



Education and Children's Services

Anti-Bullying Policy



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Policy Statement

Our vision is to keep the children, young people and communities of Aberdeen safe, healthy and thriving. We aim to give the children of Aberdeen the best start to life and act as a champion for all children and young people, particularly vulnerable children and young people. The wellbeing of the child is at the heart of all that we do. We are committed to Getting it Right for Every Child (GIRFEC) by working together and ensuring that we take a co-ordinated approach to guarantee we deliver appropriate help to all children and families when they need it. Aberdeen City Council has a partnership with UNICEF UK. This promotes the values and principles of The United Nations Convention on the Rights of the Child (UNCRC), and supports an ethos of meaningful participation, respect and positive relationships with children and young people.

The purpose of this policy, and referenced procedures, is to reduce, prevent and respond effectively to bullying behaviour. To provide a clear and consistent approach to managing incidents of bullying behaviour across the Education and Children's Services (ECS) in Aberdeen City. This policy provides information for the relevant service areas to refer to when developing their own local level policy. The ECS service will provide guidance and a framework to support the development of this.

All staff within the Education and Children's Service (ECS) are required to comply with this policy and ensure it is embedded into working practice. The service will ensure any training requirements to support this are met.

Definition of bullying behaviour

"Bullying is both behaviour and impact; the impact is on a person's capacity to feel in control of themselves. This is what we term as their sense of 'agency'. Bullying takes place in the context of relationships; it is behaviour that can make people feel hurt, threatened frightened and left out. This behaviour happens face to face and online" (Respectme, 2015)

Further considerations:

- There does not need to be intent
- The behaviour does not need to be persistent, but the threat can be sustained
- Bullying is behaviour and impact – never one on its own
- Bullying occurs within the context of relationships
- Bullying can be verbal, social, physical, and emotional or prejudice based; online or face to face
- It is best to avoid labelling and using terms such as 'bully' and 'victim'

Parents and carers have told us they are aware of children and young people experiencing verbal, physical and online bullying behaviour. This can be related to many factors, including prejudice based bullying behaviour.

Children and young people have told us; 'It (bullying) can be all types. It's more name calling and stuff and this leads to like physical fights', 'It's usually one or two people that are singled out and bullied by like a big group of people', 'And also a lot of kids who are bullied automatically think it's okay to do it back because, well I'm in that position so why shouldn't I be allowed to do it to someone else'. 'That phrase [it's just teenagers being teenagers] is used far too much'.

Police Involvement

It is often difficult to provide advice on when the Police should or should not become involved. Appendix 3 has further information relating to this.

Our expectations

Our expectation is for this policy and its key messages and ethos to keep a high profile in every day practice, through relationships between staff, parents/carers and children and young people to foster respectful relationships and behaviours.

Our commitment to challenge prejudice based bullying

Prejudice can often be the basis for bullying related to the Protected Characteristics as outlined in the Equality Act (2010); Age; Disability; Sex; Gender reassignment (Transgender); Marriage and civil partnership; Pregnancy and maternity; Race; Religion or belief; and Sexual orientation, all prejudice based bullying must be reported.

Further to these protected characteristics bullying behaviour can be related to prejudice attitudes towards body image, social and economic status, young carers and children who are looked after.

(See Appendix 1 for more detail on types of prejudice based bullying)

Children and young people may not have the same protection outside of school as they do inside of school. Reporting of prejudice and discrimination incidents can be reported through Grampian Regional Equality Council (GREC) using this online form accessible on the Aberdeen City Council website: http://www.aberdeencity.gov.uk/home/report_it.asp

Reporting Hate Crime

Hate crime is defined as any crime which is perceived by the victim or any other person as being motivated by malice or ill will towards a social group. Perpetrators of hate crime focus upon demonstrating malice or ill will towards individuals on the basis of their actual or presumed, sexual orientation, transgender identity, disability, race or religion.

Incidents of Hate Crime must be reported and can be reported through any of the following:

- By Telephone 999 (emergency) 101 (non-emergency)
- In person at any Police station,
- [Find your nearest Third Party Reporting Centre](#)
- Or by clicking the following link - [Hate Crime Reporting Form](#)

Roles and responsibilities

Staff

All Education and Children's Services staff have a duty to report bullying, to be vigilant to the signs of bullying behaviour and to play an active role in measures to prevent bullying behaviour. If staff are aware of bullying behaviour, they should reassure the child or young person involved and inform the relevant person in order to record and action the incident.

All staff have a responsibility to be familiar with and ensure that the anti-bullying policy is followed and that the Education and Children's Service upholds its duty to promote the safety and well-being of all children and young people.

Parents and Carers

Parents and carers can play an active role in measures to prevent bullying behaviour and look out for potential signs of bullying behaviour and such as distress, lack of concentration, feigning illness or other unusual behaviour. Parents and carers can encourage their child not to retaliate and support and encourage them to report the bullying behaviour. Parents can seek support from the school or group the young person attends or from external agencies (see appendix 4) and directly report bullying.

Children and Young People

Children and Young People should avoid any kind of bullying behaviour and should watch out for signs of bullying behaviour among their peers. They should be made aware of the options they have to report incidents of bullying behaviour and that they can offer support to those experiencing bullying behaviour and, if possible, help them to tell a trusted adult or report directly.

Emotional Support

It is important we offer emotional support to children and young people who may experience or are affected by bullying behaviour, as well as speaking to a trusted adult, for example, a relative, a teacher, Pupil Support Assistant, Youth Worker, Care Worker or Coach. There is also support available through other agencies such as; ChildLine or Stonewall with who a child or young person may feel more comfortable talking about incidents of bullying behaviour to, or talking through what they can do about what they are experiencing.

Prevention and reduction

Bullying is a children's rights issue, bullying behaviour means children's rights can be compromised.

The United Nations Convention on the Rights of the Child

Article 12 – You should have a say in decisions that affect you

Every child has the right to have a say in all matters affecting them, and to have their views taken seriously.

We have consulted with children and young people and they say –

Schools should focus on fostering self-awareness, by encouraging pupils to think about 'what's behind the words you use' and how certain behaviour can be hurtful. Other suggestions included reinforcing the message that bullying behaviour was unacceptable, ensuring that there were consequences to bullying behaviour and focusing on developing resilience and personal resources to deal with it. (Children and Young People Consultation Report 2016).

We will continue to consult with Children and Young People in a school setting through the Ideas Hub for schools where pupils can directly contribute ideas towards reducing and preventing bullying behaviour in their school.

The United Nations Convention on the Rights of the Child

Article 18 – Parents should work together to do what is best for you.

We have consulted with parents and they say –

We should consider that Primary and Secondary schools may need different age appropriate support and understand the differences in gender and eliminate any potential judgement through the training of staff.

Staff should be sympathetic and value child/young person, their personal experience of bullying behaviours and not generalise.

We would like staff to be more supportive of children and young people to build the resilience they need to help them to manage themselves and situations – empowerment.

Pupils and parents/carers agreed that Pupil Support Assistants (PSA) are a valuable resource to support a child/young person when they share their concerns and can provide continuity if there is a change of teachers through the week.

Recording and reporting

All instances of prejudice based bullying that fall under any of the protected characteristics listed under the Equality Act 2010 must be reported and recorded.

Schools

All schools are required to use the SEEMiS Bullying and Equalities module to record and monitor incidents of bullying. This enables schools to enter and maintain details of any alleged incident reported to them. The school can enter details of the alleged incident, the nature of the incident and motivations. It also enables them to monitor, review and record any actions progressed. Further benefits to this are that potential links between, attendance, exclusion and attainment can be mapped and reported.

Children's Homes

Children's homes are governed by the National Care Standards set out by the Care Inspectorate. Bullying behaviour is managed as part of a holistic approach to promotion of respect and behaviour towards others. Each young person is provided with a 'Welcome Pack' when they arrive at a home which explains expectations around their behaviour.

Community Youth Groups

The youth work team are required to record any issues regarding bullying behaviour in the Performance Information Evaluation System (PIES). The action taken by the line manager who the incident has been reported to would be at their discretion. This could involve excluding the perpetrators of the bullying behaviour from the group for a limited time period. If the bullying behaviour was prejudice based then we would refer the young person to the Prejudice and Discrimination Reporting Form.

When a new group starts up the group members draw up the ground rules for acceptable behaviour and what the sanctions will be for breaking them, bullying behaviour is included in this.

Policy implementation and training

Following approval of this policy it will be shared with and accessible to all Education and Children's Services staff, children and young people and parents and carers. Once implemented an annual report of this policy in practice will be presented to the Education and Children's Services Directorate Leadership Team (DLT) for consideration and evaluation of its effectiveness.

As part of Workforce Development and Career Long Professional Learning (CLPL) training for staff will be delivered in partnership with **Respectme**.

Policy monitoring and review

This policy will be monitored through the collation of data received from the outlined reporting mechanisms and through feedback from staff using the policy.

This policy will initially be reviewed 12 months after implementation and subsequently every 3 years.

Appendices, research and resources

Appendix 1 – Prejudice Based Bullying – Respectme

The United Nations Convention on the Rights of the Child

Article 2 – You have the right to protection against discrimination

Children and young people can experience bullying for a variety of reasons; where they live, their sexual orientations, gender, disability, the colour of their skin, what clothes they wear or what team they support. The one thing that these have in common is difference or perceived difference – some children and young people don't see or understand diversity, they still only see difference. Difference, or perceived difference, can be a catalyst for children and young people being bullied.

Asylum Seekers and Refugees

Children and young people who are asylum seekers or refugees may be at greater risk of bullying directly and indirectly. Stigma, due to lack of knowledge and understanding of asylum seekers and refugees, together with a reluctance to burden parents with extra worries can allow bullying to continue and go undetected.

Body Image

Body image is hugely important to children and young people and bullying because of body image can have a significantly negative impact. For example, a child or young person who is noticeably over or underweight may find that they are particularly vulnerable to bullying behaviour.

Homophobic bullying

Homophobic bullying is mainly directed towards young people who identify as lesbian, gay, bisexual or transgender (LGBT) or young people who are questioning their sexuality. However, it can also be directed at young people who do not conform to strict gender 'norms'. For example, a boy who doesn't like football may stand out as being different. Ultimately, any young person can be homophobically bullied and any young person can display homophobic attitudes which should be challenged.

Transgender

Is an umbrella term used to describe someone who does not conform to society's view of being male or female. Children and young people who are experiencing confusion over their gender identity may be the target of transphobia. Transphobia at its most basic is the fear of a transgender person and the hatred, discrimination, intolerance and prejudice that this fear brings. This can result in bullying behaviour towards an individual because they are not seen to be conforming to gender stereotyping and 'norms'. If children and young people are experiencing confusion over their gender identity, they may be reluctant to challenge bullying behaviour that could attract further attention to them.

Looked after children

Children and young people who are looked after and accommodated are vulnerable to bullying behaviour for a number of reasons: It may be due to regular changes in schools or where they are placed, which can make forming friendships difficult; they may have poor relationship skills stemming from attachment difficulties; inappropriate reactions to situations as a result of learned behaviours; a reluctance to make friends; low self-esteem, lack of role models and a heightened sense of privacy.

Race and Ethnicity

Children and young people from minority ethnic groups, including the Gypsy/Travelling community, often experience bullying based on perceived differences in dress, communication, appearance, beliefs and/or culture. The status of 'minority' in a school, community or organisation can often make a child or young person the focus for those involved in bullying behaviour. This can arise from a misguided and/or learned belief that they 'deserve' to be treated differently or with less respect.

Religion and Belief

Lack of knowledge and understanding about the traditions, beliefs and etiquette of different faiths, or having no faith, can lead to religious intolerance. Lack of awareness about the differences in practices of religions such as prayer times, dietary requirements, fasting and the wearing of religious clothing or articles of faith can result in misunderstandings and stereotyping, which may fuel bullying.

Sectarianism

Most people understandably associate Sectarianism with religion. The reality of prejudice however means that your family background, the football team you support, the community you live in, the school you attend and even the colour of your clothing can mark you out as a target for sectarian abuse - whatever your beliefs may be.

Sexism and Gender

Gender inequality and stereotyping can leave children and young people, and in particular girls, who do not conform to these norms vulnerable to bullying.

Bullying in the form of derogatory language, online comments and the spreading of malicious rumours can be used to regulate both girls' and boys' behaviour - suggesting that they are not being a real man or a real woman if they do not behave in such a way towards others. Personality traits that do not fit in to the unwritten rules of 'appropriate' male and female behaviour can make children and young people a target for their actual or perceived difference. These terms can be of an explicit gender-based nature and it is worth noting that many can involve using terms for people who are gay and lesbian as a negative towards someone.

This behaviour should not be confused with sexually aggressive behaviour, which is potentially a form of criminal harassment and should be treated as such. For this reason, in Scotland we recommend against using the term 'sexual bullying' as a descriptor in policies or in practice – it is an unclear and reductive term. Sexual assault and exploitation are not types of bullying, they are abuse.

Gender-based bullying – if unchallenged can lead to a deepening of attitudes and behaviour towards girls or those who do not conform to gender norms that can escalate to more abusive behaviours. This behaviour can take place face to face, in private and online or sometimes a combination of all of these. What happens or is shared online will directly impact on a person and that should be our focus. In all probability online activity will relate directly to an experience or conversation they have had in person.

Successful anti-bullying work focuses on equalities and developing and modelling relationships based on respect and fairness – and this must include gender.

Disablist Bullying

People who bully others may see children and young people with disabilities as being less able to defend themselves and less able to tell an adult about the bullying. The bullying behaviour is likely

to be focused upon their specific disability or disabilities, whether they are in mainstream schooling or in specialist provision, and may result in a need for additional support to be provided.

Young Carers

The lives of young carers can be significantly affected by their responsibility to care for a family member who has a physical illness or disability, mental health problem, sensory or learning disability or issues with the misuse of drugs or alcohol. Young carers are at risk of bullying for a variety of reasons. Depending on responsibilities at home, they may find themselves being unable to fully participate in school or after-school activities or 'fun stuff'. This can make it difficult for them to form relationships; it can hinder successful transitions or lead to educational difficulties.

Social and Economic Prejudice

Bullying due to social and economic status can take place in any group no matter how little diversity exists in it. Small differences in perceived class/family income/family living arrangements/social circumstances or values can be used as a basis for bullying behaviours. These behaviours, such as mocking speech patterns, belongings, clothing, hygiene, etc can become widespread through those considering themselves to be in the dominant social economic group or class. Bullying of children who endure parental substance misuse can also be prevalent in some locations.

Appendix 2 - Strategy and Legislation

These guidelines are set within a number of local and national strategies and legislation, as set out below

Aberdeen City Council Anti-Weapon/Knife Crime Policy

The draft Anti-Weapon/Knife Crime Policy for schools is being developed and is currently being distributed for consultation with all Head Teachers.

The anti-weapon/knife crime policy aims to give direction to schools and their communities in order to meet all of the recommendations from the Independent Review (Andrew Lowe 11/10/16). The policy objectives are to provide pupil and parental engagement expectations and procedural and operational guidance to all Aberdeen City Council schools and communities with regard to weapon/knife crime. (A link to the policy will be added once it has been approved).

The Human Rights Act 1998

Places a public duty on authorities to carry out their functions in a matter that is compatible with the right to life, the prohibition of torture, inhuman and degrading treatment, and the right to respect private and family life, the right to education.

The United Nations Convention on the Rights of the Child

Is concerned with the promotion and upholding of the rights of children and young people - a number of articles are relevant to these guidelines

Article 2 – You have the right to protection against discrimination

Article 12 – You should have a say in decisions that affect you

Every child has the right to have a say in all matters affecting them, and to have their views taken seriously

Article 18 – Parents should work together to do what is best for you.

Article 19 - Children have the right to be protected from being hurt and mistreated, physically or mentally. Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them.

Article 28 – You have a right to an education. Take measures to encourage regular attendance at schools and the reduction of dropout rates

Article 29 – Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for their parents, their own and other cultures, and the environment.

The Equality Act 2010

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.

The Education (Additional Support for Learning) (Scotland) Act 2004 as amended by the Education (Additional Support for Learning) (Scotland) Act 2009

This provides the legal framework underpinning the system for supporting children and young people who have additional support needs. Children or young people may require additional support for a variety of reasons and may include those who are bullied at school. These needs can be temporary or transient.

Scottish Schools (Parental Involvement) Act 2006

Promotes the future involvement of parents in their children's education and in the development plans for schools. This act puts a responsibility on schools, family and communities to address discrimination with a duty to actively promote equality and promote children's health, wellbeing and development

The Children and Young People's Act (Scotland) 2014

Getting it right for every child (GIRFEC) promotes action to improve the wellbeing of all children and young people underpinned by shared principles and values in line with the UN Convention on the Rights of the Child. It is about how practitioners across all services for children and adults meet the needs of children and young people, working together where necessary to ensure they reach their full potential. It promotes a shared approach and accountability that:

- Builds solutions with and around children, young people and families.
- Enables children and young people to get the help they need when they need it.
- Supports a positive shift in culture, systems and practice.
- Involves working together to make things better.

SHANARRI - the 8 indicators of wellbeing considered the basic requirements for all children and young people to grow and develop and reach their full potential: safe, healthy, achieving, nurtured, active, respected, responsible and included.

Appendix 3 – Police Involvement

In law, the definition of

Assault is: Every attack directed to take effect physically on the person of another is assault, whether or not actual injury is inflicted. There must be criminal intent: an accidental injury, even although caused by a mischievous act, does not amount to assault.

From that it can be seen that simply shoving someone, the act of which has a physical effect upon them would in law constitute an assault, however it is not practicable for Police to be involved in every incident of pushing or shoving. If someone was to swing a punch which missed, but their intent was to strike someone, then that too would constitute assault. Parents, pupils, or statutory partners would see it as helpful to involve the Police in investigating all minor incidents, but I would say a process must be in place whereby the circumstances of each occurrence are considered on their own merits and the correct action taken. If the Police are advised of an incident where a crime is apparent we must progress it to its conclusion and then report it as required to the appropriate body and have a duty to do so irrespective of the views of our partners and the family of those involved. That of course may simply result in some sort of warning or diversionary action.

Breach of the Peace and the statutory equivalent, namely The Criminal Justice and Licensing (Scotland) Act 2010, section 38, then the legal definitions are as follows:

Breach of the Peace is: Committed by one or more persons conducting himself or themselves in a riotous or disorderly manner (could be as simple as shouting or swearing at someone), where such conduct is severe enough to cause alarm to ordinary people and threaten serious disturbance to the community. This is qualified by requiring that there is a public element to the act, in example, it has to be shown that in addition to the effect on the person it was directed at, the behaviour has had or could have had an impact on the wider community/passers-by, pupils, parents etc.

The statutory version of this is The Criminal Justice and Licensing (Scotland) Act 2010, section 38 - 'Threatening or abusive behaviour' which provides that a person commits an offence if they behave in a threatening or abusive manner, and the behaviour would be likely to cause a reasonable person to suffer fear or alarm, and the perpetrator intends by the behaviour to cause fear or alarm or is reckless as to whether the behaviour would cause fear or alarm.

It can be seen from these further definitions, the act of merely swearing at someone, for example, in a playground could in theory constitute one of these offences were the requirements for the component parts of the offences satisfied.

Once again, it would not be seen as helpful to involve the Police in investigating minor incidents of this type, but would again say a process must be in place whereby the circumstances of each occurrence are considered on their own merits and the correct action taken as again the Police will progress to conclusion any such reports.

Appendix 4 – Research and resource links

Childline - <https://www.childline.org.uk/>

Education Scotland - Parentzone

<http://www.educationscotland.gov.uk/parentzone/additionalsupport/supportneeds/socialandemotional/bullying.asp>

EIS Union, links to resources

- Challenging Homophobia in Schools
<http://www.eis.org.uk/LGBT/challenginghomophobia.htm>
- Getting it Right for Girls
http://www.eis.org.uk/Gender_Equality/Get_Right_Girls.htm
- Myths of Immigration
<http://www.eis.org.uk/Anti-Racism/MythsofImmigration.htm>
- Show Racism the Red Card
http://www.eis.org.uk/Anti-Racism/SRtRC_scotland.htm

Family Lives

<http://www.familylives.org.uk/about/news-blogs-and-reports/blog/the-impact-of-bullying-can-last-a-lifetime/>

Respectme – Scotland's anti-bullying service

<http://respectme.org.uk/>

The Learning Exchange – Bullying in Children's Homes

http://lx.iriss.org.uk/sites/default/files/resources/Safe_from_Bullying-Childrens_Homes.pdf

The Scottish Association for Mental Health – SAMH

<https://www.samh.org.uk/>

Stonewall Scotland

- **THE TEACHERS' REPORT 2014**
https://www.stonewallscotland.org.uk/sites/default/files/scot_teachers_report_2014_final_lo_res.pdf
- **THE SCHOOL REPORT**
The experiences of gay young people in Scotland's schools in 2012
https://www.stonewallscotland.org.uk/sites/default/files/scottish_school_report_cornerstone_2012.pdf

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