

Rugby High School

Anti-Bullying Policy

This policy is informed by 'Preventing Bullying Advice for headteachers, staff and governing bodies DfE 2017' and *Keeping Children Safe in Education 2018*. This policy should be read in association with the school's Safeguarding and Child Protection Policy which includes the Peer on Peer Abuse Policy (of which this policy forms a part) and its safety policy.

Statement on Bullying

Bullying of any kind is unacceptable and will not be tolerated in this school. Everybody has the right to be treated with respect. We are committed to providing a caring, friendly and safe environment for all of our students so they can learn in a relaxed and secure atmosphere. If bullying does occur, all students should be able to tell someone and know that incidents will be dealt with promptly and effectively. This means that anyone who knows that bullying is happening is expected to tell a member of staff, who will then follow the anti-bullying procedure.

What is 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. Bullying can be:

- Emotional: being unfriendly, excluding, tormenting (e.g. hiding books, threatening gestures)
- Physical: pushing, kicking, hitting, punching or any use of violence
- Racist: racial /religious taunts, graffiti, gestures
- Sexual: unwanted physical contact or sexually abusive comments or comments focussing on the issue of sexuality
- Verbal: name-calling, sarcasm, spreading rumours, teasing
- Cyber-bullying: 'virtual' bullying occurs online. It can occur in or outside school at all times of the day, with a potentially bigger audience, and more accessories as people forward on content at a click.

Bullying involves an imbalance of power between the perpetrator and the victim. This may involve perpetrators of bullying having control over the relationship making 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 from 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.

Bullying which occurs outside school premises

School staff members have the power to discipline students for misbehaving outside the school premises under Sections 90 and 91 of the Education and Inspections Act 2006. This may include bullying incidents that occur off the school premises, such as on school or public transport, outside local shops, or in a town or village centre or online outside of school hours.

Why is it Important to Respond to Bullying?

Bullying, especially if left unaddressed, can have a devastating effect on individuals. It can be a barrier to their learning and have serious consequences for their mental health. Bullying does not only affect an individual during childhood but can have a lasting effect on their lives well into adulthood. Low-level disruption and the use of offensive language can in itself have a significant

impact on its target. It is unacceptable and should never be left unchallenged or dismissed as banter or horseplay.

The School's Duties

The Education (Independent School Standards) Regulations 2014 provide that the proprietor of an Academy or other independent school ensures that bullying at the school is prevented in so far as reasonably practicable, by the drawing up and implementation of an effective anti-bullying strategy.

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 the DSL feels that an offence may have been committed she/he 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.

Signs and Symptoms of Bullying

Children are sometimes reluctant to disclose bullying either because of threats or because they believe that disclosure will make the problem worse so it is especially important that adults are alert to the signs and symptoms that a child may be being bullied. These may include if a student:

- is frightened of walking to or from school
- doesn't want to go on the school / public bus ☒ begs to be driven to school
- changes her usual routine
- is unwilling to go to school (school phobic)
- begins to truant
- becomes withdrawn, anxious or lacking in confidence
- starts stammering
- attempts or threatens suicide or runs away
- cries herself/himself to sleep at night or has nightmares
- feels ill in the morning ☒ begins to do poorly in school work
- comes home with clothes torn or books damaged
- has possessions which are damaged or " go missing"
- asks for money or starts stealing money (to pay bully)

- has dinner or other monies continually "lost"
- has unexplained cuts or bruises
- comes home starving (money / lunch has been stolen) ☒ becomes aggressive, disruptive or unreasonable
- is bullying other students or siblings
- stops eating
- is frightened to say what's wrong
- gives improbable excuses for any of the above
- is afraid to use the internet or mobile phone
- is nervous and jumpy when a cyber message is received

These signs and behaviours could indicate other problems, but bullying should be considered a possibility and should be investigated. Students with a Special Educational Need, Looked After Children and formerly Looked After Children are amongst the groups of students who are especially vulnerable to bullying.

Reporting Bullying

Bullying is a form of abusive behaviour and is not acceptable. Students who experience bullying and their parents and carers are encouraged to report instances promptly to a member of staff. Prompt reporting means that the incident can be investigated and early help put in place to support the victim and support (and if necessary impose a sanction on) the perpetrator.

Any member of staff who receives a disclosure in relation to bullying should treat it as a safeguarding matter and should follow the guidance in the school's Safeguarding and Child Protection Policy with regard to listening to the disclosure, reporting and recording it (using either My Concern or a green form).

Investigating Bullying

Depending on the nature of the allegation bullying may be investigated by a Designated Safeguarding Lead or the task may be delegated to another member of staff such as a pastoral manager or a form teacher. If the DSL has reason to believe that the matter may need to be referred to Children's Services or the police, he/she will take advice in relation to the original disclosure first before commencing any school investigation so as to ensure that any external processes are not compromised.

It is very important that the investigator establishes clearly what happened, when and whether or not there were any witnesses or any evidence that might shed further light on what has happened. Hasty judgments should be avoided.

Bullies often seek to isolate their victims and there will be circumstances in which it may be impossible to find independent witnesses or other evidence to corroborate accounts received from those involved in an incident. On occasions staff investigating an incident may have to use their professional judgement when considering uncorroborated and conflicting evidence.

The students involved will be asked to provide signed and dated written accounts. These may provide the starting point for further investigation and questioning. Investigators should bear in mind that students who bully others are often in need of help and support themselves and this should be explored in the course of the investigation and reflected in the outcome.

It is very important that the investigator listens carefully to what students, especially the victim, have to say. The victim should be consulted and informed about next steps, especially with regard to the nature of support.

The investigation and any accompanying documentation should be logged on My Concern.

Parents/carer are key partners in helping the school to address bullying. They should be informed about the investigation, its outcome (including consultation about any suggestions/enquiries regarding early help) and any sanction.

Investigation Outcomes and Sanctions

The investigator will set in his/her report, the nature of the allegation, his/her review of the evidence and his/her conclusions. The possible outcomes are:

Allegation proven: this means that there is sufficient evidence to substantiate the allegation.

Allegation not proven: this may be because there is insufficient evidence to establish that what has alleged took place. It does not mean that what has alleged did not occur, just that there is insufficient evidence in the investigator's opinion to establish that it did.

False Allegation: in this case there is evidence to establish that what was alleged did not take place. In these circumstances, the investigator is asked to consider whether there is a malicious element to the allegation (i.e. was the allegation made falsely with the deliberate intention of getting the person who is the subject of the allegation into trouble).

In cases where there is insufficient evidence to substantiate an allegation, the investigator should still give consideration to what measures need to be put in place to protect the victim (ie what measures would they have put in place, or would they have recommended be put in place, to protect the victim had there been sufficient evidence to substantiate the allegation).

In cases where the allegation is judged to be false, it is essential to consider what support measures need to be put in place to support the alleged perpetrator as well as the alleged victim.

Early Help

It is recognised that both victims and perpetrators may benefit from the provision of early help. Early Help includes help and support provided by the school e.g. treasuring ourselves group, building a circle of protection, buddying and or mentoring, counselling, a formal Early Help Assessment involving both the student and their parents and carers and a variety of external agencies. Early help is not a sanction. Early intervention is a means of supporting students. Early help requires the consent of those to whom it is offered. It may be offered to victims and to perpetrators irrespective of whether or not an allegation is proven, not proven or judged to be false.

Sanctions

The nature of any sanctions will depend on the nature of the incident, the context in which it has occurred. More serious sanctions (including an exclusion) can only be imposed by the headteacher. In considering any sanctions, the investigator should consider what educative element needs to be included in the sanction e.g. if the investigator is recommending a detention as a sanction, what type of learning do they recommend takes place during the detention? Educative work may include, but is not limited to:

- reflection on the incident, identification of the unacceptable behaviour(s) and a magic wand exercise (if you had a magic wand and could rerun time, what would you do differently and why?)
- research either general or specific on the impact of this behaviour or similar behaviour on victims. This might be followed by reflection on their behaviour, and its possible impact on their victim
- advice and guidance to students: this might include advice about how to behave towards others, advice about sources of support (both external and internal) for support for students who are facing difficulties, suggestions for how the school might reduce incidents of bullying.

Cyber-bullying

Online bullying (cyberbullying) can occur at any time. Cyberbullying, like other forms of bullying, affects self-esteem/self-confidence and can have a detrimental effect on mental health and wellbeing, in the worst cases leading to self-harm and suicide. It may have its roots in a single abusive comment which is liked, reposted or forwarded by others.

The school has a duty to act to protect its students from bullying whether it occurs face to face on school premises or online. Incidents of cyberbullying will be investigated in a similar way to incidents of face to face bullying. The school will encourage students to use blocking and reporting functions on social media platforms and, if necessary, will help students and parents to request that material be removed or taken down. The school is committed to working with other schools and external agencies to tackle cyber-bullying. Students are educated about cyberbullying in PHSE, Computing and through assemblies and specialist workshops.

The Different Forms of Cyber-Bullying

(drawn from Childnet International Cyberbullying Understand, Prevent and Respond Guidance for Schools)

Threats and intimidation

- Threats can be sent by mobile phone, email, within online games, via comments on websites, social networking sites or message boards.
- Threats can include violence, including sexual violence, or threats to disclose information about someone that may harm them, or that they are not ready to share – for example, the threat to make someone’s sexual orientation or gender identity known (to ‘out’ someone) when they may not feel ready for this.

Harassment or stalking

- Repeatedly sending unwanted text or instant messages, or making phone calls (including silent calls).
- Using public forums, such as social networking sites or message boards, to repeatedly harass, or to post derogatory or defamatory statements.
- Tracking someone’s activity and collecting information about them, for example by searching databases and social network services; by pretending to be other people and ‘friending’ the person; or by using spyware.
- Doxing: the practice of posting personal information about someone online without their permission.

Vilification/defamation

- Posting upsetting or defamatory remarks about an individual online, or name-calling, general insults, and prejudice-based bullying, for example sexist, homophobic and racist messages.

- ‘Slut-shaming’ attacking girls and women on the grounds of perceived or fabricated transgressions of socially acceptable sexual behaviours i.e. reposting of texts or images, or the fabrication of information.

Ostracising/peer rejection/exclusion

- Online exclusion may be harder to detect than people being marginalised in a physical space, such as a classroom.
- On some services, it is possible for members to set up a closed group, which can protect members from unwanted contact, but can also be used to exclude others. Functions that can be used to block abusive behaviour can also be used to exclude others online.

Identity theft/unauthorised access and impersonation

- ‘Hacking’ is generally used to mean accessing someone else’s account, by finding out or guessing their username and password information for example. Unauthorised access to computer material is illegal. Often hacking is followed by information or document being changed or shared. Sometimes people pretend to be someone else online. On occasions, the impersonator may behave in a way calculated to get the person that they are impersonating into trouble. This should be borne in mind when investigating cases of cyberbullying.

What makes Cyberbullying Different?

The use of technology in cyberbullying means that there are some significant differences between this and bullying that takes place in physical spaces. Online communications leave a digital trail so it is often easier to establish what has happened because the evidence is online. A single incident – one upsetting post or message – may escalate into cyberbullying involving a number of people over time.

People do not have to be physically stronger, older, or more popular than the person they are bullying online. Cyberbullying is not confined to a physical location and it can take place at any time. It is very difficult for victims to create a safe, private space. Online content can be hard to remove, and can be re-circulated and reposted. The potential numbers of people who can see content posted online is very large. Single incidents of online abuse can quickly escalate into cyberbullying, for example, by reposting, sharing and commentary. The person being bullied does not always know the identity of the person or people bullying them. They will not know who has seen the abusive content and that can create a lot of anxiety.

Initial incidents escalate because of sharing and reposting. By endorsing or reposting someone else’s abusive post people are actively participating in bullying, although they often don’t recognise this.

The following groups of students are particularly vulnerable to cyberbullying:

- girls
- students with special education needs and disabilities
- students who identify as gay, lesbian, bisexual or transgender

Students may also be targeted because of their race, ethnicity or national origin, or religion.

Searching Electronic Devices

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.

If a member of staff has reasonable ground to suspect that an electronic device contains evidence in relation to an offence, they must give the device to the police as soon as it is reasonably practicable. Material on the device that is suspected to be evidence relevant to an offence, or that is a pornographic image of a child or an extreme pornographic image, should not be deleted prior to giving the device to the police

If a staff member finds material that they do not suspect contains evidence in relation to an offence, they can decide whether it is appropriate to delete or retain the material as evidence of a breach of school discipline.