



SAINT JAMES'

Church of England School
Nursery & Pre School



Anti-Bullying Policy

This policy complies with Section 89 of the Education and Inspections Act 2006 and is informed by the DfE Behaviour and Discipline in Schools guide (2012); by *Preventing and tackling bullying* (DfE March 2014); by *Supporting children and young people who are bullied: advice for schools* (DfE March 2014) and by the most recent NSPCC guidance.

September 2020

Signed: Mrs J Moore/ Headteacher

Signed: Mr S Rusling / Chair of Governors

Review annually

Mission Statement

Through him we learn to live abundant lives, especially treasuring the values of friendship, trust, thankfulness, respect, forgiveness, hope and courage.

Vision Statement

Walking hand in hand with Jesus, fulfilling the potential God has given us.

Luke 1:37 'For with God nothing shall be impossible.'

Mission Aim

At St James' CofE Primary School, the Christian (and indeed inclusive human) values "friendship, trust, respect, forgiveness, hope and courage" inform our whole life together.

They were chosen in dialogue with the local community which identified them as exceptionally meaningful and valuable. Therefore, as a school community, we are committed to living these out and modelling them every day in each and every activity.

Definition of bullying

Repeated behaviour, either physical or verbal, by one or more people which produces damaging or hurtful effects, physically or emotionally to any individual. It can happen anywhere - at school, at home or online.

This includes all forms e.g. cyber, racist, homophobic and gender related bullying.

During Anti-Bullying week our children came up with their definition of bullying, which we have adopted as a school definition.

Bullying takes place when a person or group of people are mean and hurt you on purpose.
These people do not want to stop, and it goes on and on.
Bullying hurts and the hurt can stay with you for a long-time

STOP bullies – speak to someone IMMEDIATELY!

Aims of the policy

- Above all, to provide a learning environment free of threat or fear, where all children and adults can do their best
- To ensure a whole school approach to dealing with bullying issues
- To take all reports of bullying seriously
- To reduce and eradicate instances in which people are subjected to bullying in any form in this school
- To undertake proper and rigorous investigation in any reported incidents
- To provide after-care if bullying has occurred
- To make all people in school, whatever age, aware of this policy
- To meet any legal obligations that rest with the school

Any behaviour that undermines these principles is unacceptable.

This includes Cyber bullying.

Bullying will always be taken seriously at St James' CofE Primary School. Any issue relating to bullying incidents is unacceptable and there can be no acceptable excuse for it in any form. Repeated incidents or a single serious incident may lead to consideration under child protection procedures.

Bullying causes harm to the victim, whether physical or mental, and certainly stops a child from learning. At St James', we are aware that bullying can also be adult-to-child, child-to-adult or adult-to-adult. This policy, like all other policies, relates to both adults and children at this school. Victims will be treated in a sympathetic manner. They are not a burden, and neither are they wasting time.

Our whole-school approach to bullying issues

At St James' School, we use a restorative approach when dealing with bullying incidents; our vision and values support restorative discussions.

- Victims will be treated in a sympathetic manner
- Witnesses to any incident will be sought and a thorough investigation will be made before any decisions are made.
- All incidents will be notified to both the victims and the bully's parents/carers; recorded in school and notified to Governors. Relevant staff will be informed.
- The bully will give an apology.
- Both victim and bully will be given a mentor from their peer group.
- The victim will be given the opportunity to talk again at a later date about the incident and a check will be made that there has been no recurrence.
- The school's policy on bullying will be reviewed yearly and updated accordingly.
- Children who are known to use bullying behaviour will be monitored and measures taken to help them overcome such behaviour.
- Staff will receive training to help them deal with bullying in a compassionate and competent manner.
- School Leadership and class circles will be used regularly to discuss issues related to bullying.

Role of the class teacher

- To create a positive learning environment, underpinned by our vision and values, that is regularly monitored to minimise the risk of bullying.
- To model positive relationships and dialogue, relating to our Christian values, between themselves and others (both adults and children).
- To be aware of the potential for any child to be either/both a victim and a perpetrator of bullying at some point in their lives.
- To create a listening culture that enables children to share their feelings.
- To listen carefully to any allegation of bullying and follow the school behaviour policy passing concerns on to the Deputy headteacher, or in the case of serious allegations of aggressive bullying to the Headteacher
- To keep an open dialogue with parents about bullying.

Role of the headteacher

- To ensure that bullying is seen as a possibility for anyone, as victim or perpetrator.
- To secure and maintain open channels of communication with parents and carers, to enable them to report any concerns about bullying.

- To record any reported instances of bullying using CPOMS.
- To follow up any reported instances of bullying promptly with all concerned.
- To ensure that the policy and those made reference to within it are implemented consistently throughout the school.
- To provide training and information as necessary to support the implementation of the policy.
- To ask for advice/support from appropriate outside agencies, eg the TESS (Targeted Education Support Service), when necessary.

Role of the parent

- To promote the aims of this policy
- To stress the importance of sociable behaviour to their children
- To report all incidents of bullying to a member of staff or to the Headteacher
- To act in a respectful manner to the children of other parents and to staff
- To never behave in a way that could be described as bullying towards another person including on social networking sites
- To refrain from making insulting comments about pupils or staff on social networking sites.

Role of the pupils

- To follow the School, Christian and British values
- To report any incidents of bullying to a member of staff or to the Headteacher
- To act in a respectful and supportive manner to their peers and staff, reporting any incidents which the victim may be afraid to report

Role of the governing body

- To be aware of the anti-bullying approaches taken by the school.
- To support the school in these approaches.
- To facilitate and promote the regular monitoring and review of the Anti-Bullying Policy.

Bullying outside school

The Department for Education released the following statement in regards to bullying outside of school premises:

"Head teachers have the legal power to make sure pupils behave outside of school premises (state schools only). This includes bullying that happens anywhere off the school premises, eg on public transport or in a town centre."

Through Section 89 clause 5 of the Education and Inspections Act 2006 head-teachers have the power to discipline their students for any bullying incidents outside of school "to such an extent that is reasonable."

DfE's Preventing and Tackling Bullying guidance says about schools duties to tackle bullying outside of schools:

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. More detailed advice on teachers' powers to discipline, including their power to punish

Schools ability to search pupils property

Schools can search a pupil's property. Section 85 clause 3A of the Education Act 2011 states that a school does not need consent of the pupil in question if they believe 'that there is a risk that that a school doesn't need the consent of the child in question if they believe "that there is a risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency". For example if the child is carrying prohibited items into school property. **Prohibited items include; alcohol; drugs; weapons; tobacco or any pornographic images.**

All these items can be confiscated without question. Any search that may take place must have two members of staff present; the searcher and the witness and ideally both would be of the same sex as the perpetrator. Any complaints by parents regarding the search must be made to the head teacher who should ask for a copy of the complaints procedure.

Cyberbullying and the law

As stated above, the Education and Inspections Act 2006 gives the headteacher the power, 'to such an extent that is reasonable'⁸, to regulate the conduct of pupils when they are offsite. This power is very relevant to cyberbullying because much cyberbullying does take place out of school, partly because the technology used in cyberbullying, such as social networking services and smartphones, may be restricted in schools. However, the

impact of cyberbullying can affect the lives and school lives of young people, so what takes place offsite has a direct impact onsite.

The [Education Act 2011](#) gives additional powers to schools - screening, searching and confiscation, including of electronic devices. There is DfE advice on this in "[Screening, searching and confiscation - Advice for Head Teachers, staff and governing bodies](#)". This even includes the power to delete certain content. There are conditions to the use of all of these powers, so the DfE Guidance should be referred to.

Some cyberbullying activities could be criminal offences under a range of different laws, including the [Malicious Communications Act 1988](#) and the [Protection from Harassment Act 1997](#). There have been some instances of such prosecutions in the UK.

The Malicious Communications Act of 1988 makes it an offence for:

- 1) *Any person who sends to another person—*
 - (a) *a letter, electronic communication or article of any description which conveys—*
 - (i) *a message which is indecent or grossly offensive;*
 - (ii) *a threat; or information which is false and known or believed to be false by the sender; or*
 - (b) *any article or electronic communication which is, in whole or part, of an indecent or grossly offensive nature,*

is guilty of an offence if his purpose, or one of his purposes, in sending it is that it should, so far as falling within paragraph (a) or (b) above, cause distress or anxiety to the recipient or to any other person to whom he intends that it or its contents or nature should be communicated.⁷

If you are worried that activity may be illegal it is important that you speak to the Police.

Hate crimes and incidents

A **hate crime** is any occurrence that is perceived by the victim, or any other person to be one of the following:

- Racist
- Homophobic
- Transphobic (discrimination against transsexual or transgender people)

Or because of a person's:

- Religion

- Beliefs
- Gender identity
- Disability

A hate crime is not only limited to a personal attack. Name calling, violence, property attacks such as graffiti, verbal attacks, and abusive messages either by phone, mail or via the internet can also be seen as hate crimes. No hate crime is too minor to report to the police, they will record all incidents brought to their attention whether or not a crime has been committed.

A hate incident is any incident, which may or may not be a crime, which the victim or any other person perceives to be motivated by hostility or prejudice towards any aspect of a person's identity.

You can contact Stop Hate UK if you think that a child or young person in your school might have been victim of a hate crime/incident. Their website is: <http://www.stophateuk.org/> or you can call 0800 138 1625.

Bullying and the police

No matter how bad bullying can seem, many incidents of bullying are not actually crimes, and therefore might not be a matter for the police. The best people to deal with them are parents, teachers, other responsible adults and young people themselves.

But some types of bullying are illegal and should be reported to the police. This includes bullying that involves:

- Violence or assault
- Theft
- Harassment and intimidation over a period of time including calling someone names or threatening them, making abusive telephone calls, sending abusive emails or text messages (one incident is not normally enough to get a conviction).
- Anything involving hates crimes (see previous).

As stated above some incidents of bullying may be a 'hate crime' but 'hate crime' is not a criminal offence in and of itself.

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.

Links to other school policies

The approach to bullying is taken by all adults in the school and reflects the underlying Christian ethos of our school alongside our **Safeguarding & Child Protection Policy, Behaviour Management Policy**, which is based on a restorative approach. It is also closely linked to our **Equality Policy, E-Safety Policy, Personal, Social and Health Education/Sex and Relationships Policy**.

Monitoring, evaluating and review procedures

This policy will be regarded as a 'working document' and therefore will be updated and reviewed at least annually. Responsibility for its implementation will lie with the headteacher and governors. However, it is vital that all staff, children and parents/carers play an active part in the development and maintenance of this policy.