

# Wye Forest Federation

Redbrook Church of England Primary School

St Briavels Parochial Church of England Primary School



## Anti-Bullying and Hate Incidents Policy

This policy was agreed by the Full Governing Body on: (and supersedes all previous policies relating to this area)	28.9.2023
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Revised	April 2024
Review date:	September 2024

## **Policy Statement**

The core purpose of any Church school is to maximise the learning potential of every pupil. Creating a climate for education where all pupils want to engage in learning is paramount and this means pupils need to feel safe and happy, and want to attend. Any form of bullying or hate activity which thwarts security and wellbeing will have a detrimental effect on an individual's ability to learn. The Federation believes that every child is a child of God and should be valued as such. This is why The Wye Forest Federation places great importance on ensuring that bullying and hate incidents are always tackled.

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

All staff, parents and pupils work together to prevent and reduce any instances of bullying and hate at the school. There is a zero-tolerance policy for bullying and hate incidents/ crimes at the school.

### **1. Legal Framework:**

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Education and Inspections Act 2006
- Equality Act 2010
- Protection from Harassment Act 1997
- Malicious Communications Act 1988
- Public Order Act 1986
- Communications Act 2003
- Human Rights Act 1998
- Crime and Disorder Act 1998
- Education Act 2011
- DfE (2017) 'Preventing and tackling bullying'
- DfE (2018) 'Mental health and wellbeing provision in schools'
- DfE (2023) 'Keeping children safe in education 2023'
- DCMS, DSIT, and UK Council for Internet Safety (2020) 'Sharing nudes and semi-nudes: advice for education settings working with children and young people'

### **2. Defining Bullying**

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

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

Vulnerable pupils are more likely to be the targets of bullying due to the attitudes and behaviours some young people have towards those who are different from themselves.

- Pupils with SEND.

- Pupils who are looked after or post-looked after.
- Pupils suffering from a health problem.
- Pupils with caring responsibilities.

Pupils with certain characteristics are also more likely to be targets of bullying, including, but not limited to:

- Pupils who are LGBTQ+ or perceived to be LGBTQ+.
- Pupils from BAME backgrounds.
- Pupils from socioeconomically disadvantaged backgrounds.

### **3. Defining Hate Incidents**

A hate incident is defined as: “Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by hostility or prejudice.” If a criminal offence has been committed, the incident becomes a Hate Crime.

It is recognised that Hate Incidents/ Crimes can be more impactful on the victim than standard bullying because they have been attacked on account of ‘who they are’, an element of their core identity. There is also wider invisible impact on those that share that identity who may not, themselves, have been targeted. For example, if a young person with a disability witnesses disablist bullying towards a peer, they may become fearful and anxious about being at risk, despite never having been targeted themselves.

### **4. Types of Bullying and Hate Incidents**

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

Bullying is acted out through the following mediums:

- Verbal
- Physical
- Emotional
- Online (cyberbullying)

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

**Homophobic and biphobic bullying:** Bullying another person because of their actual or perceived sexual orientation

**Transphobic bullying:** Bullying based on another person’s gender identity or gender presentation, or for not conforming to dominant gender roles.

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

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

**Ableist bullying:** Bullying behaviour that focusses on another person's disability or support needs; this can include mocking the individual's disability or their needs, using derogatory words or slurs in relation to an individual's disability, or deliberately excluding an individual because of their disability.

**Prejudicial bullying:** Bullying based on prejudices directed towards specific characteristics or experiences, e.g. religion or mental health issues.

**Relational bullying:** Bullying that primarily constitutes of excluding, isolating and ostracising someone – usually through verbal and emotional bullying.

**Socioeconomic bullying:** Bullying based on prejudices against the perceived social status of the victim, including, but not limited to, their economic status, their parents' occupations, their health or nutrition level, or the perceived "quality" of their clothing or belongings.

## 5. Roles and responsibilities

The governing board is responsible for:

- Evaluating and reviewing this policy to ensure that it does not discriminate against any pupils on the basis of their protected characteristics or backgrounds.
- The overall implementation and monitoring of this policy.
- Ensuring that all governors are appropriately trained regarding safeguarding and child protection at induction.
- Ensuring that the school adopts a tolerant and open-minded policy towards difference.
- Ensuring the school is inclusive.
- Analysing any bullying and hate incident data to establish patterns and reviewing this policy in light of these.
- Ensuring the DSL has the appropriate status and authority within the school to carry out the duties of the role.
- Appointing a safeguarding link governor who will work with the DSL to ensure the policies and practices relating to safeguarding, including the prevention of cyberbullying, are being implemented effectively.
- Ensuring that pupils are taught how to keep themselves and others safe, including online.

**The headteacher is responsible for:**

- Reviewing and amending this policy, accounting for new legislation and government guidance, and using staff experience of dealing with bullying incidents in previous years to improve procedures.
- Maintaining CPOMs with all reported bullying and hate incidents, including which type of bullying has occurred, to allow for proper analysis of the data collected.
- Analysing the data in the bullying and hate record at termly intervals to identify trends, so that appropriate measures to tackle them can be implemented.
- Arranging appropriate training for staff members.
- Being a point of contact for parents where appropriate

**Teachers are responsible for:**

- Being alert to social dynamics in their class.
- Being available for pupils who wish to report bullying or hate incidents.
- Providing follow-up support after bullying or hate incidents.
- Being alert to possible bullying or hate situations, particularly exclusion from friendship groups, and logging on CPOMS such observations.
- Refraining from stereotyping when dealing with bullying and hate incidents.

- Understanding the composition of pupil groups, showing sensitivity to those who have been the victims of bullying or hate incidents.
- Reporting any instances of bullying or hate incidents once they have been approached by a pupil for support.
- Liaising with parents where appropriate

**Parents are responsible for:**

- Informing their child's class teacher if they have any concerns that their child is the victim of bullying or a hate incident or involving in bullying or hate incidents in anyway.
- Being watchful of their child's behaviour, attitude and characteristics and informing the relevant staff members of any changes.

**Pupils are responsible for:**

- Informing a member of staff if they witness bullying or hate incidents or are a victim of bullying or hate incidents.
- Not making counter-threats if they are victims of bullying or hate incidents.
- Walking away from dangerous situations and avoiding involving other pupils in incidents.
- Keeping evidence of cyberbullying and informing a member of staff should they fall victim to cyberbullying.

## **6. Statutory requirements**

The school understands that, under the Equality Act 2010, it has a responsibility to:

- Eliminate unlawful discrimination, harassment, including sexual 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.

The school understands that, under the Human Rights Act (HRA) 1998, it could have charges brought against it if it allows the rights of pupils to be breached by failing to take bullying or hate incidents seriously. The headteacher will ensure that this policy complies with the HRA; the headteacher understands that they cannot do this without fully involving their teaching staff.

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

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

## **7. Prevention**

The school will clearly communicate a whole-school commitment to addressing bullying and have a clear set of values and standards which will be regularly promoted across the whole school.

All members of the school will be made aware of this policy and their responsibilities in relation to it. All staff members will receive training on identifying and dealing with the different types of bullying and hate incidents.

All types of bullying and hate incidents will be discussed as part of the relationships and health education curriculum, in line with the Relationships and Health Education Policy.

The curriculum will explore and discuss issues at age-appropriate stages such as:

- Healthy and respectful relationships.
- Boundaries and consent.
- Stereotyping, prejudice and equality.
- Body confidence and self-esteem.
- How to recognise abusive relationships and coercive control.
- Harmful sexual behaviour, the concepts involved and why they are always unacceptable, and the laws relating to it.

Staff will encourage pupil cooperation and the development of interpersonal skills using group and pair work. Diversity, difference and respect for others will be promoted and celebrated through various lessons. Opportunities to extend friendship groups and interactive skills will be provided through participation in special events

Seating plans will be organised and altered in a way that prevents instances of bullying or hate. Potential victims of bullying or hate will be placed in working groups with other pupils who do not abuse or take advantage of others.

Daily check-ins with children will take place with class teachers to enable opportunities for all children to share their worries.

A worry box will be placed in every classroom so where children do not feel confident to speak out they are able to communicate their worries through the written word or pictures.

Children deemed vulnerable will be identified by the Inclusion Lead and specific check-ins with these pupils will be led by the ELSA or their class teacher regularly.

The school will be alert to, and address, any mental health and wellbeing issues amongst pupils, as these can be a cause, or a result, of bullying behaviour.

The school will ensure potential perpetrators are given support as required, so their educational, emotional and social development is not negatively influenced by outside factors, e.g. mental health issues.

## **8. Signs of bullying or hate incidents**

Staff will be alert to the following signs that may indicate a pupil is a victim of bullying or hate:

- Being frightened to travel to or from school
- Unwillingness to attend school
- Repeated or persistent absence from school

- Becoming anxious or lacking confidence
- Saying that they feel ill repeatedly
- Decreased involvement in school work
- Leaving school with torn clothes or damaged possessions
- Missing possessions
- Missing dinner money
- Asking for extra money or stealing
- Cuts or bruises
- Lack of appetite
- Unwillingness to use the internet or mobile devices
- Lack of eye contact
- Becoming short tempered
- Change in behaviour and attitude at home

Although the signs outlined above may not be due to bullying, they may be due to deeper social, emotional or mental health issues, so are still worth investigating. Pupils who display a significant number of these signs will be approached by a member of staff to determine the underlying issues causing this behaviour.

Staff will be aware of the potential factors that may indicate a pupil is likely to exhibit bullying or hate behaviours, including, but not limited to, the following:

- They have experienced mental health problems, which have led to them becoming more easily aggravated
- They have been the victim of abuse
- Their academic performance has started to fall and they are showing signs of stress

If wider staff become aware of any factors that could lead to bullying or hate behaviours, they will notify the pupil's class teacher, who will investigate the matter and monitor the situation.

## **9. Staff principles**

The school will ensure that prevention is a prominent aspect of its anti-bullying and hate vision.

Staff will treat reports of bullying or hate seriously and will not ignore signs of suspected bullying or hate. Staff will act immediately when they become aware of a bullying or hate incident. Unpleasantness from one pupil towards another will always be challenged and will never be ignored.

Staff will always respect pupils' privacy, and information about specific instances of bullying is not discussed with others, unless the pupil has given consent, or there is a safeguarding concern. If a member of staff believes a pupil is in danger, e.g. of being hurt, they will inform the DSL immediately.

Where a potential crime has taken place, staff have a duty of care towards the victim to report the incident to the DSL and the police.

Follow-up support will be given to both the victim and perpetrator in the months following an incident to ensure all bullying has stopped.

## **10. Child-on-child abuse**

The school has a zero-tolerance approach to all forms of child-on-child abuse, including sexual harassment and sexual violence.

To prevent child-on-child abuse and address the wider societal factors that can influence behaviour, the school will educate pupils about abuse, its forms, and the importance of discussing any concerns and respecting others through the curriculum, assemblies and PSHE lessons, in line with the Prevention section of this policy.

All staff will:

- Be aware that pupils of any age and gender are capable of abusing their peers.
- Be aware that abuse can occur inside and outside of school settings.
- Be aware of the scale of harassment or abuse, and that just because it is not being reported does not mean it is not happening.
- Take all instances of child-on-child abuse equally seriously regardless of the characteristics of the perpetrators or victims.
- Never tolerate abuse as “banter” or “part of growing up”, and will never justify sexual harassment, e.g. as “boys being boys”, as this can foster a culture of unacceptable behaviours and one that risks normalising abuse.
- Be aware that child-on-child abuse can be manifested in many ways, including sexting, sexual harassment and assault, and hazing or initiation-type violence.
- Always challenge any harmful physical behaviour that is sexual in nature, such as inappropriate touching. Dismissing or tolerating such behaviours risks normalising them.
- Sexual harassment in particular can take many forms, including but not limited to:
  - Telling sexual stories, making sexual remarks, or calling someone sexualised names.
  - Sexual “jokes” or taunting.
  - Deliberately brushing against someone.
  - Displaying images or video of a sexual nature.
  - Upskirting (this is a criminal offence).
- Online sexual harassment, e.g. creating or sharing sexual imagery, sexual comments on social media, or sexual coercion or threats.

Pupils will be made aware of how to raise concerns or make a report and how any reports will be handled – this includes the process for reporting concerns about friends or peers. If a pupil has been harmed, is in immediate danger or is at risk of harm, a referral may be made to children’s social care services (CSCS) and potentially the police, where the DSL deems this appropriate in the circumstances.

All staff will be aware and sensitive towards the fact that pupils may not be ready or know how to tell someone that they are being abused. Pupils being abused may feel embarrassed, humiliated, scared, or threatened.

The school’s Child-on-child Abuse Policy (within the Child Protection and Safeguarding Policy) outlines the school’s stance on addressing child-on-child abuse, including sexual abuse, and the procedures in place will be adhered to if any instances are uncovered or disclosed. More information on the school’s approach to preventing and managing instances of child-on-child abuse can be found within the Child Protection and Safeguarding Policy.

## **11. Cyberbullying**

Cyberbullying can take many forms and can go even further than face-to-face bullying by invading personal space and home life, and can target more than one person. It can also take place across age



groups and target pupils, staff and others, and may take place inside school, within the wider community, at home or when travelling. It can sometimes draw bystanders into being accessories.

Cyberbullying can include the following:

- Threatening, intimidating or upsetting text messages
- Threatening or embarrassing pictures and video clips
- Disclosure of private sexual photographs or videos with the intent to cause distress
- Silent or abusive phone calls
- Using the victim's phone to harass others, to make them think the victim is responsible
- Threatening or bullying emails, possibly sent using a pseudonym or someone else's name
- Menacing or upsetting responses to someone in a chatroom
- Unpleasant messages sent via instant messaging
- Unpleasant or defamatory information posted to blogs, personal websites and social networking sites, e.g. Facebook

NB. The above list is not exhaustive, and cyberbullying may take other forms.

The school has a zero-tolerance approach to cyberbullying. The school views cyberbullying with the same severity as any other form of bullying and will follow the sanctions set out in this policy if they become aware of any incidents.

All members of staff will receive training on an annual basis on the signs of cyberbullying, in order to identify pupils who may be experiencing issues and intervene effectively. Many of the signs of cyberbullying will be similar to those found in the 'Signs of bullying' section of this policy; however, staff will be alert to the following signs that may indicate a pupil is being cyberbullied:

- Avoiding use of the computer
- Being on their phone routinely
- Becoming agitated when receiving calls or text messages

Staff will also be alert to the following signs which may indicate that a pupil is cyberbullying others:

- Avoiding using the computer or turning off the screen when someone is near
- Acting in a secretive manner when using the computer or mobile phone
- Spending excessive amounts of time on the computer or mobile phone
- Becoming upset or angry when the computer or mobile phone is taken away

Parents will also be invited to attend training sessions in order to educate them on the signs and symptoms of cyberbullying, and will be advised to report to the headteacher if their child displays any of the signs outlined in this section.

All learning at home will follow procedures outlined in the Remote Education Policy. During times when remote education is being utilised, the school will frequently be in contact with parents to make them aware of their activities online, but also to reinforce the importance of pupils staying safe online, and explaining how filtering and monitoring procedures work.

Staff will be aware that a cyberbullying incident might include features different to other forms of bullying, prompting a particular response. Significant differences may include the following:

- Possible extensive scale and scope – pupils may be bullied on multiple platforms and using multiple different methods that are made possible by virtue of the bullying taking place online

- The anytime and anywhere nature of cyberbullying – pupils may not have an escape from the torment when they are at home due to the bullying continuing through technology at all times
- The person being bullied might not know who the perpetrator is – it is easy for individuals to remain anonymous online and on social media, and pupils may be bullied by someone who is concealing their own identity
- The perpetrator might not realise that their actions are bullying – sometimes, the culture of social media, and the inability to see the impact that words are having on someone, may lead to pupils crossing boundaries without realising
- The victim of the bullying may have evidence of what has happened – pupils may have taken screenshots of bullying, or there may be a digital footprint that can identify the perpetrator

Staff and pupils will be instructed not to respond or retaliate to cyberbullying incidents. Evidence of the incident should be recorded, e.g. taking screenshots. Staff will report incidents to their line manager or the headteacher for the incident to be investigated and support to be provided. Pupils will report incidents to a trusted member of staff.

Where offensive content is posted online targeting a staff member or pupil, the person targeted will be encouraged to use the reporting mechanism on the website or social media platform to request its removal. Where the person who has posted it is known to the school, the headteacher will request they remove it directly.

The school will support pupils who have been victims of cyberbullying by holding formal and informal discussions with the pupil about their feelings and whether the bullying has stopped, in accordance with this policy.

In accordance with the Education Act 2011, the school has the right to examine and delete files from pupils' personal devices, e.g. mobiles phones, where there is good reason to do so. This power applies to all schools and there is no need to have parental consent to search through a young person's mobile phone. In these cases, the school's Searching, Screening and Confiscation Policy (within the Behaviour Policy) will be followed.

## **12.Procedures**

It is very important for pupils to understand the extent of bullying as many are mistaken or misunderstand the definition when they 'fall out' with friends. Children do sometimes fall out or say things because they are upset. When occasional problems of this kind arise it is not classed as bullying. It is an important part of a child's development to learn how to deal with friendship breakdowns and to be resilient. Pupils have to learn how to deal with these situations and develop social skills to repair relationships. 'Banter' is never acceptable within the Federation. Incidents, such as these, will be reported to the victim's class teacher, who will investigate the incident, set appropriate sanctions for the perpetrator, and inform the headteacher via CPOMS of the incident and outcome.

Where bullying or a hate incident is alleged, the following procedures will be adopted by the investigating staff:

- The victim, alleged perpetrator and witnesses are all interviewed separately

- Members of staff ensure that there is no possibility of contact between the pupils being interviewed, including electronic communication
- If a pupil is injured, members of staff take the pupil immediately to a first aider for a medical opinion on the extent of their injuries
- A room is used that allows for privacy during interviews
- A witness is used for serious incidents
- If appropriate, the alleged perpetrator, the victim and witnesses are asked to write down details of the incident; this may need prompting with questions from the member of staff to obtain the full picture
- The headteacher will gather evidence of a cyberbullying incident; this may involve text messages, emails, photos, etc. provided by the victim
- Premature assumptions are not made, as it is important not to be judgemental at this stage
- Members of staff listen carefully to all accounts, being non-confrontational and not assigning blame until the investigation is complete
- All pupils involved are informed that they must not discuss the interview with other pupils
- All records made will be recorded on CPOMs
- Where a potential hate crime has been committed, then the police will be informed

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

### **13. Sanctions**

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

The headteacher will inform the perpetrator of the type of sanction to be used in this instance, e.g. lost play-times, supervised time outside and future sanctions if the bullying continues.

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

Parents are informed of bullying and hate incidents and what action is being taken.

All staff involved in managing instances of bullying and hate incidents will be aware that taking disciplinary action and providing support are not mutually exclusive actions, and should be conducted simultaneously to encourage more positive behaviour in future.

The school will avoid unnecessarily criminalising pupils for bullying or abusive behaviour where possible, as young people with criminal records face stigma and discrimination in future aspects of their lives. The school's focus when handling perpetrators will be supporting them to develop more positive behaviours and to refrain from abusive and bullying behaviours in the future.

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

The school will remain cognisant of the fact that continued access to school can be important for rehabilitation of harmful behaviour, and will not exclude pupils unless as a last resort – where there have been serious or consistent incidents of bullying, the school will act in line with the Suspension and Exclusion Policy.

## **14. Support**

In the event of bullying or hate incidents, victims will be offered the following support:

- Emotional support and reassurance from their class teacher
- Reassurance that it was right to report the incident and that appropriate action will be taken
- Liaison with their parents to ensure a continuous dialogue of support
- Advice not to retaliate or reply, but to keep the evidence and show or give it to their parent or a member of staff
- Advice on aspects of online safety, in the event of cyberbullying, to prevent re-occurrence, including, where appropriate, discussion with their parents to evaluate their online habits and age-appropriate advice on how the perpetrator might be blocked online
- Discussion with their parent on whether police action is required (except in serious cases of child exploitation or abuse where the police may be contacted without discussion with parents)

The headteacher will carefully consider in each instance of bullying or hate that is handled whether it is appropriate to split up the victim(s) and perpetrator(s), e.g. preventing them sharing classes or spaces where possible, and will split up other harmful group dynamics to prevent further occurrences where necessary. Victims will be encouraged to broaden their friendship groups by joining lunchtime or after-school clubs or activities.

Staff, particularly the Inclusion Lead or ELSA, will work with the victim to build resilience, e.g. by offering emotional therapy.

The school will acknowledge that bullying or hate may be an indication of underlying mental health issues. Perpetrators will be required to attend a mandatory counselling session to assist with any underlying mental health or emotional wellbeing issues. The school will work with the perpetrator regarding any underlying mental health or emotional wellbeing problems.

## **15. Follow-up support**

The progress of both the perpetrator and the victim will be monitored by their class teacher. One-on-one sessions to discuss how the victim and perpetrator are progressing may be appropriate. If appropriate, follow-up correspondence will be arranged with parents one month after the incident.

Pupils who have been bullied or the victim of a hate incident/ crime will be offered continuous support. The headteacher will hold a formal meeting, on a monthly basis, to check whether the bullying has stopped – these formal meetings will continue to take place once a month until the victim and their parents are confident the bullying has stopped. The victim will be encouraged to tell a trusted adult in school if bullying is repeated.

Pupils who have been bullied or the victim of a hate incident will be assessed on a case-by-case basis and the Inclusion Lead will, if necessary, refer the victim of bullying or hate for further support through Trail Blazers.

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

Pupils who have bullied others will be supported in the following ways:

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

In cases where the effects of bullying or hate are so severe that the pupil (bully or victim) cannot successfully reintegrate back into the school, the headteacher and DSL will look to transfer the pupil to another mainstream school with the consent and involvement of the pupil's parents.

## **16. Bullying or Hate Incidents outside of school**

Staff will remain aware that bullying and hate incidents can happen both in and outside of school, and will ensure that they understand how to respond to reports of bullying or hate incidents that occurred outside school in line with the Child Protection and Safeguarding Policy and the Child-on-Child Abuse Policy.

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

Teachers have the power to sanction pupils for misbehaving outside of the school premises. This can relate to any bullying or hate incidents occurring anywhere off the school premises, e.g. on school or public transport, outside the local shops, or in a town or village centre.

Where bullying or a hate incident outside school is reported to school staff, it will be investigated and acted upon. In all cases of misbehaviour, bullying or hate, members of staff can only sanction the pupil on school premises, or elsewhere when the pupil is under the lawful control of the member of staff, e.g. on a school trip.

The headteacher is responsible for determining whether it is appropriate to notify the police of the action taken against a pupil. If the misbehaviour could be of a criminal nature, or poses a serious threat to a member of the public, the police will be informed.

## **17. Record keeping**

All bullying or hate allegations and incidents are accurately recorded on our safeguarding software CPOMS as a method of keeping track for the school and internal use.

The DSL will ensure that robust records are kept with regard to all reported or otherwise uncovered incidents of bullying – this includes recording where decisions have been made, e.g. sanctions, support, escalation of a situation and resolutions.

The headteacher and DSL will ensure that all decisions and actions recorded are reviewed on a regular basis for the purposes of:

- Identifying patterns of concerning, problematic or inappropriate behaviour on the part of certain pupils that may need to be handled, e.g. with pastoral support.
- Reflecting on whether cases could have been handled better and using these reflections to inform future practice.
- Considering whether there are wider cultural issues at play within the school, e.g. whether school culture facilitates discriminatory bullying by not adequately addressing instances, and planning to mitigate this.
- Considering whether prevention strategies could be strengthened based on any patterns in the cases that arise.
- Responding to any complaints about how cases have been handled.

Findings are reported to the Governing Board through the Executive Headteacher's written report.

Where hate incidents/ crime have been identified this data will be shared with GCC immediately through the Hate Incident Reporting Form (links to this are displayed in staffrooms on the safeguarding boards), with the linked Safeguarding Governor and as part of safeguarding data shared with GCC through the safeguarding audit and Ofsted.

#### 17. Monitoring and review

This policy is reviewed annually by the headteacher and the DSL. Any changes to this policy will be communicated to all relevant stakeholders.

This policy was last updated in April 2024.

The scheduled review date for this policy is date: September 2024.

#### Related Policies

Behaviour Policy

Child Protection and Safeguarding Policy

SEND Policy

Mental Health Policy