

Policy / Procedure Cover Sheet

Policy/Procedure	Anti-bullying / Harassment Policy		
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1.0	New policy	3.03.2020		CF

Related policies:

Policy Ref No.	Policy Name	Policy Ref No.	Policy Name
S/01	Child Protection and Safeguarding	OP/10	Equality and Diversity
OP/07	Complaints Policy and Procedure	OP/28	Special Educational Needs and Disability
OP/05	Curriculum	OP/12	Staff Behaviour (Code of Conduct)
OP/13	Data Protection		
S/02	E-Safety		
OP/09	Equal Opportunities		

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Anti-bullying and Harassment Policy

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1 Introduction

- 1.1. Bright Sparks Learning Centre is committed to providing a supportive, caring and safe environment for all students, and staff, enabling them to work, and learn, in a secure and positive atmosphere without the fear of being bullied.
- 1.2. The centre recognises bullying is anti-social behaviour that can affect everyone; students are only able to fully benefit from the opportunities available at educational settings once the issues of bullying are addressed.
- 1.3. Bullying of any kind is unacceptable and will not be tolerated at Bright Sparks Learning Centre. Students should be assured that incidents of bullying will be dealt with promptly and effectively should they occur.

2 Statutory duties of educational settings

- 2.1. Headteachers have a legal duty under the Centre Standards and Framework Act (1988) to implement procedures to prevent bullying amongst students and to make staff, parents/carers and students fully aware of such procedures. Under the Education and Inspections Act (2006), the duties are extended to include prevention and response to bullying that happens outside of the centre, where it is reasonable to do so. Educational Settings also have a duty to safeguard and promote the welfare of students (Education Act 2002) and to ensure that children and young people are safe from bullying and discrimination (Children Act 2009.) The Equality Act makes it unlawful for educational setting to discriminate against, harass or victimise a student.
- 2.2. Accepting our duty under the Education and Inspections Act (2006), Bright Sparks Learning Centre's behaviour policy is designed to promote positive behaviour and respect for others and prevent all forms of bullying amongst pupils.
- 2.3. Additionally, we observe the DfE guidance 'Preventing and tackling bullying' (July 2017)
- 2.4. We also consider the five outcomes outlined in the Green Paper Every Child Matters (Be healthy, stay safe, enjoy and achieve, make a positive contribution and achieve economic well-being) and, in accordance with the outcomes 'stay safe' and 'make a positive contribution,' strive to ensure that 'children should be safe from bullying and discrimination' and develop 'positive relationships, choosing not to bully or to discriminate.'

3 Scope of this policy and links to other policies

- 3.1. This policy covers:
 - i. Bullying of students by students within the centre
 - ii. Bullying of, and/or by students outside the centre
- 3.2. This policy has links to the following centre's policies and procedures (not an exhaustive list):
 - i. Child Protection and Safeguarding Policy
 - ii. Complaints Procedure and Procedure
 - iii. Curriculum Policy

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- iv. Data Protection (GDPR)
- v. E-Safety Policy
- vi. Equal Opportunities Policy
- vii. Equality and Diversity Policy
- viii. Special Educational Needs and Disability Policy
- ix. Staff Behaviour (Code of Conduct) Policy

4 Definition

4.1 Bullying is defined as any behaviour by an individual or group that:

- i. **is intended to hurt**; the individuals(s) committing the bullying know what they are doing and mean to do it
- ii. **happens more than once**; there will be a pattern of behaviour
- iii. **involves an imbalance of power**; the victim will generally find it very hard to defend themselves

4.2 Harassment is defined as any behaviour by an individual or group that:

- i. is unwanted
- ii. is repeated
- iii. is based on race, colour, nationality, ethnic or national origin, gender, age, health status, disability, sexual orientation, political or religious beliefs
- iv. has the purpose or effect of violating another person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other person

4.3 It can be:

- i. **Emotional** excluding, tormenting, being unfriendly
- ii. **Physical** threats of, or the direct use, of violence, damage to property
- iii. **Sexual** sexually abusive comments, unwanted physical contact or attention
- iv. **Homophobic** taunts, jokes or comments about an individual’s sexual orientation
- v. **Ageist** taunts, jokes or comments about an individual’s age
- vi. **Racist** taunts, jokes or comments about an individual’s race
- vii. **Diabolist** taunts, jokes or comments about an individual’s disability
- viii. **Religious** taunts, jokes or comments about an individual’s religion or beliefs
- ix. **Verbal** name-calling, teasing, spreading rumours, sarcasm
- x. **Cyber** threatening, abusive, offensive and unwanted mobile phone messages/calls/texts/emails or internet chatroom misuse.

4.4 Why is it important to respond to bullying?

- i. bullying is harmful and causes considerable distress
- ii. everyone has the right to be treated with respect and compassion
- iii. students who are perpetrators of bullying need to learn how to adopt more acceptable forms of behaviour.

4.5 Signs and Symptoms

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A child may indicate that she or he is being bullied through a range of behaviours. Adults should be aware of these possible signs and should investigate if a child:

- i. is frightened of walking to, or from, the school/centre
- ii. does not want to use the school/centre/ public bus
- iii. changes their usual routine
- iv. does not want to go to school/the centre
- v. shows a deterioration in work
- vi. begins to truant
- vii. becomes withdrawn, anxious, begins to lack confidence
- viii. starts stammering
- ix. runs away
- x. attempts or threatens suicide
- xi. fears medical help
- xii. has unexplained or improbable explanation for injuries
- xiii. becomes aggressive, disruptive or unreasonable
- xiv. begins bullying other children or siblings
- xv. is fearful of new situations
- xvi. isolates themselves
- xvii. feels ill in the morning
- xviii. asks for money or begins stealing
- xix. overeats or loses their appetite
- xx. is frightened to discuss what is wrong
- xxi. is afraid to use the internet or mobile phone

4.6 Our vision is to make Bright Sparks Learning Centre a place where all staff and students feel included, valued and supported, and where everyone is recognised as being positively different.

5 Roles and responsibilities

5.1 All staff have a responsibility to promote the principles and ethos of the anti-bullying policy and ensure that suspected bullying/harassment is dealt with promptly and effectively.

5.2 Staff should make sure that individual children are not subject to discrimination or bullying from their peers due to their religion, ethnicity, sexual identity, mental health, gender or for any other reason. Staff should challenge any inappropriate interactions and should encourage students to report any incidents to a member of staff or the headteacher/principal.

6 Dealing with bullying

a) Preventative Measures

6.1 Promoting positive values

6.1.1 Bright Sparks Learning Centre promote values of respect, tolerance and understanding. These values underpin our *behaviour for learning* policy, and, as such, all discriminatory behaviours are challenged. Staff model positive relationships and communication.

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6.2 Curriculum design

- 6.2.1 Our curriculum is designed to help children develop positive values and to understand difference, equality, diversity, tolerance and inclusion. Students are made aware of the different types of bullying, its consequences and ways in which they can safeguard themselves from bullying.
- 6.2.2 These messages are delivered through assemblies, PSHE, subject areas and informal discussions, where appropriate, in an attempt to eradicate bullying.

6.3 Anti-bullying Week

- 6.3.1 Participation in local and national initiatives such as *Anti-bullying Week* is designed to raise awareness of the nature and consequences of bullying.

6.4 Student and parent voice

- 6.4.1 The views of parents and students are sought on a termly basis to determine how safe students feel at Bright Sparks Learning Centre, and to provide suggestions regarding improvements to services and outcomes. Records of these consultations, as well as any actions taken, are kept by the centre.

7. Identifying and reporting concerns

- 7.1 All students are provided with the '*Anti-bullying Advice Sheet for Students*;' (Appendix 1) which will make students aware of the procedures they need to follow should they be subjected to bullying.
- 7.2 All concerns will be dealt with quickly and thoroughly.
- 7.3 Students are encouraged to report bullying by:
 - i. following the guidelines in the '*Anti-bullying Advice Sheet*'
 - ii. talking to a member of staff of their own choice.
- 7.4 Staff being bullied should report it to the headteacher/principal.
- 7.5 Parents/carers should raise any concerns with their child's key worker who will aim to resolve any issues and keep parents informed of progress.

8 Responding to reports about bullying

- 8.1 Should bullying be suspected, or reported, it will be dealt with immediately by the member of staff who has been informed. The following steps should be taken:
 - i. determine that bullying/harassment has, occurred; remember bullying/harassment is in the eyes of the victim
 - ii. a clear account of the concern should be recorded on the 'Bullying Incident Form' (Appendix 2) and given to the pastoral leader

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- iii. the pastoral leader will meet separately with everyone involved and keep a detailed record as a continuation of the 'Bullying Incident Form' (Appendix 2) which will be recorded securely in line with the centre's data protection policy / practice
- iv. parents/carers will be kept informed of actions and outcomes
- v. should bullying occurs outside of the centre, the deputy headteacher/principal will consider guidance outlined in 'Bullying Outside Centres' (Appendix 3) and inform other relevant centres/agencies, where deemed appropriate
- vi. punitive measures will be used as appropriate and in consultation with all parties involved
- vii. the situation will be monitored and reviewed weekly by the pastoral leader to ensure the welfare of all students.

9 Supporting students and staff

9.1 Students and staff who have been bullied will be supported by:

- i. offering an immediate opportunity to discuss the experience with a member of staff of their choice
- ii. providing reassurance that the bullying will be addressed
- iii. offering continuous support
- iv. restoring self-esteem and confidence
- v. the use of specialist interventions and/or referrals to other agencies e.g. educational psychology, where appropriate.

9.2 Students who have bullied will be helped by:

- i. discussing what happened
- ii. discovering why the student became involved
- iii. educating and encouraging the student to take responsibility for their own actions
- iv. establishing the wrongdoing and need to change
- v. informing parents/carers to encourage and help them to change the attitude of the student
- vi. the use of specialist interventions and/or referrals to other agencies where appropriate.

10 Parents/carers

10.1 Most concerns about bullying will be resolved through discussions between home and the centre. However, if a parent/carer feels their concerns have not been resolved, they are encouraged to use the Formal Complaints Procedure.

10.2 Where a student is involved in bullying outside the centre, parents/carers will be asked to work with the centre addressing their child's behaviour.

10.3 Referral of the family to external support agencies will be made where appropriate.

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APPENDIX 1

Anti-bullying information sheet for students

Is it bullying?

It is if you feel hurt because individuals or groups are:

- calling you names
- threatening you
- hitting you
- damaging your possessions
- spreading rumours about you or your family
- using text, email or web space to write or say hurtful things (cyberbullying)
- pressurising you to give someone money or possessions

It is bullying if you feel hurt because of things said about your appearance, family issues, ethnic background, religious faith, disability, gender, sexuality or special educational need.

Bright Sparks Learning Centre does not tolerate bullying. If bullying is suspected, or reported, we will:

- make sure the person being bullied feels safe
- provide support to the person being bullied
- work to stop the bullying happening again

What should you do?

Talk to someone you trust; they will help you.

If you feel you are being bullied:

- be firm and clear – look the bully/bullies in the eye and tell them to stop
- get away from the situation as quickly as possible
- tell an adult or another student straight away

If you have been bullied:

- tell a teacher or an adult in the centre (take a friend with you if necessary)
- tell your family
- do not blame yourself for what has happened

When you are reporting bullying, make clear:

- what has happened to you
- how often it has happened

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- who was involved
- who saw it happening
- where it happened

If you find it difficult to talk to someone at Bright Sparks Learning Centre or at home:

- ring ChildLine on freephone 0800 1111. This is a confidential helpline
- use the textphone 0800 400 222
- write to Freepost 1111, London N1 0BR. The phone-call and letter are free.

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**APPENDIX 2
BULLYING INCIDENT FORM**

Name of student being bullied:	
Date and time of incident:	Report completed by:
Details of the allegation/incident (including name of alleged bully/bullies)	
Action taken – please give details including who was involved in any follow up action, with a date & time	
<p>Please tick as appropriate:</p> <ul style="list-style-type: none"> • No further action required • Parents/carers contacted • Investigation initiated • Disciplinary proceedings invoked • Senior staff involved • Child Protection Incident Report • Completed 	
Brief account of information provided to parents/carers of student being bullied (include date reported)	
Signature:	Date:

Please retain a copy for your own records

General Data Protection Regulation 2016 (GDPR)

The data that you have provided on this form will be used by the centre for the purpose(s) of _____
 _____ (enter purpose(s) here) and will not be passed on to any third party not directly involved in
 these activities without your permission. The data will be stored securely and only used for the purpose(s) originally intended.

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APPENDIX 3

Bullying Outside School: Local Guidance

The Education and Inspections Act (2006) gave schools new powers to ‘regulate’ the behaviour of children outside school to such an extent as is reasonable.’ Centres have a choice to use these powers, not a duty. Centres are advised to consider how often they use them, as frequent use may create a duty to use them all the time.

Decisions about what is ‘reasonable’ will ultimately be used by the judges and it is likely that, to make those decisions, they will ask what a significant proportion of those within the profession of similar standing would have done in the circumstances surrounding the incident, at the time the incident occurred. The intention of this guidance is to provide centres with some ideas about what they might reasonably do in given situations. The extent to which centres choose to follow the guidance is entirely up to them. Centres who have concerns about actions to take in a specific case should seek legal advice.

The government suggest that the following factors be considered when determining what, if any, action is to be taken in regard to behaviour of students outside centre:

- i. the severity of the behaviour
- ii. the extent to which the school has been affected
- iii. the extent to which the behaviour was contrary to the centre’s behaviour policy, has repercussions for the orderly running of the centre, and/or might pose a threat to another student or member of staff
- iv. whether the misbehaviour in question was on the way to or from school or was in close proximity to the centre
- v. whether the misbehaviour was whilst the student was on work placement, taking part in a further education course as part of a school programme, or participating in an event with another centre

Where school/centres become aware of inappropriate behaviour off site, they can only impose sanctions when the student is on the school/centre site, or under the lawful control or charge of a member of staff. A sanction can be imposed when a student is on a school/centre trip, but not whilst the student is on his journey home from centre. In such circumstances, the member of staff could tell the student that s/he has been seen misbehaving and will be punished, but must wait until the student is next in school/the centre to issue the punishment. This should not, however, delay the investigation.

Points to note:

- i. a record should be made of all incidents/concerns
- ii. consideration should be given to delivering group/curriculum activities around bullying, enabling students to explore issues and possible solutions in a general way
- iii. centres should review their anti-bullying and behaviour policies and codes of conduct and, where necessary, make amendments
- iv. centres are advised to refer to the DfE guidance on Exclusions.

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APPENDIX 4

STRATEGIES THE CENTRE CAN USE TO HELP:

- offer counselling sessions for the victim to build up self-esteem and personal assertiveness
- offer counselling sessions for the bully to provide support/guidance to learn to change his/her behaviour
- group tutorials on roles, responsibilities and treating others with respect
- group tutorials on assertiveness and empowerment training
- group tutorials on bullying/harassment issues
- implement a buddy system with anti-bullying ambassadors
- training courses will be made available to staff on bullying and harassment and how to deal with it

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