

Oakdene Primary School



Anti-Bullying Policy

Policy Written by: H. Lee/M.Weston

Date Reviewed: October 2020

To be reviewed annually

Ratified by Governors 20th October 2020

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Oakdene - Growing and Learning Together

The above statement is our Mission Statement which is what we are all aiming to achieve at Oakdene. We will try to achieve this through our aims in everything we do at Oakdene.

At Oakdene we aim:

- ✿ to enable all members of our School community to reach their full potential. (*Being Healthy; Enjoying and achieving.*)
- ✿ to prepare each child, through all aspects of School life, to become responsible citizens respecting themselves, others and the environment. (*Economic well being*)
- ✿ to become independent and highly motivated learners. (*Make a positive contribution; Enjoy and achieve*)
- ✿ to equip children to be flexible and adaptable to the modern world (*Economic well-being; Make a positive contribution*)
- ✿ for each child to feel valued, safe and confident. (*Staying Safe*)

The School Community will achieve these aims through:

- ✿ engaging all members of the School community in providing a broad, balanced and challenging curriculum for every child.
- ✿ opportunities for continuing professional development for all members of staff.
- ✿ children becoming partners in their own education and make a positive contribution to the school environment and ethos.
- ✿ opportunities for children to take responsibility for their own learning.
- ✿ using technology effectively to improve children's learning.
- ✿ a secure and safe environment.
- ✿ sport, exercise and healthy living.
- ✿ an enriching programme of extra curricular activities and visits.
- ✿ learning partnerships between home, school and community.

Statement of Intent

Oakdene Primary believes that all pupils are entitled to learn in a safe and supportive environment; this means being free from all forms of bullying behaviour. Children, young people and parents say bullying is among their top concerns. Bullying can make the lives of victims a misery; it can undermine their confidence and self-esteem, often destroying their sense of security, which can have a lifelong negative impact. Bullying can take place between pupils, between pupils and staff, or between staff. It can take place by individuals or groups. It can be face-to-face, indirect or using a range of cyberbullying methods. This policy outlines how instances of bullying are dealt with, including the procedures to prevent occurrences of bullying.

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

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

All staff, parents and pupils at Oakdene Primary School work together to prevent and reduce any instances of bullying at the school. There is a zero-tolerance policy for bullying at the school.

Legal Framework

- 1.1. This policy has due regard to all relevant legislation including, but not limited to, the following:
 - Education and Inspections Act 2006
 - Equality Act 2010
 - Protection from Harassment Act 1997
 - Malicious Communications Act 1988
 - Public Order Act 1986
 - Communications Act 2003
 - Human Rights Act 1998
 - Crime and Disorder Act 1998
 - Education Act 2011

- 1.2. This policy has been written in accordance with guidance, including, but not limited to:
 - DfE (2017) 'Preventing and tackling bullying'
 - DfE (2018) 'Sexual violence and sexual harassment between children in schools and colleges'
 - DfE (2018) 'Mental health and wellbeing provision in schools'

- 1.3. This policy operates in conjunction with the following school policies:
 - Behaviour Policy
 - Child Protection & Safeguarding Policy
 - E-Safety Policy

Definition of Bullying

Following consultation with staff and pupils, and utilising DfE (2014) and case law (Hansen vs Isle of White Council) definitions as a basis, we have agreed the following definition of bullying at Oakdene, which will be regularly used by both staff and children.

'Words or actions by an individual or group, usually repeated over time, that can intentionally hurt another individual or group either physically or emotionally.'

Bullying is, therefore:

- * **Repetitive and persistent.** Bullying is usually experienced as part of a continuous pattern and it can be extremely threatening and intimidating even when very subtle. Nevertheless, sometimes a single incident can have precisely the same impact as persistent behaviour over time.
- * **Intentionally harmful.** The act of bullying intends harm to another individual, although occasionally the distress it causes is not consciously intended by all of those who are present.
- * **Targeted.** Bullying is generally targeted at a specific individual or group.
- * **Involves an imbalance of power.** Bullying leaves someone feeling helpless to prevent it or put a stop to it. In some cases, an imbalance of power may mean that bullying crosses the threshold into abuse. This would require implementation of safeguarding procedures.

Vulnerable pupils are more likely to be the targets of bullying due to the attitudes and behaviours some young people have towards those who are different from themselves. Vulnerable pupils may include, but are not limited to:

- Pupils with SEND.
- Pupils who are adopted.
- Pupils suffering from a health problem.
- Pupils with caring responsibilities.

Due to the nature of bullying, it may also be classed as a **Hate Crime**.

Hate Crime can be defined as:

Behaviour that a victim or any other person thinks was caused by hatred of age, disability, gender identity, race, religion or sexual orientation.

A victim of Hate Crime does not have to be a member of a minority or someone who is generally considered to be vulnerable. For example, a person who is the friend of someone from a different ethnic group, a different sexual orientation or a disabled person may be targeted because of their association.

Hate Crime can be actual or perceived and can include:

- * Verbal abuse, threats, insults, nuisance telephone calls, name-calling.
- * Physical assaults and violence, anything from pushing to serious attack.
- * Property damage - graffiti, vandalism, theft, damage to vehicles, arson.
- * Publishing and circulating materials such as leaflets that may incite Hate Crime.
- * Hate Crime attacks can be a combination of the above. For example, bullying at school or within the workplace may consist of name-calling and physical abuse.

Types of Bullying

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

Incidents can relate to the following categories:

- **Racist bullying:** Bullying another person based on their ethnic background, religion or skin colour. Racist bullying is a criminal offence under the Crime and Disorder Act 1998 and Public Order Act 1986.
- **Prejudicial bullying:** Bullying based on prejudices directed towards specific characteristics, e.g. SEND or mental health issues.
- **Relational bullying:** Bullying that primarily constitutes of excluding, isolating and ostracising someone - usually through verbal and emotional bullying.
- **Homophobic bullying:** Bullying another person because of their actual or perceived sexual orientation.
- **Transphobic bullying:** Bullying based on another person's gender 'variance' or for not conforming to dominant gender roles.
- **Sexist bullying:** Bullying based on sexist attitudes expressed in a way to demean, intimidate or harm another person because of their sex or gender. Sexist bullying may sometimes be characterised by inappropriate sexual behaviours.
- **Sexual bullying:** Bullying behaviour that has a physical, psychological, verbal or non-verbal sexual dimension/dynamic that subordinates, humiliates or intimidates another person. This is commonly underpinned by sexist attitudes or gender stereotypes.

Within those categories, bullying can be acted out verbally, physically, emotionally and online (cyber). This can include the following behaviours:

- Name-calling
- Taunting

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- Mocking
- Making offensive comments
- Kicking
- Hitting
- Pushing
- Taking belongings
- Inappropriate text messaging and emailing
- Sending offensive or degrading images by phone or via the internet
- Producing offensive graffiti
- Gossiping
- Excluding people from groups
- Spreading hurtful and untruthful rumours

Roles and Responsibilities

All members of school staff, parents and governors will report any alleged cases of bullying to the Headteacher. Once bullying has been reported to the Headteacher it will be investigated under the correct procedures detailed in this policy.

The **Governing Board** is responsible for:

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

The **Headteacher**, Mrs. H. Lee, is the strategic lead for behaviour, Pastoral care, Anti-Bullying and Child Protection. In the absence of the Headteacher, the **Deputy Headteacher**, Mr M. Weston, will take a strategic lead on all above areas. The headteacher and deputy headteacher are also the designated Safeguarding Leads.

The headteacher and deputy head teacher are responsible for:

- Reviewing and amending this policy, accounting for new legislation and government guidance, and using staff experience of dealing with bullying incidents in previous years to improve procedures.
- Keeping a record of all reported incidents, including which type of bullying has occurred, to allow for proper analysis of the data collected.
- Analysing the data in the bullying record annually to identify trends, so that appropriate measures to tackle them can be implemented.
- Arranging appropriate training for staff members.

Key Stage Leaders (Mr M. Weston KS2 & Miss C. Barlow KS1) are responsible for:

- Corresponding and meeting with parents where necessary
- Providing a point of contact for pupils and parents when more serious bullying incidents occur

As **PSHE Subject Leaders**. Mrs. A. Hodgson and Mrs R. Whittaker will lead on Anti-Bullying processes and links to Anti-Bullying within the PSHE curriculum.

The **Pastoral Lead** (Mrs C. Nelson) is responsible for offering emotional support to victims of bullying.

Teachers and Learning Assistants are responsible for:

- Being alert to social dynamics in their class.
- Being available for pupils who wish to report bullying.

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- Providing follow-up support after bullying incidents.
- Being alert to possible bullying situations, particularly exclusion from friendship groups.
- Refraining from gender stereotyping when dealing with bullying.
- Understanding the composition of pupil groups, showing sensitivity to those who have been the victims of bullying.
- Keeping records of isolated incidents on CPOMS, which may then be included in a bank of evidence for situations that may potentially be classed as bullying.
- Reporting any instances of bullying once they have been approached by a pupil for support.

Parents are responsible for:

- Informing their child's class teacher or key stage leader if they have any concerns that their child is the victim of bullying or involving in bullying in anyway.
- Being watchful of their child's behaviour, attitude and characteristics and informing the relevant staff members of any changes.

Pupils are responsible for:

- Informing a member of staff if they witness bullying or are a victim of bullying.
- Not making counter-threats if they are victims of bullying.
- Walking away from dangerous situations and avoiding involving other pupils in incidents.
- Keeping evidence of cyber bullying and informing a member of staff should they fall victim to cyber bullying.

Statutory Implications

The school understands that, under the Equality Act 2010, it has a responsibility to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the act.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- Foster good relations between people who share a protected characteristic and people who do not share it.

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

The headteacher and deputy headteacher will ensure that this policy complies with the HRA, understanding that they cannot do this without fully involving their teaching staff.

Although bullying itself is not a criminal offence, some types of harassment, threatening behaviour and/or communications may be considered criminal offences:

- Under the Malicious Communications Act 1988, it is an offence for a person to electronically communicate with another person with the intent to cause distress or anxiety, or in a way which conveys a message which is indecent or grossly offensive, a threat, or contains information which is false and known or believed to be false by the sender.
- The Protection from Harassment Act 1997 makes it an offence to knowingly pursue any course of conduct amounting to harassment. Section 127 of the Communications Act 2003 makes it an offence to send, by means of a public electronic communications network, a message, or other matter, that is grossly offensive or of an indecent, obscene or menacing character. It is unlawful to disseminate defamatory information through any media, including internet sites.

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- Other forms of bullying which are illegal and should be reported to the police include: violence or assault, theft, repeated harassment or intimidation and hate crimes. Any form of **Hate Crime should be reported to the police** (in an emergency situation, call 999 or complete an online form at <https://www.merseyside.police.uk> or, if preferred, reports can be made via St. Helens Council (by contacting 01744 676789 or using the St. Helens Council Hate Crime reporting form (online at <http://www.sthelens.gov.uk>

Prevention

At Oakdene, we aim to promote a school climate where bullying is not tolerated and cannot flourish.

- Our school values are at the heart of our school and are considered in all aspects of school life. These values include Friendship and Respect. Assemblies and class work regularly link to these values.
- Awards are given out to children who demonstrate these positive values and are role models to others (see Behaviour Policy)
- Anti-Bullying week is celebrated annually as 'Friendship Week' to promote our positive ethos.
- Curriculum opportunities include, for example, anti-bullying in PSHE, e-Safety work in Computing, and work on equality in History.
- Staff have received training in using Philosophy for Children (P4C) to support children in discussing a range of issues sensibly and sensitively.
- Staff have received training in 'Spread the Happiness' and aim to ensure that the wellbeing of all children and staff in school is a key priority.
- Staff are aware of modelling positive relationships.
- Pupil voice is heard regularly through school on a number of issues, helping children to feel some ownership of school decisions
- Pastoral leads are regularly in contact and do additional support work with some of our more vulnerable children.
- Isolated incidents that have caused children to receive Reflection time (see Behaviour Policy) are logged in the KS1 and KS2 Reflection folders held by key stage leaders.
- Children are encouraged to tell trusted staff members at all times when instances of inappropriate behaviour are occurring. CPOMS is then used by staff to log incidents, ensuring a trail of evidence when potential bullying incidents or accusations of bullying may take place.
- Seating plans are organised and altered in a way that prevents instances of bullying.
- Opportunities to extend friendship groups and interactive skills are provided through participation in special events, for example singing clubs, sports teams, productions, PGL residential.
- All members of the school are made aware of this policy and their responsibilities in relation to it.
- Safe places are provided outside classrooms for pupils who may need them.
- Older children spend time with younger children in a 'buddy' system to promote respectful behaviour.
- Staff members receive training on different types of bullying
- We are alert to, and will address, any mental health and wellbeing issues amongst pupils and staff, as these can be a cause of bullying behaviour.
- We ensure potential perpetrators are given support as required, so their educational, emotional and social development isn't negatively influenced by outside factors, e.g. mental health issues.

Signs and Symptoms of Bullying

A child/young person may indicate by signs or behaviour that he or she is being bullied. All Adults at Oakdene should be aware of these possible signs and they should investigate if a child:

- * Is frightened of walking to or from school.
- * Begs to be driven to school.
- * Changes their usual routine.
- * Is unwilling to go to school (school-phobic).

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- * Begins to truant.
- * Becomes withdrawn, anxious, or lacking in confidence.
- * Starts stammering.
- * Attempts or threatens suicide or runs away.
- * Cries themselves to sleep at night or has nightmares.
- * Feels ill in the morning.
- * Begins to do poorly in schoolwork.
- * Comes home with clothes torn or books damaged.
- * Has possessions that are damaged or "go missing".
- * Asks for money or starts stealing money (to pay bully).
- * Has dinner or other monies continually "lost".
- * Has unexplained cuts or bruises.
- * Comes home starving (money/lunch has been stolen).
- * Becomes aggressive, disruptive or unreasonable.
- * Is bullying other children or siblings.
- * Lack of appetite
- * Is frightened to say what's wrong.
- * Gives improbable excuses for any of the above.
- * Lack of willingness to use the internet or mobile phone.
- * Is nervous and jumpy when a cyber message is received.
- * Will not allow Parents access to mobile phone

These signs and behaviours could indicate other problems, but bullying should be considered a possibility and should be investigated. Pupils who display a significant number of these signs should be approached by a member of staff to determine the underlying issues, whether they are due to bullying or other issues. All children at Oakdene should know that there is a trusted adult who they can go to to voice their concerns.

In addition, staff will be aware of the potential factors that may indicate a person is likely to have bullying behaviours, including, but not limited to, the following:

- They have experienced mental health problems, which have led to the pupil becoming aggravated
- They have been the victim of domestic abuse
- Their academic performance has started to fall, which has meant they are stressed

Transition can precipitate problems, which, without early intervention, can lead to disaffection or vulnerability. For example, transition between home and School; School to School; return to School after illness, living abroad; EAL Children; Children who have attended a number of Schools.

Staff Principles

- The school will ensure that prevention is a prominent aspect of its anti-bullying vision.
- Staff will treat reports of bullying seriously and they will not ignore signs of suspected bullying.
- Unpleasantness from one pupil towards another is always challenged and never ignored.
- Staff act immediately when they become aware of a bullying incident; this applies to all staff, not solely teaching staff.
- Staff always respect pupils' privacy, and information about specific instances of bullying are not discussed with others, unless it is in a setting that the victim has given consent to, or there is a safeguarding concern.
- If a member of staff believes a pupil is in danger, e.g. of being hurt, they will inform the designated safeguarding lead immediately.
- Follow-up support is given to both the victim and bully in the months following any incidents, to ensure all bullying has stopped.

Cyber Bullying

Cyberbullying is a form of bullying and, as such, schools should be equipped to deal with cases through existing anti-bullying and behaviour policies and procedures. However, schools should recognise the ways in which cyberbullying differs from other forms of bullying, in terms of the size of the audience and location in which it occurs. Cyberbullying will have an impact on the education, health and wellbeing of the person being bullied. Schools have broad powers to discipline and regulate the behaviour of pupils, even when they are off the school site - these are set out in the Education and Inspections Act 2011.

It is, however, important to recognise that technology is integral to the lives of young people and that education and discussion around responsible use and e-safety is key to helping them deal confidently with any problems that arise, whether in or out of school.

At Oakdene, we aim to ensure that cyber bullying does not take place and if anything occurs using the computers then this is reported to school staff at the earliest opportunity and dealt with following the procedures as for bullying. Further details on the pro-active measures we take with regards to e-Safety can be found in the e-Safety Policy.

The Computing subject leader (Mr M Weston) undertakes regular training on Computing which includes learning about new technologies. This information is relayed to staff at regular intervals in e-Safety inset training, or via email if more urgent.

We appreciate that cyber-bullying may take place outside of school and may be reported to school staff. We will do everything we can to support the child who is being bullied but parents must appreciate that we are in a very difficult position where this incident has occurred outside of school. We will inform parents if any issues arise and possibly signpost them to further information. If the issues are having an effect on the Child's learning and happiness in School we will discuss the situation with the children involved if they attend Oakdene.

Further information and guidance in relation to e-safety can be located at www.sthelenslscb.org.uk

Procedures

At Oakdene, cases of bullying are dealt with promptly. The process to be followed as stated in flow chart in Appendix 2.

- Individual incidents are logged initially either through our Reflection logs for KS1 and KS2 or through CPOMS. This provides evidence if repetitive and persistent incidents occur.
- Investigate all incidents thoroughly.
- If a child reports an instance of bullying to a member of staff / witnessed by a member of staff - the staff member will talk to the child, keep them calm and remember not to promise to keep anything secret but will only tell people who need to know. If of an appropriate age, the child will be asked to record evidence in a written form. Staff will record occurrences on Form A. (Appendix 3)
- If the bullying allegation comes from another source (eg: parent, friend) we will interview all persons involved in order to become clear about the situation. If of an appropriate age, children will be asked to write down what occurred. Staff will record occurrences on Form A. (Appendix 4)
- If any witnesses are identified Form B will be completed either by Child or Adult. If the incident(s) has/have been witnessed by a member of staff, the Staff member will be asked to write down a witness statement (Form B - Appendix 4)
- An investigation will take place with all details recorded on Form C - Appendix 5.
- Parents / Carers are informed and all relevant parties offered support and guidance.
- Action plan is set up and implemented with amendments acted on as appropriate
- All incidents of bullying are recorded and kept in the Headteacher's Office.
- If required Form C (Appendix 6) will be sent to LA.

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- If there is a case of persistent action against one person or a group of people, all written records of the incidents, investigation and outcomes are kept.
- All sets of Parents will be informed as to what has been found out.
- Action will be taken to prevent further incidents. Such action may include
 - Imposition of sanctions - staying in at playtime, taking away privileges etc
 - Obtaining an apology
 - Informing Parents of sanctions imposed
 - Providing support for both the victim and the bully.

Bullying issues are addressed in the PSHE programmes of study, SEAL Programme, circle time, Assemblies and, as and when the need arises, during class discussions and on an individual basis at Oakdene.

All incidents of bullying should be referred to the Headteacher or in their absence, Deputy Headteacher or Key Stage Leader.

Anti Bullying Charter

The Oakdene Anti-Bullying Charter principles mean -

For children who experience bullying, that:

- * they are heard;
- * they know how to report bullying and get help;
- * they are confident in the school's ability to deal with the bullying;
- * steps are taken to help them feel safe again;
- * they are helped to rebuild confidence and resilience;
- * they know how they can get support from others.

For children who engage in bullying behaviour:

- * sanctions and learning programmes hold them to account for their behaviour and help them to face up to the harm they have caused;
- * they learn to behave in ways which do not cause harm in future, because they have developed their emotional skills and knowledge;
- * they learn how they can take steps to repair the harm they have caused.

For schools:

- * the whole school community is clear about the anti-bullying stance the school takes;
- * children, as well as staff and other members of the school, are fully engaged in developing and reviewing anti-bullying work in the school;
- * every chance is taken to celebrate the success of anti-bullying work;
- * all students are clear about the roles they can take in preventing bullying, including the role of bystanders.

For Headteachers, Governors and other school staff:

- * they develop whole school policies which meet the law and school inspection requirements;
- * they promote a school climate where bullying and violence are not tolerated and cannot flourish;
- * there is a review of the school anti-bullying policy every year and, as a result, the policy and procedures are updated as necessary;
- * curriculum opportunities are used to address bullying;
- * child support systems are in place to prevent and respond to bullying;
- * they have addressed school site issues and promote safe play areas;
- * all staff take part in relevant professional development and are clear about their roles and responsibilities in preventing and responding to bullying;
- * all staff are aware of the importance of modelling positive relationships;

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- * data systems gather useful information about the effectiveness of the anti-bullying work and this data is used for monitoring and evaluation and is shared with the school community;
- * they work in partnership with parents, other schools and with Children's Services and community partners to promote safe communities.

For parents:

- * they are clear that the school does not tolerate bullying;
- * they are aware of procedures to use if they are concerned their child is being bullied or does not feel safe to learn, including the school's complaints procedure;
- * they have confidence that the school will take any complaint about bullying seriously and investigate/resolve as necessary and that the school systems will deal with the bullying in a way which protects their child;
- * they are clear about ways in which they can complement the school on the anti-bullying policy or procedures.

Review/Evaluation

We will measure the impact of this Policy by:

- * Seeing a consistently low level of reported bullying incidents.
- * Ensure that Children have an increased willingness to "tell" about bullying by bullied pupils, their parents or bystanders.
- * Consistently high attendance at school.
- * Enhanced achievement for those vulnerable Children.
- * Continually high level of applications for Oakdene.
- * Improved performance in school and local authority surveys relating to bullying.

Recording and Reporting Incidents

The Appendices detail the forms that Oakdene will complete in the event of a Bullying incident.

Training for Staff

The importance of training for staff regarding procedures for dealing with concerns and also with reference to protocols for the reporting and recording of incidents is paramount. This will take place on a regular basis and extra training will be provided for all new Staff.

Dealing with complaints from parents regarding bullying/harassment incidents

- * If a parent is unhappy with the handling of a complaint they or their child make about bullying, they should address this verbally with the Class teacher.
- * If the Teacher does not provide a satisfactory response to a parent's concerns, this should be escalated to the Head teacher, verbally at first and perhaps through requesting a meeting.
- * If this does not resolve the issue, the parent should make a complaint in writing to the Head teacher and document any response.
- * If the issue does not get resolved at this stage, a letter should be written to the Chair of the Governing Body who should respond in writing. Parents can also request a copy of their child's records.
- * If this does not lead to a satisfactory outcome the Parent can lodge a formal complaint using the LA Complaints Procedure.

- * Further guidance can be found on the Council website, which contains guidance for parents <http://www.sthelenslscb.org.uk>

- * Parents can also be referred to Parentline Plus for help and support on 0808 800 2222 or <http://www.parentlineplus.org.uk/>. These websites are also useful to refer people to: <http://www.bullying.co.uk/> or <http://www.anti-bullyingalliance.org.uk>
- *

N.B. If the bullying incident is racist, homophobic, disability-based, sexist or faith-related, schools should complete all the information as requested in this Guidance but also report it directly to the CYPs Performance Review Officer, on 01744 67(1861), in order for the LA to comply with its duties.

Appendices:

The following pages detail a range of forms, which can be used by the school to record and monitor bullying/harassment incidents. Form D is MANDATORY and other forms are used at Oakdene. These include:

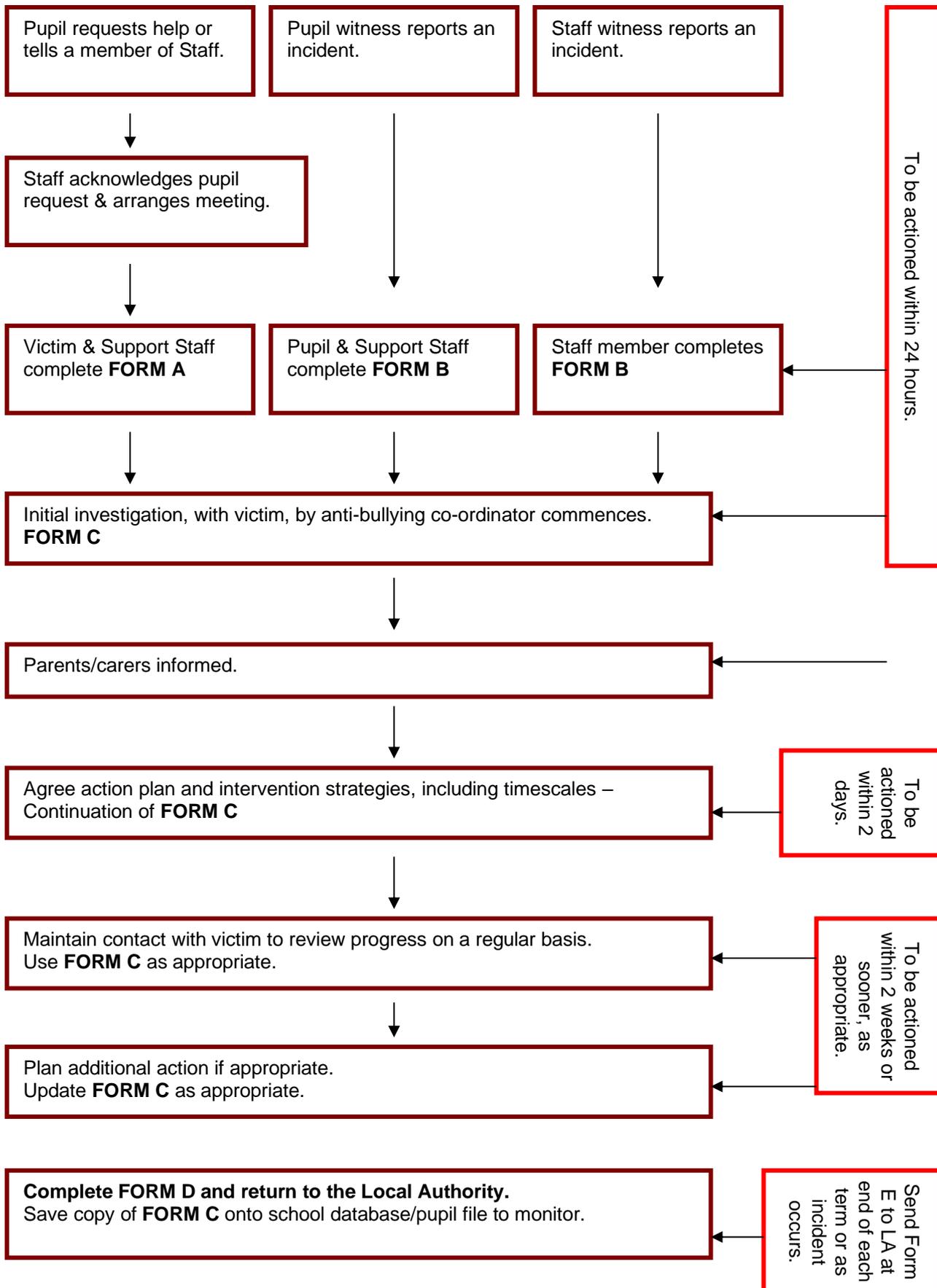
- * Appendix 1: Information on bullying including homophobic and transsexual bullying.
- * Appendix 2: Tackling bullying/harassment incidents flow chart.
- * Appendix 3: Bullying/harassment victim reporting form - Form A - To be completed by support staff and pupil.
- * Appendix 4: Bullying/harassment witness reporting form - Form B To be completed by either staff member or pupils who have witnessed the incident.
- * Appendix 5: Bullying/harassment school incident recording form - Form C
- * **Appendix 6: Bullying/harassment LA incident recording form - Form D.**
- * Appendix 7: Bullying/harassment review sheet - Form E
- * Appendix 8: Bullying/harassment feedback sheet - Tell us what you think (child/young person form) - Form F
- * Appendix 9: Bullying/harassment feedback sheet - Tell us what you think (parent/carer form) - Form G.
- * Appendix 10: Legal Perspectives
- * Appendix 11 : Useful Contacts

(Bold - denotes a duty placed on education providers as set in the Equality Act 2010)

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Appendix 2

The following flow chart can be used alongside the forms contained in this section to ensure that all relevant details related to bullying incidents are adequately recorded and monitored. Schools should consider these forms and the flow chart below and integrate them into their existing practice.



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Review – over a 2-3 month period

Update **FORM C** re outcomes of follow-up.
Child/young person completes **FORM F**.
Parent/carer completes **FORM G**.

Ensure that records are placed onto the child's/young person's file for future reference.

Appendix 3

Form A - Bullying/Harassment - Victim Reporting Form

Name: _____

Please describe what happened, what you saw and heard and how it made you feel.

When did it happen? Time: _____ Date: _____

Where did it happen?

Who was involved?

Do you think anyone else saw or heard it?

Has anything like this happened before?

If it has, were the same people involved?

What do you want to happen now?

Is there someone in school you would feel comfortable to talk to and to be supported by?

Name: _____ Date _____

Form B - Bullying/Harassment - Witness Reporting Form

Name: _____

Please describe what happened, what you saw and heard.

When did it happen? Time: _____ Date: _____

Where did it happen?

Who was involved?

Do you think anyone else saw or heard it?

Has anything like this happened before?

If it has, were the same people involved?

Name: _____ Date: _____

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Appendix 5

Form C - Bullying/Harassment - School Incident Recording Form

Name of Victim(s):	
Name of Perpetrator(s):	
Date reported:	
Date of Incident:	
Reported to:	
Reported by:	

Victim Profile (tick as appropriate):	
Child in Care Child Protection Register Learning disability English as an additional language None of the above	Traveller child Gifted/Talented Young Carer Involved with EWO Service
Racial Origin (tick as appropriate):	
White British White Irish Mixed White & Caribbean Mixed White & Black Mixed White & Asian Black African Black Caribbean	Asian Indian Asian Pakistani Asian Bangladeshi Chinese Irish Traveller Gypsy Other _____
Disability: _____ Religion: _____ Gender: _____	

Perpetrator Profile (tick as appropriate):	
Child in Care Child Protection Register Learning disability English as an additional language None of the above	Traveller child Gifted/Talented Young Carer Involved with EWO Service
Racial Origin of Perpetrator (tick as appropriate):	
White British White Irish Mixed White & Caribbean	Asian Indian Asian Pakistani Asian Bangladeshi

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Mixed White & Black	Chinese
Mixed White & Asian	Irish Traveller
Black African	Gypsy
Black Caribbean	Other
Disability: _____	
Religion: _____	
Gender: _____	

Details of incident (tick as appropriate):

Disability incident	Homophobic incident
Racist incident	Faith incident
Sexist incident	Other

Bullying behaviours involved (tick as appropriate):

Physical behaviour	Spreading nasty rumours
Threats	Text message bullying
Taking belongings	Mobile phone calls
Extortion	Picture/video via mobiles
Causing damage to property	E-mail bullying
Name-calling	Websites/Social Networks
Taunting	Chat-rooms
Verbal abuse	Graffiti
Sending notes	Twitter

Location of Incident (tick as appropriate):

Classroom	Dining environment
On journeys to and from school	Home
Playing fields	Occurred outside school

Frequency and duration of bullying behaviour (tick as appropriate):

Reported after the first incident	Persisting throughout the term
Two or three times	Persisting for more than one term
Several times	

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Details of action taken (tick as appropriate):

Checked for other known incidents involving the same pupils

Notified class teacher/form tutor

Individual discussion with those involved

Notified parent(s)/carer(s) or relevant contact person

Group discussion with those involved

CAF or Pre-CAF raised

If Hate Crime, have Police been informed?

Yes

No

Other (please provide details)

Details of support systems/actions agreed with child/young person, parents/carers:

Details of sanctions applied in line with school's/setting's behaviours policy:

Follow-up date set:

With whom:

Location:

**Signed and checked by Head teacher or
SLT Member**

Outcomes to follow-up:

Has the bullying stopped?

Yes

No

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Details of further action to be taken if required:

Action:

By whom:

By when:

Further date to follow-up:

Was the targeted child/young person and his/her parents/carers satisfied with the outcome?

Yes No

Further Comments:

Signed (member of staff dealing with issue)

**Checked and signed by Head teacher or SLT
Member**

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Appendix 6

Form D - Bullying/Harassment - LA Incident Recording Form

In the event of an incident and to comply with the requirements on schools, as set out in the Education and Inspections Act 2006 Section 21(5), please complete and return to:
Healthy Schools Team, Achievement & Inclusion Division, Atlas House, Corporation Street,
St. Helens WA9 1LD

Name of School:	
Date reported:	
Date of Incident:	
Gender of victim: Male/Female (please circle)	Gender of perpetrator: Male/Female (please circle)
Details of incident (tick as appropriate):	
Disability incident	Homophobic incident
Racist incident	Faith incident
Sexist incident	Other
(Bold - denotes a duty placed on education providers as set in the Equality Act 2010)	
Bullying behaviours involved (tick as appropriate):	
Physical behaviour	Spreading nasty rumours
Threats	Text message bullying
Taking belongings	Mobile phone calls
Extortion	Picture/video via mobiles
Causing damage to property	E-mail bullying
Name-calling	Websites/Social Networks
Taunting	Chat-rooms
Verbal abuse	Graffiti
Sending notes	Twitter or similar
Location of Incident (tick as appropriate):	
Classroom	Dining environment
On journeys to and from school	Home
Playing fields	Occurred outside school
Frequency and duration of bullying behaviour (tick as appropriate):	
Reported after the first incident	Persisting throughout the term
Two or three times	Persisting for more than one term
Several times	
Details of action taken (tick as appropriate):	
Checked for other known incidents involving the same pupils	
Notified class teacher/form tutor	
Individual discussion with those involved	
Notified parent(s)/carer(s) or relevant contact person	

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Group discussion with those involved		
CAF or Pre-CAF raised		
If Hate Crime, have Police been informed?	Yes	No
Other (please provide details overleaf		

The information supplied on this form will be processed in accordance with the requirements of the Data Protection Act 1998. At all times, it will be treated as confidential and used only for the purpose of assessing, managing and monitoring bullying-related incidents.

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Appendix 7

Form E - Bullying/Harassment - Review Sheet

Date:	
Name of Reporter:	
Name of Child/Young Person involved:	
People present:	

How has the situation developed:

What does the person who was targeted say they are feeling now?
Are they feeling safe and satisfied with the action taken?
If so, how has it helped?

What is the attitude/view of the person(s) involved in the bullying behaviour?

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Appendix 8

**Form F - Harassment/Bullying Feedback - Tell us what you think -
Child/Young Person Form**

Name: _____

We want to make sure our anti-bullying policy is working properly. It would help us if you let us know your views by answering the following questions. This will enable us to improve support to everyone in school.

1. Were you happy with the support provided?

Yes No

2. What did you find most helpful?

3. Was there anything you found unhelpful which we could improve?

4. Did you feel you were fairly treated?

Yes No

Thank you for your time

Signed (optional)

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Appendix 9

Form G - Bullying/Harassment Feedback - Tell us what you think - Parent/Carer Form

Name: _____

We want to make sure our anti-bullying policy is working properly. It would help us if you let us know your views by answering the following questions. This will enable us to improve support to everyone in school.

1. Were you happy with the support provided?

Yes No

2. What did you find most helpful?

3. Was there anything you found unhelpful which we could improve?

4. Did you feel you were fairly treated?

Yes No

Thank you for your time

Signed (optional)

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Appendix 10

The Legal Context

The Equality Act 2010

The Equality Bill received royal assent in April 2010. The Act aims to simplify, streamline and strengthen existing equality law. It will give individuals greater protection from unfair discrimination and it will set a new standard for public services to treat everyone, no matter what their background or personal circumstances, with dignity and respect. Part 6 of the Act covers schools and education providers.

One of the main changes within the Act is the duty to record and report not only racist bullying, but also all identity-based forms of bullying. The current guidance from the Equality and Human Rights Commission states:

"As a school, you have legal duties to your pupils in relation to bullying and you must ensure that you treat all bullying on the grounds of a protected characteristic with the same level of seriousness as any other form of bullying."

The protected characteristics, applicable to schools, are:

- * Disability (including Carers)
- * Gender (including Gender reassignment)
- * Race
- * Religion or Belief
- * Sexual Orientation

The Codes of Practice and Non-Statutory Guidance regarding all aspects of the Equality Act 2010 came into force as of October 2010.

The Education & Inspections Act 2006

This Act extends the power of schools to combat bullying or offensive behaviours, not only in school but also at those times when the students are not in school. Schools, thus, have the power to regulate the conduct of students when they are not on school premises and not under the lawful control or charge of a member of staff "...to such an extent as is reasonable".

Every school must have a behaviour policy, including disciplinary measures determined by the Head teacher in the light of principles set by the Governing Body.

The Head teacher has a legal duty to establish detailed measures (rules, rewards, sanctions and behaviour management strategies) on behaviour and discipline that form the school's behaviour policy. It is suggested that the Anti-Bullying policy is incorporated into the Behaviour policy. The policy must include measures to be taken with a view to encouraging good behaviour and respect for others on the part of students and, in particular, preventing all forms of bullying among students.

Disability Discrimination Act 2005

Schools have a specific duty to ensure that children with a disability have access to education within an inclusive and safe environment. Section 49a of the Act outlines the general duty to have regard to:

- * the need to eliminate discrimination that is unlawful under the Act;
- * the need to eliminate harassment of disabled persons that is related to their disabilities;

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- * the need to promote equality of opportunity between disabled persons and other persons;
- * the need to take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;
- * the need to promote positive attitudes towards disabled persons; and
- * the need to encourage participation by disabled persons in public life.

The Governing Body needs to ensure that the school has a disability equality scheme (or is included in a single equality scheme) and makes reasonable adjustments to avoid placing disabled students at a substantial disadvantage in comparison with students who are not disabled.

The Children Act 2004

The Children Act 2004 (Section 10) sets out a requirement for agencies to co-operate to improve the wellbeing of children. This states:

"Each children's services authority must make arrangements to promote co-operation between the authority, each of its relevant partners and other persons or bodies as the authority considers appropriate."

The Children Act 2004 introduced fundamental changes to the delivery of services for children through a range of organisational and cultural changes. It required the appointments in authorities of Children's Directors, Lead Members for Children and Young People and the establishment of Children's Trusts. These new structures are aimed at delivering improved support to children, parents and carers through early intervention; effective protection of children and improved accountability with the expectation that:

- * Professionals will work together in more integrated frontline services.
- * There will be common processes to underpin frontline working.
- * A common planning and commissioning framework will bring the planning of agencies closer together, supported by the pooling of resources.
- * There will be interagency governance arrangements with shared ownership and clear accountability.

Education Act 2002

Section 175 of the Education Act 2002 places a duty on the Governing Body of schools and on the Local Authority to:

- * Make arrangements to carry out their function to safeguard and promote the welfare of children through rigorously enforced strategies;
- * Take all reasonable measures to ensure that risks of harm to children's welfare are minimised;
- * Take all appropriate action to address concerns about the welfare of a child, or children, working to agreed local policies and procedures in full partnership with other local agencies.

The Act states that safeguarding covers more than the contribution made to child protection in relation to individual children. It also encompasses issues such as pupil health, safety and bullying.

In relation to maintained schools, the duty is placed on Governing Bodies. A failure to have the required arrangements in place may be grounds for the Secretary of State to take action against an LA or Governing Body. Governing Bodies must produce an annual profile answering the question 'How do we make sure our students are healthy, safe and well-supported?'

Also, Governing Bodies must establish procedures for dealing with complaints about bullying and all matters relating to the school, and publicise these procedures.

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Anti-Social Behaviour Act 2003

The Education elements of this Act came into force in February 2004. The Act has implications for working in partnership with parents and carers and, with regard to interventions, using contracts. It states: "The purpose of parent contracts is to address improved behaviour in school and any underlying causes". An underlying cause may be related to bullying.

An Acceptable Behaviour Contract (also known as Acceptable Behaviour Agreement) may be used with a child who has been bullying. It is a written agreement made between a person who has been involved in anti-social behaviour and the local authority. It is an intervention designed to engage an individual in acknowledging his or her anti-social behaviour and its effect on others, with the aim of stopping that behaviour.

The Children's Homes Regulations 2001

Under Section 11 of the Regulations, the registered person is required to promote the welfare of children and young people by making proper provision for the care, education, supervision and, where appropriate treatment of children accommodated there. The registered person must ensure that the home is conducted in a manner which respects the privacy and dignity of children accommodated there; and with due regard to their gender, religious persuasion, racial origin, cultural and linguistic background and any disability.

Although not specifically mentioned, promoting anti-bullying practice and dealing with bullying will be included in this requirement to promote the welfare of the looked after children accommodated there.

The Local Government Act 2000

Section 104 of the Local Government Act 2000 amended Section 28 of the Local Government Act 1988 by adding: "nothing ...shall be taken to prevent the Head teacher or Governing Body of a maintained school, or a teacher employed by a maintained school, from taking steps to prevent any form of bullying".

Race Relations Amendment Act 2000 and Guidance from the Equality & Human Rights Commission

Statutory organisations, including schools, must:

- * Have a published race equality policy (or be included in a single equality scheme); and
- * Monitor and assess the impact of their policies, including their race equality policy, on people of different ethnic minority groups;
- * Ensure that policies do not discriminate against ethnic minority groups.

In addition to these specific requirements, schools'/children's settings are under a statutory duty to work toward the elimination of racial discrimination and to promote good race relations. If a school/children's setting fails to address bullying of a racial nature, this will be contrary to the requirements to promote race equality and good relations between different ethnic groups. Where a child suffers racial bullying, the school/children's setting should take it very seriously and not regard it as "normal" bullying. Any failure on the part of the school/children's setting to deal with bullying which involves a racial element could be a potential breach of the Race Relations Amendment Act 2000.

School Standards Framework Act 1998

Under Section 61 of the School Standards Framework Act 1998, Head teachers are required to:

- * 'Determine measures... with a view to... encouraging good behaviour and respect for others on the part of students and, in particular, these measures should aim to prevent all forms of bullying and racial harassment'.

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- * The measures must be published in writing to all parents, students and staff at school at least once a year, i.e. the school should draft and publish an anti-bullying policy.

Some schools have chosen to draft a written anti-bullying policy as a part of their behaviour/discipline policy. If this is done, it must be clear which sanctions apply to bullying. For the purposes of clarity, it is better to have a policy that is separate to the behaviour/discipline policy, but which cross-refers to the behaviour/discipline policy if necessary. Under the 1998 Framework, schools are also required to record all incidents of bullying and report them to the school Governing Body.

Human Rights Act 1998

The Human Rights Act gives further weight to the rights and freedoms guaranteed under the European Convention on Human Rights and incorporates the United Nations Convention on the Rights of the Child (UNCRC) 1989. Children should be involved in drafting the school policy, monitoring its use and evaluating its effectiveness. Involving children in this way is compatible with the children and young people's right to participate under Article 12 of the United Nations Convention on the Rights of the Child 1989.

Bullying is a children's rights issue, and children's rights approaches have a significant role to play in tackling the problem of bullying behaviour.

Health & Safety at Work Act 1974

The Act places a duty on employers to ensure the health, safety and welfare of those using their premises. This includes children and young people, parents and visitors.

The same legislation also requires the employer to provide a safe place of work for employees and others using the establishment.

Education Act 2011

This Act extends the power given to school staff in Section 550ZA of the [Education Act 1996](#) to search a pupil or their possessions if they believe them to be carrying certain items to include power to search if the member of staff believes one or more of the possessions have been, or may be used, to commit a criminal offence, cause personal injury or damage property. Staff are also given the power to search a student even if they are under the age of criminal responsibility, and for staff of the opposite sex to the student to search said student if they believe the risk is so great that serious harm would be caused if they waited or attempting to find a member of staff who is the same sex as the student to be searched. Clarification is also provided as to when "reasonable force" can be used by staff to confiscate items, as well as setting out the process to be followed if specified items are found. Teachers are also given the power to examine data files on electronic devices and delete them if they believe there is good reason to do so.

Part 2 also, through Section 4, gives headteachers of maintained schools and lead teachers of pupil referral units in England the power to exclude a pupil either permanently or for a fixed-term for disciplinary reasons. The section also gives the excluded party the power to appeal to a "review panel" if the headteacher or lead teacher has decided not to reinstate a pupil, who may uphold the exclusion, recommend a review of the exclusion by the headteacher or lead teacher, or quash the exclusion and force the headteacher to reconsider the exclusion.

Section 5 of Part 2 removes the requirement on a school to provide a student's parent, guardian or carer with 24 hours' written notice of an out of school detention,

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Appendix 11
Useful Contacts

Websites

<p>http://www.teachernet.gov.uk/wholeschool/behaviour/tacklingbullying</p> <p>To view the new Department for Education website, please go to</p> <p>http://www.education.gov.uk</p>	<p>All statutory guidance and legislation published on this site continues to reflect the current legal position unless indicated otherwise.</p> <p><i>Safe to Learn: Embedding anti-bullying work in schools</i> is the overarching anti-bullying guidance for schools and was launched in September 2007. It can be ordered from TeacherNet's online publications site. The <i>Safe to Learn</i> package of guidance also includes specialist advice on cyberbullying, homophobic bullying and bullying involving children with SEN and disabilities. This is in addition to the existing guidance on tackling bullying related to race, religion and culture that was issued in 2006.</p> <p>The document <i>Guidance for schools on preventing and responding to sexist, sexual and transphobic bullying</i> was published 10 December 2009, forming part of the <i>Safe to Learn</i> suite.</p> <p>In April 2008, the DCSF issued the DVD and resource pack <i>Let's fight it together</i> for school staff working with pupils in assembly and classroom situations.</p>
<p>http://www.antibullyingalliance.org.uk</p>	<p>Anti-Bullying Alliance - (ABA)</p> <p>A unique collection of over 60 organisations, working together to stop bullying. ABA runs an 'anti-bullying week' focusing on schools, in mid-November each year. Full details on this website.</p>
<p>http://www.thinkuknow.co.uk</p>	<p>Thinkuknow is the website of the Child Exploitation and Online Protection (CEOP) Centre</p> <p>5 sections 5-7 years, 8-10 years, 11-16 years, Parents & Carers, Teachers & Trainers.</p> <p>Great resources</p>
<p>http://www.beatbullying.org</p>	<p>Beatbullying - Including 'CyberMentors' & 'MiniMentors'</p> <p>Beatbullying works with children and young people across the UK to provide them with all-important opportunities to make positive and lasting changes to their lives and outlook.</p> <p>Lesson plans for teachers</p>
<p>http://www.nspcc.org.uk</p>	<p>NSPCC/CHIPS/CHILDLINE</p> <p>CHIPS - National peer mentoring programme.</p>

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http://www.childline.org.uk	News, Help & Advice, Training, Publications & Classroom Resources, Events PLAY - Games, watch videos EXPLORE - Bullying inside & outside of school, racism, online safety etc. TALK - message boards, online chat-room, receive advice via text
http://www.kidscape.org.uk	Kidscape - Preventing Bullying, Protecting Children Advice for parents (including AB helpline) Advice also for professionals, children and young people, including resources to order and free downloadable information.
http://www.stonewall.org.uk	Stonewall Lesbian, gay & bi-sexual charity. Lots of free resources available for dealing with homophobic bullying.
http://www.clickcleverclicksafe.com	UKCCIS - UK Council for Child Internet Safety Over 140 organisations and individuals working together to help children and young people stay safe on the internet.
http://www.childnet-int.org	Childnet International's mission is to work in partnership with others around the world to help make the Internet a great and safe place for children.
http://www.antibullying.net	Anti-Bullying Network The Anti-Bullying Network was established at the University of Edinburgh in 1999 and gained a reputation for the high quality of the services it provided to school communities.
http://www.bullying.co.uk	Bullying Online This website is aimed at adults working with children under 11 years and for the children themselves.
http://www.therelationshipscentre.co.uk/talkdontwalk	Talk, Don't Walk A service for young people who may run away. This is a local, specialist service offering a range of information and advice, emotional and outreach support services, family mediation and innovative training and resources to support everyone to develop healthier relationships.

Helpful Organisations

* Advisory Centre for Education (ACE)	020 7354 8321
* Children's Legal Centre	0845 345 4345
* Kidscape Parent's Helpline (Monday - Friday, 10 - 4)	0845 1205 204
* Parentline Plus	0808 800 2222
* Youth Access	020 8772 9900
* Talk, Don't Walk	0800 085 2136
* Childline	0800 1111

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Oakdene Primary School Code of Practice for Dealing with Bullying Incidents

Bullying will not be tolerated at Oakdene Primary School and all incidents of bullying will be taken seriously. Bullying can be:

- Physical: pushing, kicking, hitting, pinching or any form of violence; sexual assault, making people do things they do not want to do; stopping people doing things they want to do; damaging personal belongings; taking some-one else's belongings.
- Verbal: name calling, sarcasm, spreading rumours, persistent teasing; making offensive remarks about someone's gender, race, disability, religion or sexual orientation.
- Emotional: tormenting, threaten and ridicule, humiliation, exclusion, intimidation
- Indirect: being unfriendly, excluding from social groups, tormenting, using threatening gestures, lokks and signs / symbols.
- Racist: racial taunts, graffiti, gestures.
- Sexual: unwanted physical contact, abusive comments
- Cyber Bullying: uses electronic technology including mobile phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. Examples of cyberbullying include unkind text messages or emails, rumors sent by email or posted on social networking sites, and embarrassing pictures, videos, websites, or fake profiles.
- Homophobic or transsexual

Any incident of the above nature will be dealt with at Oakdene promptly. These actions can only be seen as bullying if one or other of the actions persists.

Children are encouraged to tell Staff at Oakdene at all times when instances of inappropriate behaviour are occurring. Without children telling us that inappropriate behaviour is happening, we cannot deal with incidents quickly.

At Oakdene, cases of bullying are dealt with promptly. The process to be followed as below:

- Investigate all incidents thoroughly. (See Appendix 2 and use forms A, B, C)
- If a child reports an instance of bullying to a member of staff / witnessed by a member of staff - the staff member will talk to the child, keep them calm and remember not to promise to keep anything secret but will only tell people who need to know. If of an appropriate age, the child will be asked to record evidence in a written form. Staff will record occurrences on Form A. (Appendix 3)
- If the bullying allegation comes from another source (eg: parent, friend) we will interview all persons involved in order to become clear about the situation. If of an appropriate age, children will be asked to write down what occurred. Staff will record occurrences on Form A. (Appendix 3)

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- If any witnesses are identified Form B will be completed either by Child or Adult. If the incident(s) has/have been witnessed by a member of staff, the Staff member will be asked to write down a witness statement (Form B - Appendix 4)
- An investigation will take place with all details recorded on Form C - Appendix 5.
- Parents / Carers are informed and all relevant parties offered support and guidance.
- Action plan is set up and implemented with amendments acted on as appropriate
- All incidents of bullying are recorded and kept in the Headteacher's Office.
- If required Form C (Appendix 6) will be sent to LA.
- If there is a case of persistent action against one person or a group of people, all written records of the incidents, investigation and outcomes are kept.
- All sets of Parents will be informed as to what has been found out.
- Action will be taken to prevent further incidents. Such action may include
 - Imposition of sanctions - staying in at playtime, taking away privileges etc
 - Obtaining an apology
 - Informing Parents of sanctions imposed
 - Providing support for both the victim and the bully.

Bullying issues are addressed in the PSHE programmes of study, SEAL Programme, circle time, Assemblies and, as and when the need arises, during class discussions and on an individual basis.

All incidents of bullying should be referred to the Headteacher or in their absence, Deputy Headteacher, Assistant Headteacher or Deputy Designated Safeguarding Lead.