

# Anti-Bullying & Discriminatory Incident Policy Framework

September 2007

**STOP**

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Anti-Bullying and Discriminatory Incident guidance

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**Children and young people subject to bullying or discrimination are more likely to be unhappy, to underachieve and to be marginalised in society. They are at greater risk of suffering mental health difficulties. Bullying and discrimination not only affect the victim, but also the perpetrator and those who are bystanders.**

*In a 2003 Institute of Education Survey, over half of Year 5 pupils and over a quarter of year 8 pupils reported that they had been bullied during the previous term.<sup>1</sup>*

Every Child Matters and the new OfSTED inspection framework place a clear responsibility on Children's Services and schools to ensure children and young people learn and develop in a safe and stable environment. This is supported by the Children's Commissioner for England, who has identified the reduction of bullying of children and young people as one of the key priorities for his office. Locally, children and young people have told us that bullying and discrimination is a very important concern for them.

As a result, reducing bullying and discriminatory incidents is a key priority of *Changing Lives: Haringey Children and Young People's Plan 2006-9*.

*'Priority nine – We will renew our efforts to reduce bullying, discriminatory incidents and the gang culture in line with what young people have told us is most important to them.'*

Reducing incidents requires the active co-operation and participation of all agencies working with children, young people and their families. This policy and guidance has been produced to assist all those who provide services to children and young people in achieving this aim. It also aims to ensure that all schools and services are compliant with the relevant statutory requirements (see section 6 of the guidance).

It is intended that this policy is used as a basis from which particular organisations and groups can develop their own policies. The views of children and young people have been central to this work.

Addressing concerns about bullying and discrimination is a key priority for Haringey and will lead to improvements in the safety and well-being of our children and young people. Therefore, this policy has been given the highest level of commitment from the Children and Young People's Strategic Partnership, the Local Safeguarding Children Board and the Youth Council. Each of these bodies will be monitoring the effectiveness with which the policy is implemented.

<sup>1</sup> Oliver, C and Candappa, M – *Tackling Bullying: Listening to the views of children and young people* (Institute of Education, 2003)

# Haringey Local Safeguarding Children Board

Haringey Local Safeguarding Children Board has made tackling bullying and discrimination an ongoing priority. Through its quality assurance processes, it will monitor both the incidence of bullying and discrimination and the effectiveness of partner agencies in working together to reduce incidents and support children and young people. It will also identify where advice, support or training is required to enable full compliance with this policy. Partner agencies of the LSCB will:

1. monitor the implementation of effective anti-bullying /discriminatory incident policies in all services and schools;
2. ensure that systems are in place for the reporting and recording of incidents;
3. monitor and analyse bullying/discriminatory incident data submitted and provide feedback and guidance to services in order to reduce incidents;
4. provide advice, support and guidance to assist schools and services in meeting their statutory responsibilities to tackle bullying and discriminatory incidents;
5. challenge those schools and services which are not working effectively to tackle bullying and discrimination; and
6. ask children and young people about their experiences and views of bullying and discriminatory incidents and ensure that the results are fed into future policy development.

# Statement of principle

1. Section 11 of the Children Act 2004 places a statutory duty on statutory, voluntary and community bodies to cooperate to safeguard and promote the welfare of children.
2. Children and young people must be treated with respect and understanding, free from discrimination, intimidation and bullying. All services used by children and young people in Haringey must be safe, secure and free from these forms of behaviour and actions.
3. All partners must work actively to reduce the incidence of bullying and discriminatory behaviour, and ensure all involved in them receive the support they need.

## What is bullying?

*In 2003-4, more than 31,000 children and young people called ChildLine about bullying, making it the most common problem reported.*

Bullying is any behaviour that hurts, threatens or frightens another person or group of people. It is usually unprovoked, persistent and can continue for a long period of time. It can cause great emotional harm.

Bullying behaviour can include:

1. physical aggression, such as hitting, kicking, taking or damaging possessions;
2. verbal aggression, such as name calling, threatening comments, insults, teasing, humiliation, sending nasty notes/text messages or making nuisance calls; and
3. indirect social exclusion, such as deliberately leaving someone out, ignoring someone, spreading rumours about someone or about their family.

These actions can be done face to face, via third parties, or via other means such as text messaging, emails or internet chat-rooms. Opportunities for bullying via mobile, Internet and wireless technologies – ‘cyberbullying’ – are increasing, and more information on this can be found in section 3 of the accompanying guidance document.

## What is discrimination?

*“Racism is wrong and it affects a lot of people. We want you to know how it feels to be told a racist comment...Racists hurt the person but they don’t know how much inside.”<sup>2</sup>*

*“ I don’t wear my hijab to school because of the bullying. I only wear it at home.”<sup>3</sup>*

The term ‘discriminatory incident’ covers a wide range of intimidating/offensive behaviour on grounds of a person’s race, gender, sexual orientation, religious belief or disability by one person or a group. It can cause great emotional harm.

As with bullying, such behaviour can be physical, verbal, or indirect, and can be done face to face, via third parties, or via other means such as text messaging, emails or internet chat-rooms. Usually, discriminatory behaviour focuses directly on the person’s race, gender, sexual orientation, religious belief or disability; for example, racist, homophobic or sexist comments. However, discrimination can also occur when no direct reference is made to the perceived or actual difference; for example, deliberately and persistently leaving someone out.

Not all incidents of bullying are discriminatory – bullying is not always on the basis of some perceived or actual difference such as skin colour, sexual orientation etc. Similarly, not all discriminatory incidents constitute bullying – for example, a one-off sexist or racist comment made in an argument.

<sup>2</sup> *Bullying around racism, religion and culture* - DfES

<sup>3</sup> *Ibid.*

# The role of schools and services – Expectations

*“The children suggest ways the playground could be made better and the teachers and the Head listen. They take notice. They change things.” – Girl, Year 5<sup>4</sup>*

Meeting the challenge of reducing incidents requires the active co-operation and participation of all agencies working with children, young people and their families. All organisations and individuals working on behalf of Haringey Local Safeguarding Children Board should recognise and state that bullying and discrimination is unacceptable and will not be tolerated. The behaviour within such organisations and the response to bullying and discrimination should reflect this.

There is recognition that organisations will address bullying and discrimination in line with their particular structures and capacities. However, in order to meet their statutory responsibility to safeguard and promote the welfare of children and young people, schools and services should:

1. develop an anti-bullying and discriminatory incident policy that takes account of this policy and guidance provided by Haringey Local Safeguarding Children Board;
2. develop clear strategies for the implementation of such a policy, including identifying a named member of staff to co-ordinate policy implementation;
3. ensure that all children and young people, parents/carers, persons employed or otherwise engaged with the organisation are aware of the service's anti-bullying and discriminatory incident policy and all activities relating to its' implementation;
4. actively engage children and young people in challenging bullying and discrimination e.g. Peer Support/ Mentoring, School Council, and in the development of the school or service's policy;
5. make available and circulate publicity and information that provides advice on bullying and discriminatory incidents and details sources of support for children and young people (including support available within the service/school, community-based services, and national helplines);
6. sign up to and prominently display the anti-bullying charter (available at [http://www.dcsf.gov.uk/bullying/pack/CharterPoster\\_A4.pdf](http://www.dcsf.gov.uk/bullying/pack/CharterPoster_A4.pdf));

<sup>4</sup> Oliver, C and Candappa, M – *Tackling Bullying: Listening to the views of children and young people* (Institute of Education, 2003)

7. ensure that by their own behaviour and relationships, staff model the behaviour that is expected from children and young people;
8. take steps to create a 'safe to tell' environment that ensures the safety of children and young people who report incidents, giving consideration to alternative ways of reporting;
9. take seriously each report of bullying or discrimination; investigate all incidents in line with the guidance in section 10 of this policy, and clearly state what action will be taken as part of that investigation;
10. record incidents and subsequent action taken in line with the guidance in section 11 of this policy;
11. produce regular reports for the governing body/ management committee on the number of incidents of bullying or discrimination, and action taken;
12. submit data on bullying and discriminatory incidents to the Children and Young People's Service as stated in section 11 of this policy;
13. ensure that perpetrators of bullying and/or discrimination receive the support they need to address their behaviour;
14. ensure that victims of bullying and/or discrimination are given the opportunity to express their concerns, and supported to deal with them;
15. regularly review the effectiveness of the anti-bullying and discriminatory incident policy;
16. identify training needs within the school or service and provide as appropriate;

17. address bullying and discrimination through assemblies and the curriculum or relevant programmes; and
18. participate in any initiatives organised by the Haringey Local Safeguarding Children Board, Children and Young People's Service or nationally (e.g. Anti Bullying Week, Healthy Schools) to encourage best practice and highlight the issues of bullying and discrimination.

*“The bully can go to a mentor and tell them why they bully and they can take them to a drama session where the bully is being bullied so they think twice before they bully again – so that they will know how it feels” – Young Person, Safer Solutions Conference<sup>5</sup>*

<sup>5</sup> Details of the Safer Solutions Conference can be found in Appendix A at the end of the guidance document.

## The role of children and young people

*“You get called a grass and a dobber, and you get beaten up.” – Boy, year 5<sup>6</sup>*

Bullying and discrimination can only be addressed in a supportive environment where children and young people have a sound understanding of it, and are actively involved in developing and implementing the school or service’s policy. Staff must work to ensure that children and young people have both a sound understanding of the issues, and the opportunity to participate in policy development and implementation.

Children and young people should be able to:

1. report any concerns they have to a responsible adult;
2. if someone they know is being bullied, encourage them to report it;
3. understand and be mindful of how their behaviour affects others;
4. act in a respectful, supportive and friendly manner to their peers and promote positive citizenship and conflict resolution; and
5. refrain at all times from engaging in or supporting (directly or indirectly) any behaviour which could be seen as bullying or discrimination.

<sup>6</sup> Ibid.

## The role of parents/carers

Parents/carers play a vital role in the education and care of their children. They can assist in combating bullying and discrimination by modelling and emphasising the importance of appropriate behaviour towards others, and encouraging the reporting of incidents and concerns to an adult.

Parents/carers should:

1. encourage tolerance, and make clear their disapproval of bullying and discriminatory behaviour;
2. support their child in resolving conflicts with their peers;
3. report any misgivings they have concerning either victims or perpetrators of bullying or discrimination to the school or service, sharing concerns as soon as possible without promising a child that they will not tell anyone;
4. actively support the school or service’s Anti-Bullying and Discriminatory Incident Policy; and
5. act responsibly and calmly in the event of their child being involved in bullying or discrimination, working positively with the school or service to address their child’s behaviour.

*“I wouldn’t tell my mum. She’d skin them.” – Girl, Year 5<sup>7</sup>*

<sup>7</sup> Ibid.

## The role of governors

Governors (and their equivalents in non-school services) have a crucial strategic role to play in tackling bullying and discrimination. In schools, they have a statutory duty to agree a statement of general principles, which may include principles relating to bullying and discrimination, from which the school's discipline policy is drawn up by the headteacher. Further to this, governors and their equivalents should:

Further to this, governors and their equivalents should:

1. agree the school or service's Anti-Bullying and Discriminatory Incident policy;
2. monitor implementation of the policy and request any necessary actions;
3. monitor the number and nature of incidents through receiving regular reports from the senior management team;
4. investigate complaints in line with the school or service's complaints procedure; and
5. consult parents/carers about the content and effectiveness of the school behaviour policy and ensure that the policy reflects their concerns and priorities.

## Responding to incidents of bullying and/or discrimination

### Listening to children and young people

*"Our teacher is good...she bothers to find out what really happened. She takes you seriously. She sorts it out with the Head, or she will tell the parents." – Girl, Year 8<sup>8</sup>*

Children and young people often find it hard to tell someone that they are being bullied or subjected to discriminatory behaviour. A key factor in this is a lack of confidence that adults will take their concerns seriously. It is therefore **essential** that all reports of bullying and discrimination from children and young people are listened to carefully (without making assumptions), investigated, and formally recorded if they so wish.

It is also **essential** that where there is an allegation of any form of discriminatory behaviour, this allegation is investigated to take full account of the possibility of a discriminatory element to the incident. This approach draws on the Stephen Lawrence Inquiry Report identification of a racist incident as "Any incident which is perceived to be racist by the victim or any other person".

It continues:

*"The purpose of this definition is not to prejudge the question of whether a perpetrator's motive was racist or not: that may have to be proved.... The purpose of the definition is rather to ensure that investigations take full account of the possibility of a racist dimension to the incident"<sup>9</sup>*

This same approach should be adopted when investigating allegations of *any* form of discriminatory behaviour.

As well as listening to children and young people, staff should also be alert to signs and symptoms of bullying and discriminatory behaviour (see section 2 of the accompanying guidance document), and investigate where appropriate. This is important for two reasons. Firstly, bullying in all its forms is usually deliberately hidden from staff. Secondly, some children and young people are not able to communicate to others what has happened, not because of a lack of confidence in adults but because of learning difficulties and disabilities they have. These children and young people can be very vulnerable, and staff should be alert to signs that they are being bullied.

<sup>8</sup> *Ibid.*

<sup>9</sup> (Home Office Code of Practice Reporting & Recording Racist Incidents)

# Responding to incidents of bullying and/or discrimination

## Taking immediate action

*“If the dinner ladies don’t help you, tell your teacher. If the teacher doesn’t help you, tell your mum. Then your mum will tell the headmistress. Then the headmistress will go and tell the parents of the bully. And the parents of the bully...well, some of the parents don’t care and just say ‘don’t do it again’.” – Boy, Year 5<sup>10</sup>*

It is crucial that when an incident of bullying or discrimination arises, staff act calmly and quickly to ensure the immediate safety of all involved. There should be a consistency in dealing with incidents to ensure that children, young people and staff are clear about the school or service’s commitment to dealing with bullying and discriminatory behaviour.

Following investigation, the staff member should decide on the appropriate course of action. This may be done in collaboration with colleagues, the protagonists, parents/carers and relevant professionals. They must follow the guidance below on recording incidents, make sure that any actions to be taken are clearly understood by all, and follow up on those actions to ensure they are completed. Where bullying or discriminatory behaviour is found to have occurred, the school or service’s disapproval of the behaviour should be clearly stated.

Victims will often need immediate help from an appropriate member of staff in order to reduce the effects of shock and to avoid longer-term distress. They will need to be given the opportunity to express their own feelings and concerns. The School Counsellor, a Learning Mentor, or other staff member with responsibility for pastoral support could undertake this role.

When dealing with the perpetrator, procedures should be carried out with the aim not only of correcting and holding them to account for their actions, but also of demonstrating support to the victim(s). A range of sanctions should be considered, including loss of privileges, detention, and fixed period exclusion. In addition to any sanctions, the perpetrator will also need support. Their bullying or discriminatory behaviour may reflect their own feelings of inferiority or worthlessness and therefore a strategy to address these feelings will need to be developed. Again, the School Counsellor, a Learning Mentor, or other staff member with responsibility for pastoral support could undertake this role.

*“If you talk to a counsellor, it’s someone you don’t know. They don’t know your life story and they don’t tell no one nothing, unless you’re going to harm yourself or someone else. So it’s completely confidential. They realise how you’re feeling and it’s a lot easier than talking to a parent or a teacher.” – Girl, Year 8<sup>11</sup>*

In more serious cases, the Headteacher or Head of Service should meet the parents/carers of the victim to explain the action taken and how the situation will be regularly reviewed and monitored. The school or service must where appropriate inform relevant practitioners who work with the child or young person concerned, and decide whether to report the incident to the Children and Young People’s Service. Witnesses, as well as the victim(s) and perpetrator(s), should be treated with sensitivity and care; they may feel very vulnerable.

Sometimes children and young people will report incidents that have occurred outside the school or provision. In these circumstances, it may be appropriate to make a referral to one of the external agencies that provide help and advice, such as Victim Support, the Anti-Social Behaviour Action Team, or the Police Community Safety Unit (see section 8 of the accompanying guidance document for contact details).

The staff member should follow up after an agreed period of time to check that the bullying or discrimination has not resumed. This can be very effective in stopping bullying becoming long term.

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

# Reporting and recording incidents

The recording of incident details is a very important part of dealing with incidents of bullying and discrimination, as it:

1. forms the basis of any proposed investigation;
2. demonstrates to both the victim and the perpetrator that the issue is being taken seriously;
3. allows staff to check for previous incidents involving the perpetrator and/or the victim; and
4. provides data to inform the implementation of strategies to reduce bullying and discrimination.

**All schools and services must have adequate systems in place for recording incidents.** Any system used must, as a minimum, allow for the recording of those details which are collected by the Children and Young People's Service. These details are set out on the *Bullying and Discriminatory Incident Summary Form*, and are also listed below in the section 'Reporting Incidents to the Children and Young People's Service'.

Please note that sections of the form (e.g. 'type of incident') require incidents to be categorised according to a pre-determined list. Each of the details on the summary form must be recorded every time an incident is reported. In addition, it is good practice to include an account of what happened, the school or service's response, and any follow-up action to be undertaken.

## When should I record an incident?

If a child or young person wants their allegation of bullying or discrimination to be recorded, it should be recorded. This is in line with the guidance in section 10 above on responding to incidents. It may not be necessary, however, to record each incident observed by staff, and staff should use their judgement in this regard. For example:

*"A member of staff overhears a child using discriminatory language towards another child and challenges the use of this language. The member of staff explains that use of such language is unacceptable. The child accepts that the use of the language was unacceptable and has agreed not to repeat the action. The incident was resolved to the satisfaction of the child who was being abused and the member of staff"*.

In such a case it would not be necessary to make a formal record of the incident, unless the child or young person requests it. However, where the allegations of bullying or discriminatory behaviour warrant further investigation, involvement of the parents /carers /guardians of either victim or perpetrator, or where there have been persistent or organised incidents, a formal record should always be made.

When members of staff are recording details of an incident due regard should be taken to ensure all relevant information is recorded. Where appropriate, staff members may wish to consider giving the opportunity for child or young person to assist them in recording the information. This would avoid situations arising where a child or young person might feel that the incident is being misinterpreted.

## Reporting Incidents to the Children and Young People's Service

Children and young people have told us that bullying and discrimination is a top priority for them, so it is essential that we have as full a picture as possible of what is happening. At the end of every term each school and service is required to submit their bullying and discriminatory incident data to the Children and Young People's Service for analysis. The information provided will help the Local Safeguarding Children Board implement more effective strategies and follow-up work, and target support where it is most needed.

The information provided will remain confidential, and only aggregate information is requested; details of individual incidents are not required. Where data submitted by schools or services gives cause for concern, it will be shared only with those professionals who need to be involved in addressing those concerns, e.g. School Improvement Partners. Follow-up work undertaken by these professionals may involve consideration of individual incident details. Any reports presented to the LSCB, Members, or other bodies will include only aggregate information and will not identify individual schools or services.

Data must be submitted using the *Bullying and Discriminatory Incident Summary Form*. The following details are requested on the form (please note that some of these sections require incidents to be categorised according to a set list):

- Victim and Perpetrator Gender
- Victim and Perpetrator Ethnicity
- Victim and Perpetrator SEN status
- Victim and Perpetrator LAC status
- Victim and Perpetrator Age
- Type of Incident (racist, homophobic etc.)
- Time/venue of incident
- Incident involves violence y/n
- Incident involves a weapon y/n
- Incident is group-related y/n
- Repeat incident y/n
- Incident involves cyber-bullying y/n
- Outcome for victim
- Outcome for perpetrator

Please complete all sections of the form, using the accompanying instructions to guide you. The summary form must be submitted no later than two weeks after the end of the previous term. The summer term data must be submitted two weeks into the new academic year. It is appreciated that these dates have less significance for non-school services, however this is the simplest way of organising returns. Term dates for the current and next academic year can be found at [www.haringey.gov.uk](http://www.haringey.gov.uk).

Notes