

Office of Children and Young People's Services Anti- Bullying Strategy

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INTRODUCTION

It is widely recognised that bullying, in its various manifestations, as well as making young people unhappy in school, can seriously affect their progress and well-being and that the impact of bullying can follow victims and perpetrators into adult life.

Schools and the Office of Children and Young People's Services (OCYPS) must, therefore, take a firm stance to safeguard children, young people and adults from bullying and to promote positive behaviour.

The School Standards and Framework Act 1998 requires all schools to ensure that measures are in place to prevent all forms of bullying among students. The Act also requires each governing body to review its policy on bullying annually.

This document presents Cambridgeshire's OCYPS Anti-Bullying Strategy. It emphasises the County Council's commitment to combating bullying in schools and youth settings and builds on Cambridgeshire's previous anti-bullying guidance, the *Every Child Matters* agenda, developments in *Social & Emotional Aspects of Learning* (SEAL) and on current thinking and best practice.

In order to develop anti-bullying policies that are consistent with this guidance, schools are recommended to use the Policy Development Resources available from the PSHE Service.

DEFINITIONS

OCYPS defines bullying as **a *persistent, deliberate attempt to hurt or humiliate someone.***

There may sometimes be misunderstanding about the meaning of the term 'bullying': one-off incidents, whilst they may be very serious and must always be dealt with, do not fall within the definition of 'bullying'.

There are various types of bullying, but most have three things in common:

1. It is deliberately hurtful behaviour.
2. It is repeated over time.
3. There is an imbalance of power, which makes it hard for those being bullied to defend themselves.

Bullying may take various forms, including:

Physical

Examples of such bullying may include:

- kicking or hitting
- prodding, pushing or spitting
- other physical assault
- intimidating behaviour
- interference with personal property

Verbal/Psychological

Examples of such bullying may include:

- threats or taunts
- shunning/ostracism
- name-calling/verbal abuse
- innuendo
- spreading of rumours
- making inappropriate comments in relation to appearance
- extortion

Racist

Examples of such bullying may include:

- physical, verbal, written, on-line or text abuse or ridicule based on differences of race, colour, ethnicity, nationality, culture or language
- refusal to co-operate with others on the basis of any of the above differences
- stereotyping on the basis of colour, race, ethnicity etc
- promoting offensive materials such as racist leaflets, magazines or computer software on County Council premises

Racist bullying should be explicitly discussed in the classroom and there must be clear guidelines for dealing with incidents.

See also *Equally Safe* published by Cambridgeshire Race Equality and Diversity Service, which schools can use to ensure they meet the requirements of the Race Relations Amendment Act 2000.

Faith-based

Examples of such bullying may include:

- negative stereotyping, name-calling or ridiculing based on religion

Sexist

Examples of such bullying may include:

- use of sexist language
- negative stereotyping based on gender

Sexual

Examples of such bullying may include:

- unwanted/inappropriate physical contact
- sexual innuendo
- suggestive propositioning
- distribution/display of pornographic material aimed at an individual
- graffiti with sexual content aimed at an individual

Homophobic

Examples of such bullying may include:

- name-calling, innuendo or negative stereotyping based on sexual orientation
- use of homophobic language

SEN / Disability

Examples of such bullying may include:

- name-calling, innuendo or negative stereotyping based on disability or learning difficulties
- excluding from activity on the basis of disability or learning difficulty

The Disability Discrimination Act (1995) places a duty on schools to ensure that any person with 'a physical or mental impairment, which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities' is not subject to discrimination.

The Special Educational Needs and Disability Act (2002) aims to ensure that schools do not treat disabled pupils less favourably than others and that reasonable adjustments are made to avoid putting disabled pupils at a substantial disadvantage.

Gifted/Talented

Examples of such bullying may include:

- name-calling, innuendo or negative peer pressure based on high levels of ability or effort
- ostracism resulting from perceptions of high levels of ability

Cyber

Examples of such bullying may include:

- abuse on-line or via text message
- interfering with electronic files
- setting up or promoting inappropriate websites
- inappropriate sharing of images from webcams/mobile phones, etc
- interfering with e-mail accounts

The above categories of bullying are not mutually exclusive.

CAMBRIDGESHIRE'S OFFICE OF CHILDREN AND YOUNG PEOPLE'S SERVICE ANTI-BULLYING STRATEGY

1) VISION

Cambridgeshire County Council (CCC) believes that everyone has a right to live in an inclusive atmosphere free from bullying and to be treated with dignity. The health, well-being and emotional welfare of all children and young people are paramount and will be treated as such.

2) PERSPECTIVE

CCC recognises young people's concerns on this important subject. We are committed to developing a consistent approach across all services within OCYPS, to recognising the range of effective work already being carried out across the County in this area and to work in partnership with internal and external agencies, young people and their parents/carers to address the many types of bullying that can take place.

CCC acknowledges its duty of care to safeguard children and young people. Whilst recognising that bullying can be a complex problem and that it can sometimes be difficult to resolve such matters quickly, CCC expects all stakeholders to demonstrate their commitment to the implementation of the essential aspects of the Anti-Bullying Strategy and to work together to support vulnerable young people and those at risk.

3) BACKGROUND

The Strategy is consistent with the advice provided in the following documents:

DfES (2002) *Don't Suffer in Silence*
DfES (2003) *Bullying: Effective action in Secondary Schools*
DfES (2004) *Bullying - A Charter for Action*
DfES (2004) *Safeguarding children in Education*
DfES (2006) *Bullying Around Racism, Religion and Culture*
DfES (2005/6) *Stand Up for Us*
DCSF (2007) *Safe to Learn: Embedding Anti-Bullying Work in Schools*
DCSF (2007) *Anti-Bullying Toolkit for Local Authorities*

It also reflects recommendations from Ofsted and national programmes and strategies including:

Ofsted (2003) *Every Child Matters: Framework for the inspection of children's services*
DH/DfES (2006) *National Healthy Schools Programme*
DfES (2005/6) *National Primary and Secondary strategies on Behaviour Improvement and Behaviour Attendance*
DfES (2005) *Excellence and Enjoyment: Social and emotional aspects of learning*

4) ESSENTIAL PRINCIPLES

The essential principles of the Strategy are:

- to encourage the development of an environment and a climate in which children and young people feel safe and valued, and in which bullying cannot flourish
- to develop, promote and support effective anti-bullying policies and charters
- to provide advice on the development and implementation of anti-bullying policies and charters
- to encourage genuine partnership working
- to encourage best practice

The OCYPS Anti-Bullying Strategy Group will carry out the above tasks.

Terms of Reference

The terms of reference for the Anti-Bullying Strategy Group are:

To support and promote the development of coherent anti-bullying strategies for children and young people, their parents and carers within Cambridgeshire schools and their communities.

This will be achieved by:

- providing guidance, resources and training to enable the development of consistent practice across areas and localities
- ensuring that all services and teams within OCYPS have access to the national guidance advice and initiatives
- ensuring that all Anti-Bullying activities are planned and delivered within an agreed County framework

The Group will be accountable, through an appropriate senior manager, for monitoring the review of, and reporting on, the anti-bullying components of the Children and Young People's Plan.

5) HOW WE WILL ACHIEVE THESE AIMS

a) By supporting the setting up, monitoring and evaluation of processes to minimise the risk of bullying.

This will be achieved by:

- supporting and promoting effective communication procedures
- providing information on approaches to bullying
- working in partnership to develop positive environments for young people
- encouraging the participation of young people and their parents/carers
- providing stakeholders with opportunities to receive training/information on approaches to bullying

b) By encouraging participation in local and national anti-bullying initiatives

This will be achieved through supporting such practices as:

- Anti-Bullying Charters
- DCSF initiatives, eg annual Anti-Bullying Awareness Week
- Anti-Bullying Alliance strategies
- SEAL
- Strategies initiated by appropriate charities or other external agencies

c) By monitoring patterns of bullying across the County

The Office of the Children's Commissioner and the House of Commons Education and Skills Committee (2007) Bullying: Third Report Session 2006-07 both identified the challenges around gathering baseline data on the perceptions and prevalence of bullying behaviour amongst children and young people and that more needs to be known about the impact of anti-bullying policies and procedures over time and in relation to particular victim groups.

OCYPS will work toward this goal by:

- carrying out appropriate surveys
- identifying appropriate indicators

d) By promoting good practice in approaching bullying issues

This will be achieved by:

- providing support in individual circumstances
- developing and disseminating current best practice
- supporting playground and playtime projects, for example playground 'buddies', peer mentoring, 'Please Listen' boxes, etc
- supporting cultural diversity in the curriculum
- promoting work on personal safety and bullying as part of the PSHE curriculum. For example see units from:
 - Secondary Personal Development Project*
 - Primary PSHE and Citizenship Scheme of Work*
 - Staying Safe*

e) By supporting schools in reviewing Anti-Bullying policies

Schools are required to have an Anti-Bullying Policy based on the principles of the Anti-Bullying Charter that DFCS strongly advises all schools to adopt. This must be a discreet policy, but may be incorporated within the school's Discipline/Behaviour Policy. It should promote respect for others and tolerance.

Policy review processes could include input from:

- pupils
- parents/carers
- all staff (teaching and support staff)
- governors
- County Council services and staff connected with the school, for example education welfare officers, home-school liaison officers, in-school support teachers, educational psychologists and other agencies who regularly support the school/college
- the wider community, for example local community groups, youth clubs

In order to develop anti-bullying policies that are consistent with this guidance, schools are recommended to use the Policy Development Resources available from the PSHE Service.

See Appendix B for a monitoring checklist.

f) By encouraging the development of environments in which children and young people can feel free of bullying and can thrive, characterised by:

- preparedness to listen
- approachability
- vigilance
- a calm and positive approach to problems
- involvement of young people in discussion and decision-making
- praise
- a clear anti-bullying strategy which is regularly reviewed
- clear responsibilities for adults
- strong home-school links
- effective communication
- awareness of the needs of others
- a recognition of rights and responsibilities

APPENDICES

APPENDIX A: A SURVEY FOR PUPILS

I am a boy		I am a girl		Age		Year	
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Remember this is a secret questionnaire.

<u>During this week at school another person</u>	Not at all	Once	More than once
1. Called me names			
2. Helped with my homework			
3. Was rude about my family			
4. Tried to kick me			
5. Was very nice to me			
6. Was unkind because I am different			
7. Gave me a present			
8. Threatened me (“ If you don’t I’ll.....”)			
9. Gave me some money			
10. Demanded money from me (“Oi! Give me your trip money!”)			
11. Tried to frighten me			
12. Asked me a stupid question			
13. Lent me something			
14. Told me off			
15. Teased me			
16. Talked about clothes with me			
17. Told me a joke			
18. Told me a lie			
19. Tried to make me hurt other people			
20. Gave me bad looks			
21. Tried to get me into trouble			
22. Helped me to carry something			
23. Tried to hurt me			
24. Helped me with my class work			
25. Made me do something I didn’t want to do			
26. Took something off me			
27. Shared something with me			
28. Was rude about the colour of my skin			
29. Shouted at me angrily			
30. Played a game with me			
31. Talked about interests with me			
32. Laughed at me			
33. Threatened to tell on me			
34. Tried to break something of mine			
35. Told a lie about me			
36. Tried to hit me			
37. Tried to trip me up			
38. Talked about T.V. with me			
39. Sent me hurtful e-mails or texts			

APPENDIX B: MONITORING CHECKLIST

Schools may wish to consider using the following checklist to assist them in determining the effectiveness of their policy:

Our School Community

- ✓ Discusses, monitors and reviews our anti-bullying policy on a regular basis
- ✓ Supports staff to identify and tackle bullying appropriately
- ✓ Ensures that pupils are aware that all bullying concerns will be dealt with sensitively and effectively
- ✓ Reports back quickly to parents/carers regarding their concerns on bullying
- ✓ Seeks to learn from anti-bullying good practice elsewhere and utilises the support of the LEA and relevant statutory/voluntary organisations when appropriate

DfES (2003) *Bullying: A Charter for Action*

APPENDIX C: A SAMPLE BULLYING INCIDENT REPORT FORM

Logging and Filing information

This form should be completed within 24 hours of the incident's being reported. Due consideration should be given to issues of confidentiality, including third party information.

ALLEGED BULLYING INCIDENT			
Student allegedly bullied Name(s)	d.o.b.	Year	Group
Ethnicity	Gender M / F	SEN Stage	
Home language	looked-after child Y / N		
Date of incident			
Time of incident			
Location of incident			
Nature of incident, identify details of any injury or damage to property, etc			
Member of staff to whom the incident was reported			

Alleged perpetrator(s): Name(s)		Year	Group
Witnesses to the incident			
Witness reports of incident (continue on separate sheets if necessary)			
Parents/carers of alleged subject(s) informed:		Date	Time
Parents/carers of alleged perpetrator(s) informed:		Date	Time
Details of immediate action taken			
Form completed by			Date

APPENDIX D: RACIST INCIDENT REPORT FORM

RACIST INCIDENT REPORT FORM

School/Establishment

Date & time of Incident.....

Victim's name.....	
Year Group/Age	<input type="checkbox"/>
Outside Person(s) inc. Parents/Carers	<input type="checkbox"/>
Teaching Staff	<input type="checkbox"/>
Support Staff	<input type="checkbox"/>
Unknown	<input type="checkbox"/>

Perpetrator's name.....	
Year Group/Age	<input type="checkbox"/>
Outside Person(s) inc. Parents/Carers	<input type="checkbox"/>
Teaching Staff	<input type="checkbox"/>
Support Staff	<input type="checkbox"/>
Unknown	<input type="checkbox"/>

Nature of incident *(tick any that apply)*:

- | | | |
|---|---|---|
| Racist comments and language <input type="checkbox"/> | Ridicule and ostracism <input type="checkbox"/> | Provocative behaviour <input type="checkbox"/> |
| Verbal abuse and threats <input type="checkbox"/> | Racist graffiti <input type="checkbox"/> | Possession/distribution of racist material <input type="checkbox"/> |
| Physical assault <input type="checkbox"/> | Written abuse <input type="checkbox"/> | Other <input type="checkbox"/> |
| | Damage to property <input type="checkbox"/> | |

Details of incident:.....

To be completed by designated member of staff

Action taken.....

(continue on separate sheet if necessary)

Have parent(s)/carer(s) of victim been informed? *(please circle)* YES NO

Have parent(s)/carer(s) of perpetrator been informed? *(please circle)* YES NO

Perpetrator's ethnic origin (including Traveller or Refugee)

Victim's ethnic origin (including Traveller or Refugee).....

Outcome recorded in victim's/perpetrator's files *(please circle)* YES NO

Record completed by:.....

Signature of designated Member of SMT:.....

Date:.....

APPENDIX F: BULLYING: THE LEGAL FRAMEWORK

1. The Schools Standards and Framework Act 1998

Section 61(4)(b) of the School Standards and Framework Act 1998 requires headteachers to determine measures to prevent all forms of bullying among pupils. If a parent considers that a school has been negligent in its failure to have such measures or in the implementation thereof, it may sue the Governing Body and / or the LEA for damages. The DfEE circular 10/99 "Social Inclusion: Pupil Support" requires:

- headteachers to put in place effective strategies against bullying which are developed and put into effect by everyone in their school, including pupils
- governing bodies to regularly review their school's bullying policy
- schools to explain in prospectuses and other documents for staff, students and parents/carers the arrangements for students to report bullying to staff, and how staff will investigate.

The Court of Appeal case of Leah Bradford-Smart v West Sussex County Council (2002) established that although, as a rule, a school was not in breach of its duty to a school pupil by failing to prevent the pupil from being bullied outside school, there might occasionally be a breach of duty for failing to take steps within its power to combat the harmful behaviour of one pupil towards another outside school. This would particularly be the case where an incident that started outside of school spilled over into school life.

2. Bullying and Criminal and Civil Law

In 1994 the Judge in the case of R H Walker and Derbyshire County Council provided the following definition of bullying for legal purposes:

'Bullying is long-standing violence, physical or psychological, conducted by an individual or group and directed against an individual who is not able to defend himself in the actual situation, with a conscious desire to hurt, threaten or frighten that individual or put him under stress'. (Quoted in The Herald (1994) in a High Court publication of the Judgement.)

There is not a generic criminal offence of bullying or any one specific remedy in law. However, it is possible that a criminal offence or a civil breach of the law will be committed during a bullying incident. The rights of a child, or his/her family, to apply to civil and criminal court processes should be borne in mind when schools are dealing with alleged bullies.

Relevant legislation regarding possible criminal liability:

- **Protection from Harassment Act 1997**
- **Offences Against the Person Act 1861**
- **Race Relations Act 1976**
- **Theft Act 1968**
- **Race Relations Act 2000**

For criminal proceedings the level of proof required is "*beyond reasonable doubt*".

Civil action can also be taken against an alleged bully and against school staff who are alleged to have been negligent in their duty of care to the child while he or she is at school. The level of proof in the civil courts is lower - "*on the balance of probabilities*".

Activities which may be addressed by legislation:

Assault

A person has been assaulted if s/he is put in a situation where s/he fears *immediate violence* - even if that violence does not actually materialise.

Legally speaking, the threat of violence is actually the *assault*, and the actual violence is *battery*. Criminal offences that may be relevant are:

- assault occasioning actual bodily harm (S20 OAPA 1861). Actual bodily harm can include mental, as well as physical, harm
- inflicting bodily harm with or without a weapon (S20 OAPA 1861)
- wounding with intent to do grievous bodily harm (S18 OAPA 1861)
- sexual offences

Harassment

The Protection from Harassment Act 1997 made stalking and harassment a criminal offence. For a person to be guilty of an offence, he or she must have *pursued a course of conduct* which he or she *knew or should have known* would cause the victim to be *distressed or alarmed*.

A *course of conduct* is two or more occasions, although if there is a long time gap between two occasions it will be more difficult to build a case. Whether or not a person *should have known* that the course of conduct would cause distress or alarm is judged by whether a *reasonable person* (presumably of the same age, in the case of a child) would think it would.

Note: *There is recent case law regarding the successful prosecution of a 14 year old boy under the Anti-Harassment measures, referred to above, of the Criminal Justice Act 1997. The 14 year old was accused of bullying a 13 year old who subsequently tried to hang himself. Police and Social Services had brought a joint action.*

Racial discrimination

The Race Relations (Amendment) Act 2000 makes illegal direct or indirect discrimination on the grounds of race, colour, nationality (including citizenship) and ethnic origin. It is also unlawful to instruct or aid discrimination by another. The Act defines three types of discrimination - direct, indirect and victimisation. Local authorities have a duty to ensure that services (including education) are provided and functions are carried out with due regard to the need to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between people of different racial groups.

Theft

If a person takes money or possessions with the intention of *permanently depriving the victim of them*, this constitutes criminal theft. If the possessions are 'borrowed' or held without the intention of permanently depriving the owner, there could be a civil action for the *tort of conversion*, requiring the return of the item and payment of any particular damages.

Human Rights

Schools should also note that Article 3 of the Human Rights Act 1998 contains an absolute bar on being subjected to torture or degrading treatment. Bullying behaviour would come within the terms of this Article. This provision can be raised as an additional point in any civil or criminal case.

Disability Discrimination

The Disability Discrimination Act (1995) places a duty on schools to ensure that any person with 'a physical or mental impairment, which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities' is not subject to discrimination.

From 2002, The Special Educational Needs and Disability Act outlines duties which further prevent schools from discriminating against disabled pupils. The two key duties are not to treat disabled pupils less favourably and to take reasonable measures to avoid putting disabled students at a substantial disadvantage.

APPENDIX F: CONTACT DETAILS AND FURTHER INFORMATION

1) WITHIN OCYPS

Information on bullying issues can be obtained by contacting Richard Gibbons on 01223 717693. Information on appropriate contacts to obtain advice on specific bullying issues can also be obtained through this number.

2) OTHER

Anti-Bullying Alliance – a network of 68 organisations working together to stop bullying
www.antibullyingalliance.org.uk

Department for Children, Schools and Families - Guidance and advice
www.dfes.gov.uk/bullying

Childline-24hour confidential counselling service for children
0800 1111
www.childline.org.uk

NSPCC – Information for adults and older children
www.nspcc.org.uk

Need2know – information and advice for young people
www.need2know.co.uk

Bullying online - Advice for parents, children and teachers. Heavy text not suitable for KS1/2.
www.bullying.co.uk

Kidscape - Advice for children and adults
www.kidscape.org.uk

Beat bullying – working with young people to devise anti-bullying strategies
www.beatbullying.org

Bully free zone – peer support project
www.bullyfreezone.co.uk

Lucky duck publishing - No Blame, Circle Time. Managing behaviour and bullying in schools
www.luckyduck.co.uk

Young Minds - national charity committed to improving the mental health of all children and young people
www.youngminds.org.uk

The Trust for the Study of Adolescence - details of publications about bullying
www.tsa.uk.com

Children's Legal Centre - bullying: a guide to the law
www.childrenslegalcentre.com

Mencap's campaign against bullying
www.dontstickit.org.uk

Parentline plus – help for parents on a range of subjects, has a good page on bullying

www.parentlineplus.org.uk

Parents centre – information and support for parents

www.parentscentre.gov.uk

Teachernet – information and support for teachers

www.teachernet.gov.uk

Lots of the above websites have information on specific types of bullying, such as racist bullying. In addition to these, there are websites dealing specifically with one type of bullying.

Homophobic bullying:

SexYOUality – support and friendship for young people in Cambridgeshire discovering their sexuality

www.2byouth.co.uk

Each – support for individuals affected by homophobia

www.eachaction.org.uk

Stonewall - tackling homophobia in education

www.stonewall.org.uk/education%5Ffor%5Fall

Cyber bullying:

DfES cyber bullying guidelines

www.young-voice.org/documents/dfes_cyberbullying_Guidelines.doc

Stop text bully – a site dedicated to stopping bullying by text messages

www.stoptextbully.com

Stop cyber bullying by wired safety

www.stopcyberbullying.org

Sites that are aimed at young people:

Youthoria - website for young people 13 to 19 years old in Cambridgeshire

www.youthoria.org

Stick together: say no to bullying – an interactive site for young people

<http://stick2gether.ukobservatory.com>

Bbclic – an interactive site for young people

www.bbclic.com/intro.html

Making the Difference – a film made by young people for young people

www.teachernet.gov.uk/wholeschool/behaviour/tacklingbullying/makingthedifferencefilm

One life – bbc site for teenagers

www.bbc.co.uk/onelife

There4me - teenagers' advice area NSPCC

www.there4me.com

Story explaining what happens when a new child comes to join a group

www.galaxy-h.gov.uk/cousin-james-01.html