

Anti-Bullying Policy

This policy should be read in conjunction with all other policies and not as a standalone policy. Please note in particular the Behaviour Policy which should be read together with this document so that these two policies and procedures dovetail with each other.

Halliwell Education pays due regard to the national guidance regarding the prevention of bullying. For example, this policy acknowledges the guidance in:

- Preventing and tackling bullying: advice for school leaders, staff and governing bodies www.gov.uk/government/publications/preventing-and-tackling-bullying.

Principles

Members of Halliwell Education should feel confident to raise the issue of bullying in the knowledge that it will be treated with urgency and seriousness. We view silence as condoning bullying and therefore expect and encourage all our students to speak to a person whom they can trust. Everyone should have the opportunity to thrive and learn in a positive and safe environment.

Reasons for this policy

Halliwell Education believes that how we feel affects how we learn. Halliwell Education aims to create a safe and secure learning environment where all members of the schools community are valued and have the opportunity to achieve their full potential. We aim to ensure that bullying in the schools is prevented so far as is reasonably practicable.

The aims and objectives of this policy are:-

- To prevent, de-escalate and/or stop any continuation of harmful behaviour.
- To react to bullying incidents in a reasonable, proportionate and consistent manner.
- To safeguard the student who has experienced bullying and to implement support for the student and, where necessary, the family.
- To apply a consistent and robust sanctions policy where deemed necessary and appropriate, in order to deter harmful behaviour and repeat bullying.
- To provide multi-agency support to the student causing harm, in order to prevent a cycle of bullying by the perpetrator.

NB: This policy pays due regard to the following updates to ‘Keeping Children Safe in Education’ (September 2021) guidance:

- More emphasis on online safety. Be aware that:
 - Technology is a significant component in many safeguarding issues
 - Abuse can happen online, offline, or both
 - Children can also abuse their peers online. This can include:
 - Abusive, harassing or misogynistic messages
 - Non-consensual sharing of indecent images (particularly in chat groups)
 - Sharing of abusive images and pornography to those who don't want to receive such content

- In addition to the groups you should already be aware of as more likely to need early help, the following groups have been added:
 - Pupils with health conditions
 - Pupils with mental health needs
 - Pupils with a family member in prison or who are affected by parental offending
 - Pupils at risk of honour-based abuse (such as female genital mutilation or forced marriage)
 - Pupils who are persistently absent from school, including persistent absences for part of the school day

- Additional forms of peer-on-peer abuse have been added:
 - Abuse in intimate personal relationships between peers
 - Causing someone to engage in sexual activity without their consent (for example, forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party)

Also, prejudice-based and discriminatory bullying have been added as examples of types of bullying (bullying was already a form of peer-on-peer abuse staff should be aware of)

- Risk factors that increase the likelihood of involvement in serious violence have been added:
 - Being male
 - Being frequently absent or permanently excluded from school
 - Having experienced child maltreatment
 - Having been involved in offending such as theft or robbery

- There's additional emphasis that victims should be taken seriously, supported and kept safe, and never made to feel like they are creating a problem for reporting abuse, sexual violence or sexual harassment

New specific safeguarding issues added to annex B

> Child abduction and community safety incidents:

- Child abduction is when children are taken from their parents or carers without permission. It can be committed by parents or other family members, by people known but not related to the child (like neighbours, friends and acquaintances), and by strangers
- Community safety incidents are things like unknown adults loitering near school or trying to talk to children
- Always follow our pick-up procedures to make sure children only go home with their designated adult(s)
- **If you see anything suspicious or that doesn't feel right, report it immediately**

> Modern slavery:

- This includes human trafficking and slavery, servitude and forced or compulsory labour
- The exploitation can take many forms, for example sexual exploitation, forced labour, forced criminality and the removal of organs
- There's a national referral mechanism for modern slavery – speak to your DSL if you need to know more about this

> Cybercrime:

- This is defined as criminal activity committed using computers and/or the internet
- This includes activities such as hacking, 'denial of service' attacks (where a website is made unavailable), and creating and using malware such as viruses
- Children who are particularly skilled in computing and technology may be drawn into cybercrime – either deliberately or inadvertently

What does the law say and what do I have to do?

Every school must have measures in place to prevent all forms of bullying.

The Equality Act 2010

The Equality Act 2010 replaces previous anti-discrimination laws with a single Act. A key provision is a new public sector Equality Duty, which came into force on 5 April 2011. It replaces the three previous public sector equality duties for race, disability and gender, and covers age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Duty has three aims. It requires public bodies to have due regard to the need 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.

Halliwell Education is required to comply with the new Equality Duty. Part 6 of the Act makes it unlawful for the responsible body of a school to discriminate against, harass or victimise a student or potential student in relation to admissions, the way it provides education for students, provision of student access to any benefit, facility or service, or by excluding a student or subjecting them to any other detriment. In England and Wales Part 6 of the Act applies to maintained schools and Academies and to other independent schools.

The role and responsibilities of Directors

The Directors are responsible for:

- Ensuring the safety of the students in school at all times and that the company has an effective Anti-Bullying strategy in place
- Ensuring that the Anti-Bullying Policy is kept up to date and in line with all current guidelines
- Ensuring that the Headteacher and all other staff attend Behaviour Management Training which is refreshed annually
- Ensuring all staff including volunteers and temps are made aware of this policy and procedures
- Ensuring any known issues or problems with Anti-Bullying processes are improved in a timely fashion
- Ensuring that Halliwell Education has strong guidelines and procedures for dealing with allegations of Bullying
- Ensuring that the Anti-Bullying policy and all Safeguarding Policies are reviewed annually or earlier if this is required by the DfE
- Liaising with the Headteacher regularly and frequently to discuss safeguarding policies (including Anti-Bullying) to ensure that improvements are identified promptly and everything possible and reasonably practicable is done to prevent bullying

The role and responsibilities of the Headteacher

The Headteacher is responsible for:

- Ensuring that each of the Halliwell Education's provisions is a safe learning environment
- Undertaking regular, frequent and robust checks at each school (including unannounced monitoring visits) to check that the safeguarding policies and procedures (including anti-bullying) are fully and effectively implemented
- Ensuring that Lead Teachers are well trained and accredited in Safeguarding (Level 3 minimum) and behaviour management
- Ensuring that each of Halliwell Education's schools implement the company's Anti-Bullying Policy and Procedures by holding the Lead Teachers and staff to account
- Ensuring that Lead Teachers make all staff at each school including volunteers and temps aware of this policy and all Anti-Bullying arrangements
- Reviewing all safeguarding policies and procedures annually (including Anti-Bullying), or earlier when significant changes are required
- Ensuring that all safeguarding policies and procedures (including Anti-Bullying), are amended promptly when significant changes are required by the DfE
- Ensuring that Anti-Bullying procedures are improved in a timely fashion
- Liaising with the DfE, Directors and staff throughout the year to discuss processes, make changes and improvements wherever appropriate and ultimately reduce the risk of bullying.

The role and responsibilities of Staff

Staff are responsible for:

- Ensuring that they are aware of Halliwell Education's Anti-Bullying Policy and procedures
- Ensuring that they have read, understood and are committed to the company's Anti-Bullying policy and procedures
- Ensuring that the school site and learning environment are safe by exercising due diligence and a high level of vigilance regarding bullying
- Adhering to all aspects of the company's Anti-Bullying policy and procedures including recording and reporting any issues
- Ensuring that any weaknesses they feel exist regarding the company's policy and procedures are promptly reported to the DSL or DDSL and to their line manager

Safeguarding children and young people

Under the Children Act 1989 a bullying incident should be addressed as a child protection concern when there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm'. Where this is the case, staff should report their concerns to the Lead Teacher. Even where safeguarding is not considered to be an issue, schools may need to draw on a range of external services to support the student who is experiencing bullying, or to tackle any underlying issue which has contributed to a child engaging in bullying.

Criminal law

Although bullying in itself is not a specific criminal offence in the UK, it is important to bear in mind that some types of harassing or threatening behaviour – or communications – could be a criminal offence, for example under the Protection from Harassment Act 1997, the Malicious Communications Act 1988, the Communications Act 2003, and the Public Order Act 1986.

Bullying outside school premises

Staff have the power to discipline students for misbehaving outside the school premises "to such an extent as is reasonable". 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 should be investigated and acted on. If the misbehaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed.

In all cases of misbehaviour or bullying the Lead Teacher can only discipline the student on school premises or elsewhere when the student is under the lawful control of the staff member.

Definition of Bullying

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages or the internet), and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, or because a child is adopted or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences. Stopping violence and ensuring immediate physical safety is obviously a school's first priority but emotional bullying can be more damaging than physical; teachers and schools have to make their own judgements about each specific case. Many experts say that bullying involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online.

Cyber-bullying

The rapid development of, and widespread access to, technology has provided a new medium for 'virtual' bullying, which can occur in or outside school. Cyber-bullying is a different form of bullying and can happen at all times of the day, with a potentially bigger audience, and more accessories as people forward on content at a click. The wider search powers included in the Education Act 2011 give teachers stronger powers to tackle cyber-bullying by providing a specific power to search for and, if necessary, delete inappropriate images (or files) on electronic devices, including mobile phones.

Separate advice on teachers' powers to search (including statutory guidance on dealing with electronic devices) is available – see below for a link to this document. For more information on how to respond to cyber-bullying and how students can keep themselves safe, please refer to the Childnet International link under 'further resources'.

Dealing with bullying

Halliwell Education makes every effort to ensure it creates an environment that prevents bullying from being a serious problem in the first place. School staff, the Headteacher and Directors are best placed to decide how best to respond to the particular issues that affect their students. There is no single solution to bullying which will suit all schools.

Prevention

Halliwell Education schools' response to bullying should not start at the point at which a child has been bullied. Halliwell Education develop a more sophisticated approach in which school staff proactively gather intelligence about issues between students which might provoke conflict and develop strategies to prevent bullying occurring in the first place. This might involve talking to students about issues of difference, perhaps in lessons, through dedicated events or projects, or through assemblies. Staff themselves will be able to determine what will work best for their students, depending on the particular issues they need to address.

Halliwell Education ensure that in tackling bullying they have created an ethos of good behaviour where students treat one another and the school staff with respect because they know that this is the right way to behave. Values of respect for staff and other students, an understanding of the value of education, and a clear understanding of how our actions affect others permeate the whole school environment and are reinforced by staff and older students who set a good example to the rest.

Intervention

Halliwell Education schools should apply disciplinary measures to students who bully in order to show clearly that their behaviour is wrong. Disciplinary measures must be applied fairly, consistently, and reasonably taking account of any special educational needs or disabilities that the students may have and taking into account the needs of vulnerable students. It is also important to consider the motivations behind bullying behaviour and whether it reveals any concerns for the safety of the perpetrator. Where this is the case the child engaging in bullying may need support themselves.

The organisations listed in the 'further resources' section provide a range of practical resources for schools to help staff develop their own approaches to different issues which might motivate bullying and conflict.

Halliwell Education also:

- involve residential staff to ensure that they are clear that the school does not tolerate bullying and are aware of the procedures to follow if they believe that their child is being bullied. Residential staff feel confident that the school will take any complaint about bullying seriously and resolve the issue in a way that protects the child, and they reinforce the value of good behaviour at home
- involve students. All students understand the school's approach and are clear about the part they can play to prevent bullying, including when they find themselves as bystanders
- regularly evaluate and update their approach to take account of developments in technology, for instance updating 'acceptable use' policies for computers
- implement disciplinary sanctions. The consequences of bullying reflect the seriousness of the incident so that others see that bullying is unacceptable
- openly discuss differences between people that could motivate bullying, such as religion, ethnicity, disability, gender or sexuality. Also children with different family situations, such as looked after children or those with caring responsibilities. Schools can also teach children that using any prejudice based language is unacceptable
- use specific organisations or resources for help with particular problems. Schools can draw on the experience and expertise of anti-bullying organisations with a proven track record and/or specialised expertise in dealing with certain forms of bullying
- provide effective staff training. Anti-bullying policies are most effective when all school staff understand the principles and purpose of the school's policy, its legal responsibilities regarding bullying, how to resolve problems, and where to seek support. Schools can invest in specialised skills to help their staff understand the needs of their students, including those with special educational needs and/or disability (SEND) and lesbian, gay, bisexual and transgender (LGB&T) students
- work with the wider community such as the police and children's services where bullying is particularly serious or persistent and where a criminal offence may have been committed. Halliwell Education will also work with other agencies and the wider community to tackle bullying that is happening outside school

- make it easy for students to report bullying so that they are assured that they will be listened to and incidents acted on. Students should feel that they can report bullying which may have occurred outside school including cyber-bullying
- create an inclusive environment. Schools should create a safe environment where students can openly discuss the cause of their bullying, without fear of further bullying or discrimination
- celebrate success. Celebrating success is an important way of creating a positive school ethos around the issue.

Implementation of the Policy

The action taken by staff will be determined by the degree of bullying that has taken place. Students can refer incidents to any member of school staff who must immediately notify the Lead Teacher.

Staff will be proactive in preventing bullying behaviour by:

- Promoting an anti-bullying week .
- Listening to, and acting upon feedback from students.
- Creating a climate of trust and respect.
- Using the peer mediation system.
- Using restorative justice and the Sanctions described in the Behaviour Policy.
- Accessing multi-agency support and/or counselling.
- Monitoring bullying records over time.

Action taken by staff will be determined by the degree of bullying that has taken place For incidents such as name calling, or first offences staff should:

- Deal with the incident as soon as is practically possible.
- Ensure that a sincere apology is made.
- Provide sensible counselling for the students involved.
- Provide the Headteacher with a written account of the incident.

Incidents which would be deemed to be of a more serious nature include:

- Physical assault (injury sustained).
- Sustained/repeated verbal abuse.
- Persistent harassment or racist behaviour.

In such cases, staff should refer the situation to the Lead Teacher who will liaise with the residential manager of all student(s) involved.

When cyber bullying occurs outside the confines of the school, but is brought to the attention of the School, Lead Teachers should be informed immediately. Lead Teachers should inform residential managers and ensure they are involved.

The Police can take action under the 'Telecommunications Act' 1984 section 43 and/or 'The Malicious Communications Act', 1988, section 1.

Signs and Symptoms of bullying:

Everyone should be aware of the possible signs and symptoms of bullying and investigate any concerns; these may include:

- Not wanting to walk to or from school alone or changing route
- Asking for a lift / refusing to travel by public transport
- Refuses to attend or increases non-attendance
- Makes changes to their usual routine
- Becomes withdrawn, anxious or lacks confidence
- Becomes aggressive, unreasonable, abusive or disruptive
- Develops a stammer
- Threatens to or attempts suicide, self harm
- Absconds
- Has nightmares, disrupted sleep patterns or cries themselves to sleep
- Feels ill in the morning
- Under performs or shows a change in average performance
- Asks for more money, steals money or says that they have lost money regularly
- Has torn clothing, damaged or missing property
- Has changes in eating habits or complains of hunger
- Starts bullying others
- Is nervous when receiving messages, e-mails
- Is frightened to say what's wrong
- Makes excuses for their behaviour

Harassment Definition:

There is no simple definition of harassment as it can take many forms and can be directed at an individual or group of individuals. It is not the intention of the perpetrator, but the deed itself and the impact on the recipient, which constitutes harassment. Ultimately the question, which has to be asked, is whether or not the individual has been treated in a detrimental way on improper grounds. Individuals can be subject to harassment on a wide variety of grounds including:

- Race, ethnic origin or nationality
- Sex or sexual orientation
- Religious, political or personal convictions
- Status
- Willingness to challenge harassment, leading to victimisation
- Membership or non-membership of a trade union
- Disabilities or learning disabilities
- Age

Signs and Symptoms of harassment:

Harassment can range from extreme forms such as violence and bullying, to less obvious actions like ignoring someone. As with bullying it can be physical, verbal etc. or can involve the recipient being subject to coercion, intrusion or exclusion. As a result the recipient can be subject to fear, stress and anxiety.

Prevention of bullying and harassment: Halliwell Education is committed through PSHCE curriculum and personal tutorials to ensure that all students know what bullying and harassment is, feel able as witnesses or victims to report bullying, and have confidence that such reports will be taken seriously and investigated in line with procedures.

Record Keeping of Bullying Incidents

All incidents of bullying must be recorded, including the statements from the students, and action taken. These records must be given to the Headteacher concerned.

This provides:

- Documented proof for future reference.
- A record of those individuals who are the victims of bullying, and whether those individuals suffer bullying from other sources.
- Statistical evidence which should inform future policy and practice
- Lead Teachers must store all bullying-related incidents electronically
- Historical documentation of the extent of bullying within the school and areas where bullying has taken place.

Record Keeping of Racist Incidents

All incidents of a racist nature must be tagged as such in the electronic record keeping system.

Halliwell Education will deal firmly with bullying behaviour in a way that reflects our commitment to equality and justice for all.

Related Policies/Documents

Behaviour Policy

E-Safety Policy

Policy review

This policy document will be reviewed by the Headteacher on an annual basis to ensure it is up to date with current legislation and best practice.

Date approved: April 2014

Date last reviewed: September 2021

Next review (or before): September 2022

Signed: 

Position: Education Director

Staff Acknowledgement

In signing this document I am confirming I have read the information and have an understanding of the procedures outlined within the information provided.

I have had the opportunity to discuss this document with a Senior Leadership member of staff to gain further clarity.

I also know that if I feel I need further guidance I know I can access through the Headteacher.

School name:

Staff member name:

Position:

Date:

School name:

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Further sources of information

Other departmental advice and guidance you may be interested in

Cyberbullying: advice for headteachers and school staff

Advice for parents and carers on cyberbullying

DfE Behaviour and Discipline in Schools Guidance

Supporting children and young people who are bullied: advice for schools

Counselling in schools a blueprint for the future: advice for school leaders and counsellors

Legislative links

Schools' duty to promote good behaviour: Section 89 Education and Inspections Act 2006 and Education (Independent School Standards) (England) Regulations 2010

Power to tackle poor behaviour outside school

The Equality Act 2010

