

Ormiston Academies Trust

Ormiston Endeavour Academy Anti-bullying policy

Policy version control

Policy type	OAT Mandatory
Author	Nikki Cameron, OAT Safeguarding Manager
In consultation with	Jane Nolan, Director of Primary and SEND
Approved by	Exec, November 2020
Release date	November 2020
Next release date	November 2021
Description of changes	<ul style="list-style-type: none"> ▪ 2.1 additional legislation cited ▪ 2.2 some policies renamed and a new policy option added ▪ 7. <i>Bullying and SEN</i> chapter is completely rewritten from 2018 version

Contents

1. Statement of intent.....	3
2. Legal framework	3
3. Definition	4
4. Types of bullying	4
5. Statutory implications.....	5
6. Prevention.....	6
7. Bullying and pupils with special educational needs.....	6
8. Signs of bullying	7
9. Staff principles	8
10. Roles and responsibilities	8
11. Procedures	9
12. Sanctions.....	10
13. Support	11
14. Follow up support	11
15. Bullying outside of school	12
16. Policy review.....	12

1. Statement of intent

Ormiston Endeavour Academy 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 academy's curriculum, aim to promote an inclusive, tolerant and supportive ethos at the academy.

The Education and Inspections Act 2006, outlines a number of legal obligations regarding the academy'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 academy's Behavioural Policy, which is communicated to all pupils, academy staff and parents/carers.

All staff, parents/carers and pupils work together to prevent and reduce any instances of bullying at the academy. There is a zero-tolerance policy for bullying at Ormiston Endeavour Academy.

2. Legal framework

2.1. This policy has due regard to legislation, including, but not limited to the following:

- Education and Inspections Act 2006
- Equality Act 2010
- Children Act 1989
- 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
- Relationships Education, Relationships and Sex Education and Health Education, 2020

It will also have due regard to the current iteration of Keeping Children Safe in Education

2.2. This policy will be implemented in conjunction with the academy's:

- Learning behaviour policy
- Cyber Bullying Policy/Social Media Policy
- Equality Policy
- E-safety and E-security policy
- Inclusion Policy

3. Definition

- 3.1. 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 and includes peer on peer abuse.
- 3.2. Bullying is generally characterised by:
- 3.2.1. **Repetition:**
Incidents are not one-offs; they are frequent and happen over a period of time.
 - 3.2.2. **Intent:**
The perpetrator(s) means to cause verbal, physical or emotional harm; it is not accidental.
 - 3.2.3. **Targeting:**
Bullying is generally targeted at a specific individual or group.
 - 3.2.4. **Power imbalance:**
Whether real or perceived, bullying is generally based on unequal power relations.

4. Types of bullying

- 4.1. Many different kinds of behaviour can be considered bullying and can be related to almost anything. Teasing another pupil 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)
 - Deliberate Isolation
- 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 and Bi-Phobic bullying:** Bullying another person because of their actual or perceived sexual orientation.
- 4.5. **Transphobic bullying:** Bullying based on another person's actual or perceived transgender status.
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.
- 4.8. **SEND Bullying:** Bullying behaviour based on another person's special educational needs or disability.

5. Statutory implications

- 5.1. Under the Equality Act 2010, the academy 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 academy understands that it could have charges brought against it if it allows the rights of children and young people at the academy 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:
- 5.4.1. 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.
 - 5.4.2. The Protection from Harassment Act 1997 makes it an offence to knowingly pursue any course of conduct amounting to harassment.
 - 5.4.3. 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.
 - 5.4.4. 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 academy clearly communicates a whole-school commitment to addressing bullying in the form of a written statement and Anti-Bullying Pledge which is regularly promoted across the whole academy
- 6.2. All reported or witnessed instances of bullying in the academy are challenged by a member of staff.
- 6.3. Staff encourage pupil 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. Changing and organising seating arrangements in class helps to prevent instances of bullying.
- 6.6. Potential victims of bullying are drawn into working groups with children who do not abuse or take advantage of them.
- 6.7. Opportunities to extend friendship groups and interactive skills are provided through participation in special events, for example, drama productions, sporting activities and cultural groups.
- 6.8. All members of the academy community are made aware of the academy's Anti-Bullying Policy.
- 6.9. All staff members receive training on identifying and dealing with the different types of bullying.
- 6.10. A safe, supervised place is available for pupils to go to at lunch if they are involved in conflict with their peers or wish to avoid a bully.

7. Bullying and pupils with special educational needs

- 7.1. Evidence shows that children and young people with special educational needs and / or disabilities (SEND) are significantly more likely to be bullied or victimised than those who don't have any SEND (e.g. Chatzitheochari P. & June, 2014).
- 7.2. All schools are subject to duties and guidance in relation to the bullying of children with SEND:
 - 7.2.1. The SEND Code of Practice (2014) states that a Local Authority must demonstrate in its 'Local Offer', the arrangements schools in their local area have in place for:
 - *“supporting the emotional mental and social development of disabled children and young people and those with SEN (this should include extra pastoral support arrangements for listening to the views of pupils and students with SEN and measure to prevent bullying)”*
SEN Code of Practice June 2014 s4.32

ACHIEVING MORE TOGETHER

- 7.3. All academies also have a legal responsibility under the Equality Act 2010 to protect disabled children and those with SEN against direct and indirect discrimination, harassment or victimisation.
- 7.4. At Ormiston Endeavour Academy we recognise that some pupils with SEND may have difficulties in reporting their experiences of bullying. This may be because they are unable to recognise that they are being bullied, they may not be able to verbalise that they are being bullied or they may experience increased feelings of anxiety which prevent them from 'speaking out'. Nonverbal early signs that a pupil with SEND is being bullied may include withdrawn behaviour, a deterioration in work, poor attendance, complaints of feeling ill, general unhappiness or anxiety and 'clingy' behaviour around adults.
- 7.5. To ensure that staff are alert to the bullying of pupils with SEND we will ensure staff receive regular training on spotting the signs, identifying at risk pupils, holding regular 'check in' meetings.
- 7.6. To ensure that pupils with SEND can recognise and report that they are being bullied we will all pupils with SEND receive additional guidance on how to report bullying.

Providing accessible information:

Information should be:

- Available, if required, in a range of accessible formats for pupils with SEND, for example Braille, Easy-Read, BSL interpreted.
- Easy to access for pupils. This means that they should be easy to navigate, have a clear commitment to children and young people, be accessible, inclusive, and have a range of ways for children and young people to leave feedback and comments.

- 7.7. Any strategies to address incidents of bullying must consider the needs of pupils with SEND. At Ormiston Endeavour Academy we will support pupils with SEND to protect themselves and/or recover from incidents of bullying through using the following strategies through peer to peer support, befriending initiatives, support groups, mediation by adults or peers, assertiveness training, restorative approaches.
- 7.8. These strategies will be adapted as necessary to meet any pupil with SEND.

8. Signs of bullying

- 8.1. Some of the signs that a pupil may be victim of bullying include, but are not limited to, the following:
- Being frightened to travel to or from school
 - Asking to be driven to school
 - Unwillingness to attend school
 - Truancy

ACHIEVING MORE TOGETHER

- 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

8.2. 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.

8.3. Pupils 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.

9. Staff principles

9.1. Prevention is at the forefront of the academy's Anti-Bullying Policy.

9.2. Staff treat reports of bullying very seriously; never assume that it is 'just banter'.

9.3. Staff do not ignore signs of suspected bullying.

9.4. Unpleasantness from one pupil towards another is always challenged and never ignored.

9.5. Staff take action immediately; this applies to all staff, not solely teaching staff.

9.6. 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.

9.7. Follow-up support is given to both the victim and bully in the months following any incidents, to ensure all bullying has stopped.

9.8. Follow up with a meeting with those involved to discuss how effectively they felt the incident has been dealt with to inform future practice and to inform the termly review.

10. Roles and responsibilities

10.1. The **governing body** evaluates and reviews this policy to ensure that it is non-discriminatory.

ACHIEVING MORE TOGETHER

- 10.2. It is the responsibility of all staff to be alert to possible bullying of pupils and to deal with incidents as the highest priority.
- 10.3. The Assistant Principal: Support for Learning, 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.
- 10.4. The Assistant Principal: Support for Learning keeps a **Bullying Record** of all reported incidents including which type of bullying has occurred to allow for proper analyses of the data collected.
- 10.5. The Assistant Principal: Support for Learning analyses the data in the **Bullying Record** at **termly** intervals in order to identify any trends in the types of bullying occurring and implement the appropriate measures to tackle it.
- 10.6. The Assistant Principal: Support for Learning arranges appropriate training for staff members.
- 10.7. Each tutor corresponds and meets with parents/carers where necessary. They also provide a point of contact when more serious bullying incidents occur.
- 10.8. Teachers and support staff are alert to social dynamics in their class and are available for pupils who wish to report bullying. They also provide follow-up support after bullying incidents.
- 10.9. Teachers ensure that they are alert to possible bullying situations, particularly exclusion from friendship groups, and that they inform the pupil's tutor of such observations.
- 10.10. All staff will avoid gender stereotyping when dealing with bullying.
- 10.11. Throughout the year, the composition of pupil groups shows sensitivity to those who have been the victims of bullying.
- 10.12. The school nurses, often the first people to receive reports of bullying, offer emotional support to victims, and alert the relevant Head / Assistant Head of Year
- 10.13. Parents/carers are advised to inform their child's tutor if they are concerned that their child may be bullied or be involved in bullying.
- 10.14. Pupils are advised to inform a member of staff if they witness bullying or are a victim of bullying.
- 10.15. Pupils are taught not to make counter-threats if they are victims of bullying.
- 10.16. Pupils are taught to walk away from any dangerous situations and avoid involving other pupils in incidents.
- 10.17. Pupils are advised to retain all evidence of cyber bullying.

11. Procedures

- 11.1. Minor incidents are reported to the pupil's Assistant Head of Year who investigates the incident, sets appropriate sanctions for the perpetrator, and informs the Head of Year in writing of the incident and outcome.

- 11.2. When investigating a bullying incident, the following procedures are adopted:
- 11.2.1. The victim, alleged bully and witnesses are all interviewed separately
 - 11.2.2. Members of staff ensure that there is no possibility of contact between the pupils interviewed, including electronic communication
 - 11.2.3. If a pupil is injured, members of staff take the pupil immediately to the school nurse for a medical opinion on the extent of their injuries
 - 11.2.4. A room is used that allows for privacy during interviews
 - 11.2.5. A witness is used for serious incidents
 - 11.2.6. If appropriate, all parties (bully, victim, 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
 - 11.2.7. Premature assumptions are not made, as it is important not to be judgmental at this stage
 - 11.2.8. Members of staff listen carefully to all accounts, being non-confrontational and not attaching blame until the investigation is complete
 - 11.2.9. All concerned pupils are informed that they must not discuss the interview with other pupils
- 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 Head of Year / Assistant Head of Year 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.
- 12.2. The Head of Year / Assistant Head of Year informs the pupil of the type of sanction to be used in this instance (detentions, service-based activities, etc.) and future sanctions if the bullying continues.
- 12.3. If possible, the Head of Year / Assistant Head of Year 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 bullying pupil is made to realise that some pupils 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 Head of Year / Assistant Head of Year informally monitors the pupils involved over the next half-term.

13. Support

- 13.1. If the pupil visits the school nurse, the school nurse informally checks whether the bullying has stopped.
- 13.2. The Head of Year / Assistant Head of Year informally checks whether the bullying has stopped on a **weekly** basis for **a month** after the initial complaint of bullying.
- 13.3.** The Assistant Principal 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 The Head of Year / Assistant Head of Year. One-on-one sessions to discuss how they are progressing may be appropriate.
- 14.2. If appropriate, follow-up correspondence is arranged with parents/carers **one month** after the incident.
- 14.3. Pupils who have been bullied are supported in the following ways:
 - Being listened to
 - Having an opportunity to meet with their tutor or a member of staff of their choice
 - Being reassured
 - Being offered continued support
 - Being offered counselling, where appropriate
- 14.4. Pupils who have bullied others are supported in the following ways:
 - Receiving a consequence for their actions
 - Being able to discuss what happened
 - Reflecting on why they became involved
 - Understanding what they did wrong and why they need to change their behaviour
 - Appropriate assistance from parents/carers

15. Bullying outside of school

- 15.1. Teachers have the power to discipline pupils for misbehaving outside of the academy premises. This can relate to any bullying incidents occurring anywhere off the academy 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 academy staff, it is investigated and acted on. In all cases of misbehaviour or bullying, the teacher can only discipline the pupil on academy premises, or elsewhere when the pupil is under the lawful control of the member of staff.
- 15.3. The headteacher has a specific statutory power to discipline pupils for poor behaviour outside of the academy premises. Section 89(5) of the Education and Inspections Act 2006 gives the headteacher the power to regulate pupils' conduct when they are not on academy premises, and therefore not under the lawful charge of an academy staff member.
- 15.4. The Assistant Principal is responsible for determining whether it is appropriate to notify the police or the **anti-social behaviour coordinator** of the action taken against a pupil.
- 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.

16. Policy review

This policy is reviewed every Year by the Assistant Principal

The scheduled review date for this policy is November 2021