



**New Earswick Primary School**  
"To have the best, to do our best, to be the best that we can be."

# Anti-Bullying Policy

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Governance review: K Wishart

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## Statement of Intent

New Earswick Primary School believes that all pupils are entitled to learn in a safe and supportive environment; this means being free from all forms of bullying behaviour. This policy outlines how instances of bullying are dealt with, including the procedures to prevent occurrences of bullying.

These strategies, such as learning about tolerance and difference as part of the school's curriculum, aim to promote an inclusive, tolerant and supportive ethos at the school.

The Education and Inspections Act 2006 outlines a number of legal obligations regarding the school's response to bullying. Under section 89, schools must have measures in place to encourage good behaviour and prevent all forms of bullying amongst pupils. These measures are part of the school's Behavioural Policy, which is communicated to all pupils, school staff and parents.

All staff, parents/carers and pupils work together to prevent and reduce any instances of bullying at the school. There is a zero tolerance policy for bullying at New Earswick Primary School.

Signed by:

\_\_\_\_\_ Headteacher  
\_\_\_\_\_ Chair of governors

Date:

Date:

\_\_\_\_\_

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## 1. Legal Framework

1.1 This policy has due regard to legislation, including, but not limited to, the following:

Education and Inspections Act 2006  
Equality Act 2010  
Children Act 1989  
Protection from Harassment Act 1997  
Malicious Communications Act 1988  
Public Order Act 1986  
Communications Act 2003  
Human Rights Act 1998  
Crime and Disorder Act 1998  
Education Act 2011

1.2 This policy has been written in accordance with DfE advice, including, but not limited to:

DfE 'Preventing and tackling bullying' (2017)

1.3 This policy will be implemented in conjunction with the school's:

Behavioural Policy  
E-safety Policy  
Safeguarding Policy

## 2. Definition

2.1 For the purpose of this policy, bullying is defined as persistent behaviour by an individual or group with the intention of verbally, physically, or emotionally harming another person or group.

2.2 Bullying is generally characterised by:

- Repetition: Incidents are not one-offs; they are frequent and happen over a period of time.
- Intent: The perpetrator(s) means to cause verbal, physical or emotional harm; it is not accidental.
- Targeting: Bullying is generally targeted at a specific individual or group.
- Power imbalance: Whether real or perceived, bullying is generally based on unequal power relations.

2.3 Vulnerable pupils are more likely to be the target of bullying due to the attitudes and behaviours some young people have towards those who are different from themselves. Vulnerable pupils may include, but are not limited to:

- Pupils with special educational needs and disabilities.
- Pupils who are adopted.
- Pupils suffering from a health problem. □ Pupils with caring responsibilities.

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## 3. Types of Bullying

3.1 Many different kinds of behaviour can be considered bullying and can be related to almost anything. Teasing another pupil because of their appearance, religion, ethnicity, gender, sexual-orientation, home life, culture, disability, or special educational needs are some of the types of bullying that can occur.

3.2 Bullying is acted out through the following mediums:

- Verbally
- Physically
- Emotionally
- Online (Cyber)

3.3 **Racist bullying:** Bullying another person based on their ethnic background, religion or skin colour. Racist bullying is a criminal offence under the Crime and Disorder Act 1998 and Public Order Act 1986.

3.4 **Homophobic bullying:** Bullying another person because of their actual or perceived sexual orientation.

3.5 **Transphobic bullying:** Bullying based on another person's gender 'variance' or for not conforming to dominant gender roles.

3.6 **Sexist bullying:** Bullying based on sexist attitudes expressed in a way to demean, intimidate or harm another person because of their sex or gender. Sexist bullying may sometimes be characterised by inappropriate sexual behaviours.

3.7 **Sexual bullying:** Bullying behaviour that has a physical, psychological, verbal or non-verbal sexual dimension/dynamic that subordinates, humiliates or intimidates another person. This is commonly underpinned by sexist attitudes or gender stereotypes.

## 4. Statutory implications

4.1 The school understands that, under the Equality Act 2010, it has a responsibility 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; and foster good relations between people who share a protected characteristic and people who do not share it.

4.2 The school understands that, under the Human Rights Act (HRA) 1998, it could have charges brought against it if it allows the rights of children and young people at the school to be breached by failing to take bullying seriously.

4.3 The National Association of Head Teachers has guidelines that recommend headteachers must 'satisfy themselves' that their school's Anti-Bullying Policy complies with the HRA; the headteacher understands that they cannot do this without fully involving their teaching staff.

4.4 Although bullying itself is not a criminal offence, some types of harassment, threatening behaviour and/or communications may be considered criminal offences:

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- Under the Malicious Communications Act 1988, it is an offence for a person to electronically communicate with another person with the intent to cause distress or anxiety, or in a way which conveys a message which is indecent or grossly offensive, a threat, or contains information which is false and known or believed to be false by the sender.
- The Protection from Harassment Act 1997 makes it an offence to knowingly pursue any course of conduct amounting to harassment.
- Section 127 of the Communications Act 2003 makes it an offence to send, by means of a public electronic communications network, a message, or other matter, that is grossly offensive or of an indecent, obscene or menacing character. It is unlawful to disseminate defamatory information through any media, including internet sites.
- Other forms of bullying which are illegal and should be reported to the police include: violence or assault, theft, repeated harassment or intimidation and hate crimes.

### 5. Prevention

- 5.1 The school clearly communicates a whole-school commitment to addressing bullying in the form of a written statement ([Statement of intent](#)) which is regularly promoted across the whole school.
- 5.2 All reported or witnessed instances of bullying in the school are investigated by a member of staff.
- 5.3 Staff encourage pupil co-operation and the development of interpersonal skills through the use of group work and pair work.
- 5.4 All types of bullying are discussed as part of the curriculum, and diversity, difference and respect for others is promoted and celebrated through various lessons.
- 5.5 Seating arrangements in class will be changed and organised in a way that prevents instances of bullying.
- 5.6 Potential victims of bullying are drawn into working groups with children who do not abuse or take advantage of them.
- 5.7 Opportunities to extend friendship groups and interactive skills are provided through participation in special events, for example, productions and sporting activities.
- 5.8 All members of the school community are made aware of the school's Anti-bullying Policy.
- 5.9 All staff members receive training on identifying and dealing with the different types of bullying.
- 5.10 A safe, supervised place is available for pupils to go to at lunch if they are involved in conflict with their peers, or wish to avoid a bully.

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5.12 Class teachers will also offer an 'open door' policy allowing pupils to discuss any bullying, whether they are victims or have witnessed an incident.

5.13 Before a vulnerable pupil joins the school, the pupil's **class teacher** and the **designated safeguarding lead** will develop a strategy to prevent bullying from happening, this will include giving the pupil a buddy to help integrate them into the school.

### 6. Signs of bullying

6.1 Some of the signs that a pupil may be a victim of bullying include, but are not limited to, the following:

- Being frightened to travel to or from school
- Asking to be driven to school
- Unwillingness to attend school
- Truancy
- Becoming anxious or lacking confidence
- Saying that they feel ill in the morning
- Decreased involvement in school work
- Returning home with torn clothes or damaged possessions
- Missing possessions
- Missing dinner money
- Asking for extra money or stealing
- Cuts or bruises
- Lack of appetite
- Unwillingness to use the internet or mobile devices
- Becoming agitated when receiving calls or text messages
- Lack of eye contact
- Becoming short tempered
- Change in behaviour and attitude at home

6.2 Although the signs outlined above may not be due to bullying, they may be due to deeper social, emotional or mental health issues, so are still worth investigating.

6.3 Pupils who display a significant number of these signs are approached by a member of staff, in order to determine the underlying issues, whether they are due to bullying or other issues.

### 7. Staff principals

7.1 Prevention is at the forefront of the school's Anti-bullying Policy.

7.2 Staff treat reports of bullying very seriously.

7.3 Staff do not ignore signs of suspected bullying.

7.4 Unpleasantness from one pupil towards another is always challenged and never ignored.

7.5 Staff take action immediately when they become aware of a bullying incident; this applies to all staff, not solely teaching staff.

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7.6 Staff always respect pupils' privacy, and information about specific instances of bullying is not discussed with others, unless it is in a setting that the victim has given consent to. If the member of staff believes the pupil is in serious danger, e.g. of being hurt, they will inform the [designated safeguarding lead](#) immediately.

7.7 Follow-up support is given to both the victim and bully in the months following any incidents, to ensure all bullying has stopped.

### 8. Key roles and responsibilities

8.1 The governing board evaluates and reviews this policy to ensure that it is nondiscriminatory.

8.2 It is the responsibility of all staff to be alert to possible bullying of pupils and to deal with incidents as the highest priority.

8.3 The headteacher reviews and amends this policy, taking into account new legislation and government guidance, and using staff experience of dealing with bullying incidents in the previous year to improve procedures.

8.4 The headteacher keeps a Bullying Record of all reported incidents, including which type of bullying has occurred, to allow for proper analysis of the data collected.

8.5 The headteacher will analyse the data in the Bullying Record at termly intervals in order to identify any trends in the types of bullying occurring and implement the appropriate measures to tackle it.

8.6 The headteacher arranges appropriate training for staff members.

8.7 Each class teacher corresponds and meets with parents/carers where necessary. They also provide a point of contact when more serious bullying incidents occur.

8.8 Class teachers are alert to social dynamics in their class and are available for pupils who wish to report bullying. They also provide follow-up support after bullying incidents.

8.9 All members of staff ensure that they are alert to possible bullying situations, particularly exclusion from friendship groups, and that they inform the pupil's class teacher of such observations.

8.10 All staff will avoid gender stereotyping when dealing with bullying.

8.11 All staff understand the composition of pupil groups, showing sensitivity to those who have been the victims of bullying.

8.12 All staff have a duty to report any instances of bullying once they have been approached by a pupil for support.

8.13 The Parent/Support Worker often the first person to receive reports of bullying, offer emotional support to victims, and alert the class teacher and headteacher.

8.14 Parents/carers are advised to inform their child's class teacher if they are concerned that their child may be being bullied or be involved in bullying.

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8.15 Pupils are advised to inform a member of staff if they witness bullying, or are a victim of bullying.

8.16 Pupils are taught not to make counter-threats if they are victims of bullying.

8.17 Pupils are taught to walk away from any dangerous situations and avoid involving other pupils in incidents.

8.18 Pupils are advised to retain all evidence of cyber bullying.

### 9. Cyber bullying

9.2 New Earswick Primary School views cyber bullying in the same light as any other form of bullying and will follow the sanctions set out in [chapter 11](#) of this policy if they become aware of any incidents.

9.3 The school will support pupils who have been victims of cyber bullying by holding formal and informal discussions with the pupil about their feelings and whether the bullying has stopped, in accordance with [chapter 12](#) and [chapter 13](#) of this policy.

9.4 In accordance with the Education Act 2011, the school has the right to examine and delete files from pupils' personal devices, e.g. mobiles phones, 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.

9.5 If an electronic device is seized by a member of staff, and there is reasonable ground to suspect that it contains evidence in relation to an offence, the device must be given to the police as soon as it is reasonably practicable.

9.6 If a staff member finds material that they do not suspect contains evidence in relation to an offence, the headteacher will decide whether it is appropriate to delete or retain the material as evidence of a breach of the relevant policies.

### 10. Procedures

10.1 Minor incidents are reported to the victim's class teacher, who investigates the incident, sets appropriate sanctions for the perpetrator and informs the headteacher in writing of the incident and outcome.

10.2 When investigating a bullying incident, the following procedures are adopted:

- The victim, alleged bully and witnesses are all interviewed separately
- Members of staff ensure that there is no possibility of contact between the pupils being interviewed, including electronic communication
- If a pupil is injured, members of staff take the pupil immediately to the First Aider for a medical opinion on the extent of their injuries
- A room is used that allows for privacy during interviews
- A witness is used for serious incidents
- If appropriate, the alleged bully, the victim and witnesses, are asked to write down details of the incident; this may need prompting with questions from the member of staff to obtain the full picture
- Premature assumptions are not made, as it is important not to be judgemental at this stage

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- Members of staff listen carefully to all accounts, being non-confrontational and not attaching blame until the investigation is complete
- All concerned pupils are informed that they must not discuss the interview with other pupils

10.3 Due to the potential for sexist, transphobic and sexual bullying to be characterised by inappropriate sexual behaviour, staff members involved in dealing with the incident are required to consider whether there is a need for safeguarding processes to be implemented.

### 11. Sanctions

11.1 If the headteacher is satisfied that bullying did take place, the pupil will be helped to understand the consequences of their actions and warned that there must be no further incidents.

11.2 The headteacher informs the pupil of the type of sanction to be used in this instance (such as detentions) and future sanctions if the bullying continues.

11.3 If possible, the headteacher will attempt reconciliation and will obtain a genuine apology from the bully. This will either be in writing to the victim (and/or witnesses if appropriate), or face-to-face, but only with the victim's full consent. Discretion is used here; victims will never feel pressured into a face-to-face meeting with the bully.

11.4 Parents/carers are informed of bullying incidents and what action is being taken.

11.5 The headteacher informally monitors the pupils involved over the next half-term.

### 12. Support

12.1 The class teacher informally checks whether the bullying has stopped on a **weekly** basis for **a month** after the initial complaint of bullying.

12.2 The head teacher formally checks whether the bullying has stopped the week after the bullying, and again **during the same half term**.

12.3 If necessary, group dynamics are broken up by members of staff by assigning places in classes.

12.4 The victim is encouraged to tell a trusted adult in school if bullying is repeated.

12.5 The victim is encouraged to broaden their friendship groups by joining a lunchtime or after-school club.

### 13. Follow up support

13.1 The progress of both the bully and the victim are monitored by their class teachers. One-on-one sessions to discuss how they are progressing may be appropriate.

13.2 If appropriate, follow-up correspondence is arranged with parents/carers **one month** after the incident.

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13.3 Pupils who have been bullied are supported in the following ways:

- Being listened to
- Having an immediate opportunity to meet with their class teacher or a member of staff of their choice
- Being reassured
- Being offered continued support

13.4 Pupils who have bullied others are supported in the following ways:

- Receiving a consequence for their actions
- Being able to discuss what happened
- Being helped to reflect on why they became involved
- Being helped to understand what they did wrong and why they need to change their behaviour
- Appropriate assistance from parents/carers

13.5 Pupils who have been bullied will be assessed on a case-by-case basis and the designated safeguarding lead will, if necessary, refer the victim of bullying to Child and Adolescent Mental Health Services.

13.6 In cases where the effects of bullying are so severe that the pupil cannot successfully reintegrate back into the school, the headteacher will look to transfer the pupil to another mainstream school.

13.7 Where a child has developed such complex needs that alternative provision is required, then the pupil who has been the victim of bullying, their parents and the headteacher will meet to discuss the use of alternative provision.

### **14. Bullying outside of school**

14.1 Teachers have the power to discipline pupils for misbehaving outside of the school premises. 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 that are brought into school or effect school life.

14.2 Where bullying outside school is reported to school staff, it is investigated and acted on. In all cases of misbehaviour or bullying, members of staff can only discipline the pupil on school premises, or elsewhere when the pupil is under the lawful control of the member of staff.

14.3 The headteacher has a specific statutory power to discipline pupils for poor behaviour outside of the school premises. Section 89(5) of the Education and Inspections Act 2006 gives the headteacher the power to regulate pupils' conduct when they are not on school premises, and therefore, not under the lawful charge of a school staff member.

14.4 The headteacher is responsible for determining whether it is appropriate to notify the police of the action taken against a pupil.

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14.5 If the misbehaviour could be of a criminal nature, or poses a serious threat to a member of the public, the police are always informed.

### **15. Monitoring and review**

15.1 This policy is reviewed every two years by the headteacher.

15.2 The scheduled review date for this policy is September 2022.

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### Appendix 1 – Bullying Report Form

This form will be sent to the headteacher upon completion if CPOMS is not available:

#### Personal details

Name of person reporting incident:		
Name of pupil(s) being bullied:		
Sex:		
Year group:		
Form:		
<b>How may we contact you (please circle)?</b>		
	At school	At home
Home address:		
Email:		
Telephone:		

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## Incident details

<b>What happened?</b>
<b>Where did the incident take place?</b>
<b>When did the incident occur?</b>
<b>Who has been suspected of bullying?</b>
<b>Did anyone else see the incident?</b>
<b>According to the victim, how often does the bullying take place?</b>
<b>According to the victim, how long has the bullying been going on?</b>

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### Impact of the bullying

<b>What emotional impact has the bullying had on the pupil?</b>
<b>Was anyone physically hurt?</b>
<b>Did anyone need medical attention?</b>
<b>Has anyone else been informed of the bullying?</b>
<b>If so, when were they informed?</b>

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**If not, why has the incident not been reported?**

### Help and support

**What type of help and support are available to the victim?**

**Do you have any concerns about reporting the bullying?**

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**What more do you think could be done to help prevent instances like this in future?**