



# **ANTI-BULLYING POLICY (pupils)**

**September 2019**

Due for review: September 2020

## **STATEMENT OF INTENT**

**The James Montgomery Academy Trust** (hereafter referred to as JMAT) 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 both within and outside of school.

These strategies, such as learning about tolerance and difference as part of each 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 pupils. These measures are part of the school's Behavioural Policy, which is communicated to all pupils, school staff and parents/carers.

The JMAT will ensure that all staff, parents/carers and pupils work together to prevent and reduce any instances of bullying at the school. There is a zero tolerance policy for bullying at **all the schools in the JMAT**.

**See Appendix 1 for Statutory Implications**

## Legislation

This policy has consideration for, and is compliant with, the following legislation and statutory guidance:

- The Safeguarding Vulnerable Groups Act 2006
- The Equality Act 2010
- Human Rights Act (HRA) 1998
- Malicious Communications Act 1988
- The Protection from Harassment Act 1997
- Communications Act 2003

## Statutory guidance

- DfE (July 2018) 'Working together to safeguard children' – chapter, paragraph 4
- DfE (September 2019) 'Keeping children safe in education'

## Non Statutory guidance

- DfE (July 2017) Preventing and tackling bullying

## AIMS AND OBJECTIVES

JMAT recognises that bullying is wrong and that there is a need to safeguard the welfare of all those within the school community by encouraging a culture of co-operation, acceptance and harmony both within and outside of the school.

JMAT aims for each school to produce a safe and secure environment where all can learn without anxiety, and measures are in place to reduce the likelihood of bullying.

This policy aims to produce a consistent school response to any bullying incidents that may occur both within and outside of school. 'Preventing and tackling bullying', DfE Advice for head teachers, staff and governing bodies states:

*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.*

*More detailed advice on teachers' powers to discipline, including their power to discipline pupils for misbehaviour that occurs outside school, is included in 'Behaviour and discipline in schools – advice for headteachers and school staff' – see further sources of information below.*

Pupils, staff and parents should strive to create a school community in which all children can fulfil their potential. JMAT aims to make all those connected with each school aware of our opposition to bullying, and we make clear each person's responsibilities with regard to the eradication of bullying in our schools.

## DEFINITION

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. It can be physical or emotional and it can take many forms (e.g. cyber-bullying). Bullying can also occur because of prejudice against particular groups.

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.

## Types of bullying

Many different kinds of behaviour can be considered bullying and can be related to almost anything, for example; teasing another pupil because of their appearance, religion, ethnicity, gender, sexual-orientation, home life, culture, disability, or special educational needs and can be acted out through the following mediums:

- Written (ridicule through drawings and writing e.g. on planners/PCs)
- Incitement (encouraging others to bully)
- Verbal (name calling, sarcasm, spreading rumours, teasing)
- Physical (pushing, kicking, hitting, punching, or any use of violence)
- Emotional (being unfriendly, excluding, tormenting, threatening behaviour)
- Online (cyber) (inappropriate texting/emailing, posting rumours on sites like Facebook, sharing embarrassing pictures or videos generated by children under the age of 18, or of children under the age of 18, that are of a sexual nature or are indecent.

## Homophobic, Biphobic and Transphobic Bullying (HBT)

Defined as behaviour or language which makes a person feel unwelcome or marginalised because of their sexual orientation or gender identity. It affects:

- children who are (or thought to be) lesbian, gay, bisexual or trans
- children whose parents/carers are LGBT
- teachers who are (or thought to be) LGBT
- children who do not fit a perceived gender stereotype, or seem different

## PREVENTION

JMAT will clearly communicate a whole-school commitment to addressing bullying in the form of a written statement which is regularly promoted across the whole of the schools in the JMAT. All reported or witnessed instances of bullying both within and reported outside of school will be challenged by a member of staff and each school will have a safe, supervised place available for pupils to go to at lunch if they are involved in conflict with their peers, or wish to avoid a bully.

JMAT will ensure staff encourage pupil co-operation and the development of interpersonal skills through the use of group work and pair work and all types of bullying is to be discussed as part of the curriculum; diversity, difference and respect for others will be promoted and celebrated through various lessons.

All members of the school community will be made aware of the school's Anti-Bullying Policy and the procedures in place for recording incidents in line with current OFSTED/DfE guidelines. All staff members will receive training on identifying and dealing with the different types of bullying.

## **PROCEDURES**

When a bullying incident is raised (either by the victim or other party) all parties (the victim, alleged bully and any witnesses) are all interviewed separately; members of staff will ensure that there is no possibility of contact between the pupils interviewed.

A room is used that allows for privacy during the interviews and a witness will be present for any serious incidents.

All parties 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; no premature assumptions are 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 pupils are informed that they must not discuss the interview with other pupils and any bullying incidents are recorded on Safeguard.

## **Sanctions**

If the Head of School/Headteacher is 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. The Head of School/Headteacher informs the pupil of the type of sanction to be used in this instance (loss of break times, removal to Head's office) and future sanctions if the bullying continues.

The bullying pupil is made to realise that some pupils do not appreciate the distress they are causing, and that they should change their behaviour.

The parents/carers are informed of bullying incidents and what action is being taken.

## **Follow up support**

The JMAT will ensure that the progress of both the bully and the victim are monitored by their class teachers and if appropriate may offer one-on-one sessions with the Learning Mentor to discuss how they are progressing.

Pupils who have been bullied will be listened to and have an immediate opportunity to meet with the Learning Mentor or a member of staff of their choice; they will be re-assured and offered continued support.

Pupils who have bullied others will receive consequences for their actions but will also be able to discuss what happened and reflect on why they became involved. They will learn to understand what they did wrong and why they need to change their behaviour and will receive appropriate assistance from parents/carers.

The class teacher will informally monitor the pupils involved over the next half-term.

## **THE ROLE OF THE GOVERNING BODY**

The governing body supports the Head of School/Headteacher in all attempts to eliminate bullying from school. They will not condone any bullying at all in school, and any incidents of bullying that do occur will be taken very seriously, and dealt with appropriately.

A parent who is dissatisfied with the way the school has dealt with a bullying incident can ask the chair of governors to look into the matter. The governing body responds within fifteen days to any request from a parent to investigate incidents of bullying. In all cases the governing body notifies the Head of School/Headteacher and asks him to conduct an investigation into the case, and to report back to a representative of the governing body.

## **THE ROLE OF THE HEAD OF SCHOOL/HEADTEACHER**

It is the responsibility of the Head of School/Headteacher/Headteacher to implement the school anti-bullying strategy, and to ensure that all staff (both teaching and non-teaching) are aware of the school policy, and know how to identify and deal with incidents of bullying. The Head of School/Headteacher is to report to the governing body about the effectiveness of the anti-bullying policy on request.

The Head of School/Headteacher ensures that all children know that bullying is wrong, and that it is unacceptable behaviour; they will draw the attention of children to this fact at suitable moments. For example, if an incident occurs, the Head of School/Headteacher may decide to use a collective worship as the forum in which to discuss with other children why this behaviour was wrong, and why a pupil is being punished.

They ensure that all staff, including lunchtime staff, receive sufficient training to be equipped to identify and deal with all incidents of bullying and set the school climate of mutual support and praise for success, so making bullying less likely. When children feel they are important and belong to a friendly and welcoming school, bullying is far less likely to be part of their behaviour.

## **THE ROLE OF THE TEACHER AND SUPPORT STAFF**

All the staff in our schools take all forms of bullying seriously, and seek to prevent it from taking place.

If teachers witness an act of bullying, they will either investigate it themselves or refer it to the Head of School/Headteacher. Teachers and support staff do all they can to support the child who is being bullied. If a child is being bullied over a period of time, then, after consultation with the Head of School/Headteacher, the teacher informs the child's parents.

When any bullying taking place between members of a class, the teacher will deal with the issue immediately. This may involve counselling and support for the victim of the bullying, and punishment for the child who has carried out the bullying. Time is spent talking to the child who has bullied: explaining why his/her action was wrong, and that child is encouraged to change his/her behaviour in future. If a child is repeatedly involved in bullying other children, we inform the Head of School/Headteacher and the special needs coordinator. We then invite the child's parents into the school to discuss the situation. In more extreme cases, for example where these initial discussions have proven ineffective, the Head of School/Headteacher may contact external support agencies, such as the social services.

Teachers use a range of methods to help prevent bullying and to establish a climate of trust and respect for all. The SEAL and Rotherham PSHE Scheme are essential tools for teachers. They use drama, role-play, stories etc., within the formal curriculum, to help pupils understand the feelings of bullied children, and to practise the restraint required to avoid lapsing into bullying behaviour. Circle time is used to praise, reward and celebrate the success of all children, and thus to help create a positive atmosphere.

## **THE ROLE OF PARENTS**

Parents who are concerned that their child might be being bullied, or who suspect that their child may be the perpetrator of bullying, should contact their child's class teacher immediately. If they are not satisfied with the response, they should contact the Head of School/Headteacher. If they remain dissatisfied, they should follow the school's complaints procedure, as detailed in the school prospectus.

Parents have a responsibility to support the school's anti-bullying policy, actively encouraging their child to be a positive member of the school.

## **THE ROLE OF PUPILS**

Pupils are encouraged to tell anybody they trust if they are being bullied, and if the bullying continues, they must keep on letting people know.

Pupils are invited to tell us their views about a range of school issues, including bullying, in the annual pupil questionnaire.

## **MONITORING AND REVIEW**

This policy is reviewed annually by the **DSL** and the **Safeguarding Director**.

Any changes made to this policy by the above will be communicated to all members of staff. The policy is available for public view on the JMAT website.

All members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme.

This policy is due for review **September 2020**

## **APPENDIX 1**

### **Statutory implications**

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.

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.

The National Association of Head Teachers has guidelines that Head of School/Headteachers must 'satisfy themselves' that their school's Anti-Bullying Policy complies with the HRA; the Head of School/Headteacher 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 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.

This policy will be implemented in conjunction with the school's:

- Behaviour Policy
- Social Media Policy
- Digital Safeguarding Policy



