

Anti-Bullying Policy

GUST Independent School

Name of Policy	Anti-Bullying
Reviewed by	DSL
Last review date	February 2020
Next review date	February 2021

GUST Independent School is committed to equality and valuing diversity and actively supports practices that promote genuine equality of opportunity for all staff and young people.

1 POSITION AND VALUES

1.1 POSITION STATEMENT

GUST Independent School aims to support, care for and educate young people in a nurturing and stimulating environment. we want our students, who have experienced difficult personal situations, to feel safe, recognise their potential, and leave gust as independent and confident young people. we seek to provide a well-developed, supportive school, which caters for all genders, cultures and religions for ages 5-17 years with emotional, social and behavioural difficulties and moderate learning difficulties. gust operates a friendly, safe environment where students are encouraged to reach their full potential.

By effectively preventing and tackling bullying, GUST Independent School can help to create a safe, disciplined environment where pupils are able to learn and fulfil their potential.

This document has therefore been produced to help GUST Independent School take action to prevent and respond to bullying as part of their overall behaviour policy.

1.2 INCLUSION AND DIVERSITY

GUST Independent School is committed to promoting a positive and diverse culture in which all staff and young people are valued and supported to fulfil their potential irrespective of their age, disability, race, religion, belief, sex or sexual orientation.

We recognise our obligations under the Equality Act 2010 and are committed to promoting the equality and diversity of all those we work with especially our employees, pupils, young people and visitors. We oppose all forms of unlawful and unfair discrimination, bullying and harassment and will make every effort to comply with the requirements of the Act and its subsequent provisions.

2 DEFINITIONS

2.1 WHAT IS BULLYING?

Bullying is when individuals or groups seek to harm, intimidate or coerce someone who is perceived to be vulnerable.

Bullying includes a range of abusive behaviour that is:

- repeated
- intended to hurt someone either physically or emotionally.

It can involve people of any age, and can happen anywhere – at home, school or using digital technologies (cyberbullying). This means it can happen at any time.

Bullying encompasses a range of behaviours which are often combined.

2.2 FORMS OF BULLYING

Verbal abuse:

- name-calling
- saying nasty things to or about a child.

Physical abuse:

- hitting a child
- pushing a child
- physical assault.

Emotional abuse:

- making threats
- undermining a child
- excluding a child from a friendship group or activities.

Cyberbullying/online bullying:

- excluding a child from online games, activities or friendship groups
- sending threatening, upsetting or abusive messages
- creating and sharing embarrassing or malicious images or videos
- 'trolling' - sending menacing or upsetting messages on social networks, chat rooms or online games
- voting for or against someone in an abusive poll
- setting up hate sites or groups about a particular child

- encouraging young people to self-harm
- creating fake accounts, hijacking or stealing online identities to embarrass a young person or cause trouble using their name.

'The rapid development of, and widespread access to, technology has provided a new medium for 'virtual' bullying, which can occur in or outside school. Cyber-bullying is a different form of bullying and can happen at all times of the day, with a potentially bigger audience, and more accessories as people forward on content at a click.

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 an electronic device that is prohibited by the school rules has been seized and the member of staff has reasonable ground to suspect that it 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.¹ 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,' (Preventing and tackling bullying, 2017).

2.3 PREJUDICE-BASED BULLYING

Bullying behaviour may be a result of prejudice that relates to perceived or actual differences. This can lead to prejudice and discriminatory language or behaviour, including racism, sexism, homophobia, biphobia or transphobia.

Respect for All states: *"Prejudice-based bullying is when bullying behaviour is motivated by prejudice based on an individual's actual or perceived identity; it can be based on characteristics unique to a child or young person's identity or circumstance."*

Research shows that anti-bullying work that clearly addresses the particular needs of vulnerable or minority groups is more effective. There is a need to address the root cause of prejudice as well as effectively responding to incidents as they arise. We need to create environments where diversity is celebrated and name calling and comments based on prejudice are challenged. Some personal characteristics are protected within the law, to address the years of unfavourable treatment experienced by some groups. The Equality Act 2010 makes it unlawful to discriminate against people with a 'protected characteristic'. These are:

- age;
- disability;
- gender reassignment;

- pregnancy and maternity;
- marriage and civil partnership;
- race;
- sex;
- religion or belief; and
- sexual orientation.

A more detailed explanation of the protected characteristics can be found within the Equality Act 2010 document.

Prejudice-based bullying includes the protected characteristics, but prejudice can and does extend beyond these and can lead to bullying for a variety of reasons.

2.4 OTHER FORMS OF BULLYING

Additional Support Needs: An additional support need can arise for any reason and be of short or long term duration. Additional support may be required to overcome needs arising from learning environment; health or disability; family circumstances or social and emotional factors. A child or young person may be bullied because they have an additional support need and crucially being bullied can also lead to an additional support need.

Age: Although prejudice and discrimination based on age is not applicable in school settings, it can affect children and young people in a variety of other settings. For example, in workplaces, further and higher education and in wider society.

Asylum Seekers and Refugees: Children and young people who are asylum seekers or refugees may be at greater risk of bullying directly and indirectly. Stigma, due to lack of knowledge and understanding of asylum seekers and refugees, and reluctance to burden parents with extra worries can allow bullying to go undetected and continue.

Body Image and Physical appearance: This can be hugely important to children and young people, with bullying because of body image having the potential to negatively impact upon their wellbeing.

Disablist Bullying: People who bully others may see children and young people with disabilities as being less able to defend themselves and less able to tell an adult about the bullying. The bullying behaviour is likely to be focused upon their specific disability or disabilities, whether they are in mainstream schooling or in specialist provision.

Gypsy/Travellers: This group of children and young people are a particularly discriminated against and marginalised group and concerns about bullying are especially acute for secondary schools. Perceived risks about bullying and parents' own experiences of discriminatory behaviour may lead to low levels of enrolment and poor attendance for Gypsy/Traveller children and young people, as well as early exit from formal education. Other Traveller families, such as Roma, may have similar concerns.

Sexual Orientation & Homophobic Bullying: Bullying based on sexual orientation is motivated by a prejudice against lesbian, gay or bisexual (LGB) people. It is also commonly referred to as 'homophobic bullying' but can also be expanded to recognise the specific experiences of bisexual young people using the term 'biphobic bullying'.

Children and young people do not necessarily have to be gay, lesbian or bisexual themselves to experience 'homophobic bullying'. This type of bullying may be directed towards young people perceived to be lesbian, gay or bisexual young people; those that do not conform to gender norms and/or expectations; and those who have gay friends or family. Children with LGB parents may also experience homophobic bullying. Although homophobic bullying is distinct from sexist and transphobic bullying, it is related to these forms of bullying through underlying sexist attitudes.

Intersectionality: Understanding the different and unequal social and economic outcomes for particular groups, based on interactions between race, class, gender, sexual orientation, disability, age and ethnicity. In the context of anti-bullying, it is important to understand the connection between the experiences of belonging to one or more of these groups and people's prejudice towards them, which can lead to inequality in attainment and wellbeing.

Looked After Children and Young People: Children and young people who are looked after at home or who are looked after and accommodated, are vulnerable to bullying behaviour for a number of reasons. It may be due to regular changes in schools or where they are placed, which can make forming friendships difficult. Forming relationships with peers and adults can be more difficult due to their early childhood adversity.

Marriage/Civil Partnership: Whilst it is unlikely that a school-aged pupil will be in a same sex marriage or civil partnership and directly experience prejudice and discrimination as a result, there could be instances of indirect discrimination. For example, if the child or young person is associated with someone (parent, sibling, etc) who is in a same sex marriage or civil partnership or in a same sex relationship. Marriage and civil partnership discrimination and prejudice can also affect children and young people in a variety of other settings, for example, in workplaces, further and higher education and in wider society.

Racial Bullying: Children and young people from minority ethnic groups often experience bullying based on perceived differences in dress, communication, appearance, beliefs and/or culture as well as their skin colour and accent. The status of the ethnic group a child belongs to (or people assume

they belong to) in a school, community or organisation can often lead to a child or young person experiencing bullying behaviour. This can arise from a misguided and/or learned belief that they are less valued and 'deserve' to be treated differently, or with less respect.

Religion and Belief: Lack of knowledge and understanding about the traditions, beliefs and etiquette of different faiths can lead to religious intolerance. Lack of awareness about the differences in practices of religions such as prayer times, dietary requirements, fasting and the wearing of religious clothing or articles of faith can result in misunderstandings and stereotyping, which may lead to bullying. People who have no religion or belief are also protected under the Equality Act.

Sectarianism: Most people understandably associate Sectarianism with religion. The reality of prejudice however means that your family background, the football team you support, the community you live in, the school you attend and even the colour of your clothing can mark you out for sectarian abuse - whatever your beliefs may be. In Scotland, sectarianism is most often related to Protestant and Roman Catholic divisions within Christianity but can also relate to other religions, for example Sunni and Shia Muslims within Islam, and Orthodox and Reform Jews within Judaism.

Sexism and gender: Bullying in the form of derogatory language and the spreading of malicious rumours can be used to regulate both girls' and boys' behaviour - suggesting that they are not being a 'real' man or a 'real' woman. These terms can be of an explicit sexual nature and it is worth noting that many can involve the use of terms for people who are gay and lesbian as a negative towards a person's masculinity or femininity. Sexism and gender stereotypes feed into homophobia, biphobia and transphobia. Gender stereotyping, based on the notion of acceptable and unacceptable male and female behaviour, can leave children and young people who are not perceived to conform to these notions vulnerable to indirect and direct bullying.

Personality traits that do not fit into the unwritten rules of 'appropriate' male and female behaviour can lead to bullying because of the prejudice towards their perceived difference.

Gender Identity and Transphobic Bullying: The term 'transgender' is an 'umbrella term' for those whose 'gender identity' or expression differs in some way from the gender that was assigned to them at birth. Gender identity reflects an individual's internal sense of self as being male, female, or an identity between or outside the two.

Transgender people face significant societal prejudice, largely because they are perceived as not conforming to gender stereotypes, expectations and norms. As a result, transgender or gender 'variant' children and young people can be particularly vulnerable to bullying. This can manifest in many ways, including transphobic and homophobic name calling or deliberately mis-gendering them. An individual may also experience transphobic bullying as a result of a perception that a parent, relative or other significant figure is transgender.

Young Carers: The lives of young carers can be significantly affected by their responsibility to care for a family member who has a physical illness or disability, mental health problem, sensory or learning disability or issues with the misuse of drugs or alcohol. Young carers are at risk of bullying for a

variety of reasons. Depending on responsibilities at home, they may find themselves being unable to fully participate in school or after-school activities or 'fun stuff'. This can make it difficult for them to form relationships; it can hinder successful transitions or lead to educational difficulties.

Socio-economic Prejudice: Bullying due to socio-economic status can take place in any community. Small differences in perceived family income/family living arrangements/social circumstances or values can be used as a basis for bullying behaviours. These behaviours, such as mocking speech patterns, accents, belongings, clothing, etc. can become widespread through those considering themselves to be in the dominant social economic group. Bullying of children who endure parental substance misuse can also be prevalent.

3 SCHOOL'S RESPONSIBILITIES

3.1 KEY LEGISLATION

Across the UK there is legislation to protect children from a range of bullying and cyberbullying behaviour, including:

- persistent harassment and intimidation – such as name calling and threats and
- sending indecent, offensive, false or threatening communications.

Harassment and victimisation:

In England, Scotland and Wales, the Equality Act 2010 protects the individual's right to be safe from discrimination, harassment and victimisation.

In England, Scotland and Wales, the Protection from Harassment Act 1997 prohibits repeated bullying that amounts to harassment.

Cyberbullying:

Throughout the UK, the Communications Act 2003 makes it an offence to make improper use of a public communications network. Section 127 specifically makes it an offence to send an electronic message that is grossly offensive or of an indecent, obscene or menacing character.

In England and Wales, the Malicious Communications Act 1988 makes it an offence to send a communication with the intention of causing distress or anxiety.

3.2 SCHOOL'S DUTY TO PROTECT PUPILS

In England and Wales, under Section 89 of the Education and Inspections Act 2006, maintained schools must have a policy in place to encourage good behaviour and prevent all forms of bullying among pupils. This includes when pupils are not on school premises and are not being supervised by a member of school staff.

The Independent School Standards (England) (Amendment) Regulations 2012 requires academies and other types of independent schools to have an anti-bullying strategy in place.

In England and Wales, Section 89 of the Education and Inspections Act 2006 gives head teachers of state schools the power to discipline students for bullying incidents that occur outside of school.

3.2 KEY GUIDANCE

Across the UK, statutory guidance highlights the responsibility of those in the education, community and care sectors to safeguard children from all forms of abuse and neglect including bullying and cyberbullying.

The Equality Act 2010 and schools is a guide for school leaders, school staff, governing bodies and local authorities in England, Scotland and Wales on understanding their duties under the Equality Act.

In England, the Department for Education has produced guidance for headteachers, school staff and local authorities that outlines their duty to prevent and tackle bullying that occurs in and outside of school (Preventing and tackling bullying, 2017).

The DfE has also produced guidance for schools on searching, screening and confiscation. In cases of cyberbullying school staff may use this guidance to search mobile phones.

3.3 SCHOOL'S RESPONSIBILITIES FOR TAKING ACTION WHEN BULLYING TAKES PLACE OUTSIDE OF SCHOOL

GUST Independent School recognises it has a responsibility to protect children within its vicinity, including areas immediately outside the school and the school buses.

3.4 INVOLVEMENT OF EXTERNAL AGENCIES

The school may consider reporting a bullying incident as a child protection and / or criminal law issue if it is deemed appropriate.

3.5 RELATED SCHOOL POLICIES

Reference other related school policies – behaviour, equalities, child protection / safeguarding, safety, confidentiality, curriculum.

This policy has been developed and evaluated with a view to safeguarding and promoting the wellbeing of all young people and staff.

It links with the following policies which can be read in conjunction:

- Child Protection and Safeguarding Policy;
- Student Behaviour Policy;
- Staff Behaviour Policy;
- E-safety Policy;
- Equality and Diversity Policy;
- Positive Behaviour Management Policy;
- Physical Intervention Policy;
- Equalities Policy;
- PSHE Policy; and
- Complaints Policy.

4 DEALING WITH BULLYING

4.1 PREVENTION

School staff proactively gather intelligence about issues between pupils which might provoke conflict and develop strategies to prevent bullying occurring in the first place. This can involve talking to pupils about issues of difference, sometimes in lessons, but routinely during the end of week learner meeting. Pupils discuss not only highlights and thanks, but also issues that can be talked and debated in an open forum amongst themselves whilst being overseen by staff. This can allow for a frank and honest discussion that pupils can use to help overcome the issues that are brought forward. Staff may also use this time to address persistent or underlying issues that have been apparent throughout that week.