Anti-Bullying Policy

Audience: Students, Staff and Parents
Date updated: September 2023 John Cabot Academy

History of most recent Policy changes

Date	Page	Change	Origin of Change e.g. TU request, Change in legislation
May 2020	Whole document	Implementation	Implementation of policy
June 2022	Whole document	Review	
April 2023	Whole Document	Review	Review with JCA staff following Show the Red Card to Racism training
Sept 23	9 & 13	Clarity on frequency check-ins with target post incident.	Parental Complaint

JCA Anti-bullying Policy

1. About this Policy

This policy has been written as guidance for staff, parents or carers and young people with reference to the following guidance and documents.

- The Children and Young Persons Act (2008): Section 20 Education
- Preventing and Tackling Bullying. Advice for headteachers, staff and governing bodies - July 2017
- Keeping Children Safe in Education - September 2021
- Cyberbullying: Advice for headteachers and school staff - 2014

This policy should also be read in conjunction with 'Keeping Children Safe in Education' (2021) and the JCA Safeguarding Policy and JCA Behaviour Policy.

2. Moral and Legal Duties.

The vision for JCA states that we will celebrate the diversity of the members of our community by enabling them to learn from each other, by encouraging them to respect each other's differences and by providing opportunities to contribute to Academy life and the wider community.

JCA has both moral and legal duties to protect all staff and students from bullying behaviours.

Bullying, especially if left unaddressed, can have a devastating effect on individuals. It can be a barrier to their learning and have serious consequences for their mental health. Bullying which takes place at school does not only affect an individual during childhood but can have a lasting effect on their lives well into adulthood.

JCA values respectful and trusting relationships between staff, students and parents. Bullying behaviours directly contravene this value.

JCA also has a legal duty to have measures in place to prevent all forms of bullying. There are a number of pieces of legislation which set out measures and actions for schools in response to bullying as well as criminal law. These include:
• The Education and Inspection Act 2006, 2011
• The Equality Act 2010
• The Children Act 1989
• Protection from Harassment Act 1997
• The Malicious Communications Act 1988
• Public Order Act 1986
• The Computer Misuse Act 1990

The Education and Inspections Act 2006
Section 89 of the Education and Inspections Act 2006 provides that maintained schools must have measures to encourage good behaviour and prevent all forms of bullying amongst pupils. These measures should be part of the school's behaviour policy which must be communicated to all pupils, school staff and parents.

The Education (Independent School Standards) Regulations 2014
The Education (Independent School Standards) Regulations 2014 provide that the proprietor of an Academy or other independent school ensures that bullying at the school is prevented in so far as reasonably practicable, by the drawing up and implementation of an effective anti-bullying strategy

The Equality Act 2010
A key provision in The Equality Act 2010 is the Public Sector Equality Duty (PSED), which came into force on 5 April 2011 and covers age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Duty requires public bodies to have due regard to the need to:
- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act

- advance equality of opportunity between people who share a protected characteristic and people who do not share it

- foster good relations between people who share a protected characteristic and people who do not share it.

In addition, Part 6 of the Act makes it unlawful for the responsible body of a school to discriminate against, harass or victimise a pupil or potential pupil in relation to admissions, the way it provides education for pupils, provision of pupil access to any benefit, facility or service, or by excluding a pupil or subjecting them to any other detriment. In England and Wales Part 6 of the Act applies to maintained schools and Academies and to other independent schools.

In addition to the duties in relation to pupils with disabilities under the Equality Act, schools also have duties under Part 3 of the Children and Families Act 2014 to ensure that pupils with special educational needs engage in the activities of the school together with children who do not have special educational needs.

Safeguarding children and young people
When there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm' a bullying incident should be addressed as a child protection concern under the Children Act 1989. Where this is the case, the school staff should discuss with the school's designated safeguarding lead and report their concerns to their local authority children's social care and work with them to take appropriate action. Full details can be found in Part 1 of Keeping Children Safe in Education.

However, external support can be given to pupils whether or not it is deemed a child protection concern. Even where safeguarding is not considered to be an issue, schools may need to draw on a range of external services to support the pupil who is experiencing bullying, or to tackle any underlying issue which has contributed to a child engaging in bullying. Full details can be found in Part 1 of Keeping Children Safe in Education and Chapter 1 of Working Together to Safeguard Children.

Criminal law
Although bullying in itself is not a specific criminal offence in the UK, it is important to bear in mind that some types of harassing or threatening behaviour – or communications – could be a criminal offence, for example under the

Protection from Harassment Act 1997, the Malicious Communications Act 1988, the Communications Act 2003, and the Public Order Act 1986.

If school staff feel that an offence may have been committed they should seek assistance from the police. For example, under the Malicious Communications Act 1988, any person who sends an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known or believed to be false by the sender, is guilty of an offence if their purpose in sending it was to cause distress or anxiety to the recipient.

Bullying which occurs outside school premises

School staff members have the power to discipline pupils for misbehaving outside the school premises. Sections 90 and 91 of the Education and Inspections Act 2006 say that a school's disciplinary powers can be used to address pupils' conduct when they are not on school premises and are not under the lawful control or charge of a member of school staff, but only if it would be reasonable for the school to regulate pupils' behaviour in those circumstances. This may include bullying incidents occurring anywhere off the school premises, such as on school or public transport, outside the local shops, or in a town or village centre.

Where bullying outside school is reported to school staff, it should be investigated and acted on. The headteacher should also consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the action taken against a pupil. If the misbehaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed.

3. **Leadership of JCA Anti-bullying Practices.**

The leadership of JCA Anti-bullying practices is undertaken by the Assistant Principal (Inclusion) with support from the Academy Counsellor with oversight of Inclusion.

A staff, student and parent Anti-bullying working group has been established. This group will meet on a termly basis, with this being advertised to students through tutor time and to parents / carers through the Academy newsletter. Student and parent / carer representatives will be sought to provide experience and insight from all of the protected characteristics (age, gender reassignment, marriage or civil partnership, pregnancy, disability, face (including colour, nationality, ethnic or national origin, religion or belief and sex).

4. **What is Bullying?**

JCA adopts the Anti-Bullying Alliance definition of bullying as:
"The repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power. It can happen face to face or online."

The imbalance of power between parties could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, historical factors or situational relationships; or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online.

It is important to note that not all incidents of verbal or physical hurt will fall within this definition of bullying. Bullying differs from 'friendship fall-out', or other aggressive behaviour. "If two children or young people of about the same strength have the odd fight or quarrel it is not bullying." (Olweus 1989, 1993, 1999).

Bullying behaviour can be direct or indirect, it may be face to face or online, and may take place at school, or out of school hours.

Direct bullying includes physical threats, overt or covert use of inappropriate language, verbal insults or taunts and directly contacting a person with obscene or insulting messages by using, for example, a mobile phone.

Indirect bullying includes persistently ignoring a student so that they feel socially isolated, spreading malicious rumours, or insults, often via social network sites on the Internet, or writing offensive graffiti.

Cyber-bullying has grown in frequency and impact in recent years. The government document, "Preventing and Tackling Bullying" (2017) offers this further guidance:
"The rapid development of, and widespread access to, technology has provided a new medium for 'virtual' bullying, which can occur in or outside school. Cyber-bullying is a different form of bullying and can happen at all times of the day, with a potentially bigger audience, and more accessories as people forward on content at a click.

Bullying can happen to anyone. This policy covers all types of bullying including:
- Bullying related to race, religion or culture.
- Bullying related to SEND (Special Educational Needs or Disability).
- Bullying related to appearance or physical/mental health conditions.
- Bullying of young carers, children in care or otherwise related to home circumstances.
- Bullying via technology – "cyberbullying"
- Bullying related to gender or sexuality. Homophobic, Bi-phobic or Transphobic bullying.
- Bullying arising due to extended or escalated peer conflict.

JCA recognises the Anti-bullying Alliance social model of bullying, to include the following roles:
Target – the person at whom the bullying is aimed at.
Ring Leader – the person that initiates and leads the bullying
Reinforcer – the person / group that supports the bullying, might laugh or encourage what's going on but doesn't "do it".
Assistant – the person that is actively involved in doing the bullying, but does not lead it.
Defender – the person / group that stands up for some-one being bullied. They know that bullying is wrong and feels confident enough to defend. They may talk to an adult in school.
Outsider – the person / group that ignore or doesn't see the bullying and doesn't want to get involved.

For the purposes of this policy the students taking the roles of ring leader, reinforcer and assistant will all be deemed as perpetrators of the bullying.

5. **Preventing Bullying.**

JCA values the development of trusting and respectful relationships between students, staff and parents, and the provision of a safe environment with recognised boundaries.

A key aspect in the delivery of these values is the creation of a safe learning environment and an anti-bullying culture. This is an on-going process and involves measures designed to encourage students to behave positively towards one another, to recognise and celebrate difference within our community and to challenge and educate students where these expectations are not met. Measures towards this objective include:

- Create and support an inclusive environment which promotes a culture of mutual respect, consideration and care for others which will be upheld by all.
- Regularly evaluate the climate of the academy through systems involving student, parent and staff surveys, and also through meetings and telephone conversations with parents.
- Work with staff and outside agencies to identify all forms of prejudice-driven bullying.
- Provide opportunities to develop students' social and emotional skills, including their resilience.
- Provide a range of approaches for students, staff and parents/carers to access support and report concerns, which might include verbal and written reporting, anonymised reporting, and making use of the peer support networks.
- Challenge practice which does not uphold the values of tolerance, non-discrimination and respect towards others.
- Consider all opportunities for addressing bullying in all forms throughout the curriculum and supported with a range of approaches such as through displays, assemblies, peer support and the school/student council.

- Regularly update and evaluate our approaches to take into account the developments of technology and provide up-to-date advice and education to all members of the community regarding positive online behaviour.
- Train staff in understanding of protected characteristics e.g. Show the Red Card to Racism course
- Train all staff including teaching staff, support staff (including administration staff, lunchtime support staff and site support staff) and pastoral staff to identify all forms of bullying, follow the school policy and procedures (including recording and reporting incidents on our central safeguarding software (CPOMS)).
- Proactively gather and record concerns and intelligence through CPOMS about bullying incidents and issues so as to effectively develop strategies to prevent bullying from occurring.
- Actively create "safe spaces" for vulnerable children and young people, and to provide effective staff supervision during social times and corridor supervision during lesson transitions.
- Use a variety of techniques to resolve the issues between those who bully and those who have been bullied.
- Work with other agencies and the wider school community to prevent and tackle concerns.
- Celebrate success and achievements to promote and build a positive school ethos.
- Involve parents in additional awareness training events, e.g. internet safety.
- Education for students which is responsive to identified student need through PSHE, SMSC and Safety Days.

JCA recognises that low-level disruption and the use of offensive language can in itself have a significant impact on its target. Staff will receive training in unacceptable language, and how it should be challenged. Students will be given explicit guidance regarding forms of offensive language against protected characteristics, and will be encouraged to report any and all incidences where offensive language has been used. Students found to be using offensive language in relation to any of the protected characteristics will face a short sanction and will complete follow-on educational work with the Pastoral team in the immediate days after the incident.

6. **Reporting Bullying**

Whenever a student experiences bullying, it should be reported, whether by the victim, friends of the victim, bystanders or via parents. JCA recognises that pupils may find it difficult to report bullying behaviours, and so need to provide a range of mechanisms for the reporting of bullying.

Bullying incidents can be reported in the following ways:
- directly to a member of staff. This could be reported by students face to face to a teacher, a tutor, the Year Pastoral team, a Learning Support Assistant or a member of the Senior Leadership Team. Alternatively this could be reported by a parent by contacting the JCA reception.

- Via email to the Assistant Principal (Inclusion) through the use of the school contact email address JCAinfo@clf.uk.

Further effective mechanisms for the reporting of bullying will be investigated through the JCA Anti-bullying working group. When established these will be well promoted to students, staff and parents – carers, and will be added to this policy.

In all cases, the reporting of the bullying incident will result in immediate further investigation.

7. **Investigating Reports of Bullying.**

The investigation of reported student bullying is progressed by the Year group Pastoral Teams, under the leadership of the Head of Key Stage.

The reported bullying will be communicated to the Pastoral Team by the member of staff who received the report.

Parents / carers will be informed that a bullying incident has been reported, the nature of the bullying incident, and will be provided with timescales when they will be given further information about the investigation, usually within 2 working days of the reported incident.

Statements will be taken from the bullying target, from the alleged ring-leader, reinforcer(s) and assistant(s), and from any identified defender(s) and outsider(s). These statements will be stored on file.

CCTV may be checked.

In the case of alleged on-line bullying, mobile phones may be confiscated to check content.

The Education Act 2011 amended the power in the Education Act 1996 to provide that when an electronic device, such as a mobile phone, has been seized by a member of staff who has been formally authorised by the headteacher, that staff member can examine data or files, and delete these, where there is good reason to do so. This power applies to all schools and there is no need to have parental consent to search through a young person's mobile phone." If school staff feel that an offence may have been committed they should seek assistance from the police.

Once completed the investigation will be reported by the Head of Key Stage to the Assistant Principal (Inclusion) and the outcome agreed. The Pastoral team will communicate the outcome to the target of the incident, and to the parent / carers of this pupil.

If bullying has been found to have taken place the incident will be recorded on CPOMS and next steps progressed.

8. Response to Incidents of Bullying

Initial Response:
JCA will initially respond to incidents of bullying through a restorative approach. National research indicates that students who have experienced bullying have a preference for restorative, rather than punitive approaches. National research also indicates that restorative approaches have a greater impact on perpetrators than punitive responses.

The restorative approach encourages the reporting of incidents by reducing the victims' anxieties about repercussions and educates the perpetrators, by increasing their understanding of the difficulties caused by bullying, and encouraging perpetrators to take responsibility for their actions.

It may be appropriate to monitor the situation in the first instance, and work closely with parents and the victim to discuss if any action should be taken. It may be appropriate to adopt a Restorative Justice approach with all those involved. This might mean asking students and staff to share their views within a meeting with a facilitator who would ensure that all participants were able to say how they had been affected by the bullying behaviour and what needed to change. Parents/carers will also be asked for the views and this will inform the meeting. As a way forward, if thought appropriate and agreed upon, a contract would be written between the students.

The parents / carers of the ring leader, reinforcer and assistant will meet with the Head of Key Stage to communicate that a bullying incident has taken place, to outline how this will be addressed, to share the law in terms of bullying, and to discuss implications if there is further repetition of this behaviour.

Year Team Pastoral Staff will complete specific work with the Ring Leader, Assistant(s), Reinforcer(s) and Outsider(s) to help them understand their role in the bullying incident, to understand the impact that the incident has had on the target, and to explore other behaviours that they may have chosen which would have reduced the impact of the incident.

Pastoral Staff will check-in with the target to ensure there had been no further incidents regularly over the coming weeks. Any concerns will be reported to the parent/carers.

A key focus of the restorative approach is to ensure victims of bullying incidents are thoroughly supported, signposted to the correct support, and in cases of repeat bullying incidences the response is escalated accordingly.

Details of the incident, the target, the perpetrators, the perpetrators bullying stage, the roles played, the type of bullying, the actions taken and the schedule for regular check-ins with the target will be recorded on the JCA Bullying Log.

Response In the case of repeated incidences:

If those involved do not keep to the agreements made at Restorative Approach Meetings, or repeat bullying behaviour towards other individuals, they will progress through each of the anti-bullying stages:

Stage 0 – Suspected Bullying
Stage 1 – Ist incident.
Stage 2 – 2nd incident.
Stage 3 – 3rd incident.
Stage 4 – 4th incident.

At each stage parent / carers will be informed of participation in further incidences of bullying behaviours, and the perpetrator will face a range of escalating sanctions. This may include loss of social time, after school detentions, internal exclusion, placement to another CLF Academy, or in extreme cases, fixed term or permanent exclusion.

If a student reaches stage 4 of the anti-bullying process they are at risk of losing their place at JCA.

Based upon legislation in the Children Act (1989), in serious cases, it may also be appropriate to consider the bullying as a child protection concern if 'there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm'. Where this is the case, the school must report their concerns to the Local Authority's safeguarding services and may draw on external professionals to support the victim or to tackle issues which have contributed to a child becoming a perpetrator of bullying.

As a last resort, the school may report a bullying issue to the police; particularly if staff feel that the nature of the bullying contravenes the law and other measures have been unsuccessful in preventing its recurrence.

9. Monitoring and review of bullying incidences

In response to the completed investigation, all incidences of bullying will be recorded on CPOMS and on the anti-bullying log. The record will include the type of bullying behaviour, the role undertaken in the bullying incident, whether the bullying related to any of the protected characteristics, and the characteristics of the target with reference to the protected characteristics.

The anti-bullying log will record follow up restorative approaches, as agreed with the target and family, follow up educational provision with the perpetrators and follow up check-in dates with the target. The anti-bullying log will also record any additional support provided to the target or the perpetrators.

A termly review will be completed to identify overall levels of offensive language and bullying incidents. The review will include an analysis of offensive language and bullying incidents by type, by reference to the protected characteristics, and by the characteristics of the target.

The review will be reported to the Academy Council and to the JCA Anti-bullying working group. Any issues identified will be incorporated into the Academy's action planning.

10. Review of anti-bullying practices

During weekly line management meetings the Assistant Principal and Heads of Key Stage will review current bullying incidents and ensure all follow-on activities are being completed.

On a termly basis the Assistant Head (Inclusion) will meet with the Heads of Key Stage, the Designated Safeguarding Lead, the Academy Governor (Inclusion) and member (s) of the JCA Anti-bullying working group to review incidents of bullying that have taken place across the previous term. The review will quality assure that anti-bullying practices have been completed in line with this policy and have been effective in supporting an anti-bullying culture. Any issues identified will be incorporated into the Academy's action planning.

11. Linked policies
A number of policies are directly linked, related or referred to within the anti-bullying policy.

These include:
• Safeguarding policy
• Complaints policy
• Equality policy
• Behaviour policy
• Online safety policy
• Positive mental health policy

12. Roles and Responsibilities

Academy Council will regularly review the policy which the Principal must consider, in determining measures to promote good behaviour and discipline.

The Principal and senior staff have overall responsibility for the policy and its implementation. Cases will be managed according to the circumstances and will be recorded and analysed to see whether patterns emerge from the nature of the bullying or the identity of the perpetrators.
All staff (teachers, support staff and volunteers) share responsibility for ensuring that the policy and procedures are followed, and consistently and fairly applied without regard to ethnic origin, cultural differences, gender, disability or sexuality issues. Mutual support amongst all staff is essential for creating a high quality and safe learning environment promoting good behaviour and implementing the agreed policy and procedures consistently. They will ensure that students are listened to and that their concerns are appropriately addressed.

Parents and carers will be encouraged to work in partnership with the Academy in order that high standards of behaviour are maintained both in and out of school, and that students respect both similarities and differences between themselves and other members of the school and the wider community.

Students will be expected to take responsibility for their own behaviour and will be made fully aware of the school's anti-bullying policy, the procedures arising from cases of bullying and the rationale behind them. All students have a collective responsibility to ensure that they are considerate towards one another and respectful of each other's differences.

13. Parental Complaints
If a parent is not satisfied with the way a bullying issue has been addressed, the appropriate Pastoral Year Leader should be contacted to discuss the matter.

If the parent is still dissatisfied, then the appropriate Head of Key Stage should be involved.

If this still fails to resolve the parental concern, then the Assistant Principal (Inclusion) should be involved.

Further information may be found in the Complaints Policy if a Parent feels the matter is still unresolved.

14. Supporting Organisations and Guidance
Anti-Bullying Alliance: www.anti-bullyingalliance.org.uk

Beat Bullying: www.beatbullying.org

Childline: www.childline.org.uk

DfE: "No health without mental health": https://www.gov.uk/government/publications/no-health-without-mental-health-a-cross-government-outcomes-strategy

Family Lives: www.familylives.org.uk

Kidscape: www.kidscape.org.uk

MindEd: www.minded.org.uk

NSPCC: www.nspcc.org.uk

PSHE Association: www.pshe-association.org.uk

Restorative Justice Council: www.restorativejustice.org.uk

The Diana Award: www.diana-award.org.uk

Victim Support: www.victimsupport.org.uk

Young Minds: www.youngminds.org.uk

Young Carers: www.youngcarers.net

Cyberbullying

Childnet International: www.childnet.com

Digizen: www.digizen.org

Internet Watch Foundation: www.iwf.org.uk

Think U Know: www.thinkuknow.co.uk

UK Safer Internet Centre: www.saferinternet.org.uk

LGBT

EACH: www.eachaction.org.uk

Pace: www.pacehealth.org.uk

Schools Out: www.schools-out.org.uk

Stonewall: www.stonewall.org.uk

Racism and Hate

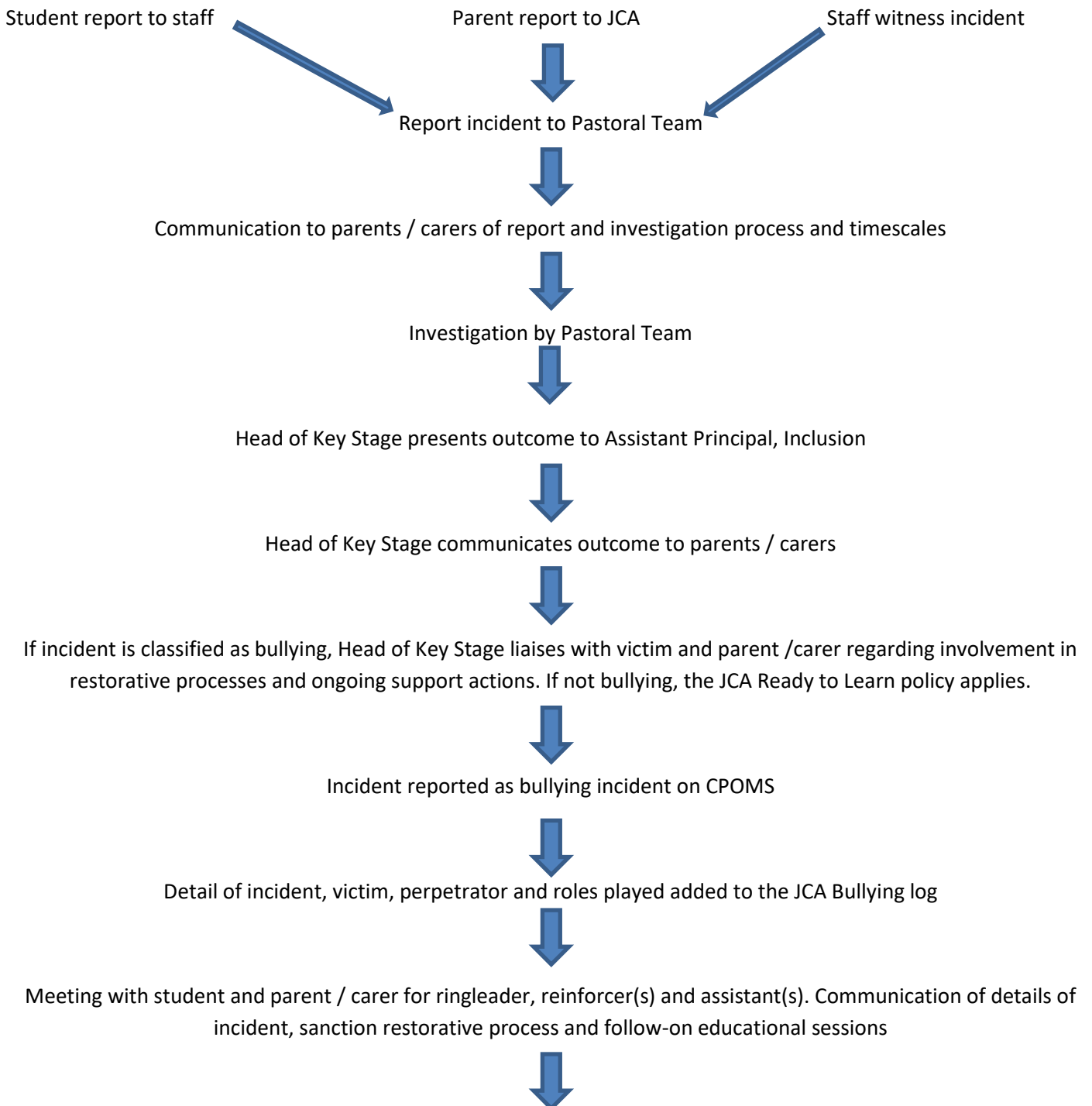Anne Frank Trust: www.annefrank.org.uk

Kick it Out: www.kickitout.org

Report it: www.report-it.org.uk

Stop Hate: www.stophateuk.org

Show Racism the Red Card: www.srtrc.org/educational

JCA Anti-Bullying Processes

Student report to staff   Parent report to JCA   Staff witness incident

Report incident to Pastoral Team

Communication to parents / carers of report and investigation process and timescales

Investigation by Pastoral Team

Head of Key Stage presents outcome to Assistant Principal, Inclusion

Head of Key Stage communicates outcome to parents / carers

If incident is classified as bullying, Head of Key Stage liaises with victim and parent /carer regarding involvement in restorative processes and ongoing support actions. If not bullying, the JCA Ready to Learn policy applies.

Incident reported as bullying incident on CPOMS

Detail of incident, victim, perpetrator and roles played added to the JCA Bullying log

Meeting with student and parent / carer for ringleader, reinforcer(s) and assistant(s). Communication of details of incident, sanction restorative process and follow-on educational sessions

Delivery of restorative process and follow-up sessions sent to perpetrators

⬇

Regular check-ins with the victim. Outcome communicated to parent / carer

⬇

Termly audit of bullying incidents and incidents of offensive language. Reported to the Academy Council and to the Anti-bullying working group

⬇

Bi-termly review of bullying incidents to quality assure anti-bullying processes