
The Whitby High School

A Specialist Technology College



ANTI-BULLYING AND DISCRIMINATION POLICY

September 2015

Moving Forward Together

AIMS

“Where there is no vision, the people perish”

Proverb 29 v18

We seek to fulfil the needs of learners in a caring, happy environment, enabling them to realise their true potential as young people and citizens.

We aim to enable our learners to:-

PREPARE for adult life in a happy, caring and purposeful environment

ACHIEVE their full potential regardless of individual need

CCARE for everyone and encourage respect and tolerance

ENJOY education and rejoice in success

INFORMATION FOR PARENTS/CARERS, STUDENTS, TEACHERS AND ALL MEMBERS OF THE SCHOOL COMMUNITY

Introduction

This policy is designed to provide information and guidance for all members of the school community on the issues of bullying, discrimination and harassment. It replaces any separate policies on racism and sexual discrimination. It complements the school's behaviour policy ('Positive Relations Policy'), which is updated yearly and outlines action to be taken against perpetrators of bullying and harassment.

The legal framework

Schools are duty –bound to safeguard 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, the school staff should report their concerns to their local authority children's social care. Even where safeguarding is not considered to be an issue, schools may need to draw on a range of external services to support the pupil who is experiencing bullying, or to tackle any underlying issue which has contributed to a child engaging in bullying.

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, it is an offence for a person to send an electronic communication to another person with the intent to cause distress or anxiety.

The Education and Inspections Act 2006

Section 89 of the **Education and Inspections Act 2006** provides that maintained schools must have measures to encourage good behaviour and prevent all forms of bullying amongst pupils. These measures should be part of the school's behaviour policy, which must be communicated to all pupils, school staff and parents.

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 (see page 5 for definition) and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it.

Maintained schools and Academies are required to comply with the Equality Duty. Part 6 of the Act makes it unlawful for the responsible body of a school to discriminate against, harass or victimise a pupil or potential pupil in relation to admissions, the way it provides education for pupils, provision of pupil access to any benefit, facility or service, or by excluding a pupil or subjecting them to any other detriment.

The Act also gives parents/carers rights of redress if they feel that the school is not fulfilling its duties with regard to the provisions outlined in the Act. Should parents/carers feel their child has been discriminated against, they should refer to the school's 'Complaints Policy', which is on the school website (click on the 'Parents' tab).

A summary of the Act and how it impacts on schools can be found by accessing the following link: <https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>

Aims and Objectives of the Policy

- 1) To satisfy the legal requirements set out in the previous pages of this policy and implement the Guidance, 'Preventing and Tackling Bullying', Advice for Headteachers, Staff and Governing Bodies (October 2014):
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/409061/preventing_and_tackling_bullying_october2014.pdf
- 2) To ensure the school creates a community in which every individual feels valued, diversity is celebrated and all members feel safe.
- 3) To raise awareness of issues related to all aspects of bullying, harassment or discrimination amongst students, parents/carers, teachers and the wider school community.
- 4) To create simple channels of communication and systems to deal with bullying and harassment for school staff, students and parents/carers.
- 5) To promote the importance of **preventing** bullying whenever possible, as opposed to reacting to it.
- 6) Through its implementation, instances of bullying will be more readily identified, confronted and reconciled.
- 7) The policy will identify a range of strategies and sanctions that can be used to deal with bullying.

Definition of terms

Bullying. The DfE definition of 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”. The DfE definition also recognises the **imbalance of power** between the victim and perpetrator.

Harassment is a similar phenomenon. Should an individual or group be the victim of constant verbal or physical abuse, then this is harassment. It can also take a sexual form, when the victim is being targeted by the perpetrator due to his/her gender or gender reassignment.

Discrimination is the deliberate targeting of individuals or groups due to their religious beliefs, disability (including SEN), gender, appearance or race. It can be verbal and physical in nature.

The above terms often overlap and could all be applicable in certain cases.

‘Protected Characteristics’

The **Equality Act** states that it is unlawful for a school to discriminate against a student or prospective student by treating them less favourably because of their:

- Sex
- Race
- Disability (including special educational needs)
- Religion or belief
- Sexual orientation
- Gender reassignment
- Pregnancy or maternity

The Whitby High School also adopts these categories when dealing with inter-student relationships and identifying types of bullying, discrimination and harassment.

Our pledge and expectations of students

The school refuses to countenance any kind of bullying, discrimination or harassment and this is reflected in its ‘Positive Relations Policy’ and other policies which promote equal opportunities.

Each student is given guidelines for behaviour through our Positive Relations Policy, which is highlighted every year in assemblies and form tutor periods and summarised in student planners. These guidelines reflect concern for other individuals and for our community. We expect students to respect the rights of every member of the school community, regardless of appearance, race, gender, sexual orientation/gender reassignment, disability (including SEN) or religion.

Any incident of bullying, discrimination or harassment made known to the school will be investigated and appropriate action will be taken. The Whitby High School takes a firm line

against such behaviour and a range of sanctions, including permanent exclusion from school, will be considered. Such behaviour is unacceptable and will not be tolerated.

Forms of bullying and harassment

Bullying can take many forms and the list below is designed to highlight some of these:

- a) Physical - Hitting (major assault or persistent minor assault) – punching, kicking, damage to personal property, theft of money and attempts to extort money.
- b) Verbal - Name calling, insulting, making offensive remarks, persistently humiliating others by making them the subject of jokes or comments.
- c) Indirect - Spreading stories about someone, excluding from social groups, repeating rumours, acting as a go-between to incite fights or arguments.
- d) Emotional - Isolation – passing notes – use of e-mail, internet or other electrical devices for the purposes of bullying or threatening behaviour.
- e) Bullying by race, gender, sexual orientation or disability - Any physical or verbal action which targets an individual or group in any of these categories. This can include racist abuse or harassment, wearing provocative badges/insignia, bringing racist literature to school, racist or abusive graffiti, or refusal to cooperate with others from a different ethnic group. Bullying in relation to sexual orientation/gender reassignment, verbal or physical abuse or written abuse relating to gay, lesbian or homophobic issues. Furthermore, any behaviour or action that targets pupils with special educational needs or a disability is also included in this category.
- f) Cyber-bullying - The advent of social media has created numerous challenges for parents/carers and schools. Very often harassment via social media takes place out of school. If serious threats are made against your child, parents/carers should inform the police in the first instance. The school is aware that often incidents will start outside of school but then come into school. In all instances, the school will do what it can to support parents/carers and students and advise on courses of action to take. Please see the following Guidance for more details: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/375420/Advice_for_Parents_on_Cyberbullying_131114.pdf

Procedures to follow when dealing with bullying/harassment – Teachers and all school staff

1. What are the warning signs?

There are numerous signs that a student is the victim of bullying or harassment:

Absence from school - look for patterns
Missing certain lessons – truanting
Change in behaviour/personality
Frequent visits to staff to report illness
Torn/dirty clothes
Physical injury – bruising – cuts etc.
Reluctance to leave classroom at the end of lessons
Attention seeking behaviour
Unusual aggression or unusual reticence
Changes in work pattern both homework and classwork
Changes in friendship group
Student who suddenly becomes isolated

Student who is regularly the source of teasing by others

In all instances, it is vital that staff are vigilant and act accordingly, deal with issues and refer to House and Senior Staff if necessary.

2. What do I do if I feel a student is being bullied/harassed?

- The 'golden rule' is never to ignore such behaviour. If a student(s) is a victim of bullying/harassment in class, speak to the perpetrators and issue sanctions accordingly. It may be that a verbal warning is sufficient. Should the behaviour continue, sanctions must be issued.
- Inform the form tutor and House staff by logging the action you have taken on the perpetrators' SIMs behaviour page. This will give the respective Houses a record of the behaviour of certain students.
- The House will then take further action if necessary. Those students involving themselves in bullying/harassment on a persistent basis will face more serious sanctions, including exclusion from school. Very serious incidents may lead to permanent exclusion.

3. What if a student approaches me to report an incident?

Details of the incident should be recorded carefully in writing on a 'Pupil Statement Form', noting the time, the date, and any witnesses to the incident. The information can also be sent via the SHARP system. A judgement has to be made concerning the level of severity of the incident. Lower level incidents can be dealt with and reconciled by individual staff but reference should be made to the Positive Relations Policy. More serious cases should be referred to the appropriate House Progress Manager or Senior Staff.

IN EVERY CASE ANY NOTES MADE SHOULD BE PASSED TO THE HOUSE PROGRESS MANAGER. EVERY HOUSE MUST RECORD INSTANCES OF BULLYING/HARASSMENT ON THE CENTRAL 'LOG' (J DRIVE). SERIOUS CASES WILL BE REFERRED TO SENIOR STAFF. THIS IS ALSO THE CASE FOR RACIAL AND SEXUAL HARASSMENT CASES.

4. How to deal with perpetrators- action

The following points will help to structure any investigation: -

- a) Deal with the situation as thoroughly as possible and make a full written record of evidence from all parties involved. This will be placed in student files.
- b) Listen to the victim, acknowledging the sincerity of the report.
- c) Regard the matter as serious and a priority.
- d) Listen to both sides of the story separately and make a judgement. If it is appropriate bring both parties together for reconciliation.
- e) Inform parents/carers as soon as possible and bring into school if necessary (this action is to be taken by House staff). Sanctions should be proportionate to the offence. House staff and Senior Staff will consult to decide on a suitable sanction.
- f) All sanctions from detentions, placement in the Isolation Room/Inclusion Room, parental interviews and fixed-term exclusions will be considered. In very serious and repeated cases, permanent exclusion may be considered.
- g) The school has staff trained in **restorative approaches**. Should the House staff and parties involved in a case feel this is suitable, a referral will be made to the Inclusion Manager.
- h) Incidents will be reported to Governors through the committee structure.
- i) Make contact with all concerned to ensure people understand what is happening and the action taken.
- j) Monitor the situation – speak to the victim to ensure the situation has not arisen again at a future date. **It is vital that victims are offered support and spoken to after the event.**

- k) Victims and perpetrators may be referred to the Learning Mentor for support. They may also take part in workshops.

Perpetrators should be left in no doubt that their behaviour is unacceptable and they should be encouraged to view the situation from the perspective of the victim (through the Restorative Approach). They should also be made aware that further examples of their behaviour will incur a more severe sanction.

How can we help to prevent bullying?

- 1) The Guidance states that **prevention** is the most effective way to counter bullying.
- 2) The 'Positive Relations Policy', which identifies sanctions to be used for unacceptable behaviour, is available on the school website and is included in an abridged format in student planners and the Parent Information Booklet (available from the school reception).
- 3) A robust approach against any form of bullying, discrimination and harassment. This message will be relayed through various media throughout the school year.
- 4) Form tutors will discuss bullying, discrimination and harassment in tutorials. The tutor will foster a caring and supportive atmosphere within the form and school, based on **respect**.
- 5) Cover the theme of bullying, discrimination and harassment in curriculum areas where possible (for example, in English, Humanities, PHSE, drama and assemblies).
- 6) Supervise corridors between lessons in accordance with guidelines issued.
- 7) Ensure staff attend staff duties in the designated areas on time.
- 8) Staff to be vigilant to inspect the quiet out of the way corners when on duty.
- 9) Use of Year 12/13 students as 'buddies', who will pass on information from Year 7 and 8 form groups. Victims may feel more inclined to divulge incidents to other students.
- 10) Encourage students to report any form of bullying, discrimination or harassment and not to suffer in silence.
- 11) Use of safe havens, clubs, societies, library at lunchtimes.
- 12) Discuss these issues in departmental meetings, staff meetings, INSET sessions.

Warning signs for students and parents/carers

All parents naturally worry from time to time that their child may be subject to bullying, discrimination or harassment. Listed below are a few signs and symptoms, which may indicate this is taking place. However, many of these signs could be indicative of other problems. Parental judgement is vital in this area. It must also be stressed that parents must also look for signs of their child being the perpetrator as well.

Signs that may indicate your child is a victim of bullying

- a) Reluctance to go to school
- b) Not wanting to go out alone at weekends or in the evening
- c) Torn, damaged or dirty clothes when they come in
- d) Loss of money, property, asking for money

- e) Not sleeping, nightmares, bed wetting
- f) Lower standard of work
- g) Change of mood, behaviour, emotional state
- h) Unusual aggression or reticence in the home
- i) Sudden desire to go home for lunch
- j) Physical injuries
- k) Change of friendship group patterns
- l) Distressing or anonymous telephone calls at home

We strongly advise you to check your child's use of e-mail/internet facilities or mobile phone (text messaging and social media sites). Unfortunately, this is an ideal medium for a child either to be a perpetrator or victim.

If you suspect your child is being bullied, try to encourage them to discuss it with you. If appropriate, inform the school through the House system. We will always endeavour to resolve the issue and take any necessary steps.

The school has copies of guidance '101 Tips for Parents Preventing and Dealing with Bullying'. Should parents / carers require a copy, please contact the school. This booklet has a range of advice on how to deal with these issues.

Student Advice – steps to take

- a. If you have been the victim of bullying, discrimination or harassment, report it as soon as possible.
- b. **DON'T SUFFER IN SILENCE.** Should you feel uneasy about speaking to staff about the issue, report it through the **SHARP** system. This is checked weekly and reports are followed up.
- c. Be assertive but not aggressive. Tell the perpetrator to stop, say you don't like their behaviour. If it continues, don't let the perpetrator see you are upset. This is what they are trying to achieve.
- d. Tell someone as soon as possible when an incident occurs. (A trusted friend, a teacher, your parent/ carer for example). Should you feel uneasy doing this, we have older students who act as mentors and these will be publicised during the school year.
- e. Join a lunch time club. Get involved in school activities.
- f. Avoid risky situations. Don't go into isolated areas.
- g. Be proud of yourself – you have got qualities and strengths. Don't let perpetrators make you feel ashamed of yourself.
- h. Take a pride in your personal appearance and hygiene.
- i. Don't be tempted to stay away from school. Come to school, report the situation. We will investigate it and support you.
- j. Don't give in to demands made by perpetrators to provide them with money, sweets or other more valuable items. Say 'no' and report it to parents/carers or a teacher.

Students and parents/carers should be aware that school rules covering all aspects of behaviour extend to cover the daily journeys to and from school and, of course, all school trips.