



VYNER'S SCHOOL

ANTI BULLYING POLICY

INTRODUCTION

Schools have a duty of care for students and staff alike and, to this end, Vyners School strives to create a safe and happy environment, believing that all bullying is unacceptable. We believe that school should provide a safe, caring and purposeful place for young people to learn and for adults to work. Our approach fosters an attitude of responsible behaviour at all times to promote safety both on the premises of the school and out of school hours.

The purpose of this policy is to make clear to students, staff and all who visit our school their roles and responsibilities and how to manage a bullying incident if it occurs.

BACKGROUND

This policy draws on Department for Education guidance on dealing with bullying, particularly 'Preventing and tackling bullying – advice for Headteachers, staff and Governing Bodies' 2017. The policy should be read in conjunction with the School Behaviour Policy and is available on the school's website and can be requested from the school office.

Legal framework

There are a number of statutory obligations on schools with regard to behaviour with establish clear responsibilities to respond to bullying. In particular:

Section 89 of the Education and Inspections Act 2006;

- Provides that every school must have measure to encourage good behaviour and prevent all forms of bullying amongst students

The Equality Act 2010

A key provision in The Equality Act 2010 is the Public Sector Equality Duty (PSED), which came into force on 5 April 2011 and covers age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Duty 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.

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.

If school staff feel that an offence may have been committed they should seek assistance from the police. For example, under the Malicious Communications Act 1988, any person who sends an electronic communication 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, is guilty of an offence if their purpose in sending it was to cause distress or anxiety to the recipient.

Bullying which occurs outside school premises

School staff members have the power to discipline pupils for misbehaving outside the school premises. Sections 90 and 91 of the Education and Inspections Act 2006 say that a school's disciplinary powers can be used to address pupils' conduct when they are not on school premises and are not under the lawful control or charge of a member of school staff, but only if it would be reasonable for the school to regulate pupils' behaviour in those circumstances. This may include 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. The headteacher should also consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the action taken against a pupil. If the misbehaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed.

While school staff members have the power to discipline pupils for bullying that occurs outside school, they can only impose the disciplinary sanction and implement that sanction on the school premises or when the pupil is under the lawful control of school staff, for instance on a school trip.

ROLES AND RESPONSIBILITIES

The Local Governing Body will regularly review the Behaviour Policy which the Headteacher must consider, in determining measures to promote good behaviour and discipline.

The Headteacher has overall responsibility for the policy and its implementation. Cases will be managed according to the circumstances and will be recorded and analysed to see whether patterns emerge from the nature of the bullying or the identity of the perpetrators.

The Local Governing Body, Headteacher and Staff will ensure that the policy is implemented equally in all cases, without regard to ethnic origin, cultural differences, gender, disability or sexuality. They will ensure that students are listened to and that their concerns are appropriately addressed.

All staff (teachers, support staff and volunteers) share responsibility for ensuring that the policy and procedures are followed and consistently and fairly applied. Mutual support amongst all staff is essential for creating a high quality and safe learning environment promoting good behaviour and implementing the agreed policy and procedures consistently.

Parents and Carers will be encouraged to work in partnership with the school in order that high standards of behaviour are maintained both in and out of school, and that students respect both similarities and differences between themselves and other members of the school and the wider community.

Students will be expected to take responsibility for their own behaviour and will be made fully aware of the school's anti-bullying policy, the procedures arising from cases of bullying and the rationale behind them. All students have a collective responsibility to ensure that they are considerate towards one another and respectful of each other's differences.

DEFINITIONS OF BULLYING

Bullying behaviour can be defined as an action, or number of repeated actions, causing harm to people or relationships. This behaviour could be intentional or unintentional and may be on-going. The definition equally encompasses physical or non-physical actions, therefore the harm could be physical, emotional, or both.

A paper for the Office of the Children's Commissioner (2006) outlined four key characteristics:

- repetitive and persistent
- intentionally harmful
- involving an imbalance of power
- causing feelings of distress, fear, loneliness or lack of confidence

Bullying behaviour can be direct or indirect

Direct bullying can include physical threats, verbal insults or taunts and directly contacting a person with obscene or insulting messages by using, for example, a mobile phone.

Indirect bullying can include persistently ignoring a student so that they feel socially isolated, spreading malicious rumours, or insults, often via social network sites on the Internet, or writing offensive graffiti.

Bullying differs from 'friendship fall-out', or other aggressive behaviour:

"If two children or young people of about the same strength have the odd fight or quarrel. It is not bullying." (Olweus 1989, 1993, 1999)

All bullying issues, whatever their nature, will be treated with equal importance and the response will be based upon the guidelines in the policy.

CYBER BULLYING

Cyber-bullying uses technology to harm a person, group of people or a relationship and can happen both inside and outside of school and at any time of the day or night.

The Education Act 2011 amended the power in the Education Act 1996 to provide that when an electronic device, such as a mobile phone, has been seized by a member of staff who has been formally authorised by the headteacher, that staff member can examine data or files, and delete these, 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 will follow guidance as set out in the 'Searching, Screening and Confiscation' DfE, 2018.

REPORTING BULLYING

Students are encouraged to report all forms of bullying, whether carried out by another student or by an adult. The hope is that by reporting the problem in the first instance, this will become the first step in empowering the victim to overcome the bullying. Whenever a student experiences bullying, it should be reported, whether by the victim, friends of the victim, bystanders or via parents, who would contact the school. Information can be reported to a member of staff, a tutor, a Year Leader or a member of Senior Leadership Team. All staff should first immediately secure the safety of the young person before following the school's procedures.

Teaching and non-teaching staff, who feel that they are being bullied in the workplace, either by a staff member or by a student, can report their concern to their line manager or Headteacher. If such managers are involved, staff may contact the Chair of the Local Governing Body.

We are a 'telling' school and promote a 'no bystanders' approach to reporting bullying. Students are regularly taught the difference between 'telling' and 'snitching'

RESPONDING TO BULLYING

Stage 1: Creating an environment of awareness

Vyners School embedded values of Community, Aspiration, Respect and Endeavour form the basis of creating a safe learning environment and anti-bullying culture. Through the schools rewards and consequences system and well-being activities students are empowered to recognise bullying and how they should respond to it. Daily tutor contact time and access to the Pastoral Mentor and wider pastoral team ensure that students know that bullying can be reported at any point during the school day.

Stage 2: If bullying occurs:

Rewards and Consequences System; Students who perpetrate acts of bullying will be subject to the consequences set out in the school's behaviour policy.

The Restorative Approach; We recognise that young people make mistakes and that after a bullying incident it is essential for all parties to feel that they are safe and are able to function in the school community. The restorative approach encourages the reporting of incidents by reducing the victims' anxieties about repercussions and educates the perpetrators, by increasing their understanding of the difficulties caused by bullying, and encouraging perpetrators to take responsibility for their actions.

Based upon legislation in the Children Act (1989), in serious cases, it may also be appropriate to consider bullying as a child protection concern if 'there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm'. Where this is the case, the school must report their concerns to the Local Authority's safeguarding services and may draw on external professionals to support the victim or to tackle issues which have contributed to a child becoming a perpetrator of bullying.

As a last resort, the school may report a bullying issue to the police; particularly if staff feel that the nature of the bullying contravenes the law and other measures have been unsuccessful in preventing its recurrence.

REFERENCE DOCUMENTS

'Preventing and tackling bullying – Advice for Headteachers, staff and Governing Bodies' Department for Education 2017

'Reducing bullying amongst the worst affected' Department for Education 2012

'Prevalence and incidence in the study of antisocial behaviour: definitions and measurements' Olweus, D. In: Klein, M. W. 'Cross-national research in self-reported crime and delinquency' (1989)

'Bullying involving Children with Special Educational Needs and Disabilities' DCSF 00419-2008 (2008)

Ratification by Local Governing Body

Ratification date October 2020
