

Herne Bay High School's Discipline/Anti-Bullying Policy

Policy reviewed by	C. Harris Vice Principal	07.2021	Date of next review	07.2022	Date of policy ratification by Governors	Sept 2021
Purpose of policy						
HBHS's overarching aim is that its students can thrive in a happy and caring environment in which they feel safe and valued and free from harassment and bullying. This Policy details the whole school approach that the school operates to achieve this aim.						
Legislation that underpins this policy						
<ul style="list-style-type: none"> • Education and Inspections Act 2006ⁱ • Education Act 2011^{iv} • Criminal Law ^v- Protection from Harassment Act 1997, the Malicious Communications Act 1988, the Communications Act 2003, and the Public Order Act 1986. • Preventing and tackling bullying guidance - Advice for headteachers, staff and governing bodies (2017) • The Equality Act 2010ⁱⁱ • Human Rights Act 1998 • Children Act 1989ⁱⁱⁱ 						
Other HBHS polices that should be read in conjunction with this policy (<i>the underlined policies are those that are most pertinent</i>)						
<ul style="list-style-type: none"> <li style="width: 33%;">• Accessibility Policy <li style="width: 33%;">• <u>Attendance Policy</u> <li style="width: 33%;">• <u>Child Protection Policy</u> <li style="width: 33%;">• <u>Confidentiality Policy</u> <li style="width: 33%;">• <u>Drugs Education Policy</u> <li style="width: 33%;">• Drug Incident Policy <li style="width: 33%;">• <u>Equality Policy</u> <li style="width: 33%;">• Medical Policy <li style="width: 33%;">• Health and Safety Policy <li style="width: 33%;">• <u>Looked After Children Policy</u> <li style="width: 33%;">• <u>Safeguarding Staff Policy</u> <li style="width: 33%;">• PSHEE Policy <li style="width: 33%;">• <u>Sex and Relationship Education Policy</u> <li style="width: 33%;">• Staff E-Safety/Acceptable Usage Policy <li style="width: 33%;">• <u>SEN Policy</u> <li style="width: 33%;">• <u>Whistle Blowing Policy</u> <li style="width: 33%;">• Working Alone Policy <li style="width: 33%;">• <u>Teenage Pregnancy Policy</u> 						

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Introduction

This document sets out the Herne Bay High School's policy in relation to the issue of bullying. It reflects a belief that bullying is not acceptable under any circumstances (zero tolerance) and that it is best prevented through the development of a school ethos based on mutual respect, fairness and equality. It also acknowledges that bullying behaviour is problematic for the victim and perpetrator alike and embodies support and management strategies that are pragmatic and non-oppressive.

The definition of bullying as defined by the Department for Education in the document entitled Preventing and tackling bullying - Advice for headteachers, staff and governing bodies (2017) is:

- 'Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally'.

Note - The principle of children having a right to an education free from harassment and degradation is embodied in the Human Rights Act 1998.

Principles

- All children have an absolute right to be educated in a safe and secure environment and to be protected from others who may wish to harm, degrade or abuse them.
- There is no justification whatsoever for bullying behaviour and it should not be tolerated in any form. Differences such as those of gender, age, disability, colour, race, ethnic or national origin, socio-economic group, sexual orientation, religious or political beliefs or ability are absolutely repudiated as reasons for bullying.
- Bullying behaviour is a problem for both the bully and the victim and should be addressed in positive and constructive ways, which provide opportunities for growth and development for the bully and victim alike.
- Effective management of bullying is a shared responsibility and strategies should involve school staff; parents/carers and other professionals involved with children who are the victims or perpetrators of bullying behaviour.

Aims

- To fulfil Herne Bay High School's statutory responsibility to respect the rights of children and to safeguard and promote their welfare.
- To clarify the Herne Bay High School's responsibility for responding to incidents of bullying and to emphasise to staff, pupils and their parents and carers the school's zero tolerance attitude towards bullying behaviour.
- To eliminate intimidating behaviour and promote a school ethos in which each pupil is safe and able to realise their full potential.
- To address the problem of bullying and to bring it under control through the implementation of a whole-school policy and appropriate procedures.
- To reassure parents and carers that Herne Bay High School takes their children's welfare seriously and that they are being educated in a safe and secure environment.

Objectives

- To raise awareness among staff; parents/carers and pupils about the issue of bullying and the school's attitude towards it and to create an environment in which bullying is seen as inappropriate and unacceptable.
- To be proactive in the prevention of bullying.
- To make pupils, parents/carers and staff aware of what steps to take when an incident of bullying has occurred.
- To demonstrate to bullies that their behaviour is unacceptable and to reassure victims that action will be taken to keep them safe.
- To clarify the extent of the problem and ensure that Herne Bay High School allocates a proportionate amount of time and energy to bringing it under control.
- To accurately record all incidents of bullying and to monitor the effectiveness of strategies for bringing it under control.

- To address with bullies their problematic behaviour in a fair and firm, non-oppressive manner, and to provide them with support to enable them to change their behaviour.

Definition

Any interaction between an individual or group of people which is perceived or intended to be:

- Deliberately hurtful (including aggression)
- Repeated, often over a long period of time
- Difficult for victims to defend themselves against

Bullying behaviour may be direct or indirect. Direct forms include physical violence and threats; verbal assaults and taunts; the destruction of property; extortion; unwanted sexual interest or contact. Examples of indirect forms of bullying include ignoring and the withdrawal of friendship; excluding; malicious gossip and spreading rumour; abusive or oppressive graffiti.

Herne Bay High School takes all forms of bullying seriously and is particularly concerned to take action in relation to any incidents which involve race or ethnicity*, transgender, sexual orientation, disability, age, gender and religion and beliefs.

In such cases these issues will be specifically addressed with the bully (and his/her parents/carers where appropriate) in the course of post incident management.

* Incidents of bullying with racist content or motivation should be recorded in line with the 'Guidelines and Procedures for Dealing with Racist Incidents'. (the Student Welfare Team oversees this approach).

Scope

This policy applies only to incidents of bullying which take place on school premises. Herne Bay High School is not **legally** responsible for bullying which takes place elsewhere. (L.B.S.v Sussex C.C.)

However, the school has an enduring interest in the welfare and conduct of its pupils and will respond positively to any information it receives about bullying outside school, including over electronic forms of communication, thus:

- If it emerges that a student is responsible for bullying other children outside school then this matter will be addressed and (if appropriate) the bully's parents informed.
- If a child is found to be the victim of bullying outside school then help and support will be offered and advice given on how to avoid further incidents in future. The victim's parents will be informed.
- If there are more general concerns about children's safety outside school then the local police will be contacted and their help sought in making the area around the school premises more secure. If concerns arise in relation to school transport then the issue will be raised with the transport companies and their help sought in dealing with the problem.
- If information is received that a child is being bullied by a sibling outside school this will initially be discussed with the parents. If concerns persist then the matter will be referred to Social Services (see Child Protection Procedures).
- If children are being bullied by pupils of another school the other school will be informed and invited to deal with the matter.

Prevention

All staff involved in the education and/or supervision of children will be made aware of the issue of bullying and the need to apply the schools policy of zero-tolerance consistently when episodes of bullying are witnessed or reported. Staff will constantly reinforce the message to children that bullying is unacceptable and will take positive action to prevent and control it.

In addition the issue of bullying will be raised with students at a number of levels including:

- At whole school level – through assemblies when children will be informed of the school's zero-tolerance policy and the actions that will be taken to prevent bullying taking place. This issue will be raised regularly when the whole school will be informed of the progress of the anti-bullying policy and any changes which may be introduced.
- At classroom level – during mentor times, curriculum opportunities and through PHSE and Citizenship
- At individual level – children who are felt to be at risk of bullying (or who have suffered from bullying in the past) will be offered additional support and guidance.

- Children who have bullied others will be offered advice and support and taught strategies to enable them to bring their unacceptable behaviour under control and to prevent further incidents.
- Herne Bay High School recognises that there are particular times when children may be more vulnerable to bullying – lunch and break times and the beginning and end of the school day. Arrangements will be made to ensure that at such times there is adequate supervision available to reduce the risk of bullying incidents.
- Also, there are locations about the school in which incidents or bullying are more likely to occur and again arrangements will be made to ensure that these are properly supervised or pupils will be forbidden access to these areas.
- Children will be encouraged to talk to staff about incidents of bullying which they experience or of which they may be aware. In these circumstances staff will respond positively, take the expression of concern seriously and ensure that the matter is fully investigated.
- Parents who believe their children are the victim of bullying should share their concerns with Herne Bay High School at the earliest opportunity and be prepared to work with the school to keep their children safe in future. All expressions of concern will be taken seriously and investigated thoroughly.
- Similarly if parents believe their child is bullying others, this information should be shared with the school so that the problem can be addressed and a plan agreed to prevent further incidents and the bullying child helped to change their behaviour.

All of these preventative strategies operate within a school ethos founded on equality, fairness and respect for others in which individual differences are celebrated and seen as a source of enrichment. In order to help children learn and develop appropriate responses to others, all staff at all times will treat each other (and children, parents and carers) with courtesy and respect and will model appropriate and acceptable behaviour.

Parental involvement

Herne Bay High School is firmly committed to working in partnership with parents and believes that the best outcomes emerge when professionals and parents/carers are able to work together when bullying occurs.

Herne Bay High School recognises the important influence which parents/carers have on their children and would wish, using the Home/School Agreement, to enlist their support when their child is involved in bullying – either as victim or a perpetrator.

If a child is involved in a single serious incident of bullying or if there is evidence that the same child is involved repeatedly in less serious incidents (either as a victim or a perpetrator), the school will inform parents and invite them to become involved in the management of the problem and the prevention of further incidents. Isolated and less serious incidents will be managed by school staff and parents informed.

Implementation

Herne Bay High School is committed to creating a bully-free environment and will ensure that its zero-tolerance policy is applied rigorously. All staff involved in the teaching and/or supervision of children will take responsibility for addressing incidents which fall within the school's definition of bullying and ensure that the victim receives what support is required; the bully is informed of the unacceptability of his/her behaviour and a record is made of the incident (staff should liaise with the Student Welfare Team, re. the processes for logging such incidents).

All children need to be aware that staff want to be informed of any incidents or concerns and that action will be taken when bullying is reported.

Incident management

Herne Bay High School will take firm and decisive action to deal with any incident of bullying which is witnessed by or reported to any member of staff. Should staff become aware of a bullying issue they are to refer the matter immediately to the relevant College Manager and the Student Welfare Officer team who will deal with the issue accordingly.

Post incident responses for the victim

When a member of staff receives information, either directly or indirectly, that a child may have been the victim of a bullying incident, this report will be taken seriously and investigated – this intervention will generally be undertaken by the relevant College Manager and/or a member of the Student Welfare Officer team and/or a member of the senior leadership team.

Herne Bay High School will offer a proactive, sympathetic and supportive response to children who are the victims of bullying. The exact nature of the response will be determined by the particular child's individual needs and may include:

- immediate action to stop the incident and secure the child's safety
- positive reinforcement that reporting the incident was the correct thing to do
- reassurance that the victim is not responsible for the behaviour of the bully
- strategies to prevent further incidents
- sympathy and empathy
- counselling
- befriending
- assertiveness training
- extra supervision/monitoring
- creation of a support group
- peer mediation/peer mentoring
- informing/involving parents
- adult coordinated restorative practice approach integrated (should the victim be willing, the perpetrator willing to own up and take responsibility for their actions, and provided this does not increase the victim's vulnerability)
- arrangements to review progress

For the bully

Herne Bay High School takes bullying behaviour very seriously and will adopt a supportive, pragmatic, problem-solving approach to enable bullies to behave in a more acceptable way. Herne Bay High School takes the view that the positive use of sanctions can be useful in demonstrating to bullies that their behaviour is unacceptable. In helping to promote change the consequences of adopting a 'bullying' approach to fellow students will be clearly explained.

Herne Bay High School will respond to incidents of bullying behaviour in a proportionate way – the more serious the cause for concern the more serious the response. When sanctions are felt to be necessary they will be applied consistently and fairly. The following options, although not exhaustive, will be considered:

- immediate action to stop an incident of bullying in progress
- engagement with the bully to reinforce the message that their behaviour is a breach of school rules and is unacceptable
- loss of lunch/breaktime privileges
- detention
- daily/ Principal's report
- removal from class/group
- withholding participation in out of school activity (if not essential part of curriculum)
- parents informed
- counselling/instruction in alternative ways of behaving
- adult mediation between the perpetrator and the victim (provided this is safe for the victim)
- fixed periods of exclusion
- permanent exclusion (in extreme cases which may involve violence)
- rewards/positive reinforcement for children in order to promote change and bring unacceptable behaviour under control

Monitoring and evaluating

Each incident of bullying falling within the school definition will be recorded. Any incidents with a race or ethnicity, transgender, sexual orientation, disability, age, gender, religion and beliefs element will be identified (Staff should liaise with the Student Welfare Team, re. the processes for logging such incidents).

The Governing Body will monitor this policy via the Pastoral Support Team

Senior staff and Governors will evaluate the effectiveness of the policy and agree adjustments that may be necessary to address any ongoing concerns. These will be shared with staff, parents/carers and pupils.

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.

ii **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 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 new 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. In England and Wales Part 6 of the Act applies to maintained schools and Academies and to other independent schools.

iii 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.

iv The wider search powers included in the **Education Act 2011** give teachers stronger powers to tackle cyber-bullying by providing a specific power to search for and, if necessary, delete inappropriate images (or files) on electronic devices, including mobile phones. Separate advice on teachers' powers to search (including statutory guidance on dealing with electronic devices) is available – see below for a link to this document.

v **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 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 or to send an electronic communication which conveys a message which is indecent or grossly offensive.