talented** – examples of such bullying made 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 phone etc
- Interfering with email accounts

The above categories of bullying are not mutually exclusive.

The staff and governors recognise that young people have concerns on this important subject. We understand that we have a duty of care to safeguard the children and young people attending our school. Whilst recognising that bullying can be a complex problem and that it can sometimes be difficult to resolve such matters quickly, we do expect that all staff and governors show a commitment to the values outlined in this policy and work together to support vulnerable pupils.

### **Action to be taken**

At Sutton CE (VC) School all behaviour incidents are taken seriously. There are clear guide lines in the Behaviour Policy as to the expectations of standards of behaviour.

As a school we need to:

- Encourage the development of an environment and a climate in which the pupils feel safe and valued, and in which bullying cannot flourish.
- Develop, promote and support an effective anti-bullying policy

If an incident of bullying is reported:

- a) class teacher informed by staff on duty of any bullying incident
- b) class teacher decides whether to involve the team leader, Deputy, Headteacher or deal with the incident themselves
- c) class teacher, team leader, Deputy, Headteacher may:
  - talk to the alleged victim/perpetrator separately
  - talk to the children together
  - talk to other children about the incident

The outcome of such conversations may be

- sanctions
- contracts
- extra support for victims
- setting up an IBP for the perpetrator
- involvement of parents

### **Discipline/Sanction Process (Please also refer to Behaviour Policy)**

- |        |  |
|--------|--|
| Step 1 | 1 or 2 incidents dealt with by class teacher and involve parents if deemed necessary   |
| Step 2 | If a third incident is reported within two weeks the Team Leader or Deputy Head is involved and the incident is logged. A fourth incident, however minor, will involve the Headteacher |

- Step 3            The Headteacher will talk to the children and parents will be informed
- Step 4            If the bullying persists an IBP will be written with the involvement of the class teacher, parents and child, where possible
- Step 5            A review of the IBP will take place within six weeks with the parent and class teacher
- Step 6            If no progress is evident then the child may be referred to an outside support agency via a CAF Form submitted to the Locality Team.

Sanctions may be used at any step. These may include a verbal apology, a written apology, loss of playtimes, exclusion from lunchtimes or exclusion from school for a fixed term.

Exclusions will be used only if the incident is of sufficient gravity and will be decided by the Headteacher.

### **Incidents of Racist Bullying**

Staff at Sutton CE (VC) Primary School follow the guidelines established by Cambridgeshire County Council when investigating incidents of a racist nature.

All incidents are logged on the Local Authority data collection website and reported immediately to the Governor with responsibility for Racist Incidents. The Headteacher reports termly to the Governing Body of any racist incidents that occur. Please also see the schools Race Equality Policy.

### **Follow Up**

It must be noted that even though after two or three incidents no further incidents have been reported, it does not necessarily mean that no incidents have taken place. The victim and perpetrator should be met with separately to check that all is well.

### **Expectations of Staff, Children, Parents and Governors**

Sutton CE (VC) Primary School strives to create a school ethos where bullying will not be tolerated. Children are taught to respect each other, not to retaliate, to seek help and to tell an adult of any problem. Child victims must be helped and given support and strategies. Parents and children will know that all incidents will be taken seriously and thoroughly investigated. All staff employed at the school are expected to act as responsible role models to the children and to vigorously uphold the guidance in this policy.

### **Supporting this policy through the curriculum**

At Sutton CE (VC) Primary School we will support the guidance outlined in this policy through:

- our day-to-day behaviours and contact with each other
- our PSHE and Citizenship Scheme of Work
- participation in the Social and Emotional Aspects of Learning (SEAL) support material
- participation in DfE initiatives eg Anti-Bullying Week

- the adoption of strategies, where appropriate, promoted by the Anti-Bullying Alliance
- promotion of work on personal safety and bullying through the Keeping Safe teaching materials.
- the use of support materials included as an appendix with this policy

### **Monitoring and reviewing this policy**

We will use the following checklist to assist staff and governors in assessing the effectiveness of the policy:

Does our school community:

- discuss, monitor and review our anti-bullying policy on a regular basis
- support staff to identify and tackle incidents of bullying appropriately
- ensure that all pupils are aware that bullying concerns will be dealt with sensitively and effectively
- report back quickly to parents/carers regarding their concerns on bullying
- seek to learn from anti-bullying good practice elsewhere and utilise the support of the LA and relevant statutory/voluntary organisations when appropriate

The full governing body will review this policy on an annual basis.

## Appendices

Appendix 1 Pupil Questionnaire

Appendix 2 Sample of the Bullying Incident Report Form used in school

Appendix 3 Sample of the Racist Incident Report Form used in school

Appendix 4 Bullying: The Legal Framework

Appendix 5 Contact details for the Local Authority and further information.

## APPENDICES

### APPENDIX 1: 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 2: A SAMPLE 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			

Alleged perpetrator(s):		
Name(s)	Year	Group
Witnesses to the incident		
Witness reports of incident (continue on separate sheets if necessary)		
Parents/carers of alleged subject(s) informed:		
Date		Time
Parents/carers of alleged perpetrator(s) informed:		
Date		Time
Details of immediate action taken		
Form completed by		Date

APPENDIX 3: RACIST INCIDENT REPORT FORM

<b>RACIST INCIDENT REPORT FORM</b>											
School/Establishment .....											
Date & time of Incident.....											
<div style="border: 1px solid black; padding: 5px;">                     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"/> </div>	<div style="border: 1px solid black; padding: 5px;">                     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"/> </div>										
<b>Nature of incident (tick any that apply):</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Racist comments and language <input type="checkbox"/></td> <td style="width: 33%;">Ridicule and ostracism <input type="checkbox"/></td> <td style="width: 33%;">Provocative behaviour <input type="checkbox"/></td> </tr> <tr> <td>Verbal abuse and threats <input type="checkbox"/></td> <td>Racist graffiti <input type="checkbox"/></td> <td>Possession/distribution of racist material <input type="checkbox"/></td> </tr> <tr> <td>Physical assault <input type="checkbox"/></td> <td>Written abuse <input type="checkbox"/></td> <td>Other <input type="checkbox"/></td> </tr> </table>			Racist comments and language <input type="checkbox"/>	Ridicule and ostracism <input type="checkbox"/>	Provocative behaviour <input type="checkbox"/>	Verbal abuse and threats <input type="checkbox"/>	Racist graffiti <input type="checkbox"/>	Possession/distribution of racist material <input type="checkbox"/>	Physical assault <input type="checkbox"/>	Written abuse <input type="checkbox"/>	Other <input type="checkbox"/>
Racist comments and language <input type="checkbox"/>	Ridicule and ostracism <input type="checkbox"/>	Provocative behaviour <input type="checkbox"/>									
Verbal abuse and threats <input type="checkbox"/>	Racist graffiti <input type="checkbox"/>	Possession/distribution of racist material <input type="checkbox"/>									
Physical assault <input type="checkbox"/>	Written abuse <input type="checkbox"/>	Other <input type="checkbox"/>									
Damage to property <input type="checkbox"/>											
Details of incident:..... ..... .....											
<b><u>To be completed by designated member of staff</u></b>											
Action taken..... .....											
<i>(continue on separate sheet if necessary)</i>											
Have parent(s)/carer(s) of victim been informed? <i>(please circle)</i> YES      NO											
Have parent(s)/carer(s) of perpetrator been informed? <i>(please circle)</i> 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 <i>(please circle)</i> YES      NO											
Record completed by:.....											
Signature of designated Member of SMT:.....											
Date:.....											

## APPENDIX 4: BULLYING: THE LEGAL FRAMEWORK

### 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
- 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.

## APPENDIX 5: CONTACT DETAILS AND FURTHER INFORMATION

### 1) Within the Local Authority

Information on bullying issues can be obtained by contacting Diane Stygal. Information on appropriate contacts to obtain advice on specific bullying issues can also be obtained through this number.

### 2) OTHER

Anti-Bullying Alliance – a network of 68 organisations working together to stop bullying  
[www.antibullyingalliance.org.uk](http://www.antibullyingalliance.org.uk)

Department for Education - Guidance and advice  
[www.dfes.gov.uk/bullying](http://www.dfes.gov.uk/bullying)

Childline-24hour confidential counselling service for children  
0800 1111  
[www.childline.org.uk](http://www.childline.org.uk)

NSPCC – Information for adults and older children  
[www.nspcc.org.uk](http://www.nspcc.org.uk)

Beat bullying – working with young people to devise anti-bullying strategies  
[www.beatbullying.org](http://www.beatbullying.org)

Bully free zone – peer support project  
[www.bullyfreezone.co.uk](http://www.bullyfreezone.co.uk)

Young Minds - national charity committed to improving the mental health of all children and young people  
[www.youngminds.org.uk](http://www.youngminds.org.uk)

Children's Legal Centre - bullying: a guide to the law  
[www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

Mencap's campaign against bullying  
[www.dontstickit.org.uk](http://www.dontstickit.org.uk)

Parentline plus – help for parents on a range of subjects, has a good page on bullying  
[www.parentlineplus.org.uk](http://www.parentlineplus.org.uk)

Teachernet – information and support for teachers  
[www.teachernet.gov.uk](http://www.teachernet.gov.uk)