Respect for All:

The National Approach to Anti-Bullying for Scotland's Children and Young People

Fairness

Equality

Respect

Inclusion

Smarter Scotland
Scottish Government

> **Bullying is both behaviour and impact; the impact is on a person's capacity to feel in control of themselves. This is what we term as their sense of 'agency'. Bullying takes place in the context of relationships; it is behaviour that can make people feel hurt, threatened, frightened and left out. This behaviour happens face to face and online.**
>
> (respect*me*, 2015)

MINISTERIAL FOREWORD

Our vision is to make Scotland the best place in the world to grow up. A place where rights are respected and where children can access all the opportunities and support they need; when they need it. Our policies are designed to give all our children the best possible start in life. Combined with the defining mission of this Government to deliver excellence and equity in Scottish education, I am certain we can work together to raise the bar for all our children and young people and close the attainment gap.

In the seven years since the first *National Approach to Anti-Bullying for Scotland's Children and Young People* was published, Scotland has seen huge legislative and policy change; such as the Children and Young People (Scotland) Act 2014, Education (Scotland) Act 2016 as well as equality legislation put in place by the UK Government including the Equality Act 2010, that have put greater focus on our children and young people's health and wellbeing. Alongside that, we now understand more about how children and young people's confidence, resilience, participation and attainment can be affected by bullying both in the short term and long term. We understand more about how and where they experience bullying; how they can be supported and most importantly, how it can be prevented.

I am delighted to introduce *Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People*. This builds on the positive work which has already taken place in Scotland to address bullying. *Respect for All* has a fundamental role to play in helping us realise our vision for all children and young people. It provides a holistic framework for all adults working with children and young people to address all aspects of bullying, including prejudice-based bullying. *Respect for All* reflects *Getting it Right for Every Child* (GIRFEC) and recognises that bullying impacts on wellbeing. In order to thrive and achieve their full potential, children and young people need learning environments which are safe, nurturing, respectful and free from fear, abuse and discrimination.

This Government's focus on challenging inequity for every child to succeed in school and gain the skills for life is being recognised through the Attainment Challenge and the National Improvement Framework for Education. Health and wellbeing is at the centre and of this approach. *Respect for All* has a fundamental role to play in ensuring that all of us working with children and young people fulfil our responsibility to support their health and wellbeing. This can be achieved through embedding positive relationships and behaviour approaches to prevent bullying in and across learning communities and clubs and organisations.

I hope that this guidance will be a useful resource. This Government remains committed to supporting its implementation through Career-Long Professional Learning (CLPL) and sharing the promotion of good practice. Through *Respect for All,* children and young people will be encouraged to value diversity, and develop respectful relationships built on mutual trust and understanding. The most important part of our Early Years and Childcare (ELC) and school education system is the relationship between our teachers, practitioners, parents and carers, club leaders and children and young people. Its importance should be recognised in the context of our shared drive to raise attainment for all and close the attainment gap to ensure that the focus on children and young people's health and wellbeing is given the importance it deserves.

John Swinney MSP
Deputy First Minister and Cabinet Secretary for Education and Skills

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PURPOSE

Bullying behaviour impacts on children's and young people's wellbeing and can affect their participation, attainment and inclusion.

Respect for All aims to ensure that all sectors and communities, at a national and local level, are consistently and coherently contributing to a holistic approach to anti-bullying; regardless of the type of bullying. This includes **an explicit commitment to addressing prejudice-based bullying**.

Central to this, *Respect for All* is underpinned by the values of:

- Fairness
- Respect
- Equality
- Inclusion.

This will help ensure that children and young people feel safe and secure and are able to build up strong and positive relationships with peers and with adults. Effective leadership is key to developing a positive ethos and culture and ensuring the highest possible standards and expectations are shared across the organisation in order to ensure excellence and equity for all.

Throughout this document the term parent(s) will be used to apply to anyone with parental responsibility, including carer, those providing a foster or residential placement, or the local authority where full parental responsibility rests with them.

A shared vision

Bullying of any kind is unacceptable and must be addressed quickly. Bullying should never be seen as a typical part of growing up.

The challenge that faces Scotland is to prevent bullying. Our vision is that:

- every child and young person in Scotland will grow up free from bullying and will develop respectful, responsible and confident relationships with other children, young people and adults;
- children and young people and their parent(s), will have the skills and resilience to prevent and/or respond to bullying appropriately;
- every child and young person who requires help will know who can help them and what support is available; and
- adults working with children and young people will follow a consistent and coherent approach in dealing with and preventing bullying from Early Learning and Childcare onwards.

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Who is this document for?

This document is for **everyone** involved in children's and young people's lives in Scotland.

We have the potential to make a positive impact on the emotional health and wellbeing of children and young people now and in their adult lives through effective anti-bullying approaches. Many professionals who play a role in the lives of children and young people will be governed by a set of professional standards. These include the Common Core of Skills, Knowledge and Understanding and Values for the 'Children's Workforce' in Scotland, The General Teaching Council for Scotland – Standards for Registration and Code of Professionalism and Conduct (CoPAC) and The Scottish Social Services Council Codes of Practice and the Overarching Principals for the National Care Standards. The values and principles set out by the Standards Council for Community Learning and Development for Scotland are in step with this revised National Approach.

This diagram illustrates the range of roles that people can have in a child or young person's life:

Regulatory Bodies · Scottish Government · Children's Services · Local Government · Schools · Sports Organisations · Youth and Community Groups · Children and Young People · Community Learning and Development · Parent(s) and Families · Public · Third Sector · Umbrella Organisations and Forums · Health · Police

working to prevent and address bullying in Scotland

CHILDREN AND YOUNG PEOPLE

What does *Respect for All* aim to do?

Respect for All aims to provide an overarching framework and context for all anti-bullying work that is undertaken in Scotland. The approach aims to build capacity, resilience and skills in children and young people, and all those who play a role in their lives, to prevent and deal with bullying.

It is expected that local authorities and oganisations will develop their own anti-bullying policy and guidance, within the wider context of relationships and behaviour, based on *Respect for All*. It is expected that all individual schools, services or clubs should develop policies that reflect their organisational policy in consultation with children and young people and their parent(s) and teachers and coaches. The document equips all adults working with children and young people to develop environments where bullying cannot thrive. It aims to support the implementation of a consistent and cohesive approach to anti-bullying in Scotland and describes how we define bullying and how we approach effective anti-bullying work.

Respect for All aims to encourage a proactive and inclusive approach to anti-bullying policy and guidance development. This should involve children and young people and their parent(s) in the process.

Principles

Based on the legal and policy frameworks in Scotland, the principles of *Respect for All* are:

- We will promote positive relationships and behaviours amongst all children and young people and adults around them
- We respect the rights of children and young people as paramount
- We will work together to develop a culture of mutual respect and responsibility amongst all children and young people and adults around them
- We will seek to prevent and address bullying, through the development and implementation of effective anti-bullying policies and practices
- We will address all aspects of prejudice in order to make sure all types of prejudice based bullying are treated with equal importance (including bullying based on the protected characteristics listed in the Equality Act 2010, for more information on the Equality Act 2010 and the Public Sector Equality Duty see page 31)
- We will support effective communication, including sharing relevant and proportionate information, where appropriate, in accordance with the Data Protection Act 1998 and Human Rights Act 1998
- We will seek to understand the experiences, and address the needs of children and young people, who are bullied as well as those who bully within a framework of respect, responsibility, resolution and support
- We will share information where appropriate and work jointly to make sure we are co-ordinated and cohesive in all that we do
- We recognise bullying can have an adverse/detrimental effect on childhood development and we will try to ensure that every child and young person living in Scotland will have the same opportunities and an equal chance to succeed.

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What do we mean by bullying?

> Bullying is both behaviour and impact; the impact is on a person's capacity to feel in control of themselves. This is what we term as their sense of 'agency'. Bullying takes place in the context of relationships; it is behaviour that can make people feel hurt, threatened, frightened and left out. This behaviour happens face to face and online.

This behaviour can harm people physically or emotionally and, although the actual behaviour may not be repeated, the threat may be sustained over time, typically by actions, looks, messages, confrontations, physical interventions, or the fear of these.

This behaviour can include:

- Being called names, teased, put down or threatened face to face/online
- Being hit, tripped, pushed or kicked
- Having belongings taken or damaged
- Being ignored, left out or having rumours spread about you (face-to-face and/or online)
- Sending abusive messages, pictures or images on social media, online gaming platforms or phone
- Behaviour which makes people feel like they are not in control of themselves or their lives (face-to-face and/or online)
- Being targeted because of who you are or who you are perceived to be (face to face and/or online).

Prejudice-based bullying

Bullying behaviour may be a result of prejudice that relates to perceived or actual differences. This can lead to behaviour and language that could manifest into racism, sexism, homophobia, biphobia or transphobia or prejudice and discrimination towards disability or faith.

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. For example, prejudice arising from socio-economic background or a child or young person's appearance. When developing national and local policy and practice, we must reflect this broader range of prejudices some of which are listed in Appendix 2. There is a need to address the root cause of prejudice as well as effectively respond to incidents as they arise in all settings.

Research

Research[1] recommends that only by explicitly embedding consideration of all protected characteristics across learning will children, young people and the adults who work with them, have the language, understanding and confidence to respond to prejudice-based bullying effectively.

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[1] www.equalityhumanrights.com/sites/default/files/prejudice-based_bullying_in_scottish_schools_research_report_0.pdf

The Equality Act

The **Equality Act 2010** supports progress on equality, particularly in relation to nine protected characteristics, which are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and civil partnership
- Race
- Religion or belief
- Sex
- Sexual orientation.

Although the harassment provisions of the Equality Act 2010 do not protect pupils from harassment by other pupils, the Act creates a duty on public bodies to have due regard to the need to: eliminate discrimination, harassment and victimisation; advance equality of opportunity; and, to foster good relations between people who share a relevant protected characteristic and those who do not (known as the public sector equality duty). Bodies that are listed in the **Equality Act 2010** (Specific Duties) (Scotland) Regulations 2012, which includes local and education authorities, have additional duties, including the requirement to: publish equality outcomes; assess policies; and, to publish relevant information in an accessible way. In practical terms this means that schools and other public authorities have an obligation to ensure that bullying by pupils that is related to a protected characteristic is treated with the same level of seriousness as any other form of bullying and that anti-bullying and other relevant policies are assessed against the public sector equality duty.

> **!**
>
> "People have a right to be themselves and no one should deny them of that."
> (Age 15, North Ayrshire)

Online bullying

Online bullying shouldn't be treated differently from face-to-face bullying. Online bullying, or 'cyberbullying' as it is often referred to on social networking sites and online gaming platforms. A person can be called names, threatened or have rumours spread about them and this can (like other behaviours) happen in person and online. We address online bullying effectively when we address it as part of our whole anti-bullying approach, not as a separate area of work or policy.

All policies and practice should therefore include advice on online bullying. Schools may wish to use the *Guidance on Developing Policies to Promote the Safe and Responsible use of Mobile Technology in Schools*[2] or the 360 Degree Safe e-safety self-review tool.[3]

In March 2017, Education Scotland published a revised set of Experiences & Outcomes and Benchmarks within the technologies area of Curriculum for Excellence. As a result, the curriculum framework now includes an explicit strand related to digital literacy which incorporates cyber resilience and internet safety. This provides an opportunity for all practitioners to incorporate learning around these issues into their lessons in all curricular areas.

When is it not bullying behaviour?

It is important for children and young people to discuss how they feel and help them develop resilience to manage their relationships. We know that children and young people will fall out and disagree with each other as they form and build relationships. This is a normal part of growing up and most children and young people have the ability to bounce back from this type of behaviour.

Early intervention and prevention are key elements of an approach focused on ensuring we get it right for all of our children and young people.

Responding to attempted bullying behaviour

Sometimes, attempts to bully can have no obvious or immediate effect. A person can attempt to bully someone using a range of behaviours but it may have no impact – in this case the person has not been bullied but the behaviour needs challenged and recorded appropriately and should not be ignored.

For example, the use of homophobic or other derogatory language, which may have no impact on the person it is aimed at, must still be challenged as the language itself is unacceptable and could impact on other people.

Some behaviour can be perceived as or assumed to be bullying. However, certain incidents can often be more serious and, in fact, criminal in nature. Understanding the individual circumstances is important to ensure that there is a clear distinction between bullying and criminal offences such as hate crime, child sexual exploitation and gender-based violence such as domestic abuse and sexual assault. For instance, when someone is coerced or pressurised to do something sexual or is touched inappropriately, this is not bullying, this is sexual assault or abuse and a form of gender-based violence. There are laws to protect children and young people from this very serious type of behaviour.

Bullying or Criminal Behaviour?

Some online behaviour may be illegal, and children and young people need to be made aware of the far-reaching consequences of posting inappropriate or harmful content online. In cases of sexual imagery, the Abusive Behaviour and Sexual Harm (Scotland) Act 2016[4], criminalises the non-consensual sharing of intimate images. Similarly, hate crime

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[2] www.gov.scot/Publications/2013/11/4092

[3] www.360safescotland.org.uk

[4] www.legislation.gov.uk/asp/2016/22/enacted

is defined through the law as a crime motivated by malice or ill-will towards individuals because of their actual or perceived disability, race, religion, sexual orientation or transgender identity.

There is no legal definition of bullying in Scotland and, as such, bullying is not a crime. Bullying can be motivated by prejudice similar to hate crime; the distinction is when a crime has taken place, such as assault, graffiti or a breach of the peace that has been motivated by prejudice. The Lord Advocate has issued guidelines about which category of offence will be reported to the Procurator Fiscal for consideration of prosecution. Children who do not come within these guidelines may be referred to the Children's Reporter or made subject to Police direct measures, depending on the circumstances. The Procurator Fiscal and the Children's Reporter discuss cases which are subject to joint referral and the Procurator Fiscal will decide where the case is best dealt with.

The presumption should be against criminalising children and young people wherever possible unless it is in the public interest.

Promoting the principles of inclusion amongst children and young people is key to preventing hate crime. Adults and children and young people can seek appropriate advice and guidance from Police Scotland if they feel a crime may have taken place.

Impact and outcomes of bullying

Bullying can have both long and short-term effects on the physical and mental health and wellbeing of children and young people. There can be no doubt that being bullied is traumatic for the individual and is, therefore, likely to lead to a range of coping mechanisms and reactive behaviours.

> **!**
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> "Every child should feel secure where they are and shouldn't be scared about being bullied."
> (Age 12, West Lothian)

The impact of bullying behaviour can extend far beyond the individuals involved.

Bullying impacts on a person's capacity for self-management, their internal feelings of control, and their ability to take action. Their ability to take effective action is affected by someone else's behaviour. This is called a person's 'agency' (**www.respectme.org.uk/bullying/what-is-bullying**). Bullying affects individuals, families and relationships as well as a child's education and participation. A child that is bullied will not feel safe, included or respected and their wellbeing will be affected. A child that is bullied and those causing bullying, may have wellbeing needs and these needs should be assessed and supported

using the eight indicators of wellbeing - Safe, Healthy, Achieving, Nurtured, Active, Respected and Responsible, Included.

Children and young people living in Scotland will have the same opportunities and an equal chance to succeed. Bullying directly and indirectly affects childhood development and future potential.

Failure to prevent and address bullying can lead to poorer mental health and wellbeing in adolescence and also into adulthood (L Bowes 2015[5]). Good anti-bullying practices and policies impact positively on a school's or children's service's ethos and help children and young people feel more included and safe. They can also improve attendance and participation, build agency and promote resilience (Donnelly 2014[6], Kowalski et al. 2012[7]). More information around prevention can be found on page 24.

Is bullying an issue? The evidence base

In 2014, respect*me*, Scotland's Anti-bullying Service carried out research, *Bullying in Scotland 2014* to obtain a picture of how children and young people were experiencing bullying in Scotland. This was the largest research on bullying carried out in Scotland. It gathered the views and experiences of around 8,000 children and young people aged between eight and 19 from all local authorities across Scotland. The findings from this research have been reflected throughout this guidance. *Bullying in Scotland 2014* can be found at **www.respectme.org.uk/resources/publications**.

The research indicated a large number of children and young people had been affected by bullying; 30% of children and young people had experienced bullying in 2013/14 and we know that the most prevalent type of bullying was face-to-face.

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"Children have the right to live and grow without harm."
(Age 10, West Lothian)

Young people highlighted parent(s), friends and teachers as a source of support. In addition, the survey showed that the most successful ways to address bullying are those that create a positive school ethos and culture rather than only ever focusing on individual incidents as they occur.

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[5] http://www.bmj.com/content/bmj/350/bmj.h2469.full.pdf
[6] http://briandrespectme.blogspot.co.uk/2014/05/resilence-bullying-and-agency.html
[7] *Cyberbullying: Bullying in the Digital Age*, 2nd Edition Robin M. Kowalski, Susan P. Limber, Patricia W. Agatston 2012

Children and young people value having choices to make when they are experiencing bullying and they want adults to help them explore these choices, recognising there is no 'one size fits all' response. The info graphic below illustrates the key findings of the research:

A NUMBER OF CHILDREN & YOUNG PEOPLE HAD MORE THAN ONE EXPERIENCE OF BULLYING. OF THESE EXPERIENCES

60% TOOK PLACE
IN PERSON

21% TOOK PLACE
BOTH IN PERSON & ONLINE

19% TOOK PLACE
ONLINE ONLY

ALMOST HALF (48%) **OF** CHILDREN AND YOUNG PEOPLE WHO ARE BULLIED TELL THEIR PARENT(S) 37% CHOSE TO TELL FRIENDS

NAME CALLING & **HURTFUL** COMMENTS ARE THE TWO MOST COMMON TYPES OF BULLYING FOR FACE-TO-FACE & ONLINE BULLYING

91% OF CHILDREN BULLIED ONLINE KNEW WHO THE PERSON BULLYING THEM WAS

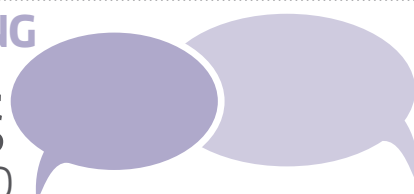OVER 8,000 CHILDREN & YOUNG PEOPLE AGED 8-19 FROM ALL 32 LOCAL AUTHORITIES TOOK PART

CHILDREN & YOUNG PEOPLE TELL US THEY USE DIFFERENT STRATEGIES WHEN BEING BULLIED AT DIFFERENT TIMES – NOT ALWAYS THE SAME RESPONSE – THEY WANT CHOICE

30% OF CHILDREN SURVEYED REPORTED THAT THEY HAVE EXPERIENCED SOME SORT OF BULLYING BETWEEN THE START OF SCHOOL IN AUGUST 2013 AND JUNE 2014

81% OF CHILDREN AND YOUNG PEOPLE CONSIDER THEIR ONLINE FRIENDS TO BE ALL OR MOSTLY THE SAME FRIENDS THEY HAVE IN 'REAL' LIFE'

CHILDREN SAY THE MOST SUCCESSFUL ANTI-BULLYING INTERVENTIONS ARE EMBEDDED WITHIN A POSITIVE ETHOS AND CULTURE RATHER THAN FOCUSING ON INDIVIDUAL INCIDENTS

Implementing Respect for All

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

YOUR POLICY DEVELOPMENT

It is important to ensure that the ethos of anti-bullying is embedded in day-to-day practices that are in step with *Respect for All.* The message that bullying is never acceptable is always prevalent and continuously and consistently reinforced.

In order for this to be effective, there needs to be ownership of the policy. Where this is achieved, through genuine consultation and involvement, a policy is more likely to be successful in achieving its aims. Indeed, experience has shown that the most effective policies are developed in consultation with everyone they impact upon: children and young people and their parent(s), and staff and volunteers. This should be a values based and inclusive journey that helps all stakeholders understand what is expected of them and what they can expect from local authorities and organisations, (as supported by **Article 12**[8] of the UNCRC). The consultations we carried out with children and young people and their parent(s) highlighted a desire to be involved in consultation and co-production at a local level.

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"Being able to listen and support anyone being bullied could greatly decrease the amount of bullying in Scotland."
(Age 14, Fife)

What should local and organisational anti-bullying policies include?

An anti-bullying policy is a clear commitment to develop a respectful, equitable and inclusive culture and ethos within an organisation or establishment. Environments that promote respect, celebrate difference and promote positive relationships and behaviour are less likely to see bullying as acceptable behaviour.

Local authorities and organisations will have different ways of putting the principles of anti-bullying into practice to reflect local environments and culture. However, all organisations providing services to children and young people in the public, voluntary or private sector should develop an anti-bullying policy that reflects *Respect for All.*

All individual schools, services or clubs should develop policies that reflect the organisational policy. In doing so, public authorities must ensure they meet their legal obligations in relation to equality impact assessment.

Policies should include:

- A statement which lays out the organisational stance on bullying and the scope of the policy
- A definition of bullying in line with *Respect for All*
- A clear statement that bullying is a breach of the UN Convention on the Rights of the Child
- An explicit commitment to challenge all types of prejudice-based bullying and language (see **Appendix 2**) – including bullying based on the protected characteristic listed in the **Equality Act 2010**. Policies that address bullying based on the protected characteristics will, where appropriate, require completion of an Impact Assessment (EQIA)[9]
- That schools/organisations may also wish to complete the Child Rights and Wellbeing Impact Assessment (CRWIA). The CRWIA policy development and improvement approach has been made available for local authorities and children's services to adapt for their own uses, if they wish[10]
- Expectations or codes of behaviour, and responsibilities for all staff/volunteers and children and young people
- A clear commitment to promoting and role modelling positive relationships and positive behaviour
- A range of strategies that will be used to prevent and respond to bullying
- The recording and monitoring strategies that will be used for management purposes inline with Data Protection guidelines;
- That children and young people have a right to express their views in matters that affect them, and for these views to be given due weight. These views should be evidenced in the policy
- That parent(s) have a right to be included and consulted and this should be evidenced in the policy
- In what way and how often the policy will be evaluated and reviewed with children and young people and their parent(s) and staff (ideally every three years)
- A commitment to how staff and volunteers will be trained and supported.

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[9] www.gov.scot/Topics/People/Equality/Equalities/EqualFramework/EvidencePSED/EQIA
[10] www.gov.scot/Topics/People/Young-People/families/rights/child-rights-wellbeing-impact-assessment

> **!**
>
> "It can help children get a better education because they won't have to worry about being bullied. It will also stop people being harmed. Also everyone could enjoy social media more."
> (Age 11, West Lothian)

Additional support needs

The Education (Additional Support for Learning) (Scotland) Act 2004 (as amended) provides a comprehensive legal framework for the provision of additional, targeted support for children and young people who face barriers to learning. Children with additional support needs may experience bullying differently and may be targeted because of their additional support need. In addition, social emotional or behavioural needs which can arise from bullying, may be considered an additional support need if the bullying is having an impact on the child or young person's learning, including those children and young people who are demonstrating bullying behaviour. Pracitioners should fully take into account additional support needs and the principles of inclusion when addressing bullying.

Support and training

There is a need to ensure that all staff and adults have access to high-quality Career-Long Professional Learning which will help improve the health and wellbeing outcomes of children and young people that they work with. Training and skills development are an important part of building adult confidence and capacity to recognise and respond to bullying locally.

We want practitioners to establish open, positive and supportive relationships with children and young people. Support and guidance is available from **respect***me*[11]. respect*me* can help local authorities, youth organisations and sports clubs review and develop policies; ensure they are in step with *Respect for All* and reflect current best practice. Anti-bullying information and advice for children and young people and their parent(s) is available on the respect*me* website.

Different forms of prejudice or the needs of different groups of children and young people, may require additional support or training. This can be sought from a range of organisations and service providers who specialise in representing the views and experiences of groups of young people – including the protection offered under the Equality Act 2010, for example looked after children and young people; and people who share one or more of the protected characteristics listed in the Equality Act 2010. See Appendices 1 and 2 for further information.

Education Scotland, with local authorities, has a role to play to support the implementation of positive relationship and behaviour approaches and embed children's rights in schools. ▶

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[11] www.respectme.org.uk

Anti-bullying training opportunities can be viewed at: **www.respectme.org.uk/training/ programmes-and-calendar**.

Expectations and communication

Everyone (including children and young people and their parent(s)) should have a good understanding and clear expectations of their role in developing and implementing the anti-bullying policy. Schools may have developed specific evidence-based approaches to managing bullying incidents such as 'restorative' or 'solution oriented' approaches. Where this is the case, everyone within the school community (including parents) should be aware of this approach.

The anti-bullying policy and procedures should be communicated and shared to ensure that children and young people and their parent(s) know who they can talk to, what they can expect if bullying occurs and how bullying incidents will be resolved.

> "Children may feel bad about themselves and not want to go to school and every child has the right to an education and that would be breaking someone's rights."
> (Age 10, West Lothian)

Policy and practice expectations

This grid outlines the common expectations of everyone in preventing and managing bullying as well as what they can expect from others.

Your role	What is expected of you	What you can expect from others
Local authority or an organisation that provides services to children and young people	• Develop and implement an organisational anti-bullying policy in step with the principles and values that underpin *Respect for All* and ensure an explicit commitment to challenging prejudice-based bullying • Develop and implement an anti-bullying policy in consultation with stakeholders including children and young people and their parent(s) and staff/volunteers • Engage and consult with local/community stakeholders • Provide access to training and materials to support all those who work with children and young people in the organisations services • Ensure parents/carers are provided with information on how to raise a complaint and the escalation process • Take action to promote equality and diversity and children's rights and provide training relevant to these areas • Monitor and record incidents of bullying • Explicitly mention all protected characteristics and other forms of prejudice-based bullying.	• Support in developing policy and implementing practice • Access to resources, professional learning and materials such as those provided by respect*me* and Education Scotland and those that are in step with *Respect for All* • Support and guidance from a range of organisations and service providers who specialise in representing the views and experiences of groups of young people – including those protected under the Equality Act 2010, looked after children and young people; young carers and people who share one or more of the protected characteristics listed in the Equality Act 2010.
Individual schools or services that are part of an organisation or governing body	• Develop a local anti-bullying policy that reflects the organisational policy including an explicit commitment to challenging prejudice-based bullying • Develop and implement practices that promote fairness, inclusion and respect in line with *Respect for All* and national guidance on promoting positive relationships and behaviour • Involve and consult meaningfully with children and young people • Involve National (Parent Forum) and consult meaningfully with parent(s) through Parent Forum/Parent Council or other appropriate forums • Make parent(s) aware of organisational and local anti-bullying policies • Ensure parent(s) are provided with information on how to raise a complaint and the escalation process • Ensure there is clear monitoring and recording procedures and everyone in the school or service are aware of these • Monitor and review policy and practice on a regular basis • Take action to promote positive respectful relationships • Take action to promote equality and diversity and children's rights • Offer children and young people a range of ways to report bullying or to talk about any concerns they have in confidence • Resolve incidents of bullying proactively, using a respectful, proportionate and holistic approach which takes account of the impact of the incident as well as any underlying prejudice or other negative attitudes.	• The organisation/local authority to provide access to training and materials for staff and volunteers • Support from organisation/local authority to deliver the actions that will be required to fully implement the anti-bullying policy • Support and resources from your National Agency or Governing Body (such as YouthLink Scotland or SportScotland) to develop and implement your policy and practice • Support and guidance from a range of organisations and service providers who specialise in representing the views and experiences of groups of young people – including looked after children and young people; young carers and people who share one or more of the protected characteristics listed in the Equality Act 2010.

Your role	What is expected of you	What you can expect from others
Independent/Voluntary services, activity or youth clubs or those who provide a service for children and young people	• Develop an anti-bullying policy with stakeholders that are in step with the principles and values that underpin *Respect for All* and which is appropriate to the context or setting. This includes an explicit commitment to challenge prejudice-based bullying • Involve and consult meaningfully with children and young people and their parent(s) • Develop practices that promote fairness, inclusion and respect • Develop practices that promote positive relationships and choice • Take action to promote equality and diversity and children's rights • Ensure parent(s) are provided with information on how to raise a complaint • Monitor and record incidents of bullying • Offer children and young people a range of ways to report bullying or to talk about any concerns they have in confidence • Develop communication plans to share policy and practice expectations with all stakeholders • Listen and take children and young people seriously	• Access to training and resources from respect*me* and other agencies/organisations that provide anti-bullying support • Support and guidance from a range of organisations and service providers who specialise in representing the views and experiences of groups of young people – including those protected under the Equality Act 2010, looked after children and young people; young carers • Support and resources from your National Agency or Governing Body (such as YouthLink Scotland or SportScotland) to develop and implement your policy and practice.
Individuals	**What is expected of you**	**What you can expect from others**
Children and young people	• Treat people with respect and not engage in bullying behaviour • Be aware of anti-bullying policies and practices in schools/clubs/groups attended • Where safe and appropriate, challenge bullying behaviour • Share concerns with peers/trusted adults if appropriate to the individual • Work collaboratively to help ensure bullying cannot thrive. • Share concerns with peers/trusted adult/named person (where available).	• Schools, clubs and all children's services' should have an anti-bullying policy and approaches to prevent and respond to bullying that are in step with *Respect for All* • Be treated with respect and ensure your rights are protected and fulfilled • Be included and involved when developing policy, approaches to bullying, and what happens when affected by bullying • Be listened to and have concerns taken seriously • Have choices on how you respond and options on where and how to report (in person, online or helpline) • Receive guidance and direction to a range of services or resources that can meet individual specific needs or concerns. These could relate to any individual or protected characteristic.

Your role	What is expected of you	What you can expect from others
Individuals		
Parent(s)	• Be aware of anti-bullying policies and practice in any school/clubs/groups attended by their child or young person • Work collaboratively to help ensure bullying cannot thrive • Share concerns about their child as early as possible with appropriate teacher/practitioner/coach • Engage through school Parent Forum/Parent Council or other appropriate forums to contribute to and learn about anti-bullying practice • Treat people with respect • Promote positive respectful relationships • Listen and take children and young people seriously • Sharing concerns about their child as early as possible with appropriate teacher/named person person (where available)/practitioner/coach.	• Schools, services and clubs attended by their children and young people should have an anti-bullying policy and approaches to prevent and respond to bullying that are in step with *Respect for All*. This should be communicated clearly to parents through local communication channels (including local relevant websites and social media) • Be made aware of and involved in developing any new policies and practices • Be included and involved when developing policy, approaches to bullying, and what happens when affected by bullying • Be listened to and have concerns taken seriously and to be treated with respect • Be signposted to a range of services or resources that can meet individual specific needs or concerns. These could relate to any individual or protected characteristic • Be made aware of the complaints process and also the escalation process at establishment and local authority level and know how to make a complaint at appropriate stages.
Staff and volunteers	• Understand both local and organisational anti-bullying policy and procedures • Be aware of the values and principles of *Respect for All* and act in accordance with them in terms of preventing and responding to bullying behaviour • Act in accordance with the relevant professional standards and codes of conduct, e.g. *Common Core CLD/youthwork/volunteer adult SSSC, GTCS, etc.* • Act as positive role models to establish open positive and supportive relationships • Listen and take children and young people seriously • Engage with parent(s) • Share concerns appropriately within your organisation/service and seek support where appropriate • Take action to promote equality and diversity and children's rights • Work collaboratively to help ensure bullying cannot thrive • Treat people with respect.	• Opportunities to undertake a range of appropriate training on anti-bullying, promoting positive relationships and behaviour, equality and diversity and children's rights • Support, resources and materials from the local authority, organisation, Education Scotland, Youthlink Scotland, Sportscotland and respect*me* etc. • Support when responding to bullying and support when developing approaches • Be included and involved in the development of anti-bullying policies and practices • Support and guidance from a range of organisations and service providers who specialise in representing the views and experiences of groups of young people – including looked after children and young people; young carers and people who share one or more of the protected characteristics listed in the Equality Act 2010.

Approaches to preventing bullying

Bullying takes place in the context of relationships. Promoting respectful relationships, repairing relationships where appropriate and ensuring we respond to all forms of prejudice will help create an environment where bullying cannot thrive. There are a range of strategies and programmes being used throughout Scotland that can improve relationships and behaviour, promote equality and challenge inequality, and develop emotional wellbeing to help prevent and address bullying. These focus on:

- Anti-bullying professional learning
- Recognising and Realising Children's Rights
- Restorative Approaches
- Creating inclusive and supportive learning environments
- Solution Oriented Approaches
- Nurturing Approaches
- Mentoring and peer support (including Mentors in Violence Prevention [MVP])
- Curriculum for Excellence.

These are all supported by opportunities for Career Long Professional Learning (CLPL).

Bullying in Scotland 2014[12] told us that the most successful interventions are embedded within a positive ethos and culture with children and young people using a wide range of coping strategies.

Children and young people value choice when responding to bullying. They need to explore a range of options that may suit them, as what works for one person may not work for another. Adults can support children and young people to make informed choices about how to respond to bullying.

A person who has been bullied does not feel in control of their life and may not feel free to exercise choice. By supporting children and young people to make choices, this helps restore their sense of agency; develop their resilience; and establish positive relationship approaches that they will need for the rest of their lives.

Children and young people need to have choices on how they share and report bullying and bullying concerns.

The children's and young people's consultation told us that the most important actions that adults (in schools, youth groups, colleges, after school clubs, sports clubs etc.) undertook were to:

- Take children and young people seriously when they talk about bullying
- Know about the anti-bullying plan/policy
- Challenge inappropriate behaviour
- Think about how to stop bullying before it happens
- Ensure all children and young people are included, engaged and involved and have the opportunity to participate in school and community events.

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[12] http://issuu.com/respectme/docs/bullying_in_scotland_2014_-_summary/1?e=0/12648674

Young Ambassadors

Equality

Young People's Sport Panel

Partnership

UNCRPD

Equity

Early Intervention

Prevention

Nurturing Approaches

Action on Sectarianism

Fairness

Active Schools

National Youth Work Strategy

Flexibility

Mentoring

Better Relationships,

Better Learning,

Better Behaviour

Solution Orientated Approaches

UNCRC

No Knives Better Lives

Non-discrimination

Participation

Young decision makers

Support

GIRFEC

Inclusion

Mentors in Violence Prevention

Action on Prejudice

Active Girls/ Fit for Girls

Curriculum for Excellence

Ethos

Life Survival and Development

Attainment

Challenge

Culture

Impact

Individual Circumstances

Restorative Approaches

Recognising and Realising Children's Rights

Wellbeing

Respect

Collaboration

Engaging

Community Sport Hubs

Young People As Leaders

> The Parental Focus Group[13] told us that there was often an assumption that parents were aware of relevant organisations/resources. Parents would like to see more signposting from schools about useful and appropriate support options. Parents suggested that the best ways to share information was through school emails, website, social media, Parent Council/Parent Forum, Induction or Transition Days.

Labelling

Labelling children and young people as 'bullies' or 'victims' can be disempowering and unhelpful in changing their behaviour or supporting their recovery from being bullied. Labelling an **action** as bullying is a more effective way of motivating a child to change their bullying behaviour. This approach should be reflected in policy and underpin practice.

Adults dealing with bullying behaviours are expected to be able to distinguish between a person and their behaviour. Any bullying behaviour must be challenged, however, all people (including those causing bullying) should always be treated with respect. This does not diminish the seriousness nor impact of bullying behaviour; rather, it is an essential way of maintaining the adult's focus and response on the behaviour that is problematic. This is a solution-oriented approach that is designed to help people change the way they behave without being stigmatised.

Staff and volunteers, rather than labelling them, can help children and young people change by telling them that the behaviour is bullying and that what they did is not acceptable. This approach should be reflected in policy and underpin practice.

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13   This was facilitated by the National Parent Forum of Scotland

Responding to bullying

Each bullying incident should be reviewed individually and a number of different practices may be adopted before finding one that is effective. Ideally, organisations, establishments and services should develop preventative approaches and strategies to address bullying when it occurs. The approach we use in Scotland means that our responses are rooted in and clearly reflect the values of fairness, respect, equality and inclusion.

Bullying is a combination of behaviour and impact and should be addressed appropriately as outlined in **Section 1**.

In our consultation, young people told us that they want all adults to take children and young people seriously when they talk about bullying. Children and young people also want to be informed of actions that are being taken to support them if they are affected by bullying.

Therefore when responding to incidents or accusations of bullying the approach should be to ask:

- What was the behaviour?
- What impact did it have?
- What does the child or young person want to happen?
- What do I need to do about it?
- What attitudes, prejudices or other factors have influenced the behaviour?

Children and young people who are exhibiting bullying behaviour will need help and support to:

- Identify the feelings that cause them to act this way
- Develop alternative ways of responding to these feelings
- Understand the impact of their behaviour on other people
- Repair relationships.

We need to help children and young people who demonstrate bullying behaviour by providing clear expectations about behaviour as well as providing a range of ways to respond. This can include taking steps to repair a relationship, and where appropriate, supporting them to make amends. We need to challenge prejudice and offer the opportunity to learn and change behaviour. Consideration should be given to any factors that may impact upon a child or young person's wellbeing, including whether any additional support for learning is required.

It is important the details of the approach used to prevent and address bullying is clearly outlined in the anti-bullying policy.

Responses to bullying should focus on developing resilience and promoting positive relationships – guidance on this can be found at **Education Scotland**.[14]

Recording and monitoring bullying incidents

For everyone who works with children and young people accurate recording of bullying incidents ensures that an appropriate response has taken place. It is crucial that organisations monitor the effectiveness of their policy and practice, and review and update their policy on a regular basis. Monitoring bullying incidents is essential and helps organisations identify recurring patterns thereby encouraging early intervention. This can help identify training (CLPL) needs for everyone working with children and young people.

For children and young peoples organisations recording systems must include information on:
- The children and young people involved, as well as staff or other adults
- Where and when bullying has taken place
- The type of bullying experienced, e.g. name-calling, rumours, threats etc.
- Any underlying prejudice including details of any protected characteristic(s)
- Consideration of personal or additional support needs and wellbeing concerns and
- Actions taken including resolution at an individual or organisational level.

The recording, monitoring and analysis of bullying is best carried out by an organisation where it can be understood and acted upon.

Data should not be analysed in isolation. The local context, professional judgment, and other relevant information should be considered alongside the statistical evidence.

All organisations should make parents, carers, children and young people aware of their complaints procedures including any review or appeal process.

Approaches to monitoring and recording should also take into consideration children and young people rights outlined in the UNCRC including Article 12: Children and Young People have the right to an opinion and for it to be listened to and taken seriously, and Article 16: Children and Young People have the right to a private life. For more information go to: **www.cypcs.org.uk**

It is expected that organisations will use a digital recording system where possible and adhere to Data Protection principles.

Further support and training is available from **respect*me***[15].

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[14] www.education.gov.scot/improvement
[15] www.respectme.org.uk

Schools

How Good is Our School? 4 (HGIOS4), has a strong focus on inclusion and equity. The framework includes quality indicators on 'Personalised Support' and 'Ensuring Wellbeing Inclusion and Equality', and it references bullying, including prejudice-based bullying as well as considerations for all protected characteristics.

In addition, Scotland's *National Improvement Framework for Scottish Education* prioritises the need for improvement in children and young people's health and wellbeing. By recording and monitoring bullying incidents at a local level, local authorities and schools will be able to identify trends or themes emerging and where improvement can be made to support the wellbeing of all children and young people.

Additionally, it is of key importance that relevant local authority and school staff are appropriately trained to build confidence and capacity to recognise and respond to bullying locally. The Scottish Government will ensure that any new process will have minimal impact on teacher workload and bureaucracy.

We recognise that streamlined and uniformed recording and monitoring by local authorities and schools will help to identify key measures and actions that can be undertaken to address incidents of bullying.

We are working with local authority representatives, teacher organisations and key stakeholder bodies to develop a universal approach to recording and monitoring incidents of bullying in Scottish schools.

In support of this we will develop additional guidance to complement *Respect for All* which will set out the approach for local authorities and schools to adopt for recording and monitoring incidents of bullying. Once agreed this guidance will be kept under periodic review and evaluation to ensure that local authorities and schools are consistently following the agreed approach.

The existing SEEMIS system used by schools, which includes a 'Bullying and Equalities' module, would be an appropriate tool for schools and local authorities to use. We will explore with SEEMIS and local authorities appropriate updates to the module to assist ease of use and data capture.

> **!**
>
> "Bullying is wrong. No-one should have to fear for their safety or dignity. Bullying can destroy lives and ruin someone's confidence not just in their childhood but for the rest of their lives."
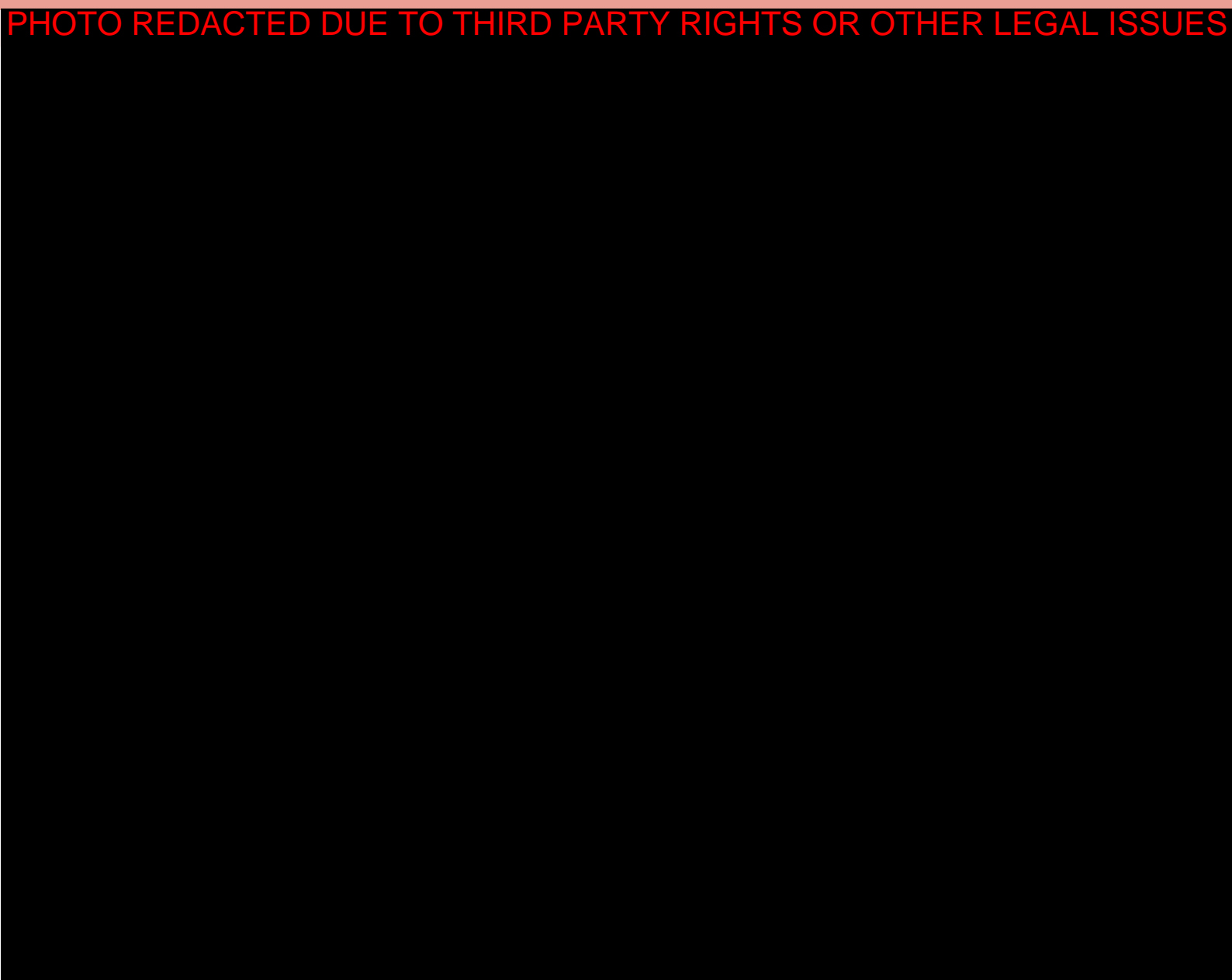> (Age 9, North Ayrshire)

Appendices

APPENDIX 1
The policy landscape and legal framework

Legal obligations to consider:

UN Convention on the Rights of the Child (UNCRC)

Children's rights are now embedded in Scottish legislation with the **Children and Young People (Scotland) Act 2014**[16] (CYPA) introducing a duty on Scottish Ministers to *'keep under consideration whether there are any steps which they could take which would or might secure better or further effect in Scotland of the UNCRC requirements'* and if they consider it appropriate to do so, take any steps identified by that consideration.

Respect for All ensures that all partners who work with children and young people are supported to promote and protect the rights of children and young people in Scotland.

Equality Act 2010

The Equality Act 2010 provides a basic framework of protection against direct and indirect discrimination, harassment and victimisation in services and public functions, as well as providing protection for people discriminated against because they are perceived to have, or are associated with someone who has, a protected characteristic. The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation.

Age and marriage and civil partnership are not protected characteristics within school education.

In essence, organisations have to ensure that policies aimed at preventing bullying or at addressing the consequences of bullying where it occurs do not directly or indirectly discriminate anyone who shares a protected characteristic. For those bodies covered by the public sector equality duty (see below) that would normally be done by assessing the impact of those policies against the needs of anyone who has a protected characteristic and publishing the conclusions of that assessment.

As well as placing duties on service providers and public sector bodies the Act provides for ways in which individuals can seek remedies for discrimination by organisations, including mediation or making a claim to a court or tribunal. The **Equality and Human Rights Commission** (EHRC) provides more information on the rights of individuals, or advice can be sought from the **Equality Advisory Support Service**.' Everyone has several of the protected characteristics in the Act. The Equality Act 2010 does not just protect

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people from discrimination because they have these characteristics. It also protects a person from discrimination because they are perceived to have one or more of the protected characteristics or that they are associated with someone who does have a protected characteristic.

The public sector equality duty in the Equality Act 2010 requires an organisation exercising public functions to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations in the exercise of those functions. To help them to do this, most Scottish public authorities are subject to the requirements of a set of specific duties. These duties include equality impact assessment of new or revised policies.

The **Equality and Human Right Commission** published **Technical Guidance**[17] for all schools in Scotland (including publicly funded, grant-aided, independent, special and preschool and nursery schools) which outlines the requirements of the Equality Act 2010 for schools in relation to the provision of education and access to benefits, facilities or services, both educational and non-educational. It provides an authoritative, comprehensive and technical guide to the detail of the law.

The **Schools (Health Promotion and Nutrition) Act (Scotland) 2007**[18] amended the Education (Scotland) Act 1980 and the Standards in Scotland's Schools etc. Act 2000 to place a number of duties on education authorities including ensuring that schools are health promoting. This includes promoting physical, social, mental and emotional wellbeing by supporting pupils to make positive lifestyle choices in relation to their health and wellbeing.

Bullying, whether linked to prejudicial attitudes or not, can sometimes create additional support needs for children and young people. There is specific legislation in this area in the **Education (Additional Support for Learning) (Scotland) Act 2004** (as amended) which provides a comprehensive legal framework for the provision of additional, targeted support for children and young people who face barriers to learning.

Policy implications

Since the last publication of the National Approach, the policy and legislative landscape has changed. However, there does remain an emphasis on the importance of wellbeing and relationships in shaping positive outcomes for children and young people. This is outlined in **Better Relationships, Better Learning, Better Behaviour**[19] (2013). Evidence tells us that investing time and resources into improving relationships and behaviour in whole school and wider environments leads to positive outcomes around inclusion, engagement and achievement in the short term, and community safety and cohesion in the longer term.

Some of the other key drivers for the current guidance are set out below:

[17] www.equalityhumanrights.com/publication/technical-guidance-schools-scotland
[18] http://www.legislation.gov.uk/asp/2007/15/contents
[19] http://www.gov.scot/resource/0041/00416217.pdf

Getting it Right for Every Child

Getting it right for every child is the national approach in Scotland to improve outcomes and to support the wellbeing of our children and young people by offering the right help at the right time from the right people. The Children and Young People (Scotland) Act 2014 provides a description of wellbeing so that children, young people, families and practitioners (such as teachers, school nurses and youth workers) have a shared understanding of what is meant by wellbeing. The approach recognises that children and young people have different experiences in their lives, but every child has the right to expect appropriate support from adults to allow them to reach their potential.

Getting it right for every child builds on the experience of most families that children benefit from a network of support to promote and support their wellbeing. The approach makes available a Named Person within this network of support. The Named Person is an identified point of contact who is there for children, young people and parents, to help them get the information, advice or support they need if and when they need it. For children of school age, the Named Person will usually be a promoted teacher in the school they attend.

The Named Person is also available to offer information, advice or support to other practitioners who are working with children, young people and parents to promote, support or safeguard their wellbeing.

Learning in Health and Wellbeing

Learning in Health and Wellbeing, as part of Curriculum for Excellence, ensures that children and young people develop the knowledge and understanding, skills, capabilities and attributes which they need for mental, emotional, social and physical wellbeing now and in the future. All adults who work in schools have a responsibility to ensure the mental, emotional, social and physical wellbeing of the children and young people in their care. The *Responsibility of All* includes each practitioner's role in establishing open, positive, supportive relationships across the school community.

The Curriculum is designed to improve education for children and young people by putting their learning experiences at the heart of education.

Good health and wellbeing is central to human development. Schools, colleges and other learning establishments have much to contribute to its development.

Relationships, Sexual Health and Parenthood (RSHP) Education[20]

In 2014 guidance on the Conduct of Relationships, Sexual Health and Parenthood (RSHP) education in schools was published. This guidance clearly states how important it is that RSHP education is inclusive and reflects issues relating to lesbian, gay, bisexual, transgender and intersex (LGBTI) children or those with LGBTI parents, such as same sex marriage and hate-crime reporting.

The guidance also highlights the 'Dealing with Homophobia and Homophobic Bullying in Scottish Schools[21], a Toolkit for Teachers' resource to support staff in recognising, challenging, and reducing homophobia and homophobic bullying in their schools. This is a resource which can be used in conjunction with *Respect for All.*

[20] http://www.gov.scot/Publications/2014/12/8526
[21] https://www.lgbtyouth.org.uk/pro-resources-education

Early Learning and Childcare

Building the Ambition; National Practice Guidance on Early Learning and Childcare (2014)[22] provides detailed, practical guidance on the experiences and interactions necessary to deliver the learning journey of babies, toddlers and young children. The aims of this document should inform how early years practitioners support wellbeing and positive relationships within early learning and childcare settings.

Raising Attainment for All

The Scottish Government recognises the need to raise the attainment of all children and young people living in deprived areas in order to close the equity gap and has set out its aims for this within the Scottish Attainment Challenge[23]. This is set within the context of CfE and targets improvement in literacy, numeracy and health and wellbeing in these areas.

National Improvement Framework

One of the most important aims of the **National Improvement Framework**[24] is to drive improvements in learning for individual children and to ensure that there is a purpose to assessment and information gathering. It is hoped that more robust and transparent assessment and information gathering will help schools and local authorities to support children and young people more appropriately. As well as a focus on literacy and numeracy, it will also bring greater focus to improvements in the health and wellbeing of young people.

Digital Learning and Teaching Strategy

The Scottish Government's Digital Learning and Teaching Strategy (2016) sets out 4 key objectives, realisation of which will create the optimum conditions for an education enhanced and enriched by digital technology. The strategy recognises the importance of ensuring that young people and schools capitalise on the benefits of using digital technology safely.

Youth Work Strategy

The National Youth Work Strategy 2014-2019, *Our Ambitions for Improving the Life Chances of Young People in Scotland*[25] recognises youth work as a key and distinctive component of the Scottish Government's present and future agenda for young people.

The strategy aspires to ensure all young people, in every part of Scotland, have access to high quality and effective youth work practice.

Youth work practitioners also have a responsibility to ensure that they follow the principles of *Respect for All* and ensure they receive the appropriate training.

Developing The Young Workforce – Scotland's Youth Employment Strategy[26]

This strategy is designed to ensure our young people have an educational experience which is relevant to future work to future work opportunities where employers play an active role, both shaping and benefiting from Scotland's education system by helping to create the talent pool they need and recruiting young employees.

[22] http://www.gov.scot/Publications/2014/08/6262/0

[23] http://www.gov.scot/Topics/Education/Schools/Raisingeducationalattainment

[24] http://www.gov.scot/Topics/Education/Schools/NationalImprovementFramework

[25] https://www.education.gov.scot/Documents/youth-work-strategy-181214.pdf

[26] http://www.gov.scot/Publications/2014/12/7750

Mental Health Strategy

The 10-year **Mental Health Strategy** was published on 30 March 2017 and sets out our vision to improve mental health in Scotland. A key section in the Strategy deals with prevention and early intervention. That section outlines our ambition that every child and young person should have appropriate access to emotional and mental well-being support in school.

National Action Plan on Internet Safety

The National Action Plan on Internet Safety for children and young people sets out a number of actions to improve internet safety. Its priorities include equipping children and young people themselves to stay safe online, supporting professionals, parents and carers and continuing to work with digital and social media providers to ensure children are not exposed to harm.

National Guidance for Child Protection in Scotland in 2014

All children and young people have the right to be cared for and protected from harm, and to grow up in a safe environment. Child protection is a duty shared amongst all of us in society, not just core professionals.

We expect all professionals working with children to identify and act on any concerns to ensure the safety and wellbeing of the child concerned and we updated the National Guidance for Child Protection in Scotland[27] in 2014 to help professionals do this.

5Rights

The 5Rights coalition is a UK wide initiative which recognises that the internet and digital technologies are a fundamental part of children and young people's lives. It believes that children and young people must be empowered to access the digital world creatively, knowledgeably and fearlessly.

5Rights takes the existing rights of children and young people (under 18), and articulates them for the digital world. It has developed a framework based around 'five rights' which they believe organisations should sign up and adhere to, in order to sufficiently protect and support young people in a digital environment. The five rights are:

- The right to remove: every child and young person should have the right to easily edit or delete all content they have created
- The right to know: children and young people have the right to know who is holding or profiting from their information, what their information is being used for and whether it is being copied, sold or traded
- The right to safety and support: children and young people should be confident that they will be protected from illegal practices and supported if confronted by troubling or upsetting scenarios online
- The right to make informed and conscious choices: children and young people should be empowered to reach into creative places online, but at the same time have the capacity and support to easily disengage

The right to digital literacy: to access the knowledge that the internet can deliver, children and young people need to be taught the skills to use, create and critique digital technologies, and given the tools to negotiate changing social norms.

APPENDIX 2
Prejudice-based bullying

This section outlines the protected characteristics in the Equality Act 2010 (as described on page 31) as well as other characteristics which may lead to bullying that are not covered by the Equality Act 2010.

Additional Support Needs: These 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, and therefore may relate to a protected characteristic. 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: Age is a protected characteristic 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. Some bullying behaviour against these groups may be of a racist nature which, given that race is a protected characteristic, can contravene equality legislation and have hate crime implications. Stigma, due to lack of knowledge and, given that race is a protected characteristic, 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 on their wellbeing. In some cases, body image and physical appearance may relate to a protected characteristic, such as race or disability.

Disability: Disability is a Protected Characteristic. People who bully others may see disabled children and young people as being less able to defend themselves and less able to tell an adult about the bullying. The language and behaviour used may be a result of a lack of understanding about the nature of a person's disability. Increased knowledge and understanding about disability and the impact it can have can help reduce bullying.

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 sex that was assigned to them at birth. Gender identity reflects an individual's internal sense of self as being male, female, neither or aspects of both. Gender reassignment is a protected characteristic.

Transgender people face significant societal prejudice largely because they are perceived as not conforming to gender stereotypes, expectations and norms. As a result, transgender children and young people can be particularly vulnerable to bullying.

This can manifest in many ways including transphobic name calling or deliberately mis-gendering them. An individual may also experience transphobic bullying if someone is perceived to be transgender or someone they are associate with, is transgender, i.e a parent, relative or other significant figure.

The term 'gender reassignment' is a protected characteristic within the Equality Act 2010 and refers to those who propose to go through, are going through, or have gone through a process of gender re-assignment.

Gypsy/Travellers: Children and young people who are Gypsy/Travellers may be at greater risk of bullying directly and indirectly. Some bullying behaviour against these groups may be of a racist nature which, given that race is a protected characteristic, can contravene equality legislation and have hate crime implications. Perceived risks about bullying and given that race is a protected characteristic 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, Biphobic and Transphobic Bullying: Sexual orientation is a protected characteristic within the Equality Act 2010. Bullying based on sexual orientation is largely motivated by prejudice towards lesbian, gay or bisexual people. Homophobic bullying is when a young person's actual or perceived sexual orientation is used to exclude, threaten, hurt, or humiliate them.

Any young person can be homophobically bullied, whether they are LGBT or not. Sometimes young people can be homophobically bullied because others think that they are LGBT, because they have LGBT family or friends or often because they are seen as different or not conforming to traditional gender stereotypes. Transgender children and young people can therefore also experience homophobic bullying.

Homophobic language and jokes around the school can create a climate of homophobia; for example, the use of the word 'gay' to mean sub-standard or uncool. This type of language should therefore be addressed.

Intersectionality: Understanding the different and unequal social and economic outcomes for particular groups, based on intersections between race, ethnicity, class, gender, sexual orientation, disability, and age. In the context of anti-bullying, it is important to understand the connection between the experience of belonging to one or more of these groups and a resultant inequality in attainment and wellbeing.

Looked After Children and Young People: Looked after children and young people can be particularly vulnerable to bullying. Children can face bullying behaviour simply because they are looked after and seen in some way as 'different'. Children who are looked after away from home can also experience bullying behaviour in their residential care home, at school and in their community. Looked after children and young people may not always have a stable support network to turn to when experiencing bullying. For some children

forming positive relationships with peers and adults can be more difficult due to their early childhood adversity. Developing trusting and supportive relationships between children and practitioners is required to address bullying of all forms and in all settings.

Marriage/Civil Partnership: Marriage and civil partnership is a protected characteristic. 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.

Racism and Race: Race is a protected characteristic. 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 or Belief: Religion or belief is a protected characteristic. 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 a religion or belief as well as those who do not, are protected under the Equality Act 2010.

Sectarianism: Most people understandably associate sectarianism with religion, which is a protected characteristic. 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: Sex, sexual orientation and gender reassignment are all protected characteristics. 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 using 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 perceived not 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.

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 socio-economic group. Bullying of children who endure parental substance misuse can also be prevalent.

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.

APPENDIX 3
Acknowledgements

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