# ANTI-BULLYING AND ANTI HARASSMENT POLICY

## VERSION CONTROL

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## 1. STATEMENT OF INTENT

The Hive College believes that all students are entitled to learn in a safe and supportive environment; this means being free from all forms of bullying behaviour. This policy outlines how instances of bullying are dealt with, including the procedures to prevent occurrences of bullying.

These strategies, such as learning about tolerance and difference as part of the College's curriculum, aim to promote an inclusive, tolerant and supportive ethos at the College.

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

All staff, parents and students work together to prevent and reduce any instances of bullying at the College. There is a zero-tolerance policy for bullying at the College.

## 2. LEGAL FRAMEWORK

This policy has due regard to all relevant legislation 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 This policy has been written in accordance with guidance, including, but not limited to:
• DfE (2017) 'Preventing and tackling bullying'
• DfE (2018) 'Sexual violence and sexual harassment between children in schools and colleges'
• DfE (2018) 'Mental health and wellbeing provision in Schools

This policy operates in conjunction with the following College policies:

- Behavioural Policy
- Child Protection and Safeguarding Policy
- Mental Health & Wellbeing Policy

## 3. DEFINITIONS

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 students 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.

Vulnerable students may include, but are not limited to:
• Students with SEND.

• Students who are adopted.
• Students suffering from a health problem.
• Students with caring responsibilities.

Racial, sexual or homophobic harassment involves the same kinds of behaviour directed against someone because of their cultural or ethnic identity, their gender or sexuality. Harassment is defined as any kind of unreasonable behaviour which alarms, distresses or torments someone else

## 4. TYPES OF BULLYING

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

Bullying is acted out through the following mediums:
• Verbally
• Physically
• Emotionally
• Online (Cyber)

**Racist bullying**: Bullying another person based on their ethnic background, religion or skin colour. Racist bullying is a criminal offence under the Crime and Disorder Act 1998 and Public Order Act 1986.
**Homophobic bullying**: Bullying another person because of their actual or perceived sexual orientation.
Transphobic bullying: Bullying based on another person's gender 'variance' 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/dynamic that subordinates, humiliates or intimidates another person. This is commonly underpinned by sexist attitudes or gender stereotypes.
**Prejudicial bullying**: Bullying based on prejudices directed towards specific characteristics, e.g. SEND or mental health issues.
**Relational bullying:** Bullying that primarily constitutes of excluding, isolating and ostracising someone – usually through verbal and emotional bullying.

## 5. ROLES & RESPONSIBILITIES

The Trust Board is responsible for:
• Evaluating and reviewing this policy to ensure that it is not discriminatory.
• The overall implementation of this policy.
• Ensuring that the College adopts a tolerant and open-minded policy towards difference.
• Ensuring the College is inclusive.
• Analysing any bullying data to establish patterns and reviewing this policy in light of these.

The Executive Principal 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.
• Ensure all reported incidents are recorded on CPOMS, including which type of bullying has occurred, to allow for proper analysis.
• Arranging appropriate training for staff members.

Teachers & Teaching Assistants are responsible for:
• Being alert to social dynamics in their class.
• Being available for students who wish to report bullying.
• Providing follow-up support after bullying incidents.
• Being alert to possible bullying situations, particularly exclusion from friendship groups.
• Refraining from gender stereotyping when dealing with bullying.
• Understanding the composition of student groups, showing sensitivity to those who have been the victims of bullying.
• Reporting and recording on CPOMs any instances of bullying once they have been approached by a student for support.

The College nurse is responsible for:
• Offering emotional support to victims of bullying.
• Making referrals

Parents are responsible for:
• Informing their child's form tutor if they have any concerns that their child is the victim of bullying or involving in bullying in anyway.
• Being watchful of their child's behaviour, attitude and characteristics and informing the relevant staff members of any changes.

Students are responsible for:
• Informing a member of staff if they witness bullying or are a victim of bullying.
• Not making counter-threats if they are victims of bullying.
• Walking away from dangerous situations and avoiding involving other students in incidents.

## 6. STATUTORY IMPLICATIONS

The College understands that, under the Equality Act 2010, it has a responsibility to:
• Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the act.
• Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
• Foster good relations between people who share a protected characteristic and people who do not share it.

The College understands that, under the Human Rights Act (HRA) 1998, it could have charges brought against it if it allows the rights of children and young people at the College to be breached by failing to take bullying seriously.

The Executive Principal will ensure that this policy complies with the HRA; the Executive Principal 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 College clearly communicates a whole-college commitment to addressing bullying in the form of a written statement which is regularly promoted across the whole College.

All reported or investigated instances of bullying will be investigated by a member of staff.

Staff will encourage student cooperation and the development of interpersonal skills using group and pair work.

All types of bullying will be discussed as part of the curriculum.

Diversity, difference and respect for others is promoted and celebrated through various lessons.

Seating plans will be organised and altered in a way that prevents instances of bullying.

Potential victims of bullying are placed in working groups with other students who do not abuse or take advantage of others.

Opportunities to extend friendship groups and interactive skills are provided through participation in special events, for example, drama productions, sporting activities and cultural groups.

All members of the College are made aware of this policy and their responsibilities in relation to it.

All staff members receive training on identifying and dealing with the different types of bullying.

A quiet place, is available for students to go to during free time if they feel threatened or wish to be alone.

The teacher/ teaching assistant/ lunchtime supervisor supervising the area will speak to students to find out the cause of any problems and, ultimately, stop any form of bullying taking place.

Students deemed vulnerable, as defined in section two, will meet with their form teacher once per week to ensure any problems can be actioned quickly.

Senior managers & teachers will also offer an 'open door' policy allowing students to discuss any bullying, whether they are victims or have witnessed an incident.

Before a vulnerable student joins the College, the student's form teacher and the DSL will develop a strategy to prevent bullying from happening – this will include giving the student a buddy to help integrate them into the College.

The College will be alert to, and address, any mental health and wellbeing issues amongst students, as these can be a cause of bullying behaviour.

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

## 8. SIGNS OF BULLYING

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

- Being frightened to travel to or from college
- Asking to be driven to college
- Unwillingness to attend college
- Truancy
- Becoming anxious or lacking confidence
- Saying that they feel ill in the morning
- Decreased involvement in college work
- Returning home 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

• Becoming agitated when receiving calls or text messages
• 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.

Students who display a significant number of these signs are approached by a member of staff, to determine the underlying issues, whether they are due to bullying or other issues.

In addition, staff will be aware of the potential factors that may indicate a person is likely to have bullying behaviours, including, but not limited to, the following:
• They have experienced mental health problems, which have led to the student becoming aggravated
• They have been the victim of domestic abuse
• Their academic performance has started to fall, which has meant they are stressed

If staff become aware of any factors that could lead to bullying behaviours, they will notify the student's form tutor, who will investigate the matter and monitor the situation.

## 9. STAFF PRINCIPLES

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

Staff will treat reports of bullying seriously and they will not ignore signs of suspected bullying.

Unpleasantness from one student towards another is always challenged and never ignored.

Staff act immediately when they become aware of a bullying incident; this applies to all staff, not solely teaching staff. Staff always respect students' privacy, and information about specific instances of bullying are not discussed with others, unless it is in a setting that the victim has given consent to, or there is a safeguarding concern.

If a member of staff believes a student is in danger, e.g. of being hurt, they will inform the DSL immediately and record it on CPOMs

Follow-up support is given to both the victim and bully in the months following any incidents, to ensure all bullying has stopped.

## 10. PREVENTING PEER ON PEER SEXUAL ABUSE

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

Sexual harassment refers to unwanted conduct of a sexual nature that occurs online or offline.

Sexual harassment violates a child's dignity and makes them feel intimidated, degraded or humiliated, and can create a hostile, sexualised or offensive environment. If left unchallenged, sexual harassment can create an atmosphere that normalises inappropriate behaviour and may lead to sexual violence.

Sexual violence refers to the three following offences:
• **Rape**: A person (A) commits an offence of rape if he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
• **Assault by Penetration**: A person (A) commits an offence if s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

• **Sexual Assault**: A person (A) commits an offence of sexual assault if s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

The College's Child Protection and Safeguarding Policy outlines the college's stance on addressing peer-on-peer sexual abuse, and the procedures in place will be adhered to if any instances of sexual harassment or sexual violence be uncovered.

To prevent peer-on-peer abuse and address the wider societal factors that can influence behaviour, the College will educate students about abuse, its forms and the importance of discussing any concerns and respecting others through the curriculum and group tutorials.

The College will also ensure that students are taught about safeguarding, including online safety, as part of a broad and balanced curriculum and group sessions. Such content will be age and stage of development specific, and tackle issues such as the following:
• Healthy relationships
• Respectful behaviour
• Gender roles, stereotyping and equality
• Body confidence and self-esteem
• Prejudiced behaviour
• That sexual violence and sexual harassment is always wrong
• Addressing cultures of sexual harassment

All staff will be aware that students of any age and sex are capable of abusing their peers and will never tolerate abuse as "banter" or "part of growing up".

All staff will be aware that peer-on-peer abuse can be manifested in many ways, including sexting and gender issues, such as girls being sexually touched or assaulted, and boys being subjected to hazing/initiation type of violence which aims to cause physical, emotional or psychological harm.

All staff will be made aware of the heightened vulnerability of students with SEND, who are three times more likely to be abused than their peers.

Staff will not assume that possible indicators of abuse relate to the student's SEND and will always explore indicators further.

LGBT children can be targeted by their peers. In some cases, children who are perceived to be LGBT, whether they are or not, can be just as vulnerable to abuse as LGBT children.

The College's response to boy-on-boy and girl-on-girl sexual violence and sexual harassment will be equally as robust as it is for incidents between children of the opposite sex.

Students 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 child has been harmed, is in immediate danger or is at risk of harm, a referral will be made to adult social care services and the Police.

**Managing disclosures**
Victims will always be taken seriously, reassured, supported and kept safe.

Victims will never be made to feel like they are causing a problem or made to feel ashamed.

If a friend of a victim makes a report or a member of staff overhears a conversation, staff will act – they will never assume that someone else will deal with it. The basic principles remain the same as when a victim reports an incident; however, staff will consider why the victim has not chosen to make a report themselves and the discussion will be handled sensitively and with the help of adult social services where necessary. If staff have a concern, they will speak to the DSL.

The DSL will be informed of any allegations of abuse against students. They will record the incident on CPOMs

**Confidentiality**
The College will only engage with staff and agencies required to support the victim and/or be involved in any investigation.

If a victim asks the college not to tell anyone about the disclosure, the college will not make this promise.

Even without the victim's consent, the information may still be lawfully shared if it is in the public interest and protects children from harm.

The DSL will consider the following when making confidentiality decisions:
•Parents will be informed unless it will place the victim at greater risk.
• If a child is at risk of harm, is in immediate danger or has been harmed, a referral will be made to adult social services.
• Rape, assault by penetration and sexual assaults are crimes – reports containing any such crimes will be passed to the police.

More information regarding the college's stance on preventing peer-on-peer sexual abuse is available in our Child Protection and Safeguarding Policy.

## 11. PREVENTING PEER ON PEER SEXUAL ABUSE

The college views cyber bullying in the same light as any other form of bullying and will follow the sanctions set out in section 13 this policy if they become aware of any incidents.

The college will support students who have been victims of cyber bullying by holding formal and informal discussions with the student about their feelings and whether the bullying has stopped, in accordance with section 14 and section 15 of this policy.

In accordance with the Education Act 2011, the college has the right to examine and delete files from students' personal devices, e.g. mobiles phones, where there is good reason to do so. This power applies to all Colleges and there is no need to have parental consent to search through a young person's mobile phone.

## 12. PROCEDURES

Minor incidents are reported to the victim's form teacher/ key worker, who investigates the incident, sets appropriate sanctions for the perpetrator, and records the incident and outcome on CPOMs.

When investigating a bullying incident, the following procedures are adopted:
• The victim, alleged bully and witnesses are all interviewed separately
• Members of staff ensure that there is no possibility of contact between the students being interviewed, including electronic communication
• If a student is injured, members of staff take the student immediately to the College Nurse 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 bully, 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
• 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 attaching blame until the investigation is complete
• All concerned students are informed that they must not discuss the interview with other students
• All witness statements and accounts recorded on CPOMs

Due to the potential for sexist, transphobic, sexual 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 Executive Principal is satisfied that bullying did take place, the student will be helped to understand the consequences of their actions and warned that there must be no further incidents.

The Executive Principal informs the student of the type of sanction to be used in this instance and future sanctions if the bullying continues.

If possible, the Executive Principal will attempt reconciliation and will obtain a genuine apology from the bully. 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 is used here; victims will never feel pressured into a face-to-face meeting with the bully.

The perpetrator is made to realise, by speaking once per week during Individual Tutorial, that some students do not appreciate the distress they are causing, and that they should change their behaviour.

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

The class teacher/ key worker informally monitors the students involved over the next half-term

## 14. SUPPORT

If the student visits the College Nurse, the College Nurse informally checks whether the bullying has stopped.

For a month after the initial complaint of bullying, the key worker holds an informal discussion, on a weekly basis, to check whether the bullying has stopped.

The form teacher holds a formal meeting during Individual tutorial, to check whether the bullying has stopped – these formal meetings will continue to take place until the teacher and victim are confident the bullying has stopped.

If necessary, group dynamics are broken up by members of staff by assigning places in classes.

The victim is encouraged to tell a trusted adult in college if bullying is repeated.

The victim is encouraged to broaden their friendship groups.

The college, particularly the DSL, will work with the victim to build resilience, e.g. by offering emotional therapy.

The college realises that bullying may be an indication of underlying mental health issues. Perpetrators will be referred to counselling support, to assist with any underlying mental health or emotional wellbeing issues. If deemed necessary, a referral will be made for mental health issue support

The college will work with the perpetrator regarding any underlying mental health or emotional wellbeing problems.

## 14. FOLLOW UP SUPPORT

The progress of both the bully and the victim are monitored by their class teacher and key worker.

One-on-one sessions to discuss how the victim and bully are progressing may be appropriate.

If appropriate, follow-up correspondence is arranged with parents one month after the incident.

Students who have been bullied are supported in the following ways:
- Being listened to
- Having an immediate opportunity to meet with their teacher, key worker or a member of staff of their choice
- Being reassured
- Being offered continued support
- Being offered counselling, where appropriate

Students who have bullied others are 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

Students who have been bullied will be assessed on a case-by-case basis and the DSL will, if necessary, refer the victim of bullying to relevant outside agencies.

In cases where the effects of bullying are so severe that the student cannot successfully reintegrate back into the college, the Executive Principal and DSL will look to transfer the student to another specialist college.

Where a child has developed such complex needs that alternative provision is required, the student who has been the victim of bullying, their parents, the Executive Principal and DSL will meet to discuss the use of alternative provision

## 15. BULLYING OUTSIDE OF COLLEGE

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

Teachers have the power to discipline students for misbehaving outside of the college premises. This can relate to any bullying incidents occurring anywhere off the college premises, such as on college or public transport, on placement, outside the local shops, or in a town or village centre.

Where bullying outside college is reported to college staff, it is investigated and acted on.

In all cases of misbehaviour or bullying, members of staff can only discipline the student on college premises, or elsewhere when the student is under the lawful control of the member of staff, e.g. on a college trip, placement, community visit, volunteering.

The Executive Principal is responsible for determining whether it is appropriate to notify the police.

If the misbehaviour could be of a criminal nature or poses a serious threat to a member of the public, the police are always informed.

## 16. MONITORING & REVIEW

This policy is reviewed every two years by the Executive Principal and the DSL.