



**Twyford**  
**C of E**  
Academies Trust

Updated using:  
Preventing and tackling bullying DfE July 2017

Also references:  
Cyberbullying: advice for Headteachers and school staff Nov 2014  
Education and Inspections Act 2006  
Equality Act 2010

<b>Document Title</b>	<b>Anti-Bullying Policy</b>
<b>Committee Responsible for Policy</b>	<b>Board of Directors (in consultation with Student Committees and School Councils)</b>
<b>Review Frequency</b>	<b>Every 3 years</b>
<b>Last Reviewed</b>	<b>June 2022</b>
<b>Next Review Due</b>	<b>June 2025</b>
<b>Policy Author</b>	<b>Deputy Head (Pastoral)</b>

## Assessment of the Impact of a Policy on Equality & Diversity

<b>Policy:</b> Anti-Bullying Policy	
<b>Impact assessed by:</b> P Bennett	<b>Date:</b> 19 <sup>th</sup> November 2019
<p><b>1. What is the potential for this policy impacting a person or group with a protected characteristic differently (favourably or unfavourably) from everyone else?</b></p> <p>The policy is part of the trust's system for ensuring that people in protected groups are not treated more or less favourably than others</p>	
<p><b>2. How would this be evidenced?</b></p> <p>Through regular monitoring of the application for the Policy by Student Committees and the minutes of these committees</p>	
<p><b>3. Is there evidence that the operation of the current policy might impact a person or group with a protected characteristic differently from everyone else?</b></p> <p>YES/NO</p>	
<p><b>4. If the answer to 3 is 'Yes', please provide details and evidence.</b></p>	
<p><b>5. How might the new policy change this?</b></p> <p>N/A</p>	
<p><b>6. Are there any other changes to the policy which might impact a group with a protected characteristic differently from everyone else?</b></p> <p>YES/NO</p>	
<p><b>7. If the answer to 6 is 'Yes', please provide details and evidence.</b></p>	
<p><b>8. Policies are required to reduce or eliminate inequality and disadvantage and promote diversity. Does this assessment indicate that the Policy passes or fails this test?</b></p> <p>PASS/FAIL</p>	

# AN ANTI BULLYING CODE FOR TWYFORD CE ACADEMIES TRUST SCHOOLS

## **AIMS & OBJECTIVES**

Schools have a responsibility to create a safe and disciplined environment where pupils are able to learn and fulfil their potential.. The Directors of the Trust and the Governors, Staff, Parents and School Council of each Trust school share this view and will react firmly and promptly where bullying is identified.

The Trust recognises that bullying can be a barrier to learning and have serious consequences for mental health. The ongoing and long term aim of the policy is, therefore, to reduce the number of students who experience bullying through increasing awareness of this behaviour, its causes and consequences in the students, staff, parents and carers who make up the school community, and to help students find out about and put into practice a series of solutions to both prevent and respond to bullying.

The policy, together with the Behaviour policy, also aims to ensure that individual cases of bullying will be dealt with consistently and in a constructive and fair manner when they occur. Procedures for dealing with bullying are clearly set out so that all members of the school community know what they can expect from the school and what the school expects of them, with regard to bullying.

The Trust recognises that when there is ‘reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm’ a bullying incident should be addressed as a child protection concern under the Children Act 1989. Where this is the case, staff will discuss with the school’s designated safeguarding lead and report their concerns to their local authority children’s social care and work with them to take appropriate action. External support may also be given to pupils whether or not it is a child protection concern.

The Trust recognises that bullying of staff, whether by pupils, parents or colleagues is unacceptable

## **STUDENT RIGHTS**

As a member of a Twyford Church of England Academies Trust school, you have the right:

1. To live your life in peace and safety
2. To be an individual and be proud of being different
3. Not to be bullied
4. To say **NO** firmly to anything you think is wrong
5. To protect yourself by ignoring others or by walking away
6. To tell a member of staff, if someone is making you unhappy.

## **STUDENT RESPONSIBILITIES**

As a member of a Twyford Church of England Academies Trust school, the school expects you:

1. Not to put up with any form of bullying
2. To work with others to stop bullying
3. To inform a member of staff of any form of bullying
4. Not to be afraid of reporting any incidents. If you do nothing, it might suggest that you are supporting the bullying
5. Not to put up with bullies in your group of friends.
6. Not to bully others

### **WHAT IS BULLYING? (See Appendix 1)**

- Any behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can include harassment, assault, mental cruelty, extortion, criminal damage, racial abuse, sexual harassment, cyber-bullying and so on.
- Bullying can be motivated by prejudice against particular groups

Bullying can be physical, verbal, and emotional and can be seen in:-

- Threatening behaviour and extortion (taking money).
- Name-calling, teasing, spreading rumours, persecution, racial abuse, cussing (verbal bullying), including online (cyber-bullying)
- Aggressive behaviour: (involving violence) e.g. pushing, punching, hitting, spitting
- Isolating an individual (emotional bullying).
- Damaging or stealing property from a victim.
- Creating a feeling of powerlessness; making people feel uncomfortable.
- Using sexually insulting language/gestures
- Unwanted physical contact
- Bullying by text message, social media or gaming which can include uses of images and video

### **WHAT IS CYBER-BULLYING? (See Appendix 1)**

Cyber –bullying is where technology is used as a medium for ‘virtual bullying’ which can occur in or outside school.

Where there is a good reason to do so, The Education Act 2011 gives the Headteacher the right to authorise staff the right to:

- Search a pupil’s phone without parental consent
- To examine data or files and delete these

If an electronic device that is prohibited by the school rules has been seized and the member of staff has reasonable grounds 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.

Any material found relating to an offence or a pornographic image of a child must not be deleted before giving the device to the police.

It should be noted that where staff are abused in cyber-bullying incidents they will report the incident to their line manager or a senior member of staff and the matter will be dealt with either through the school disciplinary procedures or, where appropriate by contacting the police.

All types of behaviour listed above are unacceptable and will not be tolerated at this school.

**The school community should be aware that** although bullying is not a specific criminal offence, 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 may seek assistance from the police. For example, under the Malicious Communications Act 1988, any person who sends an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known or believed to be false by the sender, is guilty of an offence if their purpose in sending it was to cause distress or anxiety to the recipient

#### **WHAT SHOULD THE SCHOOL DO?**

- Encourage discussion of the topic in the Pastoral Curriculum, assemblies and across as wide an area in curriculum terms as possible by students, staff and parents.
- Investigate all absences to ensure there is a valid and real cause for the non-attendance.
- Be aware of and alert to the nature of the problem in classrooms, corridors, when on duty at break or lunchtime.
- Be aware that the severest impact of bullying may be on those who are perceived to be different e.g. those with special education needs or disabilities, those who are adopted, those who are suffering from a health problem or those with caring responsibilities
- Be aware that children with special education needs or disabilities may lack the social or communication skills to report such incidents so it is important to be alert to potential bullying
- Have reporting systems which are accessible to all
- Treat information seriously and communicate it from staff to/from Head of Year. All information should remain confidential especially witness statements
- Keep a register of bullying incidents centrally on the main School computer.
- Continue to use a graduated response to support students through the pastoral monitoring system
- Follow up all reported incidents ensure the DSL is aware.
- Support students who are being bullied.
- Help bullies to change their behaviour.
- Encourage everyone to take responsibility to prevent it happening, which means, do not stand by and watch - fetch help and be prepared to give an accurate account of what you saw. All information will be treated in strictest confidence.

It is important to note that school staff members have the power to discipline pupils for misbehaving outside the school premises. Sections 90 and 91 of the Education and Inspections Act 2006 say that a school's disciplinary powers can be used to address pupils'

conduct when they are not on school premises and are not under the lawful control or charge of a member of school staff, but only if it would be reasonable for the school to regulate pupils' behaviour in those circumstances. This may include bullying incidents occurring anywhere off the school premises, such as on school or public transport, outside the local shops, in a town or village centre, or online

Where bullying outside school is reported to school staff, it should be investigated and acted on. The Headteacher should also consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the action taken against a pupil. If the misbehaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed.

While school staff members have the power to discipline pupils for bullying that occurs outside school, they can only impose the disciplinary sanction and implement that sanction on the school premises or when the pupil is under the lawful control of school staff, for instance on a school trip.

### **INCIDENTS SHOULD BE REPORTED TO THE FOLLOWING**

- Tutor or any member of staff
- Head of Year
- Deputy Head
- Parents

### **SCHOOL RESPONSE**

All Trust schools will continue to promote a safe disciplined environment and an ethos of good behaviour where pupils treat each other and the school staff with respect because they know this is the right way to behave.

1. Listen carefully and record all serious incidents/allegations
2. Anyone involved in a bullying incident will be interviewed and asked to record the events in writing
3. Staff will work with the young person who is being bullied to help them feel safe and find responses to bullying that work.
4. Staff will work with the young person or people who are bullying to change bullying behaviour.
5. Wherever possible, staff will work with the parents/carers of any student who is bullying to support and encourage that student in finding alternatives to bullying behaviour.
6. Staff where necessary may involve people from outside agencies e.g. Community Police Liaison Officer in supporting students who are experiencing bullying or who are bullying.
7. Whatever the outcome of the investigations all parties will be left in no doubt as to the effects of bullying and the school's policy.
8. In the event of the complaint being upheld, appropriate action will be taken, the bully/bullies will be told to stop and the parents of both bullies and victims will be informed in writing of the outcome of the investigations and any immediate actions or sanctions should there be a recurrence.
9. Sanctions include a warning from the Head of Year, together with appropriate further action, Senior Staff Detention, referral to Deputy Headteacher/Headteacher, exclusion for a fixed period of time, interviews with the Chair of Governors, permanent exclusion.

In all cases, parents/carers will be informed of what has occurred and the appropriate action taken by the school.

### **THE PARENTS' ROLE**

If you suspect that your child is being bullied:

1. Discuss it with them; try to get names, places, times and witnesses and identify what the nature of the bullying is.
2. Encourage them to report this to their tutor and Head of Year – even better if they can put all the details in writing, this will make it even easier to follow up.
3. Follow this up with an email or letter to the Head of Year to ensure a dialogue between home and school is created.
4. Encourage your child to report the issue as soon as possible after the event – not to wait until they get home

### **HOPEFULLY THIS WILL RESOLVE THE MATTER, HOWEVER IF THE PROBLEM PERSISTS:**

5. Further email to Head of Year with a copy to the Deputy Headteacher or Associate Headteacher.

## **Appendix 1**

### **DfE guidelines (2017)**

**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. Stopping violence and ensuring immediate physical safety is obviously a school's first priority but emotional bullying can be more damaging than physical; teachers and schools have to make their own judgements about each specific case.

Many experts say that bullying involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online. Low-level disruption and the use of offensive language can in itself have a significant impact on its target. If left unchallenged or dismissed as banter or horseplay it can also lead to reluctance to report other behaviour. Early intervention can help to set clear expectations of the behaviour that is and isn't acceptable and help stop negative behaviours escalating. Since September 2014 a greater focus on how well school leaders tackle low-level disruption was included in Ofsted inspections.

**Cyber-bullying** - 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.<sup>1</sup> 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.

**Bullying outside school premises** -Teachers have the power to discipline pupils for misbehaving outside the school premises "to such an extent as is reasonable". This can relate to any bullying incidents occurring anywhere off the school premises, such as on school or public transport, outside the local shops, or in a town or village centre. Where bullying outside school is reported to school staff, it should be investigated and acted on. The Headteacher should also consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the action taken against a pupil. If the misbehaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed. In all cases of misbehaviour or bullying the teacher can only discipline the pupil on school premises or elsewhere when the pupil is under the lawful control of the staff member.

**If an incident of bullying outside the school premises is reported to the school, it is**



**important that it is investigated and appropriate action is taken. This will send a strong signal to pupils that bullying will not be tolerated and perpetrators will be held to account.**

**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, a threat, or information which is false and known or believed to be false by the sender.

## **Appendix 2 – The Equality Act 2010**

A key provision in The Equality Act 2010 is the Public Sector Equality Duty (PSED), which came into force on 5 April 2011 and covers age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Duty 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 PSED. In addition 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.

In addition to the duties in relation to pupils with disabilities under the Equality Act, schools also have duties under Part 3 of the Children and Families Act 2014 to ensure that pupils with special educational needs engage in the activities of the school together with children who do not have special educational needs.

