



*William Brookes Academy Trust*

# Anti-Bullying Policy (Students)

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September 2018



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This policy is due for review in September 2020

**Statement of Intent**

William Brookes School believes that all students are entitled to learn in a safe and supportive environment; this means being free from all forms of bullying behaviour. This policy outlines how instances of bullying are dealt with, including the procedures to prevent occurrences of bullying.

These strategies, such as learning about tolerance and difference as part of the school's curriculum, aim to promote an inclusive, tolerant and supportive ethos at the school.

The Education and Inspections Act 2006, outlines a number of legal obligations regarding the school's response to bullying. Under section 89, schools must have measures in place to encourage good behaviour and prevent all forms of bullying amongst students. These measures are part of the school's Behaviour for Learning Policy, which is communicated to all students, school staff and parents/carers.

All staff, parents/carers and students work together to prevent and reduce any instances of bullying at the school. There is a zero tolerance policy for bullying at William Brookes School.

## 1. Legal framework

- 1.1 This policy has due regard to legislation, including, but not limited to the following:
- Education and Inspections Act 2006
  - Equality Act 2010
  - Protection from Harassment Act 1997
  - Malicious Communications Act 1988
  - Public Order Act 1986
  - Communications Act 2003
  - Human Rights Act 1998
  - Crime and Disorder Act 1998
  - Education Act 2011
- 1.2 This policy has been written in accordance with DfE advice, including, but not limited to: [New for 2018]
- 'Preventing and tackling bullying' (2017)
  - 'Sexual violence and sexual harassment between children in schools and colleges' (2018)
- 1.3 This policy will be implemented in conjunction with the school's:
- Behaviour for Learning Policy
  - Cyber Bullying Policy
  - E-safety Policy

## 2. Definition

- 2.1 For the purpose of this policy, bullying is persistent behaviour by an individual or group with the intention of verbally, physically, or emotionally harming another person or group.
- 2.2 Bullying is generally characterised by:
- Repetition: Incidents are not one-offs; they are frequent and happen over a period of time.
  - Intent: The perpetrator(s) means to cause verbal, physical or emotional harm; it is not accidental.
  - Targeting: Bullying is generally targeted at a specific individual or group.
  - Power imbalance: Whether real or perceived, bullying is generally based on unequal power relations.
- 2.3 Vulnerable students are more likely to be the target of bullying due to the attitudes and behaviours some young people have towards those who are different from themselves. Vulnerable students may include, but are not limited to:
- Students with SEND
  - Students who are adopted
  - Students suffering from a health problem
  - Students with caring responsibilities

### **3. Roles and responsibilities**

- 3.1 The governing body evaluates and reviews this policy to ensure that it is non-discriminatory.
- 3.2 It is the responsibility of all staff to be alert to possible bullying of students and to deal with incidents as the highest priority.
- 3.3 The Assistant Head Teacher with responsibility for Behaviour (AHT) and the Behaviour Support manager reviews and amends this policy, taking account of new legislation and government guidance, and using staff experience of dealing with bullying incidents in the previous year to improve procedures.
- 3.4 The Designated Safeguarding Lead (DSL) keeps a record of all reported incidents including which type of bullying has occurred to allow for proper analysis of the data collected.
- 3.5 The AHT and DSL will analyse the data recorded at termly intervals in order to identify any trends in the types of bullying occurring and implement the appropriate measures to tackle it.
- 3.6 The headteacher arranges appropriate training for staff members.
- 3.7 Each house leader corresponds and meets with parents/carers where necessary. They also provide a point of contact when more serious bullying incidents occur.
- 3.8 Form tutors are alert to social dynamics in their class and are available for students who wish to report bullying. They also provide follow-up support after bullying incidents.
- 3.9 Teachers ensure that they are alert to possible bullying situations, particularly exclusion from friendship groups, and that they inform the student's form tutor of such observations.
- 3.10 All staff will avoid gender stereotyping when dealing with bullying.
- 3.11 All staff understand the composition of student groups, showing sensitivity to those who have been the victims of bullying.
- 3.12 All staff have a duty to report any instances of bullying once they have been approached by a student for support.
- 3.13 Parents/carers are advised to inform their child's form tutor if they are concerned that their child may be bullied or be involved in bullying.
- 3.14 Students are advised to inform a member of staff if they witness bullying or are a victim of bullying.
- 3.15 Students are taught not to make counter-threats if they are victims of bullying.

- 3.16 Students are taught to walk away from any dangerous situations and avoid involving other students in incidents.
- 3.17 Students are advised to retain all evidence of cyber bullying.

#### 4. Types of bullying

- 4.1 Many different kinds of behaviour can be considered bullying and can be related to almost anything. Teasing another student because of their appearance, religion, ethnicity, gender, sexual-orientation, home life, culture, disability, or special educational needs are some of the types of bullying that can occur.
- 4.2 Bullying can be acted out through the following mediums:
- Verbally
  - Physically
  - Emotionally
  - Online (Cyber)
- 4.3 **Racist bullying:** Bullying another person based on their ethnic background, religion or skin colour. Racist bullying is a criminal offence under the Crime and Disorder Act 1998 and Public Order Act 1986.
- 4.4 **Homophobic bullying:** Bullying another person because of their actual or perceived sexual orientation.
- 4.5 **Transphobic bullying:** Bullying based on another person's gender 'variance' or for not conforming to dominant gender roles.
- 4.6 **Sexist bullying:** Bullying based on sexist attitudes expressed in a way to demean, intimidate or harm another person because of their sex or gender. Sexist bullying may sometimes be characterised by inappropriate sexual behaviours.
- 4.7 **Sexual bullying:** Bullying behaviour that has a physical, psychological, verbal or non-verbal sexual dimension/dynamic that subordinates, humiliates or intimidates another person. This is commonly underpinned by sexist attitudes or gender stereotypes.

#### 5. Statutory Implications

- 5.1 Under the Equality Act 2010, the school understands that it has a responsibility to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the act; advance equality of opportunity between people who share a protected characteristic and people who do not share it; and foster good relations between people who share a protected characteristic and people who do not share it.
- 5.2 Under the Human Rights Act (HRA) 1998, the school understands that it could have charges brought against it if it allows the rights of children and young people at the school to be breached by failing to take bullying seriously.

- 5.3 The National Association of Head Teachers has guidelines that headteachers must 'satisfy themselves' that their school's Anti-Bullying Policy complies with the HRA; the headteacher understands that they cannot do this without fully involving their teaching staff.
- 5.4 Although bullying itself is not a criminal offence, some types of harassment, threatening behaviour and/or communications may be considered criminal offences:
- Under the Malicious Communications Act 1988, it is an offence for a person to electronically communicate with another person with the intent to cause distress or anxiety, or 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 Protection from Harassment Act 1997 makes it an offence to knowingly pursue any course of conduct amounting to harassment.
  - Section 127 of the Communications Act 2003 makes it an offence to send, by means of a public electronic communications network, a message, or other matter, that is grossly offensive or of an indecent, obscene or menacing character. It is unlawful to disseminate defamatory information through any media, including internet sites.
  - Other forms of bullying which are illegal and should be reported to police include: violence or assault, theft, repeated harassment or intimidation and hate crimes.

## **6. Prevention**

- 6.1 The school clearly communicates a whole-school commitment to addressing bullying in the form of a written statement (Statement of intent) which is regularly promoted across the whole school.
- 6.2 All reported or witnessed instances of bullying in the school are challenged by a member of staff.
- 6.3 Staff encourage student co-operation and the development of interpersonal skills through the use of group work and pair work.
- 6.4 All types of bullying are discussed as part of the curriculum, and diversity, difference and respect for others is promoted and celebrated through various lessons.
- 6.5 Seating arrangements in class will be changed and organised in a way that prevents instances of bullying.
- 6.6 Opportunities to extend friendship groups and interactive skills are provided through participation in special events, for example, drama productions, sporting activities and cultural groups.
- 6.7 All members of the school community are made aware of the school's Anti-Bullying Policy.
- 6.8 All staff members receive training on identifying and dealing with the different types of bullying.

- 6.9 A safe, supervised place [ESR] is available for students to go to at lunch if they are involved in conflict with their peers, or wish to avoid a bully.
- 6.10 Students deemed vulnerable as defined in section 2 are offered an “open-door” arrangement to access ESR to ensure any problems can be actioned quickly.
- 6.11 Form tutors will also offer an “open door” policy, allowing students to discuss any bullying, whether they are victims or have witnessed an incident.

## **7. Signs of Bullying**

- 7.1 Some of the signs that a student may be victim of bullying include, but are not limited to:
- Being frightened to travel to or from school
  - Asking to be driven to school
  - Unwillingness to attend school
  - Truancy
  - Becoming anxious or lacking confidence
  - Saying that they feel ill in the morning
  - Decreased involvement in school work
  - Returning home with torn clothes or damaged possessions
  - Missing possessions
  - Missing dinner money
  - Asking for extra money or stealing
  - Cuts or bruises
  - Lack of appetite
  - Unwillingness to use the internet or mobile devices
  - Becoming agitated when receiving calls or text messages
  - Lack of eye contact
  - Becoming short tempered
  - Change in behaviour and attitude at home
- 7.2 Although the signs outlined above may not be due to bullying, they may be due to deeper social, emotional or mental issues, so are still worth investigating.
- 7.3 Students who display a significant number of these signs are engaged with, in order to determine the underlying issues, whether they are due to bullying or other issues.

## **8. Staff principles**

- 8.1 Prevention is at the forefront of the school’s Anti-Bullying Policy.
- 8.2 Staff treat reports of bullying very seriously.
- 8.3 Staff do not ignore signs of suspected bullying.
- 8.4 Unpleasantness from one student towards another is always challenged and never ignored.
- 8.5 Staff take action immediately; this applies to all staff, not solely teaching staff.

- 8.6 Staff always respect students' privacy, and information about specific instances of bullying are not discussed with others, unless it is in a setting that the victim has given consent to.
- 8.7 Follow-up support is given to both the victim and bully in the months following any incidents, to ensure all bullying has stopped.

## 9. Preventing peer-on-peer sexual abuse

- 9.1 The school takes a zero-tolerance approach to all forms of peer-on-peer sexual abuse, including sexual harassment and sexual violence.
- 9.2 Sexual harassment refers to unwanted conduct of a sexual nature that occurs online or offline. Sexual harassment violates a child's dignity and makes them feel intimidated, degraded or humiliated, and can create a hostile, sexualised or offensive environment. If left unchallenged, sexual harassment can create an atmosphere that normalises inappropriate behaviour and may lead to sexual violence.
- 9.3 Sexual violence refers to the three following offences:
- **Rape:** A person (A) commits an offence of rape if he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
  - **Assault by Penetration:** A person (A) commits an offence if s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.
  - **Sexual Assault:** A person (A) commits an offence of sexual assault if s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.
- 9.4 The school's Safeguarding & Child Protection Policy outlines our stance on addressing peer-on-peer sexual abuse, and the procedures in place should any instances of sexual harassment or sexual violence be uncovered.
- 9.5 In order to prevent peer-on-peer abuse and address the wider societal factors that can influence behaviour, the school will educate students about abuse, its forms and the importance of discussing any concerns and respecting others through the curriculum, assemblies and PSHE lessons.

- 9.6 The school will also ensure that students are taught about safeguarding, including online safety, as part of a broad and balanced curriculum in PSHE lessons, RSE and group sessions. Such content will be age and stage of development specific, and tackle issues such as the following:
- Healthy relationships
  - Respectful behaviour
  - Gender roles, stereotyping and equality
  - Body confidence and self-esteem
  - Prejudiced behaviour
  - That sexual violence and sexual harassment is always wrong
  - Addressing cultures of sexual harassment
- 9.7 All staff will be aware that students of any age and sex are capable of abusing their peers and will never tolerate abuse as “banter” or “part of growing up”.
- 9.8 All staff will be aware that peer-on-peer abuse can be manifested in many different ways, including sexting and gender issues, such as girls being sexually touched or assaulted, and boys being subjected to hazing/initiation type of violence which aims to cause physical, emotional or psychological harm.
- 9.9 All staff will be made aware of the heightened vulnerability of students with SEND, who are three times more likely to be abused than their peers. Staff will not assume that possible indicators of abuse relate to the student’s SEND and will always explore indicators further.
- 9.10 LGBT children can be targeted by their peers. In some cases, children who are perceived to be LGBT, whether they are or not, can be just as vulnerable to abuse as LGBT children. The school’s response to boy-on-boy and girl-on-girl sexual violence and sexual harassment will be equally as robust as it is for incidents between children of the opposite sex.
- 9.11 Students will be made aware of how to raise concerns or make a report and how any reports will be handled. This includes the process for reporting concerns about friends or peers.
- 9.12 If a child has been harmed, is in immediate danger or is at risk of harm, a referral will be made to children’s social care services (CSCS).

### **Managing disclosures**

- 9.13 Victims will always be taken seriously, reassured, supported and kept safe. Victims will never be made to feel like they are causing a problem or made to feel ashamed.
- 9.14 If a friend of a victim makes a report or a member of staff overhears a conversation, staff will take action – they will never assume that someone else will deal with it. The basic principles remain the same as when a victim reports an incident; however, staff will consider why the victim has not chosen to make a report themselves and the discussion will be handled sensitively and with the help of CSCS where necessary. If staff are in any doubt, they will speak to the DSL.

- 9.15 The DSL will be informed of any allegations of abuse against students with SEND. They will record the incident in writing and, working with the SENCO, decide what course of action is necessary, with the best interests of the student in mind at all times.

### **Confidentiality**

- 9.16 The school will only engage staff and agencies required to support the victim and/or be involved in any investigation. If a victim asks the school not to tell anyone about the disclosure, the school cannot make this promise. Even without the victim's consent, the information may still be lawfully shared if it is in the public interest and protects children from harm.
- 9.17 The DSL will consider the following when making confidentiality decisions:
- Parents will be informed unless it will place the victim at greater risk.
  - If a child is at risk of harm, is in immediate danger or has been harmed, a referral will be made to CSCS.
  - Rape, assault by penetration and sexual assaults are crimes – reports containing any such crimes will be passed to the police.
- 9.18 More information regarding the school's stance on preventing peer-on-peer sexual abuse is available in our Safeguarding & Child Protection Policy.

## **10. Cyber bullying**

- 10.1 The school has in place a Cyber Bullying Policy, which outlines the school's zero tolerance approach to cyber bullying.
- 10.2 The school views cyber bullying in the same light as any other form of bullying and will follow the sanctions set out in section 12 of this policy if they become aware of any incidents.
- 10.3 The school will support students who have been victims of cyber bullying by holding formal and informal discussions with the student about their feelings and whether the bullying has stopped, in accordance with section 13 and section 14 of this policy.
- 10.4 In accordance with the Education Act 2011, the school has the right to examine and delete files from students' personal devices, e.g. mobiles phones, where there is good reason to do so. This power applies to all schools and there is no need to have parental consent to search through a young person's mobile phone.
- 10.5 If an electronic device is seized by a member of staff, and there is reasonable ground to suspect that it contains evidence in relation to an offence, the device must be given to the police as soon as it is reasonably practicable.
- 10.6 If a staff member finds material that they do not suspect contains evidence in relation to an offence, the headteacher will decide whether it is appropriate to delete or retain the material as evidence of a breach of the relevant policies.

## 11. Procedures

- 11.1 Minor incidents are reported to the victim's form teacher, house leader or a member of the Pastoral Support Team. A member of the Pastoral Support Team will investigate the incident, set appropriate sanctions for the perpetrator and inform the house leader of the incident and outcome.
- 11.2 When investigating a bullying incident, the following procedures are adopted:
- The victim, alleged bully and witnesses are all interviewed separately
  - Members of staff minimise the possibility of contact between the students being interviewed, including electronic communication
  - If a student is injured, members of staff take the student immediately to sickbay for a medical opinion on the extent of their injuries
  - A room is used that allows for privacy during interviews
  - A witness is used for serious incidents
  - If appropriate, the alleged bully, the victim and witnesses, are asked to write down details of the incident; this may need prompting with questions from the member of staff to obtain the full picture
  - Premature assumptions are not made, as it is important not to be judgemental at this stage
  - Members of staff listen carefully to all accounts, being non-confrontational and not attaching blame until the investigation is complete
  - All concerned students are informed that they must not discuss the interview with other students
- 11.3 Due to the potential for sexist, transphobic and sexual bullying to be characterised by inappropriate sexual behaviour, staff members involved in dealing with the incident are required to consider whether there is a need for safeguarding processes to be implemented.

## 12. Sanctions

- 12.1 If the AHT/Behaviour Support Manager is satisfied that bullying did take place, the student will be helped to understand the consequences of their actions and warned that there must be no further incidents.
- 12.2 The AHT/Behaviour Support Manager will inform the student of the type of sanction to be used in this instance (detention, fixed term exclusion, etc.) and future sanctions if the bullying continues.
- 12.3 If possible, the house leader will attempt reconciliation and will obtain a genuine apology from the bully. This will either be in writing to the victim (and/or witnesses if appropriate), or face-to-face, but only with the victim's full consent. Discretion is used here; victims will never feel pressured into a face-to-face meeting with the bully.
- 12.4 The perpetrator is made to realise that some students do not appreciate the distress they are causing, and that they should change their behaviour.
- 12.5 Parents/carers are informed of bullying incidents and what action is being taken.

12.6 The house leader will informally monitor the students involved over the next half term.

### **13. Support**

13.1 If the student visits the school nurse, the school nurse informally checks whether the bullying has stopped.

13.2 The form tutor informally checks whether the bullying has stopped on a weekly basis for a month after the initial complaint of bullying.

13.3 The house leader formally checks whether the bullying has stopped the week after the bullying, and again during the same half term.

13.4 If necessary, group dynamics are broken up by members of staff by assigning places in classes.

13.5 The victim is encouraged to tell a trusted adult in school if bullying is repeated.

13.6 The victim is encouraged to broaden their friendship groups by joining lunchtime or after-school club or activity.

### **14. Follow up support**

14.1 The progress of both the bully and the victim are monitored by their form tutors. One-on-one sessions to discuss how they are progressing may be appropriate.

14.2 If appropriate, follow-up correspondence is arranged with parents one month after the incident.

14.3 Students who have been bullied are supported in the following ways:

- Being listened to
- Having an immediate opportunity to meet with their house leader or a member of staff of their choice
- Being reassured
- Being offered continued support
- Being offered counselling, where appropriate

14.4 Students who have bullied others are supported in the following ways:

- Receiving a consequence for their actions
- Being able to discuss what happened
- Being helped to reflect on why they became involved
- Being helped to understand what they did wrong and why they need to change their behaviour
- Appropriate assistance from parents

14.5 Students who have been bullied will be assessed on a case-by-case basis and the DSL will, if necessary, put adequate support in place.

14.6 In cases where the effects of bullying are so severe that the pupil cannot successfully reintegrate back into the school, the headteacher and DSL will look to transfer the pupil to another mainstream school.

- 14.7 Where a child has developed such complex needs that alternative provision is required, then the pupil who has been the victim of bullying, their parents, the headteacher and the DSL will meet to discuss the use of alternative provision.

## **15. Bullying outside of school**

- 15.1 Teachers have the power to discipline students for misbehaving outside of the school premises. 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.
- 15.2 Where bullying outside school is reported to school staff, it is investigated and acted on. In all cases of misbehaviour or bullying, the teacher can only discipline the student on school premises, or elsewhere when the student is under the lawful control of the member of staff.
- 15.3 The headteacher has a specific statutory power to discipline students for poor behaviour outside of the school premises. Section 89(5) of the Education and Inspections Act 2006 gives the headteacher the power to regulate students' conduct when they are not on school premises, and therefore not under the lawful charge of a school staff member.
- 15.4 The headteacher is responsible for determining whether it is appropriate to notify the police, or the anti-social behaviour coordinator of the action taken against a student.
- 15.5 If the misbehaviour could be of a criminal nature or poses a serious threat to a member of the public, the police are always informed.

## Bullying Procedure Flow Chart

