

Menston Primary School



ANTI-BULLYING POLICY **(STATUTORY)**

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Statement of intent

Menston Primary School believes that all pupils 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 several 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 pupils. These measures are part of the school's Behaviour Policy, which is communicated to all pupils, school staff and parents.

All staff, parents and pupils work together to prevent and reduce any instances of bullying at the school. There is a zero-tolerance policy for bullying at the school.

Legal framework

This policy has due regard to all relevant 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

This policy has been written in accordance with guidance, including, but not limited to:

- DfE (2017) 'Preventing and tackling bullying'
- DfE (2018) 'Sexual violence and sexual harassment between children in schools and colleges'
- DfE (2018) 'Mental health and wellbeing provision in schools'

This policy operates in conjunction with the following school policies:

- Behaviour Policy
- Online Safety Policy
- Child Protection and Safeguarding Policies
- PSHE Policy
- Relationships Education Policy

Definition

For the purpose of this policy, “bullying” is defined as **the repetitive, intentional hurting of one person or a group by another person or group where the relationship involves an imbalance of power** (definition from the Anti-Bullying Alliance).

There is no legal definition of bullying, however, it’s usually defined as behaviour that is:

- repeated
- intended to hurt someone either physically or emotionally
- often aimed at certain groups, for example because of race, religion, gender or sexual orientation
- an imbalance of power- whether real or perceived, bullying is generally based on unequal power relations.

Bullying behaviour can be:

- physical - pushing, poking, kicking, hitting, biting, pinching etc.
- verbal - name calling, sarcasm, spreading rumours, threats, teasing, belittling.
- emotional – isolating others, tormenting, hiding books, threatening gestures, ridicule, humiliation, intimidating, excluding, manipulation and coercion
- sexual – unwanted physical contact, inappropriate touching, abusive comments, homophobic abuse, exposure to inappropriate films etc.
- online /cyber – posting on social media, sharing photos, sending nasty text messages, social exclusion
- indirect - Can include the exploitation of individuals.

Bullying is different from **relational conflict**, which is disagreement between two people or a group of people where there is no imbalance of power. As young people grow up, they can sometimes be unkind to each other as they refine their social skills. Whilst these can be unpleasant, they cannot always be defined as bullying.

Vulnerable pupils are more likely to be the targets of bullying due to the attitudes and behaviours some young people have towards those who are different from themselves. Vulnerable pupils may include, but are not limited to:

- pupils with SEND.
- pupils who are adopted/ Looked After in Care.
- pupils suffering from a health problem.
- pupils with caring responsibilities.

Types of bullying

Many kinds of behaviour can be considered bullying and can be related to almost anything. However, we need to be mindful that not all incidents involving relational conflict can be defined as bullying.

Teasing another pupil because of their appearance, religion, ethnicity, gender, sexual-orientation, home life, culture, disability, or SEND are some of the types of bullying that can occur.

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.

Homophobic bullying: Bullying another person because of their actual or perceived sexual orientation.

Transphobic bullying: Bullying based on another person’s gender ‘variance’ or for not conforming to dominant gender roles.

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.

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.

Prejudicial bullying: Bullying based on prejudices directed towards specific characteristics, e.g. SEND or mental health issues.

Relational bullying: Bullying that primarily constitutes of excluding, isolating and ostracising someone – usually through verbal and emotional bullying.

Roles and responsibilities

The **governing board** is responsible for:

- Evaluating and reviewing this policy to ensure that it is not discriminatory.
- The overall implementation of this policy.
- Ensuring that the school adopts a tolerant and open-minded policy towards difference.
- Ensuring the school is inclusive.
- Analysing any bullying data to establish patterns and reviewing this policy in light of these.

The **Head teacher and other Senior Leaders** are responsible for:

- Reviewing and amending this policy, accounting for new legislation and government guidance, and using staff experience of dealing with bullying incidents in previous years to improve procedures.
- Keeping a Bullying Report Form of all reported incidents, including which type of bullying has occurred, to allow for proper analysis of the data collected.
- Analysing the data to identify trends, so that appropriate measures to tackle them can be implemented.
- Arranging appropriate training for staff members.

Phase Leaders are responsible for:

- Corresponding and meeting with parents where necessary.
- Providing a point of contact for pupils and parents, when more serious bullying incidents occur.

Class Teachers are responsible for:

- Being alert to social dynamics in their class.
- Being available for pupils who wish to report bullying.
- Providing follow-up support after bullying incidents.
- Being alert to possible bullying situations, particularly exclusion from friendship groups, and dealing with these situations as they arise.
- Refraining from gender stereotyping when dealing with bullying.
- Understanding the composition of pupil groups, showing sensitivity to those who have been the victims of bullying.
- Reporting any instances of bullying once they have been approached by a pupil for support.
- Undertaking relevant training as directed by the Senior Leadership team.

Parents are responsible for:

- Informing their child's **Class teacher** or **Phase Leader** if they have any concerns that their child is the victim of bullying or involved in bullying in any way.
- Being watchful of their child's behaviour, attitude and characteristics and informing the relevant staff members of any changes.
- Keeping evidence of cyber bullying and informing a member of staff should their child fall victim to cyber bullying.
- Working with the school to deal with any incidents of reported bullying, whether their child is the target, the ringleader or any of the other roles associated with enabling bullying (reinforcer, assistant, bystander).
- Ensuring that they are aware of how their children are conducting themselves in the real world and online; including ensuring that their children understand how to conduct themselves appropriately and safely online.

Pupils are responsible for:

- Informing a member of staff if they witness bullying or are a victim of bullying.
- Not making counter-threats if they are victims of bullying.
- Walking away from dangerous situations and avoiding involving other pupils in incidents.
- Keeping evidence of cyber bullying and informing a member of staff should they fall victim to cyber bullying.

Statutory implications

The school understands that, under the Equality Act 2010, 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.
- Foster good relations between people who share a protected characteristic and people who do not share it.

The school understands that, under the Human Rights Act (HRA) 1998, 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.

The Head teacher will ensure that this policy complies with the HRA; the Head teacher understands that they cannot do this without fully involving their teaching staff.

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 in a way which conveys a message which is indecent or grossly offensive, a threat, or contains 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 the police include: violence or assault, theft, repeated harassment or intimidation and hate crimes.

Prevention

- The school clearly communicates a whole-school commitment to addressing bullying in the form of a written statement which is regularly promoted across the whole school.
- All reported or investigated instances of bullying will be investigated by a member of staff.
- Staff will encourage pupil co-operation and the development of interpersonal skills using group and paired work within PSHE lessons and the wider curriculum.
- All types of bullying will be discussed as part of the PSHE curriculum.
- Diversity, difference and respect for others is promoted and celebrated through various lessons and assemblies.
- All members of the school are made aware of this policy and their responsibilities in relation to it.
- All staff members receive training on identifying and dealing with the different types of bullying.
- Pupils deemed vulnerable, will meet with a mentor once per week to ensure any problems can be actioned quickly.
- Class teachers offer an 'open door' policy allowing pupils to discuss any bullying, whether they are victims or have witnessed an incident. In KS2 'talk boxes' enable children to report any worries they may have in a discrete way.
- The school will be alert to, and address, any mental health and wellbeing issues amongst pupils, as these can be a cause of bullying behaviour.
- The school will ensure potential perpetrators are given support as required, so their educational, emotional and social development isn't negatively influenced by outside factors, e.g. mental health issues.

Signs of bullying

Staff will be alert to the following signs that may indicate a pupil is a victim of bullying:

- Unwillingness to attend school
- Becoming anxious or lacking confidence
- Saying that they feel ill more regularly than what is typical
- Decreased involvement in school work
- Returning home with torn clothes or missing/ damaged possessions
- Cuts or bruises
- Lack of appetite
- Lack of eye contact
- Change in behaviour and attitude at home

Although the signs outlined above may not be due to bullying, they may be due to deeper social, emotional or mental health issues, so are still worth investigating.

In addition, staff will be aware of the potential factors that may indicate a person is likely to have bullying behaviours. If staff become aware of any factors that could lead to bullying behaviours, they will notify the pupil's class teacher, who will investigate the matter and monitor the situation.

Staff principles

- The school will ensure that prevention is a prominent aspect of its anti-bullying vision.
- Staff will treat reports of bullying seriously and they will not ignore signs of suspected bullying.

- Unpleasantness from one pupil towards another is always challenged and never ignored.
- Staff act immediately when they become aware of a bullying incident; this applies to all staff, not solely teaching staff. All staff will log any incidents using the Bullying Report Form and complete a record on CPOMS.
- Staff always respect pupils' 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, or there is a safeguarding concern.
- If a member of staff believes a pupil is in danger, e.g. of being hurt, they will inform the (Designated safeguarding Lead) DSL immediately.
- Follow-up support is given to both the victim and bully in the months following any incidents, to ensure all bullying has stopped.

Managing disclosures

- 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.
- If a friend of a victim makes a report or a member of staff overhears a conversation, staff will act – 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. If staff are in any doubt, they will speak to the DSL.
- The DSL will be informed of any allegations of abuse against pupils 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 pupil in mind at all times.

Confidentiality

- The school will only engage with 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 will not 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.
- The Designated Safeguarding Lead trained staff 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 Bradford Children's Social Care.
 - Sexual assaults are crimes – reports containing any such crimes will be passed to the police.

More information regarding the school's stance on preventing peer-on-peer sexual abuse is available in our Child Protection and Safeguarding Policy.

Cyber bullying

- The school views cyber bullying in the same light as any other form of bullying and will follow the sanctions set out in this policy if they become aware of any incidents.
- The school will support pupils who have been victims of cyber bullying by holding formal and informal discussions with the pupil about their feelings and whether the bullying has stopped, in accordance with this policy.
- In accordance with the Education Act 2011, the school has the right to examine and delete files from pupils' 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. The school expects parents to be fully supportive of how it deals with any incidents of cyber bullying, as these incidents usually take place outside of school.

- 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.
- If a staff member finds material that they do not suspect contains evidence in relation to an offence, the Head teacher will decide whether it is appropriate to delete or retain the material as evidence of a breach of the relevant policies.

Procedures

Minor incidents are reported to the victim's **class teacher**, who investigates the incident, sets appropriate sanctions for the perpetrator and informs the **Phase Leader** in writing of the incident and outcome.

When investigating a bullying incident, the following procedures are adopted:

- The victim, alleged perpetrator and witnesses are all interviewed separately
- If a pupil is injured, members of staff take the pupil immediately to a first-aider for a medical opinion on the extent of their injuries
- A room is used that allows for privacy during interviews
- A witness (staff member) is used for serious incidents
- If appropriate, the alleged perpetrator, 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
- A Bullying Report Form is completed and uploaded to CPOMS. Relevant staff are invited to view the report. Any subsequent actions are logged on CPOMS.

Sanctions

- If staff are satisfied that bullying did take place, the pupil will be helped to understand the consequences of their actions and warned that there must be no further incidents.
- If possible, staff will attempt reconciliation and will obtain a genuine apology from the perpetrator. 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 perpetrator.
- Parents are informed of bullying incidents and what action is being taken.
- The class teacher monitors the pupils involved over the next half-term.

Support

- After the initial complaint of bullying has been dealt with, the class teacher can hold regular informal discussions to check whether the bullying has stopped.
- If necessary, group dynamics can be broken up by members of staff by changing seating positions in classes.
- The victim is encouraged to tell a trusted adult in school if bullying is repeated.
- The victim is encouraged to broaden their friendship groups by joining lunchtime or after-school club or activity.
- The school will work with the perpetrator regarding any underlying issue, including any mental health or emotional wellbeing problems.

Follow-up support

- The progress of both the bully and the victim are monitored by their class teacher(s).

- If appropriate, follow-up correspondence is arranged with parents one month after the incident.
- Pupils who have been bullied are supported in the following ways:
 - Being listened to
 - Having an immediate opportunity to meet with their class teacher or a member of staff of their choice
 - Being reassured
 - Being offered continued support
 - Being offered regular mentoring sessions, where appropriate
- Pupils 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 was wrong and why they need to change their behaviour
 - Appropriate assistance from parents

Bullying outside of school

- The Head teacher has a specific statutory power to discipline pupils for poor behaviour outside of the school premises. Section 89(5) of the Education and Inspections Act 2006 gives the Head teacher the power to regulate pupils' conduct when they are not on school premises, and therefore, not under the lawful charge of a school staff member.
- Teachers have the power to discipline pupils 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.
- Where bullying outside school is reported to school staff, it is investigated and acted on.
- In all cases of misbehaviour or bullying, members of staff can only discipline the pupil on school premises, or elsewhere when the pupil is under the lawful control of the member of staff, e.g. on a school trip.
- 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.

This form will be uploaded to CPOMS and shared with relevant staff upon completion.

Personal details	
Name of person reporting incident:	
Name of pupil(s) being bullied:	
Name of alleged perpetrator(s)	
Gender:	
Year group:	
Class:	

Incident details
What happened?
Where did the incident take place?
When did the incident occur?
Did anyone else see the incident?

According to the victim, how often does the bullying take place?

According to the victim, how long has the bullying been going on?

What action will be taken and by whom?