



Education Services

Policy: Anti-Bullying
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INTRODUCTION

Bullying is behaviour where power is exerted and causes hurt to others. It is likely to be deliberate and to happen more than once.

West Lothian Council promotes a culture where bullying is not acceptable. We are committed to establishing a caring, learning community where all members are valued and everyone has a responsibility to promote respect, openness, honesty and understanding. This policy links to Education and Cultural services "Safe Environment at School" policy.

EXPECTATIONS OF SCHOOL COMMUNITIES

School communities will:

- Acknowledge that bullying happens in their community
Guarantee that reports of bullying incidents will be:
o taken seriously
o investigated fully
o dealt with appropriately and feedback given to all involved
Work together to develop a local policy/strategy that is consistent with the Council vision and national best practice and is accepted by the whole community
Describe how people who have been involved in bullying will be supported

- Display a welcoming and inclusive ethos which reflects the 4 capacities identified in a curriculum for excellence; namely Responsible Citizens, Effective Contributors, Confident Individuals, Successful Learners

DESIRED OUTCOMES FOR SCHOOLS:

- All relationships are respectful whatever the gender, religion, age, sexual orientation, ability, race or social status of the individual
- Playground supervisors are appropriately trained to recognise, prevent and address bullying
- Digital technology is used responsibly and not as a tool to hurt others
- Every effort is made to protect vulnerable individuals
- There is a shared understanding in the community of what bullying is and the detrimental long-term effect it can have on health and wellbeing
- All members of the community are responsible for tackling bullying
- An anti-bullying policy/strategy is developed in each school, is implemented and subject to regular review
- Pupils know what to do when they or their friends are bullied
- Pupils express that they feel safe and are taught effective and appropriate strategies to deal with bullying
- Members of staff express that that they feel safe and are able to teach in a positive and respectful climate
- All members of the community are clear that bullying is not acceptable no matter what form it takes
- Staff and pupils feel confident in responding to bullying
- Appropriate joint training for staff, pupils and parents is delivered and is ongoing
- Parents recognise their role in working together with the school to resolve bullying issues
- Schools adopt a wide range of strategies as appropriate to prevent and address bullying incidents.
- Everyone has access to a complaints procedure in the event of dissatisfaction with the manner in which the report of bullying has been handled

COMMON TYPES OF BULLYING

Emotional	Being unfriendly, excluding, tormenting (for example, hiding books, threatening gestures)
Physical	Pushing, kicking, hitting, punching or any use of violence
Racial	Racial taunts, graffiti, gestures, deliberate physical attacks. It can be identified by the fact that victims are singled out because of colour, the way they talk, ethnic grouping or religious or cultural practices.
Sexual	Unwanted physical contact or sexually abusive comments
Homophobic	Because of, or focusing on the issue of sexuality. It can be a particular problem for teenagers who are confused or unsure about their own developing sexuality.

Verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber	All areas of internet, such as email and internet chat room misuse
	Mobile threats by text messaging and calls
	Misuse of associated technology, for example, camera and video facilities

However, bullying can also be for no apparent reason.

SIGNS OF BULLYING

- Obvious physical signs of being hurt
- Damage to personal belongings
- Unwillingness to go to school/absence from school/begins to truant
- Changes in behaviour, mood or attitude towards learning
- Child or young person being more “clingy” or emotional than normal
- Changes in eating or sleeping patterns
- Signs of stress, anxiety, nervousness
- Pretending to be ill or becoming ill
- Bed wetting
- Self harm
- Change in normal behaviour to fit in with others
- Frightened of walking to or from school
- Does not want to go on the school / public bus
- Begs to be driven to school
- Becomes withdrawn, anxious or lacking in confidence
- Starts stammering
- Attempts or threatens suicide or runs away
- Cry themselves to sleep at night or have nightmares
- Feels ill in the morning
- Comes home with clothes torn or books damaged and/or has possessions which are damaged or “go missing”
- Asks for money or starts stealing money (to pay bully)
- Comes home starving (money / lunch has been stolen)
- Starts bullying other children or siblings
- Stops eating
- Is frightened to say what is 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.

Bullying can be subtle or it can be blatant. It can cause short-term suffering for the victim or it can go on for years. It can be for clearly identified reasons or for no clearly defined reason. **It is always damaging and it must always be taken seriously and addressed.**

COMMUNICATION

Whilst every establishment must have an effective policy on anti-bullying, there is also a responsibility to communicate the anti-bullying policy to all staff, pupils, users and parents. This can be done through:

- development plans
- handbooks
- assemblies
- regular updates in newsletters
- the health and wider curriculum
- specific anti-bullying initiatives such as Anti-bullying weeks or days
- parents' meetings or public meetings, parent council, parent forum
- staff development
- pupil councils

EXAMPLES OF STRATEGIES

An important element of anti-bullying strategies is the proactive work done through the curriculum in addressing the underlying issues and looking at ways of challenging inappropriate behaviour.

Examples are:

- The use of positive, collaborative approaches to the delivery of teaching which includes and involves pupils in their learning
- Looking at feelings and discussing with children the kinds of behaviour which causes hurt to others
- Encouraging children to think positively about differences
- Reading stories which introduce children to people from other backgrounds through pictures and positive role models
- Inviting parents and other members of the wider community into school to participate in all aspects of school life
- Ensuring through discussion that children have the opportunity to raise and discuss any matters which are troubling them such as name-calling, bullying, unequal access to certain activities etc
- Encouraging young people to resolve personal animosities and tensions which have found expression in an incident, through, for example, conflict resolution, mediation, peer mediation, Circle Time, group work etc.
- Looking at historical topics which raise issues of discrimination and how it affects society
- Dealing with discrimination which often underpins bullying behaviour
- Re-examining the school's ethos, behaviour, equalities and anti-discriminatory policies and procedures to acknowledge the collective responsibility of the whole school community in tackling bullying
- Organise anti-bullying awareness weeks and anti-bullying games
- Promote positive behaviour
- Implement mentoring Schemes and Pupil Councils
- Involve and consult with parents in school behaviour and anti-bullying procedures

- Issue questionnaires to pupils and parents about bullying in school or the community
- Display posters about bullying
- Display statements of behaviour, anti-bullying and anti-racism to complement classroom practice and procedures

MONITORING AND EVALUATION PROCEDURES

Evaluation procedures need to be put in place to provide regular and ongoing review of the effectiveness of anti-bullying arrangements. These should include an identified contact to receive reports on bullying and to analyse these reports and recommend any necessary changes to practice. The following standards could be used as a means of measuring performance:

- Willingness to report incidents of bullying
- Reduced duration of bullying
- Reduced frequency of bullying incidents
- Pupils perceptions that the school is prepared to take action
- Bystander action/increased sense of collective responsibility
- Improved attendance
- Improved achievement
- Reduced fixed term and permanent exclusions

Methods of evaluation may include:

- surveying a sample of pupils, staff, parents/carers to monitor the work
- using curriculum time or tutor time to focus on anti-bullying work
- recording forms of bullying incidents by a named person or Working Group.

WHO SHOULD BE INVOLVED?

- Children and Young People
- Parents and Carers
- Parent Councils
- The Education Service
- Individual Staff
- The Community including the community council
- All relevant partner agencies

CONCERNS/COMPLAINTS PROCEDURE

If you have concerns or complaints regarding the service you are receiving, these can be addressed by contacting the Head Teacher in the first instance.

If you are dissatisfied with that response you should contact

Customer Services Manager
Education & Cultural Services
Customer Care
West Lothian Civic Centre
Howden South Road
Livingston EH54 6FF
Tel: 01506 281951

If, in exceptional circumstances, it is felt that the case has not been properly administered, you should contact:

Scottish Public Services Ombudsman
4 Melville Street
Edinburgh EH3 7NS
Tel: 0131 225 5300

The Complaints Policy and Procedures for Education & Cultural Services is available in booklet form on request or can be downloaded from the web at www.westlothian.gov.uk - and search for 'Complaints Policy and Procedures for Education and Cultural Services'

Internet Links to advice on bullying for schools

www.kidshealth.org
www.parentzonescotland.gov.uk
www.anti-bullyingalliance.org
www.childrenslegalcentre.com
www.beatbullying.org
www.bullying.co.uk
www.bullyonline.org

www.childline.org.uk
www.respectme.org.uk
www.safechild.org

Cyberbullying Guidance

1. This guidance outlines key steps to take when responding to cyberbullying. Cyberbullying can often present unique issues from that of historical bullying behaviours, All schools should already be equipped to deal with the majority of cases through the Anti-Bullying policy procedures.

Schools should contact the Learning and Teaching Development team, Education Child Protection Officer, Community Police or Public Protection Unit who will be able to provide advice and support where necessary and appropriate.

2. Supporting the person being bullied:

- Give reassurance that the person has done the right thing by telling someone, refer to any existing guidance support/procedures and inform parents.
- Make sure the person knows not to retaliate or return the message.
- Ask the person to think about what information they have in the public domain.
- Help the person to keep relevant evidence for any investigation (e.g. by not deleting text messages they've received, keeping chat logs and by taking screen capture shots and noting web addresses of online cyberbullying instances).
- Check the person understands simple ways to prevent it from happening again, e.g. by changing contact details, blocking contacts or leaving a chatroom.
- Take action to contain the incident when content has been circulated.
If applicable, if you know who the person responsible is, ask them to remove the content, except where the police are involved.
- Schools can request via the Internet Service Provider (ISP) that content be removed, **except where police are involved**.
- In school settings use disciplinary sanctions to suspend access from devices that are being used for cyberbullying for investigative purposes.
- Any case, **where a child may be at risk** must be reported to the Designated Member of Staff for CP, who will follow West Lothian CP procedures.
- Where the cyberbullying has serious consequences for individuals, appropriate personal support or information enabling them to access appropriate personal support should be provided.
- In some cases restorative interventions may be used to facilitate resolution of the incident.

3. Investigating incidents:

- **All bullying** incidents should be properly recorded and investigated. Cyberbullying can be a very serious matter. Some aspects of conduct reported as cyberbullying may constitute a criminal offence in Scottish law.
- **At school** level the investigation process should follow the guidance provided in the Anti Bullying policy
- **Contact the police** if you think the incident is of a serious nature and may amount to a criminal offence.

Appendix 2

Cyberbullying and the Law

In most cases children and young people use mobile phones and the internet appropriately - texting or e-mailing friends to swap gossip, make plans for the weekend, discuss outfits or debate the latest results in the SPL. However, when this technology is abused, or used to harass or threaten others, there may be legal consequences. There are four UK statute laws and one Scottish common law that are relevant to the use of IT in relation to bullying. These are:

- **The Protection from Harassment Act 1997**
- **The Criminal Justice and Public Order Act 1994**
- **The Malicious Communications Act 1998**
- **The Communications Act 2003**
- **Breach of the Peace (common law)**

How these Acts can be related to bullying, and specifically to cyberbullying, is outlined below. If the bullying is based on sexual, racial or religious grounds, prosecution could be sought through anti-discriminatory laws.

Protection from Harassment Act 1997

This Act was passed following concerns that stalking was not dealt with effectively under the existing legislation. The Act does not refer solely to stalking but also covers harassment in a wider sense. The Act states that it is unlawful to cause harassment, alarm or distress by a course of conduct and states that 'A person must not pursue a course of conduct, which:

- amounts to harassment of another
- he knows, or ought to know, amounts to harassment of the other'.

There is some anecdotal evidence that the police are more comfortable in bringing forward this law when dealing with issues of cyber-bullying. The police have successfully used the Protection from Harassment Act to prosecute for the sending of offensive e-mails through the internet. Such messages will also constitute an offence under the Malicious Communications Act.

Criminal Justice and Public Order Act 1994

This Act defines a criminal offence of intentional harassment, which covers all forms, including sexual harassment. A person is guilty of an offence if, with intent to cause a person harassment, alarm or distress, he/she

- uses threatening, abusive or insulting words or behaviour or disorderly behaviour; or
- displays any writing, sign or other visible representation which is threatening, abusive or insulting, thereby causing that or another person harassment, alarm or distress.

Malicious Communications Act 1998/Telecommunications Act 1984

Under this Act it is an offence to send an indecent, offensive or threatening letter,

electronic communication or other article to another person. Under section 43 of the Telecommunications Act 1984 it is a similar offence to send a telephone message which is indecent, offensive or threatening.

Both offences are punishable with up to six months imprisonment and/or a fine. The Malicious Communications offences are wider ranging, but under the Telecommunications offences, it is likely that the Police will use the former Act to bring a charge.

The Communications Act 2003

The Communications Act 2003 is by far the most recent Act to be passed. Section 127 states that a person is guilty of an offence if s/he

- sends 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; or
- causes any such message or matter to be so
- A person is guilty of an offence if, for the purpose of causing annoyance, inconvenience or needless anxiety to another, he
- by means of a public electronic communications network, a message that he knows to be false,
- causes such a message to be sent; or
- persistently makes use of a public electronic communications network

Breach of the Peace

Breach of the Peace is Scottish common law. At present behaviour in Scotland which might be described as harassment or stalking is usually prosecuted as a breach of the peace. This common law offence covers all behaviour (including single incidents) which causes, or is likely to cause:

- Fear, alarm, upset or annoyance
- When one or more persons conduct themselves in a riotous, or disorderly manner, anywhere, which alarms, annoys or disturbs other people
- The offence can take place anywhere (a house, an office, a school or a public street)
- The element of disturbance would be the most relevant to Cyberbullying as the behaviour does not have to be noisy but still of a nature that would cause concern to other people – harassment or stalking and bullying

The Courts recognise that breach of the peace can be serious and a life sentence is theoretically possible. A sentence of eight years was recently imposed for the crime of Breach of the Peace.

It proves difficult to source evidence of charges being successfully brought against people who use new technology to bully.

It is worth noting that the age of criminal responsibility in Scotland is eight. All organisations, including schools are covered by the laws stated above. If an offence takes place in school it is still an offence.

Customers with Special Requirements

هذه المعلومات متوفرة بلغة بريل وعلى شريط وبخط كبير وبلغات الجالية.

الرجاء الإتصال بخدمة الترجمة على الهاتف 01506 775000

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Informacje te mogą być przełożone na język Braille'a, dostępne na taśmie magnetofonowej lub wydane dużym drukiem oraz przetłumaczone na języki mniejszości narodowych.
Prosimy o kontakt z Usługami Tłumaczeniowymi pod numerem 01506 775000.