

Bullying Prevention Policy

September 2025



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INTRODUCTION

Being bullied damages children and young people's physical and mental health, their ability to learn, their self esteem and their ability to build and sustain relationships. The effects of being bullied can last into adult life. For a number of pupils it leads to self harm and even suicide.

Preventing and challenging bullying is a priority for Caerphilly County Borough Council. Feeling safe and secure underpins wellbeing and our ability to learn. Bullying is consistently highlighted as a key concern in surveys of our young people and parents and is identified as having a significant impact on children and young people's mental health and wellbeing.(1,2,3).

Surveys conducted over a number of years in the UK , Wales and Caerphilly show that bullying continues to affect a significant proportion of young people at school and young people who have protected characteristics such as being BAME (having Black, Asian and Minority Ethnicity), being members of the LGBTQ+ community, or having Additional learning Needs are disproportionately affected by bullying.

- *Social Inclusion Pupil Support* (2006) identified that third of girls and a quarter of boys are afraid of going to school at some time because of bullying.
- 33% of secondary aged pupils in Caerphilly said that they had been bullied in the previous few months. (The Schools Health Research Network survey 2019) This is in line with national data and the Caerphilly survey of bullying in primary schools (2018/19 and 2019/20).
- Children with special needs are 2-3 times more likely to be bullied and they are also more likely to be at risk of taking part in bullying than others. The School report: Stonewall 2012 identified that 55% of LGBT young people say that they experience homophobic bullying in school.

Bullying causes harm to those who bully, to those who are bullied, to those bystanders who witness it, to family members and the wider school community .

- (1) The Children's Society *The Good Childhood Report 2017*
- (2) In 2016 the Children's commissioner for Wales found that bullying remained children's top priority in a survey of 6000 pupils
- (3) Caerphilly Youth forum and attendees and Safeguarding Youth conference consistently identify bullying in their top 3 priorities. (2018, 2019 and 2020)

Work on preventing and responding to bullying needs to be seen within the wider context of work on behaviour, wellbeing and equalities. Bullying prevention requires a holistic approach in which school communities promote the values of inclusion, equality, respect, tolerance and kindness so that all learners feel safe, recognized, and are supported to reach their full potential.

Effective schools take a proactive approach to preventing bullying and to mitigating its effects when it occurs. This includes teaching children and young people and training staff about positive behavior, promoting respect, tackling stereotypes and addressing prejudice and unacceptable language when it occurs. Effective schools understand that bullying happens in a social context and develop whole school practices which provide clear mechanisms for dealing with bullying and support for those who are bullied, bystanders and those who bully in order to stop further occurrences. They have clear procedures for monitoring bullying and the effectiveness of interventions.

The importance of preventing and challenging bullying is recognised and reflected within the law and statutory guidance from Welsh Government. Head teachers and governing bodies must, by law, have a policy to prevent all forms of bullying among pupils, have effective processes to challenge bullying, to monitor bullying and regularly evaluate the impact of their anti-bullying work. Challenging bullying effectively will improve the safety and happiness of pupils, show that the school cares and make clear to bullies that such behaviour is unacceptable.

The aim of this document is to outline the Local Authority's (LA) policy on bullying prevention, to outline the LA's expectations for schools and the ways in which the local authority seeks to support schools when carrying out their duties in relation to the Welsh Government statutory guidance "Rights, Respect, Equality: Statutory guidance for governing bodies of maintained schools" (November 2019) in order to provide a coordinated and consistent approach to bullying prevention. This policy links closely with the Local Authority Inclusion Compendium which encompasses the LA approach to well-being, behaviour and Additional Learning Needs. It also links to the Local Authority Equalities Strategy.

CONTEXT

National context

Bullying prevention is an integral part of a number of core Welsh Government policies.

- 1) The Welsh Government has adopted the *United Nations Convention on the Rights of the Child*. and has embodied these rights in a range of key legislation such as the Wellbeing and Future Generations Act Wales 2015 (which sets out goals to maximize people's mental wellbeing and health) and guidance to develop "rights respecting schools" .
- 2) Efforts to reduce bullying map directly onto four of the seven Core Aims of the Welsh Government (WG) Rights to Action:
 - Every child and young person should enjoy education, training and learning opportunities that are free from the personal threat of bullying;
 - Experience the best possible mental, social and emotional health, which is free from abuse, victimization and exploitation

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- Be listened to, treated with respect and have their race and cultural identity recognised,
 - Have a safe home and community which supports emotional wellbeing
- 3) Public Health Wales and Liverpool John Moores University undertook an adverse childhood experiences (ACE) study of adults in Wales (2015). This indicated that an individual's risk of developing health harming behaviour are increased as a result of ACES including their experience of physical and verbal aggression.

4) The Welsh Government "Framework on embedding a whole school approaches to emotional and mental wellbeing" (March 2021) recognises that mental health and wellbeing require a whole school approach such that it is embedded into all aspects of school life. The guidance recognises that good emotional health and wellbeing begins with a strong and positive sense of self, a sense of belonging, having efficacy and having ones voice heard. It highlights the importance of the school ethos and the relationships between pupils' and staff. The guidance also outlines a number of risk factors which increase the likelihood of poor mental health including being bullied, experiencing loss and isolation and experiencing discrimination.

Being bullied is recognised as a significant risk factor in developing a mental health issue and it follows that bullying prevention is essential in order to enable students to develop a strong and positive view of themselves.

- 5) The Curriculum for Wales. Children who feel safe and secure at school are more likely to achieve their potential and fulfil the four core purposes of the Curriculum for Wales.
- Ambitious capable learners who are ready to learn throughout their lives
 - Healthy confident individuals who are ready to lead fulfilling lives as valued members of society
 - Enterprising, creative contributors who are ready to play a full part in life and work
 - Ethical informed citizens who are ready to be citizens of Wales and the world. (Donaldson, 2015)

6) " **Rights, Respect, Equality: Statutory guidance for governing bodies of maintained schools**" (Welsh Government, November 2019) sets out the duties and processes that schools must undertake in order to prevent and tackle bullying at schools. Governing bodies *must* have regard to this guidance when exercising their functions relating to the conduct of a school and making arrangements for safeguarding, promoting the welfare of pupils and when exercising their functions relating to promoting good behaviour and discipline at school.

Local Context

It is widely recognised that children who are bullied are less likely to achieve therefore, if the Welsh Government's vision is to be realised, schools need to be supported to understand, prevent and respond effectively to all types of bullying.

The LA has responded to the national developments to better monitor bullying at a strategic level by creating and promoting tools for primary and secondary schools such as the online "Bullying Prevention Survey" of pupils' experiences and perceptions which is open each autumn term, and the Schools Health Research Network survey into student health and wellbeing open bi-annually. The results of these surveys suggest that bullying behaviors within Caerphilly schools are consistent with the levels reported across Wales but remain at an unacceptably high level despite bullying prevention being a national priority. The good practice highlighted in school based surveys

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is collated by the LA or the Schools Health Research Network (SHRN) and is fed back to schools to be used in their own development plans.

The LA has also developed guidance and clear systems for reporting discriminatory incidents on the grounds of protected characteristics across the authority which are monitored and used to develop inclusive practice. The LA links with community partners such as Stonewall Cymru, Umbrella Cymru and Community Cohesion partnership to develop inclusive practice and promote equalities in schools.

The LA is actively involved in developing whole school approaches to mental health and wellbeing and has provided bullying prevention training, building on good practice within the Local Authority and evidenced based practice from literature searches and which actively promotes the duties and processes outlined within the Welsh Government Guidance. There has been collaboration between services such as the Educational Psychology Service and the Youth Service Youth Forum to develop materials such as “Challenging Bullying” guide for primary schools and a child friendly version of bullying prevention policies. These activities will continue to be delivered and developed in order to support schools to prevent and tackle bullying.

The LA provides support for schools from Educational Psychologists, Inclusion Support Officers, School Based Counsellors, Education Welfare Officers, the Safeguarding team and Youth Service.

AIMS AND PRINCIPALS OF THIS POLICY

The aim of the LA bullying prevention policy is to establish a coordinated, consistent approach to tackling bullying in all schools and educational settings. This will encourage the development of an environment where children and young people are less likely to be bullied and where bullying does take place, it is dealt with in an effective and consistent approach across the borough.

The LA aims to support education settings to create an ethos that promotes an environment where bullying is less likely to occur and leads to improved well-being, increased educational attainment, good attendance, positive behaviour and reduced disaffection.

The LA will deliver an effective and coordinated response to bullying to enable schools and governing bodies to fulfill their statutory duties as set out in the statutory guidance Rights, Respect Equality ; through partnership working with schools and with all organisations involved in working with children and young people.

The LA seeks to highlight best practice and support schools to develop universal approaches to prevent bullying and develop targeted interventions to support those who are vulnerable or directly involved in bullying (either as targets or perpetrators).

Core Principles

The LA is committed to ensuring that all children and young people gain maximum benefit from their education, regardless of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL and other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

The LA is also committed to the fundamental principle, that early intervention strategies and partnership working, is crucial in ensuring the protection and well being of all children and young people.

Process and Implementation

In supporting educational settings the LA is focused on the following:

Working in partnership to support schools to develop effective anti bullying approaches and to support them to manage bullying including addressing the needs of the person who has experienced the bullying, addressing issues that arise where young people who have been subjected to bullying are provoked into violent behaviour, and consideration of exclusions. All educational settings must recognise that there are a range of preventative measures that can be put in place to manage bullying. This would include developing positive ethos and relationships, high quality teaching, and promotion of positive learning environments, positive leadership and management, and good behaviour management.

Listening to Learners

Caerphilly LA concurs with the views stated in the WG Document “Listening to Learners” (2007 and the special educational needs SEN Code of Practice for Wales that in all aspects, learners should feel confident that their views will be listened to and valued).

Where possible children and young people will be encouraged to participate in all the decision-making processes that occur. This acknowledges that individual needs and circumstances will need to be taken into account

Actions Caerphilly LA undertakes to support this policy

- Support schools to determine a clear definition of bullying in line with Welsh Government guidance and to use appropriate language when talking about bullying (use of language through the LA strategy, LA published resources and training, when working with individual children and school systems.)
- Support schools to recognise the difference between behaviors which are considered to be bullying and those which are not (LA policy document, links to resources, LA actions in supporting schools through systemic and individual case work).
- Support schools to adopt and implement effective anti bullying strategies and policies (LA policy, training provided to schools, reviewing school policies and practices as part of systemic support to schools)
- Provide support to schools to develop inclusive practices to support the whole school ethos and take positive action to support vulnerable pupils; to monitor the prevalence of bullying and to recognize, report and respond to discriminatory behaviors within their schools (LA policy, guidance on supporting pupils with ALN and those with protected characteristics, providing schools with sample data collection sheets, promotion of LA and national surveys of pupils views in relation to bullying such as SHRN, working with partners to develop best practice and to provide training to recognise and respond to discriminatory incidents, develop LA systems to support data collection, individual and systemic work in schools at schools request or in response to data or any issues which arise).
- Work with Schools requiring higher level of support to develop good practice in relation to ALN and wellbeing.

- Support schools to implement whole school approaches to mental health and wellbeing that recognises the motivations which may lie behind acts of bullying and the effects on those who experience it, so that appropriate universal and targeted approaches can be devised. (LA Wellbeing Strategy) .
- Support schools to identify evidenced based practice when responding to bullying (Signposting to resources, providing training, feedback from LA data collection to inform practice)

LANGUAGE AND DEFINITIONS

The LA and maintained settings should consider the impact of the language used when talking about bullying behavior. Language such as “stamp out” and “combat” bullying entrench the notion that the powerful have power over the weak and can encourage weaker member of a group to bully others weaker than themselves. Such language has not been shown to reduce bullying effectively.

Furthermore using labels such as victim and bully are now felt to impact on creating self-fulfilling behaviors and can have a negative affect on pupils social networks which can further entrench bullying behaviors and reduce a pupils resilience. The language used by staff should refer to bullying behaviors and the use of the terms “target” and “perpetrator” are preferred, although it is recognised that the roles played by people, including bystanders and witnesses to bullying are not always clear cut.

Definition and types of bullying

It is important there is a shared understanding of what bullying is and how it differs from other behaviours. The Welsh Government expects that schools will use the following definition as the basis for discussions when agreeing their own definition and that everyone, including all staff and learners, should understand what is meant and how this is different from other types of inappropriate behaviour:

“Behavior by an individual or group usually repeated over time that intentionally hurts others physically or emotionally”

Isolated incidents of hurtful behaviour, teasing, arguments or falling out between individuals of equal power should not be seen as bullying. However, such incidents can be serious and leave a significant impact and need to be addressed under the school’s behavior policy.

However there are times when isolated incidents can deteriorate into patterns of bullying behavior highlighting the need to record such incidents so patterns can be identified and dealt with. There are also times when the lines between bullying and non-bullying behavior can become blurred, for example insults and banter can be used between friends of equal power, however if one learner uses it to repeatedly humiliate or hurt another, then the line between banter and bullying is likely to have been crossed and action needs to be taken.

Bullying can take place face to face, in the digital environment, between individuals or groups. It is generally executed in public to assert power or popularity but there may be an element of secrecy so adults are not aware of it.

The elements of bullying behavior include

- **Intention to harm** : perpetrators often know how to humiliate or hurt their target often picking on key aspects of a person's appearance personality or identity.
- **Harmful outcome** : someone or a group is hurt physically or emotionally. They can be isolated, humiliated or made fearful. Their sense of self-worth is reduced.
- **direct or indirect acts** – bullying can involve direct aggression such as hitting, as well as indirect acts such as spreading rumours, revealing private information about someone or sharing intimate images with people for whom the information/images were not intended
- **repetition** – bullying usually involves repeated acts of negative behaviour or acts of aggression. An isolated aggressive act, such as a fight, is not usually considered bullying. Yet any incident can be the start of a pattern of bullying behaviour which develops subsequently. That is why incident records are so valuable
- **unequal power** – bullying involves the abuse of power by one person or a group who are (perceived as) more powerful, often due to their age, physical strength, popularity or psychological resilience

Clarifying what is meant by bullying behavior and agreeing a consistent definition will enable the LA and schools to create a clear and consistent framework for policies and procedures.

Examples of bullying behaviours including physical, verbal and indirect bullying behaviours can be found in **Appendix 1**.

Prejudiced Based Bullying

Bullying is often motivated by hostility or prejudice based on a person's actual or perceived sexuality, gender, race, religion or culture. At the root of such bullying is a view that some people are different or 'other'. By 'othering' them through remarks, insults and behaviour it becomes easier to see any group as set apart and to dehumanise them. Caerphilly County Borough Council recognises that the role of schools in helping every learner feel they belong is of immense value in building a cohesive society.

There are many examples of prejudice-related behaviour. Some of these might include:

- using homophobic, biphobic, transphobic, sexist or racist language
- actively trying to remove any religious clothing such as a hijab, kippah, turban, cap or veil
- using sexist comments, unwanted touching or the taking of images without permission
- commenting on someone's appearance such as their weight or hair colour.

Prejudiced based behaviour is unacceptable and "one off" discriminatory incidents can lead to prejudiced based bullying.

The Local Authority expects schools to address bullying holistically and bullying prevention strategies should take into account the individual needs and circumstances of learners, including those who are more vulnerable (such as having ALN or being Looked After) and those with protected characteristics.

Under the Public Sector Equality Duty (PSED) schools and local authorities are also under an obligation to ensure appropriate and effective action is taken to remove or minimise disadvantages encountered by learners owing to their protected characteristics and to promote positive relationships between those who have protected characteristics and others. (Protected characteristics are those relating to race, sexuality, gender, culture, religion, being a carer, age and marital status).

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The Local Authority expects schools to incorporate anti-bullying work in the wider context of an equalities and social justice approach including respectful and healthy relationships and violence prevention. Schools should be proactive and develop inclusive practices which support pupils who have protected characteristics, are vulnerable or who may feel different in some way. Examples of how this can be achieved include

- ensuring people with protected characteristics are visible throughout the curriculum,
- ensuring issues such as sexuality and gender are not discussed in binary ways.
- Ensuring a wide range of family units are portrayed and there are positive example of people from different races and cultures.
- Individual identities, differences are celebrated across the curriculum and in specific awareness raising events.

This approach can greatly reduce feelings of isolation experienced by young people and helps build a more tolerant and respectful school ethos.

The LA also expects that schools will actively teach values such as respect and tolerance throughout the curriculum in addition to it being an explicit part of the school culture and ethos and this requirement is also embedded in the National Prevent Strategy.

The LA in line with the Welsh Government expects all forms of prejudice to be challenged.

Prejudiced related behavior of any kind (including offensive comments) is unacceptable and could be considered as, or escalate into, incidents of hate crime. If the action is one off and not repeated then the incident is not considered bullying but schools still have a duty to respond to the incident. Where it involves a protected characteristic the school must also record it under the LA Discriminatory Incidents Reporting Procedure so that discriminatory behaviour is monitored and the data can be used to inform school/ LA practices. This data collection is a requirement under the Equalities Act.

Proactive schools will take a clear stance in challenging discriminatory language and name calling. Staff will feel confident in challenging such language and will routinely record and report such incidents using the LA Discriminatory Incidents Reporting Procedure when this relates to a protected characteristic. This will enable schools to identify trends, determine whether these are one-off incidents or bullying, tackle discrimination and enable them to evaluate the effectiveness of their equalities and anti bullying strategies.

It is also understood that using discriminatory language may not always directly refer to the young person's identity but such language is tackled none the less. For example in schools where learners believe they will not be challenged when using homophobic insults and/or actions, they may use such language or actions towards others they are targeting for other reasons including ALN, race or culture. The homophobic insults are being used as a proxy for the language and/or actions they know they are likely to be challenged for using, such as racist insults. This behaviour can be observed through incident records or learner surveys, e.g. if learners with SEN report higher than average incidents of homophobic bullying.

Where prejudiced related behavior is repeated by a perpetrator against a learner or group of learners the action becomes bullying. Other terms to describe this type of bullying include "identity based bullying, discriminatory bullying, hate related bullying and inequality based bullying.

Disability and ALN

Prejudice based behaviour can also be directed to those without protected characteristics including those who have additional learning needs that do not meet the definition of disability under the Equalities Act. A study by the Institute of Education in 2014 found that even after controlling other factors that might influence the likelihood of a child being bullied, at age seven a child with ALN is twice as likely to be bullied as a child with no ALN. The Welsh Government expects schools to be proactive in countering this trend.

Learners with a disability and those with ALN may be more vulnerable to bullying because:

- of negative attitudes towards disability or perceived disability
- of a lack of understanding of different disabilities and conditions
- they may not recognise they are being bullied
- they may be doing different work or have additional support at school
- they may be more isolated than others due to their disability or condition
- they may find it harder to make friends as a result of their disability or condition
- they may exhibit perceived bullying behaviour due to their disability or condition, e.g. autistic learners may not be aware of other people's personal space, or learners with attention deficit hyperactivity disorder (ADHD) may interrupt conversations or talk over other learners
- they may experience lots of change, e.g. moving from a mainstream to a special school or pupil referral unit, or spending periods of time in hospital.

Disabled learners and those with ALN may also find it more difficult to resist perpetrators because they may have fewer friends to defend them and have difficulties telling someone if it occurs. They can be extremely adversely affected by bullying. In addition to being distressing, it can isolate them further and set back their social and educational development.

Bullying of learners with disability and/or ALN can take the form of any of the traditional forms of bullying. However there are additional forms of bullying that ALN/disabled learners may experience such as conditional friendship, exploitative or manipulative bullying (see Appendix 1 for more details)

The LA will support schools to address bullying holistically while also taking into account the individual needs and circumstances of learners with disabilities and/or ALN. The LA advocates a social model of disability where schools seek to remove the barriers which prevent access so that all people have equality. In schools this ethos is a key element of developing a truly inclusive environment and an effective disability equality scheme and anti-bullying policy.

Statutory duties to reduce prejudiced based bullying

The Welsh Government and LA expects that learners with protected characteristics and those with additional vulnerabilities, such as having ALN, being new to the Welsh based education system or having emotional health and wellbeing issues, *to be specifically considered in schools' bullying prevention strategies* and expects that schools will monitor their populations to ensure that their prevention work meets the needs of these learners.

Schools must record all incidents of bullying, outlining the specific types of bullying, including bullying around the protected characteristics and use this and other school data/ information in an ongoing cycle to monitor, review and self -valuate their anti-bullying practices and to identify priority areas for school development in a cycle of improvement.

The Welsh Government document Rights Respect and Equality contains several hyperlinks to a range of practical resources to support schools to better understand what bullying is and specific resources to support schools in challenging prejudiced related bullying such as assembly resources promoting respect and resources published by community partners such as Show Racism the Red Card, and to Stonewall Cymru.

Online Bullying

In an increasingly digital world young people need to become digitally competent citizens who are able to use technology responsibly and who are able to keep themselves safe.

Caerphilly SHRN data (2019) suggests that 17% of secondary aged pupils felt that they had experienced online or cyberbullying in recent months. In 2020 Caerphilly's Bullying Prevention Survey showed an increase in online bullying amongst primary aged pupils (whilst this may partially be attributed to the increase in online use associated with the Covid 19 pandemic and restrictions, it might reflect an underlying trend) .

Online bullying can be particularly harmful because

- The audience can be unlimited.
- It can occur anywhere and at any time, there is no respite from it, even in spaces such as home which should offer a safe environment
- It can involve unknown people, although most cases involve known peers. People do not need to be physically bigger, older or more popular than the people being bullied. The anonymity technology offers can reduce peoples inhibitions about bullying behaviours. Anonymity can protect perpetrators and make bullying behaviours appear to be without consequence.
- Technology facilitates the storage of images and messages for repeat viewing and one off incidents which may not be bullying behaviour can escalate. An individual may not feel that by endorsing or reposting someone else's post that they are actively participating in bullying. The instigator may not have intended an offensive or hurtful comment to be repeated. A single incident – one upsetting post or message – may escalate into bullying involving a number of people over time.

In order to help tackle cyberbullying it is imperative that schools take a robust approach to teaching the Citizenship strand of the digital competence framework. This strand develops the skills and behaviours that young people need to contribute positively to the digital world , reduce cyberbullying and to be able to protect themselves online.

Schools also need to take a positive stance when managing cyberbullying behaviours and should feel confident that it is within their right even when these behaviours occur outside of school time (see legal appendix). Schools have powers to discipline learners for incidents taking place off the premises and have powers to search or confiscate mobile phones as a disciplinary penalty where this has been made explicit in the schools behavioural policy and/or anti-bullying policy.

Online and mobile communications leave a digital trail. Keeping evidence is essential e.g via screen-grabbing. Schools should log and record incidents as part of their wider safeguarding monitoring practice and impact evidence. Information and guidelines on recording information is provided in Appendix 2.

LEGAL RESPONSIBILITIES

There is no legal definition of bullying in Great Britain, but broader legislation that aims to protect the rights of children and young people to a life free from abuse and harm, including bullying, can be applied to address bullying. A list of relevant legislation and more details are set out in **Appendix 3**.

DEVELOPING GOOD PRACTICE

Whole School Bullying Prevention Strategy

Head Teachers have a legal obligation to ensure an anti-bullying policy is in place within their school. It is recommended that schools establish an anti bullying lead within their school who supports the development of the schools anti bullying strategy and the processes and training required to support its implementation and review.

Effective anti bullying strategies involve the whole school community and a whole school approach in their development. It is recommended that pupils, staff, parents and carers are actively involved in its development and review. Events such as Anti-Bullying Week are important for raising awareness, but effective strategies are sustained and developed over time rather than being one off activities. Effective strategies are regularly reviewed, evaluated and revised as data emerges or needs change, in order to ensure that they remain relevant and effective. Specific interventions are supported by a school ethos that inhibits bullying and promotes empathy and respect. An effective anti bullying strategy includes a holistic range of interventions which include preventing, identifying, responding to and challenging incidents of bullying. Prevention and early intervention are followed up by further interventions where bullying has become entrenched or resistant to change.

Whilst schools need to provide a cohesive framework within their anti bullying strategy, a single intervention or initiative is unlikely to provide a solution to bullying. The most effective anti-bullying strategy will usually include a range of tools that can be adapted to suit particular incidents and will link closely to whole school approaches which embed health and wellbeing into their ethos and curriculum. Both require that schools have strong leadership which seek to create a safe and secure learning environment that values individuals, staff that understand the health and wellbeing needs of their learners, provide a physical environment and learning experiences which support these, listen to the voice of the child and their parents and carers. The anti bullying strategy will also have significant links to the school's equality plan and behaviour policy.

Involving children and young people. As outlined in the Welsh Government document *Extending Entitlement* (2007) 'all children and young people have the right to be consulted, to participate in decision-making and to be heard, on all matters which concern them or have an impact on their lives.' There are a number of ways this can be achieved, for example through:

- Youth forums
- Questionnaires/surveys/focus groups
- Conferences/consultation events for young people
- School council
- School lessons, surveys and pupils feedback

There should be ongoing dialogue between staff and learners in the development and evaluation of school anti bullying policies and strategies. Learner voice is important to determine:

- Whether learners understand what is meant by bullying?

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- Whether learners understand that they can report other types of incidents which are not bullying? What are individuals' experiences of the existing policy? Whether learners are aware the processes to report a concern or a bullying case and are the strategies to resolve the issue effective?
- Have Learners' suggestions and observations been considered when developing the strategy?
- Have learners been fully prepared for the launch of a new strategy?
- Are there ways in which the existing policy/strategy could be improved?

Involving parents and carers

Schools should also engage with parents/carers, taking into account the following considerations when developing and rolling out their anti-bullying strategy. Are parents/carers aware of the new or existing strategy?

- Do they know how the school would like them to report any concerns and how to appropriately escalate matters should they not be satisfied with the outcome of their initial concern?
- Do parents/carers know who to speak to when raising a concern about bullying and what evidence to provide?
- Have parents/carers been engaged to support their children and support the vision and values of the school?

If parents/carers are aware of the schools policies in relation to behaviour, bullying and equalities and understand that prejudice and discrimination are unacceptable within the school community this can help a school deal with incidents more effectively when they occur.

Parental engagement might be obtained through

- online feedback forms
- group meetings with staff and parents/carers
- parents/carers evenings to help families provide support for learning as well as allowing parents/carers the opportunity to provide quality feedback on their child's progress and learning environment
- designing homework tasks that learners work on with their families,
- providing messages in homework or home-schoolbooks/e-learning books, etc.

staff involvement

Staff should be well prepared and feel confident to handle any incidents reported to them. This includes teaching and non-teaching staff. They should expect more reports than usual when a new strategy is launched. It is considered a positive sign when children and young people come forward.

Where schools report they have no bullying, this may be as a result of the reporting mechanisms or responses being ineffective. When learners do not feel safe in raising their concerns or lack confidence in achieving a good outcome they will tend to stay silent. Schools reporting zero cases of bullying may be challenged through the inspection process to clarify what mechanisms the school employs to ensure learner well-being and inclusivity.

The Children's Commissioner for Wales found that 'trust' was a recurring theme raised by children and that having a trusted person to talk to emerged as a key pathway to address bullying. (Children's Commissioner for Wales, 2017, 'Sam's Story').

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Schools can find that the most challenging aspect of reducing bullying is to obtain a good resolution to cases. If learners come forward only to find that interventions either make no difference, or worsen the situation, trust is lost. Evaluations frequently reveal that this is the weakest point in a school's strategy

(Evaluation for Make A Noise programme)

Prevention

Schools should adopt a whole-school approach for promoting positive, respectful behaviour and relationships between staff and learners as part of their whole-school approach to health and well-being. This approach should be woven through all school activity, creating an environment that encourages positive behaviour and addresses the root causes of unacceptable behaviour. This will help create an inclusive, engaging environment where learners feel safe and are ready to learn.

Schools should keep a high profile for pro-social behaviour, kindness, loyalty and team spirit, in contrast to a low profile for negative behaviour, such as bullying. While the unwanted behaviour continues to be addressed as rigorously as before, the message is not constantly about what learners should not do.

This approach is reflected in LA behaviour strategy providing training and support for approaches to promoting prosocial behaviour as well as targeted interventions such as ELSA which support prosocial behaviours.

The Curriculum for Wales 2022 will support learners to develop social, emotional, spiritual and physical health and well-being. It will also support learners to develop positive relationships in a range of contexts

Becoming ethically informed citizens will encompass

- making positive choices, and learning how these affect their own and others' health and well-being
- interacting with others within different social situations
- engaging with different social influences and to appreciate the importance of respecting others
- considering the social and ethical issues that impact on the health and well-being of others.

Before the new curriculum is formally introduced the LA expects that schools will to adopt and maintain a whole-school approach, working across the existing curriculum to build a supportive, inclusive school culture which celebrates diversity and promotes shared values. Learners will be supported to acquire and maintain the social skills that will allow them to manage their relationships with others and equip them to respond to bullying in an appropriate and if necessary, assertive way. Actively supporting children to understand the power of language and why some words are hurtful and unacceptable can be used along with meetings with parents/carers who should be reminded about the values of the school. Sensitive restorative work and education can be effective in cases where such language is used

Targeted initiatives provide an opportunity to reinforce a positive and inclusive school culture. This can include awareness days, workshops, sign-posting and drop-in sessions, as well as involving the wider neighbourhood and utilising a variety of organisations, however, they should be part of a broader and sustained ongoing approach building cross curricular themes and which takes advantage of numerous opportunities for 'teachable moments' such as what is topical in the news to discuss equality and discrimination issues.

Responding when Bullying occurs

Schools must comply with their legal duty to safeguard and promote the welfare of learners.

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Headteachers and school governing bodies must ensure all school staff understand their school's anti-bullying policy and the procedures outlining the steps to follow if a learner reports being bullied.

This will help to ensure that when a learner reports an issue of bullying to staff, irrespective of which staff member the learner approaches, the same procedure is followed.

Successful strategies provide a consistent framework with options to suit the situation. If the response is too generic, heavy-handed or lacks sincerity, it can have the opposite effect from that intended.

Effective schools use each incident as a learning opportunity. The school's role is to nurture and support learners to understand that they are in the process of learning to be informed citizens of the future.

A school's anti-bullying strategy needs to be child-centred and not lose sight of the needs of the learner, irrespective of whether they are a target or perpetrator of bullying, or a bystander. Effective strategies will seek to effectively work with all parties.

Those that engage in bullying behaviours need help, support and opportunities to change their behaviour. Support might include

- Effective listening
- teaching relationship skills
- Activities which support young people to recognise and handle their difficult feelings
- Support for pupils to develop positive communication skills.

The LA is providing a range of training to support schools to develop universal and targeted interventions which will enable schools to deliver this approach.

Bullying behaviour can be a sign of some bigger problem at school, home or elsewhere in a child or young person's life. Domestic violence, punitive parenting, neglect, bereavement or parents/carers parting can be revealed when working with learners who bully. Staff need to be appropriately prepared for such disclosures as part of broader training, such as safeguarding.

Bystanders have an important role in determining the status of bullying behaviour. Students who laugh at the bullying even when not taking part in it themselves can help perpetuate the bullying behaviour by inadvertently giving the bullying status (even if they are laughing from fear or intimidation). Schools should actively teach young people, who are bystanders to bullying, to understand that they have the power to challenge the bullying, either by intervening – if they feel safe to do so – or by reporting it immediately to a member of staff or trusted adult.

Educating learners by helping them to develop resilience by practicing the problem-solving and assertiveness skills they need to challenge unacceptable behaviour, stand up for themselves and for their peers and feel safe, is also important

Supporting learners who report concerns

Schools should offer a range of ways for learners to report bullying and ensure that pupils are aware of these. They can include:

- trained peer supporters or 'buddies'
- a quiet and private space to talk to staff .

- anti-bullying pastoral leads and staff available at key times
- school nurses or counsellors
- feedback boxes.

Bullying damages healthy self-esteem, replacing positive beliefs about oneself and beliefs linked to shame, disgust, criticism, incapacity, powerlessness and helplessness. One of the first steps when responding to targets is to work to restore their self efficacy and capacity to make choices for themselves. Using effective listening techniques, staff (or a peer supporter where these are used) can help the targeted learner to feel they are doing something about the problem. Acknowledge calmly the anger or distress of the targeted child or young person speaking. If they need time to process their thoughts or articulate the story, try not to rush them. Staff should be mindful that it may have required considerable courage to come and report what is happening. Thank the learner for reporting the problem.

In order to restore self efficacy the targets of bullying need to be part of the decision making process. Choices offered to the targeted learner may include:

- how the incident could be handled
- whether changes to the learner's current journey to and from school should be considered in more detail
- whether the learner would like help from a peer or wants to join a club or lunchtime activity

staff should explain the next steps in how their concerns will be taken forward. This will help to reassure a pupil that their concerns are being taken seriously.

Employing good listening techniques such as being at the same level as a young person, placing chairs at an angle and offering a setting which is quiet and offers privacy from other learners whilst safeguarding staff and pupils will support pupils to report their experiences.

Learners who are bullied should to be encouraged, where possible, to keep evidence of the activity. Evidence may be threats or images sent on or offline by messaging, conversations, notes or images, damaged clothing or other belongings, online conversations or notes. Bystanders may also be able to provide witness statements or additional evidence. Dates and times when things happened should be noted. Screen grabs can be saved as online evidence.

Seeking Resolution

The LA supports schools to utilise a range of evidenced based tools and interventions within their overall framework to resolve bullying incidents. This will enable staff to select the interventions they feel are best suited to address the individual needs of each case in a timely fashion. Interventions offered may be at a class level, year group level or only with the individuals involved in the bullying incident.

There are a variety of intervention methods schools may choose to use. Examples of these include:

mediation – this involves helping the perpetrator and target of bullying talk about the issue and agree on a solution

restorative approaches – built on values, which separate the person from the behaviour. They promote accountability and seek to repair any harm caused in a situation

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building resilience – strengthening the learner’s ability to effectively cope, adjust or recover from being bullied or facing other sources of trauma, stress or adversity; equipping learners with a solid foundation or emotional resilience by ensuring that they feel accepted

peer support – is about children and young people feeling accepted and included by other learners. It can help individuals feel like they belong in a school and can be an important factor in reducing bullying and conflict. It can be encouraged in schools in both informal and formal ways

school sanctions – schools can use disciplinary sanctions, as set out in their school policies, to address bullying. The consequences of bullying reflect the seriousness of the incident so that others see that bullying is unacceptable.

Some approaches may not be suitable for certain cases. For example, where there is an imbalance of power so great that the target is afraid of the perpetrator, restorative approaches may be unwise until sometime later when work has been undertaken to address the power balance.

There are various programmes schools can adopt to address bullying. It is for individual schools to determine the most effective way to address bullying and implement anti-bullying policies in their school setting; this includes which, if any, programmes they choose to employ to support this provision.

The LA has conducted a literature review into the efficacy of different approaches to bullying resolutions and their benefits and weaknesses in different circumstances to support the schools decision making processes when determining which interventions might suit a particular circumstance and provides a range of training opportunities to empower school staff to deliver these effectively.

School should address the perpetrator(s) of bullying according to the procedures and agreed approach in the school if they are found to have acted inappropriately; but perpetrators must be allowed to put their side of the story and given a fair hearing before any decisions are made.

When determining the most appropriate response or sanctions for addressing bullying, schools consider the impact a response may have more broadly and long-term on all parties involved. Schools should consider whether this is likely to help address the root causes for the bullying happening and how interventions might have the greatest impact on preventing the issue from continuing or recurring. Schools may choose to use a combination of both short and longer term interventions in order to bring about lasting change.

Schools should review the effectiveness of any interventions used to stop bullying from occurring and should consider using an alternative intervention if the difficulty persists.

The LA recognises that resistant cases can cause immense distress to learners and their parents/carers. There are situations where schools feel that they have followed their anti-bullying policy and are addressing the matter, but the target and their parents/carers are not seeing any improvement in the situation. Regular reviews and ongoing communication between all parties will support families to recognise where improvements might be occurring and to support schools in revising their strategy (whether wholly or in part) if limited or no improvements are being made.

Having reported an issue regarding bullying to the school, if a learner or their parent/carer does not feel that the school has taken it seriously or has not addressed their concern to a satisfactory standard, they can make a formal complaint utilising the procedures set out in the schools complaints procedure which every school must have Under section 29 of the Education Act 2002.

GOVERNANCE

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The school's anti bullying strategy should be reflected in their school's policies. The LA in line with Welsh Government expects schools to develop their anti-bullying policy as a separate policy document, but that it should link to the school behaviour policy, which schools must have by law. (*Education Inspections Act 2006*).

It is a requirement that schools consider the needs of groups of vulnerable learners, including those with protected characteristics when devising their policy.

A schools anti bullying policy should make overall approach taken by the school to be clear to all readers, with fair and consistent consequences and sanctions explained outlined . it should include

- the vision and values of their school
- the school's equality objectives to meet their PSED under the Equality Act 2010
- their definition of what is meant by bullying, there may also be reference to different forms of bullying and specific reference to prejudiced based bullying and the use of cyber technology to bully
- why it is important to prevent and challenge bullying and the preventative strategies the school will use.
- how awareness of bullying will be raised
- how anti-bullying work will be embedded in the curriculum rather than an isolated annual event (such as during anti-bullying week)
- involvement of staff, learners, parents/carers and school governors in development and implementation of the policy
- signs a child or young person might be experiencing bullying
- how bullying will be prevented, including on journeys to and from school and in after school clubs
- Clear procedures for pupils and parents on how to report bullying
- how the school will respond including the reporting procedure and possible sanctions
- when the school will take action in relation to bullying outside the school
- how the school will respond to incidents
- A protocol for mores serious incidents such as when the school may involve other agencies such as the police (if a crime has been committed) or if there is a child protection concern
- what learners can expect
- what parents/carers can expect
- Schools should ensure that the policy is shared with all members of the school community (e.g. through the school website, newsletters, inside school planners etc.) and that the policy should be available in a pupil or child friendly format which uses clear and simple language. (a generic example for a child friendly policy has been developed by Caerphilly Youth Forum)

School staff should receive regular training on their anti-bullying policy and procedures. All new staff to a school need to be made aware of the policy, the approach taken by their school and how the procedures are administered. Playground, lunchtime and school transport supervisors and school administrators to be fully aware of the policy and the procedures they should follow.

The anti-bullying policy should align with the school's behaviour policy and also interlink also with broader school policies such as safeguarding, attendance, acceptable use of ICT, online safety,

travel behaviour and exclusions. Aligning policies will help schools ensure a whole-school approach is taken to multifaceted issues.

An example outline policy is found in appendix 4.

MONITORING EVALUATION AND REVIEW

Schools must have mechanisms for reporting and recording bullying which are clearly communicated to the whole school community. The LA and Welsh Government expects the information schools record and monitor to relate directly to their school's definition of bullying and broader provisions outlined in their school's anti-bullying strategy and policy.

Schools should keep a record of bullying incidents and use this to help monitor trends in the extent of bullying in the school. Schools should monitor what interventions were tried to prevent further instances and how effective these were. They should monitor the time taken for the bullying to stop and whether it re-occurs.

Effective record maintenance enables schools to review an incident, check whether there are other reports concerning the learners involved and make a decision in the light of what is recorded in a holistic and informed way. Monitoring incidents of bullying enables a school to identify patterns of behaviour and the extent of bullying; the Welsh Government expects schools to then take proactive steps to challenge it within their cycles of self evaluation and improvement.

It is for individual schools to determine what data and information they collect in the context of the specific issues within their school and in compliance with data protection law.

Schools anti bullying strategies and policies must be regularly evaluated and reviewed to measure success and better understand what is working and what requires further attention. Self-evaluation will also provide valuable data in terms of how well a school is meeting its equalities objectives and the PSED. It is expected that the schools anti bullying policy will be reviewed every three years or sooner if there is significant change to national policy guidance or there are incidents or data that suggests that the current policy is not working.

The LA, in line with Welsh Government expects schools to involve pupils, parents, staff and the broader school community in the evaluation process. In addition to using information on reported incidents, schools should gather pupils views and experiences of bullying, the schools actions (including those who have not reported or been involved in incidents) on a regular basis and to use this to inform their anti-bullying work. The LA provides schools with an online tool suitable for pupils in KS2, and secondary school and will support schools in the analysis of this data, however schools may also consider supplementing this data with other sources such as views gathered via focus groups, or through individual casework etc. Utilising pupil feedback will support pupil's sense of belonging to the school, ownership of the schools strategy and build trust that schools take this matter seriously.

If there is a good level of awareness in the whole-school community about unacceptable behaviour, it is likely that more learners will come forward to report it. A high number of incidents alone is not therefore an indicator that the school is ineffective. It could be the result of recent awareness-raising work or anti-bullying activities. Where schools have high levels of recorded bullying, but the school can demonstrate they are taking action to challenge bullying, address unacceptable behaviour and improve learner well-being, these schools may be rated stronger in self-evaluation than schools who report no or little bullying in their settings but are unable to explain why.

The Role of the LA in Monitoring, Evaluation and Review

The Local Authority will monitor how effective schools and other educational settings are in meeting the needs of children and young people via:

- Estyn reports
- Specialist staff visits and reports
- Independent consultant reviews
- A range of self evaluation processes
- Tracking and collating relevant data (including exclusions, attendance, referrals to specialist settings, pupils accessing alternative setting, discriminatory data, pupil surveys and monitoring of restraints)

The work of the LA will be reviewed against service standards, statutory responsibilities and national and local performance indicators. The rigorous implementation of continuing professional development procedures will also contribute to the review process. Strategies will be reviewed annually or if there is a significant change.

This Policy will be reviewed annually and updated in the light of any changes in legislation

ROLES and RESPONSIBILITIES

Governing Bodies

School governing bodies are accountable for ensuring effective policies are in place to safeguard and promote the welfare of learners in accordance with Welsh Government guidance and for monitoring its compliance.

The Welsh Government expects school governing bodies to monitor the following in relation to bullying:

- that schools maintain an overview of recorded bullying incidents in their setting to see how long it takes on average for cases to be resolved
- the recurrence rates
- whether learners who have reported bullying incidents believe they got a satisfactory outcome
- whether there are any emerging trends or groups being discriminated against
- whether there are online cases that suggest work is required with the learners, parents/carers and staff to counter new forms of bullying
- absenteeism rates
- that the regularly collected data on reported incidents is showing progress towards the equality objectives..

School governing bodies of maintained schools must publicise their school's complaints procedure and ensure anyone with an interest in the school can raise a complaint, confident it will be considered properly and without delay.

Under the Public Sector Equality Duty there are also specific duties on governing bodies of maintained schools to enable better performance of the general duty.

Governing bodies must:

- publish the school's "equality objectives" and review them within four years

- publish a statement which sets out the steps it has taken or intends to take in order to achieve each equality objective
- make appropriate arrangements to monitor its progress and effectiveness
- (when planning equality objectives) give due regard to relevant information that it holds and seek the involvement of those persons that it considers represents the interests of persons who share one or more of the protected characteristics.

Head teachers

Headteachers will lead their schools to:

- take a proactive approach to preventing bullying;
- have a separate anti-bullying policy, which links to broader school policies, such as behaviour, safeguarding, attendance and discipline and clearly sets out expectations for positive behaviour of learners off the school site;
- use the definition of bullying, provided in this document as the basis of their schools anti-bullying policy and use this definition of bullying in staff training and day-to-day anti-bullying work with learners and when clarifying provision to parents/carers;
- record and monitor incidents of bullying in their schools, in compliance with relevant data protection requirements, to inform self-evaluation and help the school take pro-active steps to challenge bullying; and
- regularly review their anti-bullying policy and strategy, at least every three years. Including school staff, learners and parents/ carers in the review process.

Local Authority

The local authority will

- actively encourage schools to use an established approach and implement anti-bullying programmes accurately and effectively;
- encourage the sharing of anti-bullying approaches between feeder and secondary schools;
- put in place steps to facilitate transitions for vulnerable children and young people who are joining a new school;
- create a consistent and coherent anti-bullying approach within a local authority area, to such an extent as is possible or suitable;
- display advice and updates for schools, children, young people and parents/ carers about bullying on the local authority website;
- work with police, travel providers and communities to ensure trouble spots such as bus stops where learners from different schools converge are made safe;
- monitor both their own equality objectives and progress towards achieving these;
- uphold children and young people's rights and enable them to celebrate difference across the local authority and participate in decisions about addressing bullying;
- advise schools on local trends by monitoring equality data, in accordance with data protection requirements and initiating responses or interventions as appropriate.

Appendix 1 – Types of Bullying

Type	Example
Physical Bullying	<ul style="list-style-type: none"> • Kicking or hitting • Prodding, pushing or spitting • Other physical assault • Intimidating behaviour • Interference with physical property
Verbal/Psychological	<ul style="list-style-type: none"> • Threats or taunts • Shunning/ostracism • Name calling/verbal abuse • Spreading of rumours • Making inappropriate comments in relation to appearance • Extortion
Online	Using any technological means such as phones, social networks, games forums or apps to send bullying texts, messages, images or videos.
Relational aggression	<ul style="list-style-type: none"> • bullying that tries to harm the target's relationships or social status: drawing their friends away, exploiting a person's special educational needs (SEN) or long-term illness, targeting their family's social status, isolating or humiliating someone or deliberately getting someone into trouble
prejudice-related	<ul style="list-style-type: none"> • bullying of a learner or a group of learners because of prejudice. This could be linked to stereotypes or presumptions about identity. Prejudice-related bullying includes the protected characteristics¹⁰. Prejudice can and does also extend beyond the protected characteristics and can lead to bullying for a variety of other reasons such as social status and background • deride or disparage someone considered inferior or risible • insult a learner on the basis that they associate with someone who has a protected characteristic • imply being a member of a protected group is unacceptable
Socio-economic Status	<ul style="list-style-type: none"> • Negative stereotyping, name calling or ridiculing based on financial circumstances
Sexist	<ul style="list-style-type: none"> • Use of sexist language • Negative stereotyping based on gender
Sexual	<ul style="list-style-type: none"> • Unwanted/inappropriate physical contact • Sexual innuendo, comments or jokes • Suggestive propositioning • sextortion, so called 'revenge porn' and any misuse of intimate, explicit images of the learner targeted • Distribution/display of pornographic material aimed at an

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	<p>individual</p> <ul style="list-style-type: none"> • Graffiti with a sexual content aimed at an individual
Homophobic / biphobic	<ul style="list-style-type: none"> • Name calling, innuendo or negative stereotyping based on sexual orientation • Use of phobic language
Transphobic	<ul style="list-style-type: none"> • intimidate someone or make them feel uncomfortable through insinuation • • undermine and bully a learner by suggesting that they are lesbian, gay or bisexual, including by spreading rumours and malicious gossip • • bully a male or female learner considered effeminate or masculine respectively put down a learner with a gender non-conforming friend or family member • imply gender variance is unacceptable • verbally bully a target considered gender-fluid.
Faith-based	<ul style="list-style-type: none"> • Negative stereotyping name calling or ridiculing based on religion
SEN/Disability	<ul style="list-style-type: none"> • Name calling, innuendo or negative stereotyping based on disability or learning difficulties • Excluding from activity on the basis of disability or learning difficulty
Conditional friendship	<ul style="list-style-type: none"> • allowing a target to believe they are accepted into the friendship group but placing conditions on them such as making them the target of their jokes or using them to run errands or even engage in criminal activity for them.
Exploitative	<ul style="list-style-type: none"> • Deliberately subjecting a target to something they cannot tolerate. For example, if a target is especially sensitive to sounds or smell, exploitative bullying might be where the perpetrator repeatedly spreads food over their work or makes loud noises to startle them. The eventual aim is to get the target child or young person into trouble because they will gradually become more stressed until they have an outburst of anger and/or retaliate.
Manipulative	<ul style="list-style-type: none"> • manipulating the target, who at first may not realise what is happening. They might believe the other child/young person or group of children/young people like them and they are friends. However, the perpetrator might manipulate the target into high-risk relationships where the bullying becomes very controlling.

Gifted/Talented	<ul style="list-style-type: none"> • Name calling, innuendo or negative stereotyping based on high levels of ability or effort • Ostracism resulting from perceptions of high levels of ability
Cyber	<ul style="list-style-type: none"> • Abuse on-line (e.g. social networking sites) or via text messaging • Interfering with electronic files • Setting up or promoting inappropriate websites • Inappropriate sharing of images from webcams/mobile phones etc • Interfering with email accounts
Racist	<ul style="list-style-type: none"> • Physical, verbal, written, on-line or text abuse or ridicule based on differences of race, colour, ethnicity, nationality, culture or language. • Refusal to co-operate with others on the basis of any of the above differences • Stereotyping on the basis of colour, race ethnicity etc • Promoting offensive materials such as racist leaflets, magazines or computer software on Caerphilly County Council premises

Discriminatory bullying should be explicitly discussed in the setting and there must be clear guidelines for dealing with incidents. The Governing Body is required to record all discriminatory incidents that take place in the school and report them to the LA each term on the monitoring form already circulated. All other agencies should follow their service policy with regard to their general duty under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.

Appendix 2 (Information Governance)

Schools now have a statutory duty to record and monitor incidents of bullying. Effective record maintenance enables schools to review an incident, check whether there are other reports concerning the learners involved and make a decision in the light of what is recorded in a holistic and informed way. Monitoring incidents of bullying enables a school to identify patterns of behaviour and the extent of bullying; the Welsh Government expects schools to then take proactive steps to challenge it.

Schools must ensure that the information they record, maintain and monitor complies with data protection laws, such as the EU GDPR and the UK DPA 2018.

By law all schools are required to have in place a data protection officer (DPO) to ensure that the school is aware of and able to meet their obligations under GDPR and DPA 2018. The Welsh Government and the Information Commissioner's Office (ICO) expect schools to work with their DPO to ensure that all personal data is processed lawfully and with appropriate protection for individuals' rights.

As part of schools' broader responsibilities regarding the collection and monitoring of data, schools will need to determine an appropriate lawful basis from those listed in GDPR Article 6 and – if data is special category – Article 9, before beginning the processing of information on bullying. Schools will also need to ensure that they are not collecting more data than they need and have a clear retention schedule for the information. Processing of information for anti-bullying measures will need to be reflected within each school's fair processing information. Data protection impact assessments (DPIA) will be required by individual schools in determining what data they need to collect to ensure that it is proportionate and that any appropriate steps that may be necessary to mitigate risks to individuals' rights are taken.

A list of Legislation in Wales that sets out duties in relation to keeping learners safe, promoting rights and preventing bullying include the following (set out in chronological order):

Protection of Children Act 1978 (as amended)

Malicious Communications Act 1988

Criminal Justice Act 1988,

Children Act 1989

Education Act 1996

Protection from Harassment Act 1997

Human Rights Act 1998

Education Act 2002

Sexual Offences Act 2003 (as amended)

Children Act 2004

United Nations Convention on the Rights of the Child (UNCRC)

United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

Education and Inspections Act 2006

Learner Travel (Wales) Measure 2008

Equality Act 2010

Rights of Children and Young Persons (Wales) Measure 2011

Social Services and Well-being (Wales) Act 2014

Serious Crime Act 2015

Counter-Terrorism and Security Act 2015.

The Education Act 2002

The Education Act 2002 places a legal duty on maintained schools and local authorities to safeguard and promote the welfare of children and young people.

Some incidents of bullying may also be, or reveal, a child protection issue. A bullying incident should be addressed as a child or young person protection issue under the Children Act 1989 when there is 'reasonable cause to suspect that a child or young person is suffering, or is likely to suffer, significant harm'. These concerns must be reported to the member of staff in school responsible for child and young person protection and then reported to the local authority's children's social services. (This responsibility now extends to bullying incidents online where it has an impact on the well-being of learners at the school.)

The Education and Inspections Act 2006.

There are a number of statutory obligations on schools with regard to behaviour which establish clear responsibilities to respond to bullying. **This applies to bullying inside and outside of school premises.** In particular section 89 of the Education and Inspections Act 2006:

- states that every school must have measures to encourage good behaviour and prevent all forms of bullying amongst pupils. These measures should be part of the school's behaviour policy which must be communicated to all pupils, school staff and parents
- gives head teachers the ability to ensure that pupils behave when they are not on school premises or under the lawful control of school staff. This is of particular significance to online bullying, which often takes place out of school but can impact very strongly on the school life of those learners involved.
- Head teachers should consider the following points where determining if behaviour of the schools premises warrants direct action from the school: the severity of the misbehaviour, the extent to which the reputation of the school has been affected, the extent to which the behaviour in question would have repercussions for the orderly running of the school and/or might pose a threat to another learner or member of staff (e.g. bullying another learner or insulting a member of the staff), whether the misbehaviour was on the way to or from school; whether the misbehaviour in question was outside the school gates or otherwise in close proximity to the school, whether the misbehaviour was while the learner was on work experience, taking part in a further education course as part of a school programme and whether the learner/learners were truanting.
- The 2006 Act also provides a defence for school staff in confiscating items, such as mobile phones, from learners as a disciplinary penalty if they are being used to cause a disturbance in class or they are being used to contravene the school behaviour and/or anti-bullying policy. School staff may request a learner reveal a message or show them other content on their phone for the purposes of establishing if bullying has occurred. A refusal to comply might lead to the imposition of a disciplinary penalty for failure to follow a reasonable instruction. Where the text or image is visible on the phone, staff can act on this. Where the school's behaviour policy expressly allows it a member of staff may search through the phone themselves where the learner is reasonably suspected of involvement. However, it is advisable to never to do so without another appropriate staff member present. This is best done with the designated safeguarding lead or the ICT manager and a careful written note taken of the date, time, who was present and the purpose of the search and any evidence that it was necessary. ***It is vitally important that these matters are well covered in the school's anti-bullying and/or behaviour policy.***

Bullying outside school premises

Where bullying outside school is reported to school staff, it should be investigated and acted on. The head teacher should also consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the actions taken against a pupil. If the misbehaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed.

Learner Travel (Wales) Measure 2008.

The head teacher must require learners at the school to comply with the All-Wales Travel Behaviour Code ('the Code') statutory guidance made by the Welsh Ministers under section 12 of the Learner Travel (Wales) Measure 2008. The Code sets out specific requirements regarding the behavioural conduct of learners when travelling. The Code requires all learners to 'never bully other learners' and 'respect others (including the bus driver)' irrespective of the mode of travel. Whilst the Code guidance sets out the framework for the sanctions regime within the Code, which provides for the removal of free or subsidised transport for set periods of time if a learner misbehaves on learner

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transport, Welsh Government recognises that there may be circumstances where the behaviour of the learner might be better addressed through the school's behaviour and anti-bullying policies.

The Equality Act 2010

The Equality Act 2010 ('the 2010 Act') provides protection from discrimination harassment and victimisation of learners who have one or more of the following protected characteristics, race, disability, gender, age, sexual orientation, religion or belief, and gender re-assignment. It includes the Public Sector Equalities Duty (PSED) which places a requirement on governing bodies and proprietors of schools to eliminate discrimination, promote equal opportunities, to take action to improve outcomes for learners with different protected characteristics and to foster good relations across all protected characteristics.

It is a legal requirement, under the 2010 Act, which schools in Wales must follow. It can be used as a helpful mechanism to tackle prejudice-related bullying and implement a whole-school approach.

Under the PSED School governing bodies must:

- publish the school's 'equality objectives' in achieving the PSED and review them within four years
- publish a statement which sets out the steps it has taken or intends to take in order to achieve each equality objective
- make appropriate arrangements to monitor its progress and effectiveness
- (when planning equality objectives) give due regard to relevant information that it holds and seek the involvement of those persons that it considers represents the interests of persons who share one or more of the protected characteristics.

Safeguarding children and young people.

Under the Children Act 1989 a bullying incident should be addressed as a child protection concern when there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm'. Where this is the case, the school staff should report their concerns to their local authority Children's Services in line with All Wales Child Protection Procedures. Under the Children Act 2004, all agencies have a responsibility to safeguard children and young people and promote their welfare. Even where safeguarding is not considered to be an issue, schools may need to draw on a range of external services to support the pupil who is experiencing bullying, or to tackle any underlying issue which has contributed to a child doing the bullying.

Criminal law

Although bullying in itself is not a specific criminal offence in the UK, it is important to bear in mind that some types of harassing or threatening behaviour – or communications – could be a criminal offence, for example under the Protection from Harassment Act 1997, the Malicious Communications Act 1988, the Communications Act 2003, and the Public Order Act 1986. If school staff, feel that an offence may have been committed they should seek assistance from the police. For example, under the Malicious Communication Act 1988, it is an offence for a person to send an electronic communication to another person with the intent to cause distress or anxiety or to send an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known or believed to be false by the sender.

Counter-Terrorism and Security Act 2015

The Counter-Terrorism and Security Act 2015 places a duty on schools in relation to the Prevent duty. Schools must demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies in place to identify children and young

people at risk, where necessary intervening as soon as possible. This is relevant in the context of bullying because children and young people who are isolated, victimised and/or who otherwise feel they do not belong can be more likely to fall prey to recruitment and grooming.

The Welsh Government expects schools to have clear safeguarding procedures which deal with matters linked to the Prevent duty.



Bullying Incident Recording Sheet

Please either type or complete the following form using black ink
 Within 24 hours of the incident taking place, please ensure that a signed copy of this form is:

- Saved on the child’s school file
- If appropriate saved on the child’s safeguarding file
- Scanned and sent to mailbox

SCHOOL	
NAME OF CHILD / CHILDREN INVOLVED	
YEAR (s) / DOB (s)	
DATE / TIME	

DETAILS OF INCIDENT

Including type of bullying (*see overleaf) what happened, perpetrator name, where it happened, when it happened (date)

WITNESSES/BYSTANDERS

Views of young person / parents

Including target and perpetrator

OUTCOME / ACTION TAKEN

Including all parties

Date action will be reviewed and by whom

Outcome of review and further action taken

Signed: _____ Date: _____

Designation: _____

*Types of bullying

Physical, Verbal / psychological, Socio economic, Racist, Sexist / Sexual, Homophobic, Biphobic, Transphobic, Cyber bullying, Faith Based, Culturally based, ALN, Gifted / talented

Discriminatory bullying should be explicitly discussed in the setting and there must be clear guidelines for dealing with incidents. The Governing Body is required to record all discriminatory incidents that take place in the school and report them to the LA each term on the monitoring form already circulated. All other agencies should follow their service policy with regard to their general duty under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.

Anti Bullying Policy forschool

Introduction

.....school recognises its responsibilities to identify and intervene and seek to prevent bullying.

The school has 3 main areas within its policy:

- Prevention
- Identification and intervention (procedures)
- Support

Definition

Prevention

.....school will:

- Establish an ethos reflecting positive attitudes and values, good role models, offering positive, respectful relationships between adults, with parents/carers, and with children.
- Develop high quality teaching, and promote positive learning environments. Children will be respected and encouraged to become active citizens in the school and community.
- Create an environment that encourage play and positive social interaction, with effective supervision will reduce bullying at play and lunchtime. Attention will be paid to a well-designed outdoor environment.
- Develop the curriculum to reflect the ethos and values of the school / community
- Develop the policy in conjunction with parents and carers and children / young people.

Identification and intervention

.....school

- Will ensure that the anti bullying policy will be developed in consultation with parents / carers and children / young people
- has a member of staff who takes a lead role within the school
- uses strategies for reducing bullying such as:
 - Targeting intervention through the PSE Curriculum
 - Group work
 - Circle time
 - Circle of friends
 - SAP
 - Targeted support using PASS data
 - Peer support
 - Use of SEAL / PATHS
 - Access as appropriate to the School Based Counseling Service
- uses external agencies that may support the delivery of bullying prevention work
- records all incidents of bullying, including by type, and the statistics should be available to the local authority.
 - The child/young person is involved in the discussion
 - Critical incidents are shared with the LA within 24hrs

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- Termly records are provided to the LA in line with recording and monitoring processes
- Records are shared and signed by child/young person
- Regular communication takes place with parent/carers
- Interventions should include the opportunity for follow up to evaluate support and if necessary provide a further course of action
- applies sanctions fairly, proportionately, consistently and reasonably
- has a complaints process for pupils, and parents/carers to raise concerns.
- Ensure that the policy will be reviewed annually or sooner if required.

The anti bullying policy may include a bullying prevention charter.

Support

.....school will

- investigate each reported incident
- offer appropriate support to the child / young person experiencing bullying
- seek support form external agencies as necessary / appropriate
- address the needs of the child / young person who is the bully

Signed:

Appendix 5 – Useful Contacts

Action for Children:

www.Actionforchildren.org.uk.

Actionwork

A multi-media organisation that uses film, theatre and other creative arts to explore and tackle issues that affect young people, in particular bullying.

Tel 01934 815163

www.actionwork.com/

Anti-Bullying Alliance: For resources, research and the annual anti-bullying week events:
www.anti-bullyingalliance.org.uk.

Beat Bullying: For support to young people who have been bullied. www.beatbullying.org.

Bullies out www.bulliesout.com

Bully Free Zone

Provides a peer mediation service, written and telephone advice, and provides training for children and young people, parents, teachers, youth workers and other professionals.

Tel 01204 454958

www.bullyfreezone.co.uk

Bullying Online

Provides an email advice service for children and young people as well as online help and information, for schools as well as pupils.

www.bullying.co.uk

BECTA: For information on cyberbullying

www.becta.org.uk/safeguarding.php.

Becta have also been working closely with LSCBs to develop an e-safety strategy and tackling cyberbullying is part of that strategy

<http://localauthorities.becta.org.uk>.

Caerphilly County Borough Council – Youth Services

<http://www.caerphilly.gov.uk/youth/english/index.html>

Childline: Provides a free helpline for children 08001111, and training in peer support

www.childline.org.uk.

Childline Cymru/Wales, Royal Alexandra Hospital, Marine Drive, Rhyl, LL18 3AS Tel: 01745 345111, 9th Floor, Alexandra House, Alexandra Road, Swansea SA1 5ED Tel: 01792 480111

Besides the free national helpline for children, has a leaflet for parents: Bullying -What can parents do? and a leaflet for children: Bullying and how to beat it

Circles Network, Parnwell House, 160 Pennywell Road, Upper Easton, Bristol

BS5 OTX. Tel: 0117 939 3917.

Supports Circles of Friends activities

Commission for Racial Equality

A publicly funded, non-governmental body set up under the Race Relations Act 1976 to tackle racial discrimination and promote racial equality.

Tel 020 7939 0000

www.cre.gov.uk

Countering Bullying Unit, University of Wales Institute, Cardiff.

Tel: 02920 416781 (Monday-Thursday 08.30 am - 12.30 pm and 2.00 pm - 5.00 pm - on Fridays 08.30 am - 12.30 p, and 2.00 pm - 4.30 pm)

Diana Princess of Wales Memorial Award for Young People

The Diana Anti-bullying Award is open to primary schools, secondary schools and youth organisations.

Tel 0845 3372987

www.diana-award.org.uk

EACH (Educational Action Challenging Homophobia): Provides training for local authorities to challenge homophobic bullying: www.eachaction.org.uk.

EACH also provides a national helpline for young people experiencing homophobic bullying:

Tel: 0808 1000 143.

Education and Inspections Act 2006

www.opsi.go.uk/acts/acts2006

Education Act 1996

www.opsi.go.uk/acts/acts1996

Estyn: Tackling Bullying in Schools 2006

www.estyn.gov.uk/publications

Equality Act 2006

www.opsi.go.uk/acts/acts2006

National Healthy Schools Programme

A joint Department of Health (DH) and Department for Children, Schools and Families (DCSF) initiative. Part of the government's drive to reduce health inequalities, promote social inclusion and raise educational standards. schools can access support from a local programme co-ordinator – their contact details are on the website.

www.healthyschools.gov.uk

Human Rights Act 1998

www.opsi.go.uk/acts/acts1998

Kidscape: A charity helping to prevent bullying offers 2 leaflets 'Safety On The Bus', one for young people and one for parents

www.kidscape.org.uk.

Leap Confronting Conflict

Provides opportunities, regionally and nationally, for young people and adults to explore creative approaches to conflict in their lives.

Tel: 0207 272 5630.

www.leaplinx.com

MENCAP: The Don't Stick it, Stop It! Campaign contains stickers and useful materials, such as line animations and video clips, which can be used for training / awareness purposes

www.mencap.org.uk/dontstickit.

Miss Dorothy.com

Provides a programme, which offers an approach to learning about personal behaviour and safety for 4-11 year olds.

Tel 0870 759 3388

www.missdorothy.com

National Autistic Society

Champions the rights and interests of all people with autism and seeks to ensure that they and their families receive quality services appropriate to their needs.

Tel 0845 0704004

www.autism.org.uk

NSPCC: Offers a wide range of advice and support in this area, including what to do when a child may disclose a further problem such as domestic violence or neglect. Visit www.nspcc.org.uk.

Parentline Plus

Offers help and support through a range of free, flexible and responsive services by working for and with anyone who is parenting a child.

Tel 0808 800 2222

www.parentlineplus.org.uk

Race Relations (Amendment) Act 2000

www.opsi.go.uk/acts/acts2000

Safeguarding Children: Working Together Under the Children Act 2004

www.wales.gov.uk/topics/childrenyoungpeople/publications/guidance

School Standards and Framework Act 1998

www.opsi.go.uk/acts/acts1998

School's Out!

Aims to support lesbian, gay, bisexual and transsexual (LGBT) staff in education and to raise the profile of LGBT people and issues.

Tel 01273 298299

www.schools-out.org.uk

Stonewall: Information on tackling homophobic bullying

www.stonewall.org.uk.

Teachers TV

Section of the Teachers TV website devoted to anti bullying, featuring programmes which can be watched online, downloadable resources, links, and interviews with experts on bullying.

www.teachers.tv/bullying

The Council for Disabled Children: The council is one of the forums within the National Children's Bureau.

www.ncb.org.uk.

UK Observatory for the Promotion of Non-Violence

A national initiative committed to addressing the key issues of aggression, bullying, anti-social behaviour and violence amongst children and young people.

Tel 01483 684552

www.ukobservatory.com

UN Convention of the Rights of the Child 1992

www.cirp.org/library/ethics/UN-convention

Welsh Assembly Government: Extending Entitlement 2000

www.wales.gov.uk/topics/educationandskills

Welsh Assembly Government: Respecting Others 2003

www.wales.gov.uk/topics/educationandskills

Welsh Assembly Government: Rights to Action 2004

www.wales.gov.uk/topics/childrenyoungpeople/publications

Welsh Assembly Government Behaviour in schools – Safe and effective intervention 2010

www.wales.gov.uk/docs/dcells/consultation/091126behaviourinschoolsen.pdf

Victim Support

Staff and volunteers offer free and confidential information and support for victims of crime. Currently developing specialist and outreach services for children and young people affected by crime and bullying.

Tel 0845 3030900

www.victimsupport.org.uk

Young Voice

Undertakes research with children and young people. Works in partnership with them on a wide range of issues including bullying. Offers research, evaluations, training and consultancy.

www.young-voice.org

Youth Justice Board for England and Wales

Executive, non-departmental public body working to develop and improve the youth justice system and to prevent offending by children and young people up to the age of 17.

Tel 020 7271 3031

www.youth-justice-board.gov.uk

