

ANTI-BULLYING POLICY

Reviewed: December 2020

- 1.1 We want to create an environment in which bullying is universally regarded as totally unacceptable. Everyone should be able to come to the Academy free from the fear of being bullied in anyway, by anyone, at any time.

2 Introduction

- 2.1 Oak Academy's Anti-Bullying policy complies with the Human Rights Act 1998 and DfES Guidance *Bullying: don't suffer in silence*, and DfE 2017 guidance on *Preventing and tackling bullying: Advice for headteachers, staff and governing bodies* and seeks to prevent all forms of bullying among pupils. The Academy is committed to providing a safe, caring, and friendly environment for all its pupils so they can learn in a secure and relaxed atmosphere. Bullying of any kind at Oak Academy is unacceptable, and all incidents will be dealt with promptly and effectively.

3 Who does this policy apply to?

- 3.1 This policy applies to all staff, pupils, AAC/APSC members and visitors of Oak Academy.

4 Who is responsible for carrying out this policy?

- 4.1 The implementation of this policy will be monitored by the AAC/APSC of Oak Academy and remain under constant review by a designated member of the Academy's Leadership Team.

5 What are the principles behind this policy?

- 5.1 The Academy aims to create an ethos where relationships are based on mutual respect, trust, caring, and consideration for others, rather than on power and strength. Our belief is that with an ethos which promotes these qualities, bullying will be marginalised, and pupils will not consider engaging in bullying behaviour.
- 5.2 The policy has clear strategies that can be monitored, ensuring effective implementation, review and regular consultation with parents and pupils.
- 5.3 The objectives and outcomes of this policy are:
 - i. All AAC/APSC members, teaching and non-teaching staff, pupils and parents should understand what bullying is.
 - ii. All AAC/APSC members, teaching, and non-teaching staff should know what the academy policy is on bullying and follow it when bullying is reported.
 - iii. All staff will be aware of their roles and responsibilities within the policy.
 - iv. All pupils and parents should know what the Academy policy is on bullying, and what they should do if bullying arises.
- 5.4 To achieve these objectives the Academy will:
 - i. Ensure all staff are provided with a copy of the policy.
 - ii. Include the Anti-Bullying policy as a subject of discussion during new staff induction and provide training by the Pastoral Team/SLT for all newly qualified teachers.

- iii. Include a whole Academy approach to bullying as a subject for INSET days as appropriate.

6 What is bullying?

- 6.1 “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, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.” (*Preventing and tackling bullying: Advice for headteachers, staff and governing bodies. DfE 2017*)

In other words, bullying at Oak Academy is considered to be, “unacceptable behaviour which occurs ‘lots of times, on purpose’.” Bullying can be short term or continuous over long periods of time.

6.2 Bullying can be:

- i. *Physical*: pushing, kicking, hitting, punching, or any use of violence.
- ii. *Verbal*: name-calling, sarcasm, spreading rumours, persistent teasing, writing awful things about someone, leaving hurtful notes.
- iii. *Emotional*: excluding, tormenting (i.e. hiding books, threatening, gestures, being deliberately unfriendly)
- iv. *Sexual*: unwanted physical contact, sexually abusive comments, and homophobic/transphobic abuse.
- v. *Sexist*: bullying based on sexist attitudes expressed in a way to demean, intimidate or harm another person because of their sex or gender. Sexist behaviour may sometimes be characterised by inappropriate sexual behaviours.
- vi. *Menacing*: demanding money or possessions, or to copy homework, demanding the victim or bystander’s silence when bullying has occurred.
- vii. *Racial*: racial taunts, graffiti, gestures.
- viii. *Cyber*: All areas of internet, such as email and internet chat room misuse, mobile threats by text messaging and calls, misuse of associated technology, i.e. camera, social media. (NOTE: under the Education Act 2011, the academy has the right to examine and delete files from pupils’ personal devices where there is good reason to do so. There is no need for parental consent to search through a pupil’s mobile phone.
- ix. *Prejudicial*: bullying based on prejudices directed towards specific characteristics. For example: SEND or mental health issues.

- 6.3 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 in a way which conveys a message which is indecent or grossly offensive, a

threat, or contains 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 amount of conduct amounting to harassment.
- **Section 127 of the Communications Act 2003** makes it an offence to send by any 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 media sites.
- **Other forms of bullying which are illegal** and should be reported to the police include: violence or assault, theft, repeated harassment or intimidation and hate crimes.

6.4 Persistent bullying can result in depression, low self-esteem, shyness, poor academic achievement, isolation, and in extreme cases, threatened or attempted suicide.

6.5 Whilst not acceptable, rough play, one-off fighting or pushing, or 'falling out' amongst friends is not bullying.

Signs of bullying

6.6 A pupil may indicate by signs or behaviour that he or she is being bullied. Adults should be aware of these possible signs and that they should investigate if a pupil:

- i. is frightened of the journey to or from the Academy
- ii. Avoids the Academy/public bus and begs to be driven to the Academy
- iii. changes their usual routine
- iv. is unwilling to go to the Academy (Academy phobic)
- v. begins to truant
- vi. becomes withdrawn anxious, or lacking in confidence
- vii. attempts or threatens suicide or runs away
- viii. cries themselves to sleep at night or has nightmares
- ix. feels ill in the morning
- x. begins to do poorly in Academy work
- xi. comes home with clothes torn or books damaged
- xii. has possessions which are damaged or "go missing"
- xiii. asks for money or starts stealing money (to pay bully)
- xiv. has lunch or other monies continually "lost"
- xv. has unexplained cuts or bruises
- xvi. arrives home starving (because lunch money has been taken)
- xvii. becomes aggressive, disruptive, or unreasonable
- xviii. is bullying other children or siblings
- xix. is frightened to say what's wrong
- xx. gives improbable excuses for any of the above
- xxi. is nervous and jumpy when a cyber-message is received
- xxii. not wanting to socialise

These signs and behaviours could indicate other problems, but bullying should be considered a possibility and should be investigated.

6.7 The difference between Bullying and Relational Conflict

Conflict is a disagreement or a difference of opinion or interests between equals. The people involved in a conflict may disagree strongly and emotions may run high. When conflict is badly managed, it may result in aggression. In a conflict, both parties have power to influence the situation. Conflict may be an inevitable part of group dynamics, but bullying is not. Both relational conflict and bullying require intervention, however they will often take different forms. For example, while peer mediation might be appropriate for relational conflict it *may not be* for issues of bullying.

In these instances, **Annex A, template for managing Social Behaviour**, might be requested by the person managing the relational conflict to be completed by both parties.

7 Dealing with bullying and the outcomes for the victim and the perpetrator

7.1 Pupils should report any case of bullying to a member of staff (ideally their tutor or Head of Year, but if not the nearest member of staff). The Academy will follow these procedures once bullying has been reported:

Annex B, reporting a bullying incident or the academy's incident record form will need to be completed.

- i. Bullying behaviour or threats of bullying will be investigated and the bullying stopped quickly. All reported incidents of bullying initially will be dealt with within an agreed timeframe with all those concerned, of no longer than three days. All incidents of bullying will be recorded by the HOY and reviewed by the Designated Safeguarding Lead who will review incidences half termly for trends and repeat offenders.
- ii. Heads of Year will ensure that pupils involved are interviewed within two working days of the reported incident.
- iii. All incidents of bullying will be discussed with parents of both the bully and the victim by the Head of Year within three working days, and parents may be required to come into the Academy to discuss with appropriate staff.
- iv. If necessary and appropriate, the local authority or the police may be consulted.
- v. Support will be provided to build confidence for the victim.
- vi. Support will be provided for the bully to highlight it is their behaviour which needs to change.

7.2 The Principal has a specific statutory power to discipline pupils for poor behaviour outside of the school premises. Section 89(5) of the Education and Inspections Act 2006 gives the Principal the power to regulate pupils' conduct when they are not on school premises, and therefore, not under the lawful charge of an academy staff member.

Proven incidents of bullying outside of the academy, which affects a pupil accessing their education, will be managed in the same way as if the bullying took place within the academy. Each incident in these circumstances will be carefully considered with mitigating and aggravating circumstances and the wider context of the incident determining the extent to which the Principal will exercise their statutory power.

- 7.3 The Academy will always seek to stop bullying immediately by taking a proactive and consistent approach (*Bullying: don't suffer in silence* DfES 2000). As part of the Academy's policy, it is necessary to act in a manner which communicates unambiguous disapproval of the bullying, as without consequence the bully will not learn that this behaviour is unacceptable. We stress that the disapproval should be aimed at the behaviour of the pupil and not the pupil itself. Studies have found that adults, who were bullies as children, have a higher chance than others of acquiring a criminal record, tend to be aggressive and have problems in maintaining relationships (*Bullying. A Practical Guide to Coping for Schools, Kidscape 1997*).

Victim support:

There are additional support systems that the Academy may choose to put in place such as:

- ELSA
- Access to the Pastoral Team
- Access to the Anti-Bullying Champion and E-Safety Champion
- Time out card
- Supported social time
- Timetable review
- Referral to outside agencies, such as CAMHS

- 7.4 Additional action will be taken which encourages the development of caring, responsible behaviour on the part of the bully, for example restorative meetings. Some or all of the following consequences will occur, depending on the severity of the incident:

- i. The bully's parents will be contacted and informed of the incident.
- ii. The bully will be made to apologise where the victim is comfortable in person, otherwise in writing and, in some way, make up for his or her behaviour.
- iii. Bullies and victims will be asked to work together to try and figure out a mutually agreeable way to deal with bullying. If this is not possible, clear expectations will be set out for both parties to follow.
- iv. Involvement of our local community Police Officer who will be asked to speak to the bully/bullies.
- v. In more serious cases appropriate emotional supportive will be provided by the academy ELSA where one is available in the academy.
- vi. In extreme cases of persistent bullying it will be recommended that the bully has a referral to appropriate outside agencies.
- vii. Serious cases of one-off extreme bullying will result in time in Internal Exclusion or Fixed Term Exclusion, and the bully's parents will be required to attend meetings with Heads of Year, Vice Principal or Principal.
- viii. After the incident has been dealt with, each case will be recorded and monitored to ensure repeated bullying does not take place.

Perpetrator consequences / support:

There are additional consequences that the Academy may choose to put in place such as:

- Removal from certain classes
- Report card

- Long term isolated social time
- Referral to outside agencies, such as CAMHS Where appropriate

7.5 Please find below a more specific outline of how bullying is dealt with by Oak Academy:

Incident level	Sanction for the Perpetrator	Support in place for the Victim	Staff Actions
First report of recognised bullying	<p>Statement taken from pupil</p> <p>Restorative meeting put in place between perpetrator and victim if felt appropriate and victim agrees.</p> <p>Sanctions could include:</p> <ul style="list-style-type: none"> • Detention • Loss of social time • Behave and Learn • Tutor Report • Warning of further consequences <p>Recorded as bullying officially on Academy system and a note placed on pupil file that formal warning has been given.</p>	<p>Statement taken from pupil</p> <p>Restorative meeting put in place between perpetrator and victim if felt appropriate and victim agrees.</p> <p>Parental contact made within 1 day</p>	<p>Staff collects statements for HOY</p> <p>HOY sets up restorative meeting and sets appropriate sanctions.</p> <p>HOY reports bullying on Academy System and reviews with Pastoral Manger</p>
Second report of bullying	<p>Statement taken from pupil</p> <p>Restorative meeting put in place between perpetrator and victim if felt appropriate.</p> <p>Sanctions could include:</p> <p>Behave and Learn After School Detentions HOY Report Timetable changes Warning of next steps</p>	<p>Statement taken from pupil</p> <p>Restorative meeting put in place between perpetrator and victim if felt appropriate.</p> <p>Access to Pastoral Team and or ELSA (Emotional Literacy Support Assistant) if felt it was needed.</p> <p>Parental contact made within 1 day!</p>	<p>Staff collects statements for HOY</p> <p>HOY sets appropriate sanctions.</p> <p>HOY reports bullying on Academy System and reviews with Pastoral Manger</p>

<p>Isolated but more severe bullying</p>	<p>Statement taken from pupil</p> <p>Restorative meeting put in place between perpetrator and victim if felt appropriate.</p> <p>Sanctions could include: Internal Exclusion After School Detentions AVP Report</p> <p>Fixed Term Exclusion to be put in place if appropriate.</p>	<p>Statement taken from pupil</p> <p>Restorative meeting put in place between perpetrator and victim if felt appropriate.</p> <p>Access to Pastoral Team and or ELSA (Emotional Literacy Support Assistant) if felt it was needed/available at the academy.</p> <p>Parental contact made by SLT member!</p>	<p>Staff collects statements for HOY</p> <p>HOY sets up restorative meeting and R&S / InEx length dependent on level of bullying</p> <p>HOY reports bullying on Academy System and reviews with Pastoral a</p>
<p>Third report of bullying</p>	<p>Statement taken from pupil</p> <p>Restorative meeting put in place between perpetrator and victim if felt appropriate.</p> <p>Sanctions could include: Behave and Learn After School Detentions VP Report</p> <p>Fixed Term Exclusion to be put in place if appropriate.</p>	<p>Statement taken from pupil</p> <p>Restorative meeting put in place between perpetrator and victim if felt appropriate.</p> <p>Access to Pastoral Team and or ELSA (Emotional Literacy Support Assistant) if felt it was needed.</p> <p>Parental contact made by SLT member!</p>	<p>Staff collects statements for HOY</p> <p>HOY sets up restorative meeting and InEx / FTE length dependent on level of bullying</p> <p>HOY reports bullying on Academy System and reviews with Pastoral Manager</p>
<p>Fourth or ongoing reports of bullying</p>	<p>Statement taken from pupil</p> <p>Restorative meeting put in place between perpetrator and victim if felt appropriate.</p> <p>Would lead to more days in Internal Exclusion or an extended Fixed Term Exclusion (FTE) where appropriate.</p>	<p>Statement taken from pupil</p> <p>Restorative meeting put in place between perpetrator and victim if felt appropriate.</p> <p>Access to Pastoral Team and or ELSA (Emotional Literacy Support Assistant) if felt it was needed.</p> <p>Parental contact made by SLT member!</p>	<p>Staff collects statements for HOY</p> <p>HOY sets up restorative meeting and decide on length of time in InEx / FTE dependent on level of bullying</p> <p>HOY reports bullying on Academy System and reviews with Pastoral Manger</p>

At all levels parents of both the perpetrator and the victim are made aware of what has happened and what is being put in place, this may be through a text or phone call or a parental meeting.

All consequences and support strategies listed are a general guide and are subject to change depending on the level of bullying and level of support required.

8 Prevention

- 8.1 The academy will always seek to prevent bullying from happening. The Academy aims to promote self-confidence and self-worth, whilst encouraging pupils to develop their own non-bullying behaviours.
- 8.2 Pupils will be provided with opportunities, in groups, to develop their understanding of the consequences of acceptable and unacceptable behaviours.
- 8.3 Provisions will be in place to allow pupils to express their concerns related to bullying. This will be achieved by:
 - i. Access to Tutor, Head of Year and Pastoral Team.
 - ii. Regular pupil forums including Pupil Council and Principal Pupils with a focus on anti-bullying.
 - iii. Parental and pupil questionnaires throughout the year.
- 8.4 Heads of Year will work with curriculum leaders to ensure the curriculum will actively contribute to the development of anti-bullying practices and reflects the needs of the Anti-Bullying policy.
- 8.5 The Academy will provide a lunchtime club for pupils most significantly at risk of bullying and/or being bullied, where they can feel safe and confident and in line with COVID-19 expectations re: year group 'bubbles'.

9 Conclusion

- 9.1 By setting up a whole Academy approach to eliminate bullying, we feel we are sending signals to the pupils that we do care about their welfare. This approach assumes good pupil-staff relations and creates an atmosphere which continues to foster those relationships. By involving parents and the community our aim is to change attitudes which encourage bullying.

10 Policy review

- 10.1 This policy will be reviewed every two years by the Director of Secondary Education as part of the Trust's policy review process.
- 10.2 This policy will be actively promoted and implemented throughout the Academy.

References

DfE (July 2017) *Preventing and tackling bullying: Advice for headteachers, staff and governing bodies.*

SEND code of practice: 0 to 25 years. Department for Education, (2014)

DfES (2000) *Bullying: do not suffer in silence*

Kidscape (1997) *Bullying. A Practical Guide to Coping for schools*

USEFUL CONTACTS & LINKS

DfE resources from: *DfE (2014) Preventing and tackling bullying: Advice for headteachers, staff and governing bodies.*

Link to Behaviour and Discipline in Schools - Guidance for Head Teachers and School Staff

Make Them Go Away (SEND DVD):

http://www.youtube.com/user/educationgovuk#p/u/6/ug_8lY52B1Q

Let's Fight it Together (Cyberbullying DVD):

<http://www.youtube.com/watch?v=dubA2vhlrg>

Legislative links

The statutory duty on schools to promote good behaviour Education and Inspections Act 2006 Section 89 <http://www.legislation.gov.uk/ukpga/2006/40/section/89>

The power to tackle poor behaviour outside of school Education and Inspections Act 2006 Section 89(5) <http://www.legislation.gov.uk/ukpga/2006/40/section/89>

The Equality Act 2010 http://www.equalities.gov.uk/equality_bill.aspx

Resources from external organisations

General bullying issues with expertise in SEND bullying.

<http://www.anti-bullyingalliance.org.uk/>

<https://www.mencap.org.uk/>

<http://www.stonewall.org.uk/>

<http://www.each.education/>

<http://www.schools-out.org.uk/>

www.beatbullying.org

Cyber-bullying

<http://www.childnet.com/>