

Respecting others – schools

Inspiring rights, respect and equality – preventing and challenging bullying

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

Draft guidance

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Respecting others – schools

Audience

Schools; school governors; local authorities; social workers; healthcare professionals; Estyn; police; voluntary and third sector organisations involved with school children and learner well-being and safeguarding; parents/carers; children and young people.

Overview

This document forms part of a series of guidance documents providing information for all involved in preventing and challenging bullying in schools. Each document within this series provides tailored advice specifically aimed at key audiences. This guidance provides advice and guidance to schools.

Action required

This guidance should be brought to the attention of all managers, staff and relevant professionals working within a school environment to assist in developing and implementing anti-bullying policies and strategies.

Further information

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Additional copies

This document can be accessed from the Welsh Government's website at

<https://beta.gov.wales/consultations>

Related documents

Inclusion and pupil support guidance (2016)

Keeping learners safe guidance (2015)

Thinking positively: Emotional health and well-being in schools and Early Years settings (Welsh Assembly Government, 2010)

School-based Counselling Operating Toolkit (Welsh Assembly Government, 2011)

Learner Travel (Wales) Measure 2008: All Wales Travel Behaviour Code Statutory Guidance (2017)

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Terms used in this document

For the purposes of this guidance, the following terms are defined as:

Bystander – a learner who is present, whether on or offline, at an event or incident of bullying but does not take part.

Children and young people – are people under 18 years of age, in line with the definition of ‘children’ within the Children Act 1989.

Cisgender – a person whose gender identity, expression and biological sex align (e.g. girl/woman and female). In other words, it describes people who do not identify as trans.

Disability and disabled person – has the same meaning as in section 6 of the Equality Act 2010.

Estyn – is the education and training inspectorate for Wales. It provides an independent inspection and advice service on quality and standards in education and training provided in Wales.

Gender – one’s sense of being a boy/man, a girl/woman, neither or both. The way a person feels about themselves, their bodies, their behaviour and where they ‘fit’ as a boy/man, girl/woman, trans or other. Everyone expresses their masculinity or femininity differently and we all relate differently to others’ masculinity or femininity.

Gender identity – refers to the social or cultural distinctions associated with a given sex and the expectations of some members of society that people should behave in a particular way based on their biological sex. It is about one’s sense of masculinity or femininity or the mixture of these regardless of physical characteristics, genes, chromosomes or hormones. Some individuals refer to themselves as non-binary, gender variant or gender fluid: seeing gender more as a spectrum than a continuum.

Hate crime – is a term that can be used to describe a range of criminal behaviour where the perpetrator is motivated by hostility or demonstrates hostility towards the target’s disability, race, religion, sexual orientation or transgender identity. These aspects of a person’s identity are known as ‘protected characteristics’. A hate crime can include verbal abuse, intimidation, threats, harassment, assault and bullying, as well as damage to property. The perpetrator can also be a friend, carer or acquaintance who exploits their relationship with the target for financial gain or some other criminal purpose.

LGBT+ – includes lesbian, gay, bisexual, trans or intersex individuals, those who question their gender or sexual orientation, or who identify as other than any of these.

Looked after children – has the same meaning as section 74 Social Services and Well-being (Wales) Act 2014.

Online bullying – describes all bullying via technology, including cyberbullying.

Perpetrator – refers to children and young people who bully others. These individuals have historically been referred to as ‘bullies’.

Prejudice-related bullying – refers to any form of bullying related to the characteristics considered to be part of a person’s identity or perceived identity group. This can include their disability, gender, gender identity, race, religion or belief or sexual orientation, which are the Protected Characteristics set out in the Equality Act 2010.

Public sector equality duty – is the duty on public authorities to consider how their policies or decisions affect people who are protected under the Equality Act 2010

Restorative justice – a restorative approach is a way of addressing conflict with a focus on repairing the harm that has been done. It includes all parties involved.

Sex – can be described as physical or biological sex; describing someone's identity based on their physical sexual characteristics. A person’s sex, as determined by their biology, does not always correspond with their gender. The terms ‘sex’ and ‘gender’ are not interchangeable, nor synonyms for each other.

Sexual orientation – or its more informal term, sexuality, describes the sexual, physical and emotional attraction of one person to another: heterosexual, gay, lesbian or bisexual.

Targets – refers to children who are bullied. These individuals have historically been referred to as ‘victims’.

Transgender/Trans – gender identity is the extent to which one identifies with their sex assigned at birth. Individuals who identify with a gender identity which is different from their biological sex are called transgender or trans, widely used as an inclusive term referring to transgender or gender questioning people of all ages.

1. Introduction

1.1 Despite work by schools, other services as well as government initiatives bullying remains a desperately worrying problem for many. Online spaces and social media have provided new tools and opportunities to bully others.

1.2 The United Kingdom has been found to be one of the worst countries for children and young people's life satisfaction and bullying is mentioned as a cause of this¹. Bullying behaviour can signal that there are other disadvantages in a child's life, reflecting low overall life satisfaction².

1.3 Bullying is a widespread aggressive human behaviour and can be influenced by fear of others who are different, anger, prejudice or revenge. In some cases, bullying is a learned self-preservation behaviour. Factors and attitudes in the news and media, the community, within families and in each one of us can trigger the urge or power to bully others.

1.4 A focus on bullying is perhaps more vital than ever before, in the face of rising digital threats and broader prejudices expressed online and offline. There is an increase in reported hate crime³ revealing the need to challenge discrimination. Thousands of children and young people in Wales have said bullying remains their top priority⁴. One of the reasons it regularly tops surveys as a primary concern, is that it affects so many. Children and young people's calls for action to be taken by adults is supported by an array of research, which shows the devastating and long lasting impact bullying can have: not only to targets but to perpetrators and bystanders too. Severe impacts can be long-term, including absenteeism, reduced attainment, poor mental health and reduced well-being.

1.5 Bullying can also lead to children becoming lonely and socially isolated. The growing evidence on Adverse Childhood Experiences (ACEs) demonstrates the ways in which childhood experiences can have significant impacts on a person's ability to form and maintain relationships in childhood and with long lasting impacts into adulthood. This is why it is so important to ensure children have positive relationship experiences.

1.6 In July 2018, the NSPCC reported that Childline had carried out 4,636 counselling sessions for loneliness in 2017-18: a 14% increase on the previous year. Girls received almost eight out of ten of the counselling sessions. The most common reasons cited for their increased feelings of loneliness were bullying, mental health issues and social media use. This can be seen also in the 2018 UK Youth report A

¹ Children's Worlds Project.

² The Children's Society 2017 The Good Childhood Report.

³ Home Office statistics show a 15% increase in recorded hate crimes across Wales compared to 2016-17. www.gov.uk/government/statistics/hate-crime-england-and-wales-2017-to-2018

⁴ In 2016 children told the Children's Commissioner for Wales that bullying remained their top priority.

Place to Belong which noted that when asked to identify the major causes of youth loneliness . . . one of the top three answers provided by youth workers was bullying (83%)⁵.

1.7 Stigma and discrimination over mental ill-health can be a cause of bullying: though equally bullying can also contribute to the targeted person developing poor mental health and well-being. Tackling the root cause of bullying is often the precursor to improving the child or young person's mental well-being.

1.8 If bullying becomes dominant in a school, no learner can fully enjoy their rights under the United Nations Convention on the Rights of the Child (UNCRC): including to be safe and to receive an education⁶.

1.9 Bullying behaviour:

- is harmful for all the individuals involved
- becomes the focus of a learner's experience of daily life
- undermines attainment, safety, well-being and school ethos
- is detrimental to the school and the wider community
- affects bystanders and those who know it is prevalent in their school.

1.10 New children enter the social world of schools every year. Forms of bullying are also constantly developing. In a changing youth culture, helped by new technology, this is not surprising. That is why we need to renew frequently our efforts to understand and challenge this complex behaviour and evaluate what we do. It is important to remember that most children do not bully others and that positive caring behaviour can be the norm if the right school culture is developed.

1.11 Effective schools take a proactive approach to preventing all bullying and to mitigate its effects when it occurs. All schools should adopt this approach. This includes teaching children and training staff about respect, positive behaviour, stereotypes and addressing prejudice: building confidence to enable unacceptable language to be challenged and addressed in accordance with the school protocols. It also involves effective supervision between lessons with safe places provided for vulnerable learners during these times.

1.12 This document is part of a suite of guidance covering the roles and responsibilities of local authorities, school governors, school staff, parents/carers plus children and young people. The suite of guidance is accompanied by an online toolkit providing resources to support implementation of the guidance at an operational level.

⁵ <https://ukyouth.org/wp-content/uploads/2018/08/A-Place-To-Belong-The-role-of-local-youth-organisations-in-addressing-youth-loneliness.pdf>

⁶ United Nations Convention of the Rights of the Child (UNCRC), Articles 19 and 28, which the United Kingdom signed in 1991.

1.13 Where you see the following symbol within this guidance it indicates that toolkit resources are available.



The power of language

1.14 There is a debate about the language used when talking about bullying behaviour. Using language that includes bullying or aggressive words such as ‘stamp out’, ‘kick out’ or ‘combat’ bullying has been challenged. It has not been shown to reduce bullying effectively. Instead it entrenches the notion that the powerful have power over the weak, leading learners to aim to be one of the ‘powerful’ rather than a ‘weak’ group. This can encourage weaker members of a group to begin bullying others weaker than themselves to assert some ascendance. In contrast, the aim is to create a respectful community whose members learn to live alongside one another with aggression reduced.

1.15 Referring to the roles played in bullying incidents it is preferable not to label children and young people as a ‘victim’ or ‘bully’ because:

- learners are often encouraged to ‘hate bullying’ which can then translate into hating individuals who bully. It is a label a child or young person can internalise and live up to, or it can impede their ability to change their behaviour. By not labelling someone a bully, space opens up to help them change their unacceptable behaviour and use their power or leadership in other ways. It is helpful to separate the person from the behaviour to allow the person to change. Their behaviour is disliked or unacceptable, but they are not hated as individuals
- similarly, labelling learners ‘victims’ can entrench their ‘otherness’ and ensure they are not accepted by their peers. They are seen as weak and many children avoid them for fear of being seen in the same way. Some targeted children begin to believe it is their fault they are bullied and see themselves as a victim.

1.16 That is why this guidance uses other terms. There are many roles played by all who are involved including witnesses.

2. What is bullying?

Defining bullying behaviour

2.1 There is no legal definition of bullying. Therefore the definition used in this guidance builds upon widely used principles established in the United Kingdom since 1993⁷. Schools should use this definition of bullying as a basis to build their own user-friendly definition to address specific bullying issues prevalent within their own settings. It is essential to define what is meant by bullying because this will form the basis of a school anti-bullying policy and everyone, including staff and learners, should understand what is meant.

2.2 For the purposes of this guidance, bullying is defined as:

Behaviour by an individual or group, repeated over time, which intentionally hurts others either physically or emotionally.

2.3 Bullying can happen face-to-face or in the digital environment using technology, known as online bullying (not cyberbullying?). Bullying can be carried out by an individual or group, but is generally executed in front of an audience to assert power or popularity. It may involve an element of secrecy so that adults are not aware of it.

2.4 Bullying differs from an argument, a fight or friendship fallout which generally lack the following features.

- Bullying is deliberate or intentional.
- It is usually repeated*.
- There is an imbalance of power between perpetrator and target.
- Bullying causes feelings of distress, fear, loneliness, humiliation and powerlessness.



Banter or bullying video,
Pauline Quirke Academy for
Bullying UK

**It is recognised that a one-off incident can leave a learner traumatised and nervous of reprisals or future recurrence. In cases involving vulnerable children, harm or*

⁷ Anti-Bullying Alliance (2003); Department for Education and Skills, (2004) Don't Suffer in Silence, Department for Children Schools and Families, (2008) Safe To Learn; Olweus D. (1993), Bullying at School, What we know and what we can do. *Blackwell*

violence, intervention should be immediate whether it is bullying or any other negative behaviour. Cases should be handled as inappropriate behaviour if they do not appear to be bullying.

The importance of a clear definition of bullying

2.5 Clarifying what is meant by bullying behaviour is an essential starting point. Agreeing a definition provides an opportunity for schools to align their values and vision and create a consistent framework of policies and procedures. The definition should be used in staff training, in day-to-day anti-bullying work with learners and to clarify the position for parents/carers. This will help to make the policy clear and consistent for the whole school community.

2.6 Learners should be consulted in the development of their school's definition of bullying and the associated policy for how their school challenges bullying. Learners should be given a version of the school's policy with the definition explained clearly and simply.

Bullying behaviour has distinctive elements.

2.7 There are a number of distinctive elements associated with bullying. These include but are not limited to the following.

- **Intention to harm:** bullying is deliberate with the intention to cause harm. Those who bully others are often skilled at knowing exactly how to humiliate or hurt their target: picking on key aspects of their appearance, personality or identity that produces the effect wanted. They seek out the area in which they have power over their target.
- **Harmful outcome:** someone or a group is hurt physically or emotionally. They can be isolated, humiliated or made fearful. Their sense of self-worth is reduced.
- **Direct or indirect acts:** bullying can involve direct aggression, such as hitting, as well as indirect acts such as spreading rumours, revealing private information about someone or sharing intimate images with people for whom the information/ images were not intended.
- **Repetition:** bullying usually involves repeated acts of aggression. An isolated aggressive act, such as a fight, is not usually considered bullying⁸. Yet any incident can be the start of a pattern of bullying behaviour which develops subsequently. That is why incident records are so valuable.

⁸ Where fights occur but are not considered acts of bullying, they should be managed using the school behaviour policy.

- **Unequal power:** bullying involves the abuse of power by one person or a group who are (perceived as) more powerful, often due to their age, physical strength, popularity or psychological resilience.

How is bullying expressed?

2.8 Bullying can take many forms.

- Physical – kicking, tripping someone up or shoving them, injuring someone or damaging their belongings or gestures of intimidation
- Verbal – taunts and name-calling, insults, threats, humiliation or intimidation
- Emotional – behaviour intended to isolate, hurt or humiliate someone
- Indirect – sly or underhand actions carried out behind the target's back or rumour spreading
- Online – using any form of technological means, mobile phones, social networks, gaming, chat rooms, forums or apps to bully via text, messaging, images or video
- Relational aggression – is bullying that tries to harm the target's relationships or social status: drawing their friends away, exploiting a person's special educational needs or long-term illness, targeting their family's social status, isolating or humiliating someone or deliberately getting someone into trouble
- Sexual – unwanted touching, threats, suggestions, comments and jokes or innuendo. This can also include sextortion, so called 'revenge porn' and any misuse of intimate, explicit images of the person targeted.
- Prejudice-related – bullying of a person or a group because of prejudice. This could be linked to stereotypes or presumptions about their identity: race, religion, gender, disability, gender identity, sexual orientation or background.

3. What is not bullying?

3.1 Some behaviour, though unacceptable is not considered bullying. These instances, if appropriate, should be dealt with in accordance with the school's behaviour policy. Some cases might be a safeguarding matter or require involvement of the police. A young person may be in need of multi-agency support or therapeutic intervention.

3.2 The following examples are cases, which would not normally be considered bullying.

- **Friendship fallouts** – are not generally regarded as bullying. A friendship feud may however deteriorate into bullying behaviour that is enabled by the fact that former friends have an intimate knowledge of the fears and insecurities of one another. Children who are targeted by former friends feel the betrayal deeply and are frequently isolated from their former friendship group.
- **A one-off fight** – is not regarded as bullying. It should be addressed according to the school's behaviour policy unless it is part of a pattern of behaviour that indicates intentional targeting of another person.
- **An argument or disagreement** – between two children is not generally regarded as bullying. Nevertheless they may require assistance to learn to respect other people's views.
- **Physical assaults** – should be stopped and addressed immediately. Police involvement in cases where physical assault has happened may also be appropriate.
- **Insults and banter** – children will often protest that an incident was a joke or banter. If two friends of equal power are in the habit of bantering with one another it is not seen as bullying. If one person uses banter to humiliate or threaten another who is powerless to stop it and made fearful by the act the border between banter and bullying may be crossed.
- **A one-off instance of hate crime** – can include one or more of the following traits: verbal abuse; intimidation; threats; harassment; assault; damage to property; targeting someone for financial gain or for some other criminal purpose. Unless this behaviour is repeated it would not usually be regarded as bullying. Hate crimes should be addressed according to the school's 'Prevent' policy and, if considered necessary, involve the police.

3.3 These examples illustrate the need to deal with the incident reported and record it. This should reveal any previously recorded incidents and allow a considered assessment to be made. Further information on reporting, recording and monitoring incidents is provided in Section 14 of this guidance.

4. What motivations lie behind acts of bullying?

4.1 Children and young people who engage in bullying can have a range of motivations. They may have prejudices against certain groups in wider society. These prejudicial opinions may be informed by a wide range of factors including the following influencers: media; community and/or family values or previous personal experience. Perpetrators' motivations may also include a desire:

- for power, pride and popularity
- to belong to a strong in-group with a robust sense of identity and self-esteem
- to avoid being a target of bullying themselves
- to compensate for humiliations which they themselves have suffered in the past.

4.2 Interventions should consider motivations when working with children and young people who bully others. This will help understand and address the root cause of the unacceptable behaviour and help to change it, preventing further bullying from happening.

4.3 Bullying behaviour may reflect attitudes held in society or expressed in the media. Schools will sometimes find they need to challenge these attitudes with the wider school community beyond the case they are addressing.

5. Prejudice-related bullying

5.1 Prejudice-related behaviour ranges from taunts and insults, ostracising someone (or a group), and can escalate to hate crime at the extreme end of the scale.

5.2 Acts of prejudice-related behaviour often contain or express ideas, stereotypes and prejudices to do with discrimination and inequality that are present in wider society. In particular, ideas and attitudes that involve hostility towards people who have characteristics which are protected by the Equality Act 2010. Such people include those who have disabilities or special educational needs⁹; people whose ethnicity, race, appearance or religious heritage is different from that of those who engage in prejudice-related behaviour; people of the opposite gender; people who are lesbian, gay or bisexual; or people that are questioning their gender or who are transgender.

5.3 There are many examples of prejudice-related behaviour. Some of these might include:

- stigmatising a learner with a disability or additional learning need
- using homophobic, transphobic, sexist or racist language
- actively trying to remove any religious clothing such as a hijab, kippah, turban, cap or veil
- using sexist comments, unwanted touching or the taking of images without permission.



Estyn Report: Action on Bullying

EHRC - Tips for tackling discriminatory bullying.

Welsh Government: Tackling Racism in schools_Fact sheet

5.4 All forms of prejudice-related behaviour connected with the protected characteristics have certain basic features in common. Therefore, the same essential principles apply when preventing and challenging them. None of the protected characteristics are more important than any of the others. Sometimes individuals may have more than one protected characteristic and may be subject to prejudice-related behaviour for a number of reasons.

⁹ To be amended to 'additional learning needs' following implementation of the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

5.5 The examples of prejudice-related behaviours outlined in 5.3 are all unacceptable and could be considered incidents of hate crime. If the action is a one-off occurrence and is not repeated however the incident is not usually considered bullying. All forms of prejudice should be challenged in schools using the most appropriate policy¹⁰.

5.6 Where prejudice-related behaviour is repeated by a perpetrator, whether directed towards a single individual or towards a group of people, the action becomes bullying. Other terms used more widely in society to describe prejudice-related bullying include: 'identity based bullying, 'discriminatory bullying'; 'hate-related bullying'; or 'inequality-based bullying'.

5.7 Learners with:

- special educational needs or disabilities
- lesbian, gay, bisexual or transgender (trans) and questioning (LGBT+) learners
- ethnic minority learners
- learners from a religious background and
- learners who are new to English- or Welsh-based educational systems (NEWBES)¹¹
- anxiety or depression

should be considered in a school's bullying prevention strategy. Schools should assess local and school populations for any recent and rapid changes to keep their prevention work fresh.



**Children's Commissioner:
Sam's Story, Identity-based
bullying: what teachers need
to know and tips for using
the PSED.**

¹⁰ Such as the schools' behaviour policy, safeguarding policy, prevent policy or, anti-bullying policy.

¹¹ The term 'newly arrived learner' is used to describe children, often of minority ethnic backgrounds, for whom neither English nor Welsh is their home language.

6. Specific types of bullying

6.1 There are specific types of bullying relating to characteristics. These can broadly be categorised into the following groups.

- Bullying involving learners with special educational needs and/or disabilities.
- Homophobic bullying.
- Sexist, sexual and transphobic bullying.
- Bullying connected with race, religion and culture.

Bullying involving learners with special educational needs and/ or disabilities

6.2 Reports from the National Autistic Society, Mencap and the Anti-Bullying Alliance show that children and young people with special educational needs (SEN) and/or disabilities are more likely to experience bullying than their peers. Schools should be proactive in countering this trend. Learners with SEN and/ or a disability may find it more difficult to resist perpetrators, have fewer friends to defend them, and have difficulties telling someone if it occurs. They can be extremely adversely affected by bullying. In addition to being distressing, it isolates them further and can set back their social and educational development.

6.3 Bullying of learners with SEN and/or a disability can take any of the traditional forms of bullying. However there are additional forms which SEN/disabled learners may experience.

Conditional friendship

6.4 In these cases a group will allow a target to believe they are accepted into the friendship group. The group may however be using the target or place condition on them in order to be part of the group. They might make the target the subject of their jokes, use them to run errands or even engage in criminal activity for them.

Exploitative

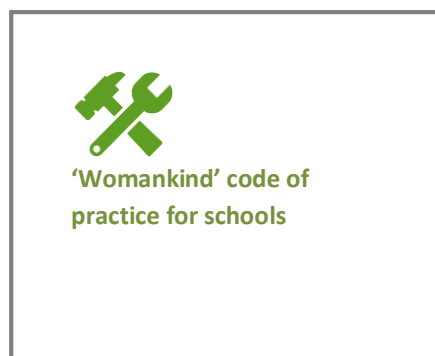
6.5 In these cases the bullying takes the form of deliberately subjecting a target to something they cannot tolerate. For example, if a target is especially sensitive to sounds or smell, exploitative bullying might be where the perpetrator repeatedly spreads food over their work or makes loud noises to startle them. The eventual aim is to get the target child into trouble because they will gradually become more stressed until they have an outburst of anger and/or retaliate.

Manipulative

6.6 In these cases the perpetrator manipulates the target who at first may not realise what is happening. They might believe the other child or group of children like them and that they are friends. The, target however might be manipulated into relationships that are high risk and the bullying becomes very controlling.

Homophobic bullying

6.7 Homophobic bullying is a specific form of bullying motivated by prejudice against lesbian, gay or bisexual people (including those questioning their sexuality). It is not characterised by specific acts but by the negative attitudes and beliefs towards lesbian, gay and/or bisexual people that underlie these.



6.8 When a perpetrator identifies someone as 'different' this can be because the target does not conform to the 'expected' or 'gender appropriate' behaviour expected of some. It is the learner's identity which is attacked. Homophobic bullying can therefore be experienced by a child regardless of gender or sexual orientation.

Homophobic insults used in place of other insults or indirectly

6.9 In schools where learners believe they will not be challenged when using homophobic insults they may use such language towards others they are targeting for other reasons such as special educational needs or race, religion or culture. The homophobic insults are being used as a proxy for the language they know they are likely to be challenging for using such as racist insults. This behaviour can be observed through incident records or learner surveys.

6.10 Homophobic bullying cases require very sensitive responses since, the family of the target may respond in ways which distress the child further due to community pressure, homophobic views or possible unawareness of their child's sexual orientation.

6.11 In schools, homophobic language can be wide-ranging and used directly or indirectly to:

- deride or disparage someone considered inferior or risible
- insult a learner with a lesbian, gay or bisexual parent or relative
- use sexual orientation to denigrate the actions of another
- imply something is unacceptable
- intimidate someone or make them feel uncomfortable through insinuation

- undermine and bully a learner by suggesting that they are lesbian, gay or bisexual, including by spreading rumours and malicious gossip
- verbally bully a male or female learner considered effeminate or masculine respectively.

Sexist bullying

6.12 This is bullying based on sexist attitudes expressed in ways that demean, intimidate and/ or harm another person because of their sex or gender.

6.13 Sexist bullying may sometimes be characterised by repeated inappropriate sexual behaviours including harassment, groping, 'upskirting', 'downshirting' and use of humiliating sexist language. In rare cases violence may be used.

6.14 Boys can suffer sexist bullying and humiliation. For example, by a group of girls or a former girlfriend. Where this happens, schools should not treat these cases any differently or less seriously than those involving girls.

Sexual bullying

6.15 This is bullying behaviour of a repeated nature that has a specific sexual dimension. It may be physical, verbal or psychological.

6.16 Behaviours may involve suggestive sexual comments or innuendo including offensive comments about sexual reputation or using sexual language that is designed to subordinate, humiliate or intimidate.

6.17 It may involve sharing of explicit images online, sometimes by multiple people, coercion or unwanted sexual touching.

6.18 It is also commonly underpinned by sexist attitudes or gender stereotypes. Sexual bullying and sexual harassment are terms which are often used interchangeably in schools with sexual bullying often regarded as a type of sexual harassment. Whether the incident is considered sexual bullying or sexual harassment, schools should address the issue through their anti-bullying, behaviour or safeguarding policy whichever is deemed most appropriate. Sexual bullying can affect boys and girls.

Transphobic bullying

6.19 Transphobic bullying is a specific form of bullying motivated by prejudice against trans people, those perceived to be trans, someone with a trans relative or simply because a learner is different in some way. It is not characterised by specific acts but by the negative attitudes and beliefs towards trans people that underlie these.

6.20 When targeted at those identified by the perpetrator as 'different' this can be because the target does not conform to some people's 'expected' or 'gender appropriate' behaviour. It is the learner's identity which is used to target them and transphobic bullying can therefore be experienced by a child regardless of gender or sexual orientation.

Transphobic bullying can affect boys and girls.

Transphobic insults used in place of other insults

6.21 In schools, transphobic language or name-calling can be used directly or indirectly to ridicule or criticise someone or liken them to something considered inferior or unacceptable.

6.22 Transphobic insults can be used:

- to put down a learner with a gender non-conforming friend or family member
- as a way to denigrate the actions of another
- to undermine and bully a target by suggesting that they are trans or non-binary including by spreading gossip or rumours
- to imply gender variance is unacceptable
- to intimidate someone or make them feel uncomfortable through insinuation
- to verbally bully a target considered gender-fluid.

Bullying linked to race, religion and culture

6.23 This form of bullying describes a range of hurtful behaviour both physical and psychological that makes a person feel unwelcome, marginalised, excluded or powerless because of their colour, ethnicity, culture, faith, community national origin or national status.

6.24 Most public bodies in the UK, including schools, use the working definitions of

racism and a racist incident that were proposed in the report of the Stephen Lawrence Inquiry in 1999¹².

6.25 The report defined racism as:

‘Conduct or words or practices which disadvantage or advantage people because of their colour, culture or ethnic origin.’

And a racist incident as:

‘Any incident which is perceived to be racist by the victim or any other person’.

6.26 We know bullying is very often motivated by hostility or prejudice based on a person’s actual or perceived race, religion or culture. At the root of such bullying is a view that some people are different or ‘other’. By ‘othering’ them through remarks and insults it becomes easier to see any group as set apart and de-humanise them. This can remove all compassion. The role of schools in helping every learner feel they belong is of immense value in building a cohesive society. Very young children do not see difference until they learn and sometimes adopt attitudes and prejudices which may be present around them.



Welsh Government:
Tackling racism in Schools
factsheet

Are all incidents of discrimination against learners considered incidents of bullying?

6.27 While all bullying involving learners with protected characteristics are discrimination incidents not all such incidents are considered bullying. This is because a discrimination incident such as one based on disability or race may be a serious, single occurrence.

6.28 All discrimination incidents should be accurately recorded to enable schools to monitor patterns and prevent discrimination. Local authorities frequently monitor discrimination incidents and may require schools to report these to evidence how they are complying with the public sector equality duty (PSED) under the Equality Act 2010.

¹² The Macpherson inquiry into the death of Stephen Lawrence contained recommendations for public services including schools on how racism should be addressed. BBC Summary and link to full report. <http://news.bbc.co.uk/1/hi/uk/285537.stm>

7. Online bullying and aggression

7.1 The fast-changing digital environment offers boundless positive opportunities for children and young people. At the same time there are added risks and new forms of bullying and aggression. To stay up-to-date, schools should regularly check the [Online Safety Zone](#) on the Hwb website.

While technology facilitates traditional bullying behaviours such as insults or rumour spreading it also provides additional ways to bully to humiliate others such as the misuse of images or videos, live streaming, by using anonymous messaging apps or harassing someone online. Online bullying often occurs at the same time or follows on from traditional bullying.

The perception of being able to act anonymously online often leads to disinhibited and cruel behaviour that would be less likely face to face¹³. Technology may help those who lack power or popularity offline to have power over others or bully online. In this way, learners who find themselves targeted offline may retaliate anonymously online.

7.2 Online bullying behaviour can take different forms including:

- **profile:** people do not have to be physically stronger, older, or more popular than the person they are bullying online
- **location:** online bullying is not confined to a physical location and it can take place at any time. Incidents can take place in their own home, intruding into spaces previously regarded as safe and private
- **audience:** online content can be hard to remove and can be re-circulated and reposted. The potential numbers of people who can see content posted online is very large. Single incidents of online abuse can quickly escalate into bullying, for example, by reposting, sharing and comments
- **anonymity:** the person being bullied will not always know the identity of the person or people bullying them. They also will not know who has seen the abusive content
- **motivation:** online bullying is typically carried out on purpose. However, initial incidents may have unintended consequences, and can escalate through the involvement of others. An individual may not feel that by endorsing or reposting someone else's post that they are actively participating in bullying. The instigator may not have intended an offensive or hurtful comment to be repeated. A single incident – one upsetting post or message – may escalate into bullying involving a number of people over time
- **evidence:** online and mobile communications leave a digital trail.

¹³ Suler, J. (2004). The online disinhibition effect. *Cyberpsychology and Behavior*, 7, 321–326.

7.3 Why online bullying is uniquely distressing

Although traditional bullying remains more common than online bullying¹⁴ learners report that the features of online bullying, stated below, make the experience uniquely distressing.

- The audience is unlimited.
- It can occur anywhere and at any time, there is no respite from it.
- It can involve unknown people although most cases involve known peers.
- Technology facilitates the storage of images and messages for repeat viewing.

7.4 What is the role of schools?

Schools have powers to discipline learners for incidents taking place off the premises and powers to search or confiscate mobiles where necessary. Further information on legal powers is provided in Section 8 of this guidance.

7.5 Schools should address online bullying where it has an impact on the well-being of learners at the school. Where necessary schools should refer a case to the appropriate agency or service. They must act in cases that involve a safeguarding concern. All staff should receive regular training in safeguarding and online safety.

7.6 Keeping evidence is essential. Schools should be mindful that evidence can be taken down or disappear from viewer online platforms at any time: whether removed by individuals or at the behest of corporate administrators of social media platforms, screen grabbing is a useful route to preserve evidence. Schools should log and record incidents as part of their wider safeguarding monitoring practice and impact evidence. In some cases further evidence may come to light at a later point and it may become necessary to review the entire history of the case again.



Internet Matters: Focus on Cyberbullying

UKCCIS How to address Sexting in schools & colleges

IWF: 5 Steps to removing images of child sexual abuse

Keeping Learners Safe Guidance

Welsh Government Online Safety Hwb

¹⁴ Przybylski, A. and Bowes, L. (2017) Cyberbullying and adolescent well-being in England: a population-based cross-sectional study. *The Lancet, Child and Adolescent Health*; 4.; Young Minds and The Children's Society (2017). Safety Net: Cyberbullying's impact on young people's mental health. Inquiry Report.

8. The law relating to bullying

8.1 There is no legal definition of bullying but broader legislation can be applied to address certain acts of bullying.

8.2 Legislation applies in Wales, the UK and internationally which aims to protect the rights of children and young people to a life free from abuse and harm including bullying. Existing legislation and international conventions with relevance to bullying in Wales include:

- Protection of Children Act 1978 (as amended)
- Malicious Communications Act 1988
- Criminal Justice Act 1988
- Children Act 1989
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Education Act 2002
- Sexual Offences Act 2003 (as amended)
- United Nations Convention on the Rights of the Child
- United Nations Convention on the Rights of Disabled Persons
- Education and Inspections Act 2006
- Learner Travel (Wales) Measure 2008
- Equalities Act 2010
- Rights of Children and Young Persons (Wales) Measure 2011
- Social Service and Well-being (Wales) Act 2014
- Serious Crime Act 2015
- Counter-Terrorism and Security Act 2015.

United Nations Convention on the Rights of the Child

8.3 In 2004, the National Assembly for Wales adopted the United Nations Convention on the Rights of the Child (UNCRC) as a basis of all policy making for children and young people in Wales.

Rights of Children and Young Persons (Wales) Measure 2011

8.4 In 2011, the National Assembly for Wales passed the Rights of Children and Young Persons (Wales) Measure ('the 2011 Measure'), which strengthened and built on the rights based approach. It placed a duty on Welsh Ministers to have due regard to the requirements of the UNCRC when exercising any of their functions.

8.5 The 2011 Measure underpins the framework and values for education settings. Children have a right to be safe and a right to an education.

8.6 Public authorities have duties that contribute towards the realisation of the right of children and young people stated in the UNCRC and 2011 Measure.

Education Act 2002

8.7 The Education Act 2002 places a legal duty on maintained schools and local authorities to safeguard and promote the welfare of children.

Education and Inspections Act 2006

8.8 Under section 89 of the Education and Inspections Act 2006 ('the 2006 Act') the headteacher of maintained schools is required to determine measures to encourage good behaviour and prevent all forms of bullying amongst learners. Some schools choose to include this information in an anti-bullying policy whilst others include it in their behaviour policy. The 2006 Act requires that all schools must, by law, have a behaviour policy.

8.9 Headteachers can regulate the conduct of learners when they are off-site or not under the control or charge of a member of staff. This is of particular significance to online bullying which often takes place out of school but can impact very strongly on the school life of those learners involved.

8.10 The 2006 Act also provides a defence for school staff in confiscating items, such as mobile phones, from learners if they are being used to cause a disturbance in class or they are being used to contravene the school behaviour and/or anti-bullying policy. School staff may request a learner reveal a message or show them other content on their phone for the purposes of establishing if bullying has occurred. A refusal to comply might lead to the imposition of a disciplinary penalty for failure to follow a reasonable instruction. Where the text or image is visible on the phone, staff can act on this. Where the school's behaviour policy expressly allows it a member of staff may search* through the phone themselves where the learner is reasonably suspected of involvement.

**Advice is never to do so without another appropriate staff member present. This is best done with the designated safeguarding lead or the ICT manager and a careful written note taken of the date, time, who was present and the purpose of the search and any evidence that it was necessary. It is vitally important that these matters are well covered in your school's anti-bullying and/or behaviour policy.*

Learner Travel (Wales) Measure 2008

8.11 The headteacher must require learners at the school to comply with the Statutory Travel Behaviour Code (the Travel Code) made by the Welsh Ministers under section 12 of the Learner Travel (Wales) Measure 2008. The Travel Code sets out specific requirements regarding the behavioural conduct of learners when travelling. The Travel Code requires all learners to "never bully other learners".

8.12 The Travel Behaviour Code applies to all learners aged five to 19 years (or over 19 if they started their educational course before reaching 19). It applies to **all** modes of travel to and from education institutions. This includes contract buses, public

buses, public trains, walking, taxis, scooters and motorbikes, cycling and journeys in cars.

The Equality Act 2010

8.13 The Equality Act 2010 ('the 2010 Act') requires schools to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity
- foster good relations

between people who share a protected characteristic and those who do not.

8.14 The characteristics which are protected by the 2010 Act are:

- age
- disability
- gender reassignment
- marriage or civil partnership (in employment only)
- pregnancy and maternity
- race (including nationality and ethnic origin)
- religion or belief and
- sex.

8.15 The public sector equality duty applies to schools. To fulfil the three aims of the general duty, schools have three sets of specific duties which are to:

- **collect, analyse and publish** information about their progress in achieving the three aims of the 2010 Act
- decide on certain **specific and measurable objectives** that they will pursue over the coming years to achieve the three aims and publish these objectives

and when undertaking the first two sets of specific duties to:

- **engage with people who have a legitimate interest** – including all staff, all parents, carers and learners, and local groups, organisations and individuals as appropriate.

Criminal offences legislation

8.16 Some online bullying activities could be criminal offences under a range of different laws, including the **Malicious Communications Act 1988** and the **Protection from Harassment Act 1997**.

8.17 Under the **Protection of Children Act 1978** (as amended) and the **Criminal Justice Act 1988** it is illegal to make, circulate or possess indecent images of a child under the age of 18 years.

8.18 Section 67 of the **Serious Crime Act 2015** inserts a new offence into the **Sexual Offences Act 2003**, at section 15A, criminalising sexual communication with a child. Under the new law, it is illegal for anyone over 18 years of age in England and Wales to send a sexually explicit message to a child or attempt to encourage the child to send something explicit themselves.

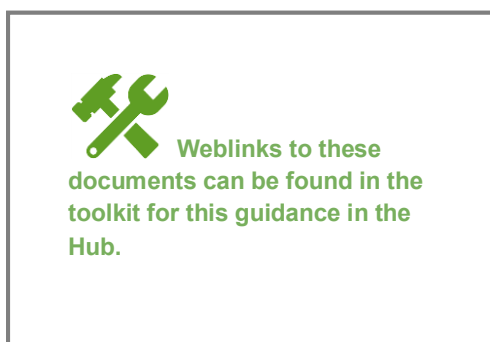
8.19 If school staff or parents/carers feel that an offence may have been committed they should seek assistance from the police.

8.20 Chapter 5.5 of the **All Wales Child Protection Procedures**¹⁵ covers indecent images of children and the internet.

Counter-Terrorism and Security Act 2015

8.21 The Counter-Terrorism and Security Act 2015 places a duty on schools in relation to the Prevent agenda. Schools will need to demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies in place to identify children and young people at risk and intervening as soon as possible. This is relevant in the context of bullying because children who are isolated victimised or who otherwise feel they do not belong can be more likely to fall prey to recruitment and grooming.

8.22 Schools should have clear safeguarding procedures which deal with matters linked to Prevent.



¹⁵ The All Wales Child Protection Procedures are currently under review.

9. Effective anti-bullying strategies

What works when launching new strategies?

9.1 Successful implementation of an effective anti-bullying strategy to challenge and prevent bullying in schools must involve the whole school community. Taking a whole-school approach is more likely to succeed than a single initiative by a teacher or group of learners.

9.2 The most effective interventions are sustained over the long-term, developed with staff, learners, parents and partners in the community. These are monitored, evaluated and revised to reflect changes in circumstances or context. Interventions are supported by a school ethos which inhibits bullying and promotes empathy and respect for diversity. A single strategy or initiative is unlikely to provide a solution to bullying and the most effective anti-bullying strategy will usually include a range of tools which can be adapted to suit particular incidents and form part of the school's wider whole school approach to well-being.



Estyn Common Inspection Framework

Estyn – Guidance handbook, all ages

Bullying incident recording form

online bullying incident recording form

9.3 Before launching a new anti-bullying strategy, schools should:

- engage widely with the school community to ensure their policies and procedures are relevant and update them accordingly
- set clear and realistic objectives about what the strategy aims to achieve (awareness raising activities should be undertaken to promote these objectives among staff and learners)
- If needed, training on how to implement the objectives of the strategy should be provided.

9.4 Information on what governance arrangements schools should have in place is provided in Section 10 of this guidance.

9.5 Prevention should be fully embedded. Further information on prevention is provided in Section 11 of this guidance.

How will a school know that their strategy is effective?

9.6 When a strategy is introduced a cycle of reflective practice begins. It starts by measuring the situation at that point. This is the baseline against which progress can be benchmarked. To do this a school should carry out a self-evaluation exercise seeking feedback from both staff and learners to measure the extent of bullying behaviour present. Surveys provide a useful method of collecting this information.

9.7 Schools should regularly measure the views of learners, parents/carers and staff. In this way they will have a benchmark against which to measure effectiveness.

9.8 Monitoring incidents of bullying enables a school to identify patterns of behaviour and the extent of bullying which in turn enables them to take pro-active steps to challenge unacceptable behaviour and bullying. Section 14 of this guidance provides information on reporting, recording and monitoring arrangements. Schools which use monitoring processes are best placed to be able to modify their anti-bullying policies effectively to respond to specific trends and issues.

9.9 Data contributes to self-evaluation and to the school development plan, helping schools to:

- understand the current situation and show where to focus their efforts
- enable self-evaluation
- assist in achieving the equality goals a school has set itself
- allow schools to measure and demonstrate success.

Why is it important to involve children and young people in developing and implementing the anti-bullying strategy?

9.10 Without the wholehearted involvement of the school population anti-bullying strategies are not likely to succeed as they are unlikely to be successfully implemented. Schools should consult learners as an essential step in all stages of anti-bullying work.

9.11 To determine how effective a school strategy is, it is important to consult with all those involved in implementing the strategy – this includes the learners. In some schools, staff may believe it works well, while the majority of learners may say the opposite. For strategies to be most effective there needs to be a general consensus that the strategy is working. This involves ongoing dialogue between staff and learners. A key question which should be asked continually is “Are there ways in which it could be improved?” Some approaches might work better in some circumstances. Good ideas may not be working well because small changes are needed.

9.12 An example of this is a school which had gone to considerable trouble to train peer supporters and then found that not a single report was received for two terms. It found that the room allocated for children to meet and talk to the peer supporters, was nicknamed ‘the fishbowl’ by learners because it made them highly visible due to glass panels. They stayed away.

9.13 Useful questions schools might ask prior to implementing anti-bullying strategies include the following.

- Have learners been fully prepared for the launch of a new strategy?
- Do learners understand what is meant by bullying?
- Do learners understand that they can report other types of incidents which are not bullying?
- How can learners report a concern or a bullying case and are these effective or being used?
- Have learners’ suggestions and observations been considered when developing this strategy?

Why is it important to involve parents and carers in developing and implementing the anti-bullying strategy?

9.14 It is imperative that children and young people are taught, both at home and in school, about building and maintaining respectful relationships. This is the foundation on which positive behaviour is based.

9.15 Parents/carers have an important role to play, as part of the school community, in taking responsibility for their child’s behaviour inside and outside school. Partnership working between the school and parents/carers to maintain high standards of behaviour and to encourage respect and kindness towards other people is vital.

9.16 Schools should engage with parents/carers, taking into account the following considerations when developing and rolling out their anti-bullying strategy.

- Are parents/carers aware of the new or existing strategy? Do they know how the school would like them to report any concerns and how to appropriately escalate matters should they not be satisfied with the outcome of their initial concern?
- Do parents/carers know who to speak to when raising a concern about bullying and what evidence to provide?
- Have parents/carers been engaged to support their children and support the vision and values of the school?

- If parents/carers are aware that prejudice and discrimination are unacceptable within the school community this can help a school address issues of this type if they occur.
- If parents/carers are not satisfied with the way the school has dealt with a case of bullying they reported they should be aware of the school's complaints procedure.
- Parents/carers should be made aware that bullying school staff via social media is not acceptable.

Involving all school staff in developing and implementing the anti-bullying strategy

9.17 Staff should be well prepared and feel confident to handle any incidents reported to them. This includes teaching and non-teaching staff. They should expect more reports than usual when a new strategy is launched. It is considered a positive sign when children and young people come forward.

9.18 Schools who report they have no bullying may not have the trust of their learners. Where schools report they have no bullying this is likely to be as a result of the reporting mechanisms being ineffective whereby learners do not feel safe in raising their concerns. Schools reporting zero cases of bullying may be challenged through the inspection process to clarify what mechanisms the school employs to ensure learner well-being and inclusivity.

9.19 If children and young people lack confidence that they will achieve a good outcome when they report what is happening to them they tend to stay silent. The Children's Commissioner for Wales found that 'trust' was a recurring theme raised by children. Having a trusted person to talk to emerged as a key pathway to address bullying¹⁶.

9.20 Schools can find that the most challenging aspect of reducing bullying is to obtain a good resolution to cases. If learners come forward only to find that interventions either make no difference, or worsen the situation, trust is lost. Evaluations reveal this is the weakest point in a school's strategy.

9.21 Section 12 of this guidance provides more information on effective approaches to responding when instances of bullying are reported.

9.22 An effective anti-bullying strategy works best when it is part of a broader school framework: specifically a whole school approach to well-being which includes cross-cutting policies and procedures that help deliver the strategy in a consistent and coherent manner.

¹⁶ Children's Commissioner for Wales, 2017, Sam's Story, Policy Briefing.

9.23 Section 10 in this guidance provides more information on effective approaches to governance and policy development.

10. Governance

Policy

10.1 An anti-bullying policy can be developed as a separate policy or contained within a school behaviour policy, which schools must have by law.

It should outline the following.

- The vision and values of the school.
- A definition of what is meant by bullying.
- Why it is important to prevent and challenge bullying.
- How awareness of bullying will be raised.
- How anti-bullying work will be embedded in the curriculum rather than an isolated annual event (such as during anti-bullying week).
- Involvement of staff and learners in development and implementation of the policy.
- Signs a child might be experiencing bullying.
- How bullying will be prevented including on journeys to and from school.
- How the school will respond to incidents.
- How to report bullying.
- What parents/carers can expect.
- What learners can expect.
- How incidents will be recorded and monitored.
- How the school will evaluate and review its policy and strategy.



**Estyn – Inspecting
safeguarding in school 2017**

**Welsh Government SEN code
of practice**

**Children’s Commissioner for
Wales – the rights in
education**

**Welsh Government: Keeping
Learners Safe**

All Wales Travel Code

Making the policy effective

10.2 The overall approach taken by the school should be clear to all readers, with fair and consistent consequences and sanctions explained. The policy should clearly support the vision and values of the school and set out the school’s equality objectives to meet the PSED under the Equality Act 2010.

10.3 The policy should be regularly updated. As part of the review, it is recommended that all members of the school community be consulted. In the wake

of a serious incident of bullying, a school may wish to review their policy and strategy at any time and make relevant adjustments.

10.4 The policy should be user-friendly and be made known to all staff, teaching and non-teaching and to parents/gofalwyr and learners. Schools may choose to publish the policy on their websites. Where this is not an option schools should clearly outline how staff, learners and parents/carers can access the policy. Schools may also adopt an approach whereby the policy, or specific elements of it, are included in homework books – such as an index code on the inside cover. This may help to embed the policy into the school culture and extend the message to learners' homes too

10.5 As part of the school's approach to ongoing training and development it is recommended staff should receive regular training on the anti-bullying policy and procedures including in relation to any new trends or concerns arising within the school. On induction all new staff should be made aware of the policy, the approach taken by the school and how the procedures are administered. Playground, lunch time and school transport supervisors and school administrators should be fully aware of the policy and the procedures they should follow.

10.6 The anti-bullying policy should align with broader school policies such as behaviour, safeguarding, acceptable use of ICT, online safety and travel behaviour. Where various policies within a school are written by different individuals or groups, checks should be made to ensure they do not result in conflicting advice and inconsistencies. All policies should interact seamlessly and consistently using the same definitions, terminology and values. The various policies should contribute to the whole school approach of the school to well-being.

11. Prevention

Planning: what should you consider?

11.1 Before deciding on which of the many effective approaches you might use it is important to have some structure in place across the whole school. Prevention is a vital component of the strategy.

11.2 Schools should adopt a whole-school approach for promoting positive, respectful behaviour between staff and learners as part of their whole school approach to well-being. This approach should be woven through all school activity. Creating an environment which encourages positive behaviour and addresses the root causes of unacceptable behaviour will help create an inclusive and engaging environment where learners feel safe and are ready to learn.

Effective communication

11.3 Schools should consider whether negative behaviour is receiving too much attention in their setting. If this is happening schools should create a sense that the norm is positive behaviour by keeping a high profile for pro-social behaviour, kindness, loyalty and team spirit in contrast to a low profile for negative behaviour. While the unwanted behaviour continues to be addressed as rigorously as before the message is not constantly about what learners should not do. It should focus on positive behaviour emphasising what learners should be doing. A high profile for perpetrators of bullying gives them publicity and status. If people are given publicity and status for acts of kindness or supporting others, the balance can be altered. When raising awareness of bullying, schools sometimes emphasise bullying to the point where some learners become fearful while others feel more powerful because it has a high profile.



DfE – Bullying – evidence from LSYPE2
Wave 3 longitudinal data on young
people showing the impact of bullying

Anti Bullying Alliance – Focus on
Bullying 2017

Agenda – making a positive relationship
matters

Tailoring intervention

11.4 Young children who bully others using insults may not always understand the hurt they have caused and may be repeating what they have heard at home or in the community. Sensitive restorative work and education can be effective in these cases.

Group activities exploring why some words are unacceptable can be used along with meetings with parents/carers who should be reminded about the values of the school.

11.5 When young people become adolescents, they are more likely to be influenced by their peers and therefore interventions should address the whole group or class so that the majority opinion can be heard.

Curricular approaches

11.6 One-off lessons or short 'blitz' type activities are less likely to succeed than work embedded in the curriculum which progressively addresses relationships, positive behaviour and resilience.

11.7 Work across the curriculum, builds a supportive school culture and shared values. It can be instrumental in enabling and empowering learners to acquire and maintain the social skills that will allow them to constructively manage their relationships with others and equip them to respond to bullying in an appropriate, and if necessary, assertive way. This approach to bullying enables the issue to be introduced progressively in an age, gender and culturally appropriate way and not treated as a 'one-off' lesson. It allows learners to make use of preferred and appropriate learning styles and can include the use of literature, audio visual material, drama, music, debates and outside visitors¹⁷.

11.8 Targeted initiatives provide an opportunity to reinforce a positive and inclusive school culture. This can include awareness days, workshops, sign-posting and drop-in sessions as well as involving the wider neighbourhood and utilising a variety of organisations.

11.9 Schools should not be restricted to embarking on targeted initiatives only within dates set aside for planned prevention activities. In fact, limiting discussion of equality or discrimination issues solely to preordained calendar dates misses numerous opportunities for 'teachable moments' such as what is topical in the news. Members of staff with a connection to personal, social, health and economic education or a pastorally related role such as link teacher to the School Council or similar can capitalise



Cards for pairwork:

**'It's not bullying it's...'
'It's not racism...' common
excuses**

¹⁷ Suckling, A., and Temple, C. (2002) *Bullying: a whole-school approach*. London: Jessica Kingsley.

upon topical and timely 'teachable moments' as they arise¹⁸.

¹⁸ Material in this section is adapted with permission of the publishers (Jessica Kingsley Publishers) from *That's So Gay! Challenging Homophobic Bullying* by Jonathan Charlesworth.

12. Responding when bullying occurs

12.1 Headteachers should ensure that all teachers and administrative staff, are aware of the procedures to follow if a learner reports being bullied.

12.2 Staff should be mindful that a learner may approach any member of staff they trust. Staff training and regular updates will increase their readiness and confidence to notice and respond when issues of bullying present.

12.3 Successful strategies provide a consistent framework with options to suit the situation. Bullying is complex behaviour and the response should be appropriate. If the response is too generic, heavy handed or lacks sincerity it can have the opposite effect from that intended.

12.4 Effective schools use each incident as a learning opportunity. The school's role is to nurture and support learners on the understanding that they are in the process of learning to be members of society.

Work should be undertaken with all parties

12.5 Those who are bullying others need help and opportunities to change their behaviour. Effective listening can be used along with teaching relationship skills to those who bully others. They should be guided to recognise and handle their difficult feelings and to learn positive communication skills. Bullying behaviour can be a sign of some bigger problem at home or elsewhere in a child or young person's life. Domestic violence, punitive parenting, neglect, bereavement or parents parting are life situations occasionally revealed when working with learners who bully. Staff should be appropriately prepared for such disclosures as part of safeguarding training. Schools with an open culture and good safeguarding protocols will be responsive to all parties involved in bullying.



Responding when bullying occurs-

•Bullying incident recording form



Cards to help learners report:

'I wish my teacher knew'

'I have a problem with'

Recording incident forms

Routes to report

12.6 Schools should offer a range of ways for learners to report bullying. These can include:

- trained peer supporters or buddies
- a quiet and private space to talk
- pastoral leads available at key times
- school nurses or counsellors
- 'I wish my teacher knew' cards.

Effective listening

12.7 Those who are bullied tend to feel powerless. One of the first steps when responding to incidents is to work to restore their capacity to make choices for themselves. Using effective listening techniques staff (or a peer supporter where these are used) can help the targeted learner to feel they are doing something about the problem. Acknowledge calmly the anger or distress of the targeted child or young person speaking. If they need time to process their thoughts or articulate themselves try not to rush them. Staff should be mindful that it may have required considerable courage to come and report what is happening. Thank the learner for reporting the problem.

Consider the setting

12.8 Sit at the same level as the learner reporting their experience of bullying. Placing chairs at a slight angle rather than directly opposite each other can help reduce any conscious or unconscious sense of confrontation or opposition. Ensure privacy to avoid learners overhearing what is said or seeing a meeting taking place, but for safeguarding best practice it should be possible for other staff to observe.

Saving evidence

12.9 Learners who are bullied should be encouraged, where possible, to keep evidence of the activity. Evidence may be threats or images sent on or offline by messaging, conversations, notes or images, damaged clothing or other belongings, online conversations or notes. Bystanders may also be able to provide witness statements or additional evidence. Dates and times when things happened should be noted. Screenshots can be saved as online evidence while placing a mobile phone onto a photocopier can also capture the content of the screen.

Next steps

12.10 While a school should have a consistent approach to challenge bullying, it needs a range of tools to deliver the anti-bullying policy. This will enable staff to select the most appropriate approach they feel is best suited to address the individual needs of each case.



Governors' Guide to
Complaints Procedures

13. Addressing bullying in the context of Estyn's Inspection Framework

13.1 Estyn's Inspection Framework includes clear links to preventing bullying in two of the inspection areas which are:

- well-being and attitudes to learning
- care, support and guidance.

13.2. Estyn inspections will consider 'the extent to which the school's provision

challenges stereotypes in learners' attitudes, choices and expectations, and how well it promotes human rights.' The school however is not an isolated space. Incidents of bullying reflect wider social and cultural inequalities which both influence and sustain them. Bullying behaviours tend to replicate these and reinforce what is socially acceptable.



•Framework for inspection

•Guidance Handbook All Age Schools

•Advice on Data

14. Recognising bullying – reporting, recording, and monitoring

14.1 Schools should have in place mechanisms for reporting and recording bullying and bad behaviour¹⁹. Effective record maintenance enables schools to review an incident, check whether there are other reports concerning the learners involved and make a decision in the light of what is recorded in an holistic and informed way. Monitoring incidents of bullying enables a school to identify patterns of behaviour and the extent of bullying, and then take pro-active steps to challenge it.

14.2 Since April 2012, all public bodies, including schools and local authorities, have a duty under the Equality Act 2010 to develop and publish equality objectives and a Strategic Equality Plan.

14.3 Schools should record all incidents of bullying outlining the specific types of bullying, including bullying around the protected characteristics. Schools should regularly monitor processes. This will enable schools to modify their bullying policies to respond to specific trends and emerging issues in a swift and effective manner. Schools are likely to find this helpful in the context of their PSED under the Equality Act 2010. This information could also be used by schools when reviewing their equality objectives and monitoring the impact of their anti-bullying policies²⁰.

14.4 It is for individual schools to determine what data and information they collect in the context of the specific issues within their school. This should be done by:

- implementing an ongoing cycle of school-level data recording, monitoring and analysis of anti-bullying information
- using school level anti-bullying data to identify priority areas for implementing whole school improvement
- taking action to make those improvements: ensuring the cycle of improvement continues. Analyse data as part of self-evaluation.

¹⁹ [Inclusion and pupil support](#) guidance outlines that monitoring learner behaviour and the use of sanctions helps to identify patterns in behaviour (in staff and learners) that may need addressing.

²⁰ Children's Commissioner, 2017, Sam's Story, p27.

15. Interventions

15.1 Bullying ruptures healthy self-esteem, replacing positive beliefs about oneself with beliefs linked to shame, disgust, criticism, incapacity, powerlessness and helplessness. When deciding on next steps to increase the self-efficacy of the learner who reports being bullied, staff should try to include decisions made by the learner themselves where appropriate. Staff may wish to offer some choices unless, in doing so, there is a risk or evidence of significant harm. In that case staff should apply their school's safeguarding procedures as set out in its safeguarding policy. Choices offered to the targeted learner may include:

- how the incident will be handled
- whether changes to the learner's current journey to or from school should be considered in more detail
- whether the learner would like help from peer supporters or agrees to join a club or activity.

15.2 Interventions may be at class level, year group level or only with the perpetrator/s.

15.3 There are frequently learning opportunities for the whole class or year group which can be implemented without mentioning the name of the person who reported it. This protects against retaliation.

15.4 The school should address the perpetrator/s according to the procedures and agreed sanctions in the school if they are found to have acted inappropriately but perpetrators must be allowed to put their side of the story and given a fair hearing before any decisions on penalties are made.

15.5 When determining the most appropriate sanctions for addressing bullying schools need to consider the impact an action may have more broadly and long term. This will help address the root causes for the bullying happening in the first instance and is likely to have the greatest impact in preventing the issue from continuing.

15.6 Isolating children and young people does not rebuild the self-belief of the targeted learner nor help change the behaviour of the perpetrator. Where isolation is used by schools to tackle bullying this should be used short-term and as part of a longer-term plan for addressing the root cause of the bullying. Staff should explain to learners the reason why they have been isolated and outline that the strategy is a short term intervention as part of a longer term plan to address the issue.

What happens when the intervention is not working?

15.7 It is not productive to continue using an intervention to address a case of bullying if that approach has failed to work. If an intervention is not working as intended, alternative approaches should be tried. Schools must not consider the issue resolved on the grounds that the intervention is unsuccessful.

15.8 If a case is persistent or the same perpetrator is consistently reported for bullying others a different response is required. Some approaches may not be suitable for certain cases. For example, where there is an imbalance of power so great that the target is afraid of the perpetrator, restorative approaches may be unwise until sometime later when work has been undertaken to address the power balance.

When interventions fail or struggle to have an impact

15.9 Resistant cases can cause immense distress to learners and their parents/carers. Where a school's response to this is that it has followed its anti-bullying policy there may be stalemate as the school insists they are addressing the matter but the target and their parents/carers are not seeing any improvement in the situation. When this happens, and evidence suggests the current action plan is not working, schools should work with the learners involved and their parents/carers to review the case and, if deemed necessary, try a new intervention. Where cases are resistant to resolution, regular reviews and ongoing communication between all parties is vital to ensure interventions are working properly.

15.10 Difficult behaviour does not always improve in a steady progression. It might improve for a time and then slip back. This may not indicate that the approach is not working but that it should be continued or slightly altered. If it is not working a new plan should be made. Plans can include work for the family to do at home. Parents/carers can be reminded that they should support the school's values. If the source of the prejudice related behaviour is in the home or community this should be acknowledged and help sought in the local area.



**Complaints Procedure within
Governors' Handbook**

16. Next steps – understanding parents’/carers’ right to escalate the matter to the school’s governing body

16.1 Having reported an issue regarding bullying to the school, if a learner or their parent/carer does not feel that the school has taken it seriously or has not addressed their concern to a satisfactory standard, they can make a formal complaint.

16.2 Under section 29 of the Education Act 2002, school governors are required to have and publicise a complaints procedure ensuring that anyone with an interest in the school can raise a complaint, confident that it will be considered properly and without delay.

16.3 A school complaints policy must be available on the school website and/or made available on request from the school or school governing body. The policy must explain the process for raising a complaint to enable the complainant to understand how the school governing body will deal with the issue.

16.4 In accordance with the principles of the UNCRC, all children and young people should be listened to and treated with respect. Schools should ensure that a learner making a complaint has fully understood what is on the complaint form and any decisions which may flow from this.

16.5 Information should be recorded to enable the school to:

- be clear about the nature of the complaint
- keep the complainant informed of the progress of their complaint
- make reasonable adjustments to timescales if the complaint is complex
- keep an accurate record of the complaint and process followed
- monitor the progress of a complaint
- document what has been done and what needs to be done
- provide evidence that the complaint was considered properly
- record information for future reference given that bullying cases can reoccur so a full picture should be available
- identify trends or recurring themes in complaints cases, to inform wider school improvement processes
- compile reports to governors and others on complaints.

16.6 All complaints must be handled fairly, openly and without bias. Schools should investigate the concerns raised and make a decision quickly.

17. Evaluation and accountability

17.1 Through regular evaluation schools can be responsive to the trends in their school and community. It will be easier to be aware of improvements needed or the changes in procedures required if schools are in touch with changes in context.

17.2 A school's anti-bullying policy and strategy should be regularly reviewed and involve consultation with school staff, learners and parents/carers.

17.3 Surveys and group discussions can be used to identify which aspects of the school's current policy and strategy work well and any areas for improvement.

17.4 Effective schools will use surveys of learners' experiences asking whether or not a learner, if bullied, reported it and the subsequent outcome. This gathering of feedback in order to learn lessons and continuously improve, more than any other, is of importance to establish trust among learners. Learners need to believe it is worthwhile to report being bullied and trust action will be taken on an individual and whole school level.

17.5 When evaluation procedures are transparent, it allows learners to engage with and influence the policies and processes of the school. If learners feel 'ownership' of the anti-bullying strategy, they are more likely to abide by it. It also allows them to influence decisions on matters that affect them, in line with their rights under the UNCRC. As respected members of the school, learners are more likely to feel a sense of belonging.

17.6 Successful anti-bullying work respects every member of the school community and demonstrates this respect rather than imposing a set of rules onto learners without any reference to how well this is working. Staff and parents/carers should also help to inform anti-bullying strategies and procedures.

17.7 If schools measure only the level of incidents reported a false sense of success may be obtained if the figure is low leading them to believe bullying is not happening. When that is highly unlikely to be the case.

17.8 If there is a good level of awareness in the whole school community about unacceptable behaviour it is likely more learners will come forward to report it. A high number of incidents alone is not therefore an indicator that the school is ineffective. It could be the result of recent awareness raising work or anti-bullying activities.

17.9 Where schools have high levels of recorded bullying, but the school can demonstrate that they are taking action to challenge bullying, address unacceptable behaviour and improve learner well-being, these schools may evidence better in self-

evaluation than schools who report no or little bullying in their settings but are unable to explain why.

Appendix: Where to find further help and advice

Meic

Information advice and advocacy for young people.

www.meiccymru.org/

Childline

www.childline.org.uk

Tel: 0800 1111

Kooth

[Counselling service](#)

www.kooth.com

Call

Community advice and listening line.

www.callhelpline.org.uk

Each (Educational Action Challenging Homophobia)

Resources, training and young people's helpline.

www.each.education

Helpline: 0808 1000 143

Childline offers [advice](#)

Family Lives

Parents' forums confidential helpline.

Tel: 0808 800 2222.

[Tackling racism in schools](#)

Welsh Government fact sheet.

Show Racism the Red Card

www.theredcard.org

MENCAP

Helpline Mon to Fri, 9am – 5pm

<https://wales.mencap.org.uk>

Tel: 0808 8000 300

Parentzone

Support and advice for parents.

www.parentzone.org.uk.

Young Minds

Young people's mental health.

www.youngminds.org.uk

Parents' helpline: 0808 802 5544

Children in Wales

www.childreninwales.org.uk/our-work/bullying/

Children's Commissioner for Wales

www.childcomwales.org.uk/

Head Above the Waves

Support for young people suffering depression or self-harming.

<http://hatw.co.uk/straight-up-advice/>

Samaritans

www.samaritans.org

Tel: 116 123 (free to call)

Welsh language line: 0808 164 0123 free (from 7pm - 11pm 7 days a week)

e-mail, live chat and other services available.

Rethink

Advice and information for people with mental health issues.

www.rethink.org/help

Tel: 0300 500 0927

Time to Change Wales

#WeCanWeWill campaign for young people, which aims to change attitudes towards mental health, ending stigma and discrimination.

www.timetochangewales.org.uk/en/talk-about-mental-health/wecanwewill/

The ACE Support Hub Wales

Toolkit for school staff on ACEs.

www.wales.nhs.uk/sitesplus/888/page/88504

Internet Watch Foundation

www.iwf.org.uk [report illegal images of children](#)

Victim Support

Report hate crime in Wales.

www.reporthate.victimsupport.org.uk/

CEOP

[If child sexual abuse or exploitation is suspected.](#)

www.ceop.police.uk

NSPCC

If you think a child is in immediate danger, don't delay – call the police on 999, or call 0808 800 5000.

www.nspcc.org.uk

Internet Matters

Advice on online issues for parents and children.

www.internetmatters.org.uk

Professionals Helpline

For those working with young people who require help for an online issue.

Helpline: 0344 381 4772

e-mail: helpline@saferinternet.org.uk

Childnet International

All aspects of online safety.

www.childnet.com

SWGfL

Self-evaluation tool for schools and guidance.

www.swgfl.org.uk

Bullies Out

Anti-bullying charity based in Wales works with individuals, schools, colleges, youth and community settings.

e-mentors offer online support, e-mail mentorsonline@bulliesout.com

www.bulliesout.com mail@bulliesout.com

Anti-bullying Alliance

Information for schools, parents and young people on all aspects of bullying.

www.anti-bullyingalliance.org.uk

Kidscape

Anti-bullying charity, workshops for children who have been bullied.

www.kidscape.org.uk

The Diana Award

Young ambassadors trained to help others.

www.antibullyingpro.com.uk

Red Balloon

Academic and therapeutic programme to enable students to get back on track and reconnect with society after being bullied.

Virtual centre RBAir

www.redballoonlearner.org/RBAir