West Lothian Council	**Policy: Anti-Bullying**
	Author: Phyllis Wood
	Service: Education Services
	Last Updated: January 2015

INTRODUCTION

Bullying is behaviour where power is exerted and causes hurt to others. It is likely to be deliberate and to happen more than once.

Bullying can be subtle or it can be blatant. It can cause short-term suffering for the victim or it can go on for years. It can be for clearly identified reasons or for no clearly defined reason. **It is always damaging and it must always be taken seriously and addressed.**

Rationale

"Respectme" is Scotland's leading national anti-bullying service and its vision is of a respecting, just, equal and inclusive Scotland in which all children and young people can live free from bullying and harassment and are encouraged to reach their full potential.

West Lothian Council shares this vision and promotes a culture where bullying behaviour is not acceptable. We are committed to establishing a caring, learning community where all members are valued and everyone has a responsibility to promote respect, openness, honesty and understanding.

The following documents and guidelines, along with current support from "Respectme", should enable schools to develop anti-bullying policy and procedures.

Curriculum for Excellence states children and young people should feel happy, safe, respected and included in the school environment, and all staff should be proactive in promoting positive behaviour in the classroom, playground and the wider school community.

Furthermore, Getting It Right for Every Child states that schools should have in place a network of support to promote wellbeing so that children and young people get the right help at the right time. All children and young people have the right to be safe, healthy, achieving, nurtured, active, respected, responsible and included.

The Rights Respecting Schools Award (RRSA) recognises the United Nations Convention on the Rights of the Child (UNCRC) is at the heart of a school's planning, policies, practice and ethos. The UNCRC, article 2 states (without discrimination) "the convention applies to every child whatever their ethnicity, gender, religion, abilities, whatever they think or say, no matter what type of family they come from".

This policy is linked to the Council's equalities policies, and schools, in developing and applying anti-bullying policies and strategies will consider any particular needs arising from ethnicity, gender, religious belief, disability, and sexual orientation.

EXPECTATIONS OF SCHOOL COMMUNITIES

School communities will:

- Acknowledge that bullying behaviour happens in their community
- Guarantee that reports of bullying incidents will be:
    - taken seriously
    - investigated fully
    - dealt with appropriately and feedback given to all involved
- Work together to develop a local policy/strategy that is consistent with the Council vision and national best practice and is accepted by the whole community
- Describe how people who have been involved in bullying incidents will be supported
- Display a welcoming and inclusive ethos which reflects the responsibilities of all in establishing open, positive, supportive relationships across the school community. Practical responsibilities include understanding of anti-discriminatory, anti-bullying and child protection policies by all members of the school community as identified in a Curriculum for Excellence and child protection guidelines.
- Schools should review their policy at least every 3 years.

DESIRED OUTCOMES FOR SCHOOLS:

- All relationships are respectful whatever the gender, religion, age, sexual orientation, ability, race or social status of the individual
- Digital technology is used responsibly and not as a tool to hurt others
- Every effort is made to protect vulnerable individuals including pupils who are young carers; have additional support needs; are disabled; from travelling families; are asylum seekers.
- There is a shared understanding in the community of what bullying behaviour is and the detrimental long-term effect it can have on health and wellbeing
- All members of the school community are responsible for tackling bullying behaviour.
- The school community should work collaboratively with relevant local and national partner agencies.
- An anti-bullying policy/strategy is developed in each school, is implemented and subject to regular review
- Pupils know what to do when they or their friends are involved in or experience bullying behaviour
- Pupils express that they feel safe and are taught effective and appropriate strategies to deal with bullying behaviour
- Members of staff express that that they feel safe and are able to work in a positive and respectful climate
- All members of the school community are clear that bullying behaviour is not acceptable no matter what form it takes and feel confident in responding to incidents.
- Appropriate training for staff, pupils and parents is delivered and is ongoing
- Parents recognise their role in working together with the school to resolve bullying issues
- Schools adopt a wide range of strategies as appropriate to prevent and address bullying incidents Everyone has access to a complaints procedure in

the event of dissatisfaction with the manner in which the report of bullying has been handled

COMMON TYPES OF BULLYING

Emotional	Being unfriendly, excluding, tormenting (for example, hiding books, threatening gestures)
Physical	Pushing, kicking, hitting, punching or any use of violence
Verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber	All areas of internet, such as email and internet chat room misuse
	Mobile threats by text messaging and calls
	Misuse of associated technology, for example, camera and video facilities
Prejudiced	Any comment or action to taunt pupils who are young carers; have additional support needs; are disabled; from travelling families; are asylum seekers..
Racial	Racial taunts, graffiti, gestures, deliberate physical attacks. It can be identified by the fact that victims are singled out because of the colour of their skin, the way they talk, ethnic grouping or religious or cultural practices
Gender based	Unwanted physical contact or sexually abusive / suggestive comments

Homophobic, Biphobic and Transphobic

Hurtful behavior and attitudes which focus on the issue of sexuality. It can be a particular problem for teenagers who are confused or unsure about their own developing sexuality

SIGNS OF BULLYING

- Obvious physical signs of being hurt
- Damage to personal belongings or has possessions which "go missing"
- Unwillingness to go to school/absence from school/begins to truant
- Changes in behaviour, mood or attitude towards learning
- Child or young person being more "clingy" or emotional than normal
- Changes in eating or sleeping patterns
- Signs of stress, anxiety, nervousness
- Pretending to be ill or becoming ill, feels ill in the morning

- Bed wetting
- Self harm
- Change in normal behaviour to fit in with others
- Frightened of walking to or from school
- Does not want to go on the school / public bus
- Begs to be driven to school
- Becomes withdrawn, anxious or lacking in confidence
- Starts stammering
- Attempts or threatens suicide or runs away
- Cries himself /herself to sleep at night or has nightmares
- Comes home with clothes torn or books damaged and/or has possessions which are damaged or "go missing"
- Asks for money or starts stealing money (to pay bully)
- Comes home starving (money / lunch / lunch card has been stolen)
- Starts displaying bullying behaviour towards other children or siblings
- Stops eating
- Is frightened to say what is wrong
- Gives improbable excuses for any of the above
- Is afraid to use the internet or mobile phone
- Is nervous and jumpy when a cyber message is received

COMMUNICATION

Whilst every establishment must have an effective policy on anti-bullying, there is also a responsibility to communicate the anti-bullying policy to all staff, pupils, users and parents.
This can be done through:

- Development plans
- Staff development
- Communicated to pupils via assemblies and appropriate versions for display in classrooms, diaries etc.
- The Health and Wellbeing and wider curriculum
- Specific anti-bullying initiatives such as Anti-bullying weeks or days
- Pupil Voice
- Handbooks, newsletters and school and council websites
- Parents' meetings or public meetings, parent council, parent forum

EXAMPLES OF STRATEGIES

An important element of anti-bullying strategies is the proactive work done through the curriculum in addressing the underlying issues and looking at ways of challenging inappropriate behaviour.

Examples are:

- The use of positive, collaborative approaches to the delivery of teaching which includes and involves pupils in their learning
- Teaching rights and responsibilities (UNCRC) for example through Rights Respecting Schools initiative

- Looking at feelings and discussing with pupils the kinds of behaviour which causes hurt to others
- Encouraging the pupils to think positively about differences
- Reading stories which introduce pupils to people from multi-national backgrounds through pictures and positive role models
- Reading stories which positively promote different families, including same sex parents
- Inviting parents and other members of the wider community into school to participate in aspects of school life
- Ensuring through discussion that pupils have the opportunity to raise and discuss any matters which are troubling them such as name-calling, bullying, unequal access to certain activities etc.
- Encouraging pupils to resolve personal animosities and tensions which have found expression in an incident, through, for example, conflict resolution, mediation, peer mediation, Circle Time, group work etc.
- Looking at historical topics which raise issues of discrimination and how it affects society
- Dealing with discrimination which often underpins bullying behaviour
- Linking the school's ethos, behaviour, equalities and anti-discriminatory policies and procedures to acknowledge the collective responsibility of the whole school community in tackling bullying
- Organise anti-bullying awareness weeks and anti-bullying games
- Promote positive behaviour
- Implement Buddying, Pupil Voice and Mentoring programmes
- Involve and consult with all members of the school community regarding behaviour and anti-bullying procedures
- Display posters about bullying
- Display statements about behaviour, anti-bullying, rights and equalities to complement classroom practice and procedures

RECORDING, MONITORING AND EVALUATION PROCEDURES

All incidents of bullying will be recorded in the school bullying log to allow effective monitoring and evaluation. Evaluation procedures need to be put in place to provide a regular and ongoing review of the effectiveness of anti-bullying arrangements These should include an identified contact to receive reports on bullying to analyse these reports and recommend any necessary changes to practice.
The following standards could be used as a means of measuring performance:

- Pupils are willing to report incidents of bullying
- Schools investigate all reports of bullying
- Schools record all incidents of bullying and take effective action
- Pupils report that the school takes action to prevent and address bullying
- Reduced duration of bullying
- Reduced frequency of bullying incidents
- Bystander action/increased sense of collective responsibility
- Improved attendance
- Improved achievement
- Reduced exclusions linked to bullying

Methods of evaluation may include:

- Surveying a sample of pupils, staff, parents/carers to monitor the work
- Allocating curriculum time or tutor time to focus on anti-bullying work
- Recording forms of bullying incidents by a named person or a working group.

Concerns/Complaints

CONCERNS/COMPLAINTS PROCEDURE

If you have concerns or complaints regarding the service you are receiving, these can be addressed by contacting the Head Teacher in the first instance. Should you remain dissatisfied the Head Teacher will advise you of the next steps available to you.

Please see below a list of organisations who can offer advice on bullying for schools

Respect Me
Rights Respecting Schools
Kids Health
Parent Zone
Anti-Bullying Alliance
Beat Bullying
Bullying
Bully Online
Childline
Safechild
Childrens Legal Centre

Review date: June 2015.

Cyberbullying Guidance

1. About the Guidance

- This guidance outlines key steps to take when responding to cyberbullying. Cyberbullying can often present unique issues from that of historical bullying behaviours, All schools should already be equipped to deal with the majority of cases through the Anti-Bullying policy procedures.
- Schools should contact the Learning and Teaching Development team, Education Child Protection Officer, Community Police or Public Protection Unit who will be able to provide advice and support where necessary and appropriate.

2. Investigating incidents

- All bullying incidents should be properly recorded and investigated. Cyberbullying can be a very serious matter. Some aspects of conduct reported as cyberbullying may constitute a criminal offence in Scottish law.
- At school level the investigation process should follow the guidance provided in the Anti Bullying policy
- In general, social media sites advise that nasty comments are ignored and deleted unless they are threatening or illegal, in which case they should be reported to the site administrators and, where applicable, the police. Illegal or threatening comments should always be reported to the site administrator and the police. Copies of the comments giving rise to concern should be kept.

3. Supporting the person being bullied:

- Give reassurance that the person has done the right thing by telling someone, refer to any existing guidance support/procedures and inform parents.
- Make sure the person knows not to retaliate or return the message.
- Ask the person to think about what information they have in the public domain.
- Help the person to keep relevant evidence for any investigation (e.g. by not deleting text messages they've received, keeping chat logs and by taking screen capture shots and noting web addresses of online cyberbullying instances).
- Check the person understands simple ways to prevent it from happening again, e.g. by changing contact details, blocking contacts or leaving a chatroom.
  Take action to contain the incident when content has been circulated. If applicable, if you know who the person responsible is, ask them to remove the content
- Schools can request via the Internet Service Provider (ISP) that content be removed
- In school settings use disciplinary sanctions to suspend access from devices that are being used for cyberbullying for investigative purposes.
- Any case, **where a child may be at risk** must be reported to the Designated Member of Staff for CP, who will follow West Lothian CP procedures.
- Where the cyberbullying has serious consequences for individuals, appropriate personal support or information enabling them to access appropriate personal support should be provided.
- In some cases restorative interventions may be used to facilitate resolution of the incident.

<div align="right">**Appendix 2**</div>

Cyberbullying and the Law

In most cases children and young people use mobile phones and the internet appropriately - texting or e-mailing friends to swap gossip, make plans for the weekend, discuss outfits or debate the latest results in the SPL.
However, when this technology is abused, or used to harass or threaten others, there may be legal consequences. There are four UK statute laws and one Scottish common law that are relevant to the use of IT in relation to bullying. These are:

- **The Protection from Harassment Act 1997**

- **The Criminal Justice and Public Order Act 1994**

- **The Malicious Communications Act 1998**

- **The Communications Act 2003**

- **Breach of the Peace (common law)**

How these Acts can be related to bullying, and specifically to cyberbullying, is outlined below. If the bullying is based on sexual, racial or religious grounds, prosecution could be sought through anti-discriminatory laws.

Protection from Harassment Act 1997
This Act was passed following concerns that stalking was not dealt with effectively under the existing legislation. The Act does not refer solely to stalking but also covers harassment in a wider sense. The Act states that it is unlawful to cause harassment, alarm or distress by a course of conduct and states that 'A person must not pursue a course of conduct, which:

- **amounts to harassment of another**

- **he knows, or ought to know, amounts to harassment of the other'.**

There is some anecdotal evidence that the police are more comfortable in bringing forward this law when dealing with issues of cyber-bullying. The police have successfully used the Protection from Harassment Act to prosecute for the sending of offensive e-mails through the internet. Such messages will also constitute an offence under the Malicious Communications Act.

Criminal Justice and Public Order Act 1994
This Act defines a criminal offence of intentional harassment, which covers all forms, including sexual harassment. A person is guilty of an offence if, with intent to cause a person harassment, alarm or distress, he/she

- **uses threatening, abusive or insulting words or behaviour or disorderly behaviour; or**

- **displays any writing, sign or other visible representation which is threatening, abusive or insulting, thereby causing that or another person harassment, alarm or distress.**

Malicious Communications Act 1998/Telecommunications Act 1984
Under this Act it is an offence to send an indecent, offensive or threatening letter, electronic communication or other article to another person. Under section 43 of the

Telecommunications Act 1984 it is a similar offence to send a telephone message which is indecent, offensive or threatening.

Bother offences are punishable with up to six months imprisonment and/or a fine. The Malicious Communications offences are wider ranging, but under the Telecommunications offences, it is likely that the Police will use the former Act to bring a charge.

The Communications Act 2003

The Communications Act 2003 is by far the most recent Act to be passed. Section 127 states that a person is guilty of an offence if s/he

- **sends 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; or**

- **causes any such message or matter to be so**

- **A person is guilty of an offence if, for the purpose of causing annoyance, inconvenience or needless anxiety to another, he**

- **by means of a public electronic communications network, a message that he knows to be false,**

- **causes such a message to be sent; or**

- **persistently makes use of a public electronic communications network**

Breach of the Peace

Breach of the Peace is Scottish common law. At present behaviour in Scotland which might be described as harassment or stalking is usually prosecuted as a breach of the peace. This common law offence covers all behaviour (including single incidents) which causes, or is likely to cause:

- **Fear, alarm, upset or annoyance**

- **When one or more persons conduct themselves in a riotous, or disorderly manner, anywhere, which alarms, annoys or disturbs other people**

- **The offence can take place anywhere (a house, an office, a school or a public street)**

- **The element of disturbance would be the most relevant to Cyberbullying as the behaviour does not have to be noisy but still of a nature that would cause concern to other people – harassment or stalking and bullying**

The Courts recognise that breach of the peace can be serious and a life sentence is theoretically possible. A sentence of eight years was recently imposed for the crime of Breach of the Peace.

It proves difficult to source evidence of charges being successfully brought against people who use new technology to bully.

It is worth noting that the age of criminal responsibility in Scotland is eight. All organisations, including schools are covered by the laws stated above. If an offence takes place in school it is still an offence.

هذه المعلومات متوفرة بلغة بريل وعلى شريط وبخط كبير وبلغات الجالية.
الرجاء الإتصال بخدمة الترجمة على الهاتف 01506 280000

এই তথ্য আপনি ব্রেইল, টেপ, বড় অক্ষরে এবং কমিউনিটির বিভিন্ন ভাষাগুলিতেও পাবেন। অনুগ্রহ করে ইন্টারপ্রেটেশন অ্যান্ড ট্রান্সলেশন সার্ভিসের সঙ্গে যোগাযোগ করুন। টেলিঃ 01506 280000

這份資料是可以凸字、錄音帶、大字印刷及社區語言的式本提供。請聯絡傳譯及翻譯服務部，電話：01506 280000

ਇਹ ਜਾਣਕਾਰੀ (ਬ੍ਰੇਲ) ਨੇਤਰਹੀਨ ਦੇ ਪੜ੍ਹਨ ਵਾਲੀ ਲਿਪੀ, ਟੇਪ, ਵੱਡੇ ਪ੍ਰਿੰਟ ਅਤੇ ਸਮਾਜ ਦੀਆਂ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ ਉਪਲਬਧ ਹੈ। ਕ੍ਰਿਪਾ ਕਰਕੇ ਇੰਟਰਪ੍ਰੇਟੇਸ਼ਨ ਅਤੇ ਟਰਾਂਸਲੇਸ਼ਨ ਸਰਵਿਸ ਨੂੰ ਇਸ ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ : 01506 280000

یہ معلومات بریل (اندھوں کے رسم الخط)، ٹیپ، بڑے حروف کی طباعت اور کمیونٹی میں بولی جانے والی زبانوں میں دستیاب ہے۔ براہِ مہربانی انٹرپریٹنگ أینڈ ٹرانسلیٹنگ سروس سے ٹیلیفون نمبر 01506 280000 پر رابطہ قائم کریں۔

Informacje te moga byc przelozone na jezyk Braille'a, dostepne na tasmie magnetofonowej lub wydane duzym drukiem oraz przetlumaczone na jezyki mniejszosci narodowych. Prosimy o kontakt z Uslugami Tlumaczeniowymi pod numerem 01506 280000

Information is available in braille, tape, large print and community languages. Contact the interpretation and translation service on **01506 280000**.

Text phones offer the opportunity for people with a hearing impairment to access the council. The text phone number is**18001 01506 464427**. A loop system is also available in all offices.

Published by West Lothian Council