

Anti-Bullying Policy and Hate Incidents/Crimes Reporting (Students)

Version 3

**This policy applies only to Post-16 New Collaborative
Learning Trust colleges.**

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1.0 Introduction

- 1.1 The Trust and its colleges aim to provide a safe, caring and friendly climate for learning for all our students to allow them to improve their life chances and help them maximise their potential. We would expect students to act safely and feel safe in college, including understanding the issues relating to bullying and having the confidence to seek support from college should they feel unsafe.
- 1.2 Bullying, hate and prejudice-based incidents are a major concern for the Trust and is an issue that affects students, parents/ carers, governors, teachers, non-teaching staff and others and can have extreme consequences. The Trust recognises that severe harm may be caused to young people by the abusive and bullying behaviour of their peers. The damage inflicted by bullying is often underestimated and can cause considerable distress. In extreme cases it can cause significant harm, including self-harm.
- 1.3 Young people who bully have often been the victims of bullying or abuse themselves. They need support provided within a clear framework of disciplinary procedures which make it clear that severe and persistent bullying behaviour will normally lead to exclusion. The Trust and its colleges are determined to record and report bullying and prejudice-based incidents and act to eliminate all discrimination, prejudice, harassment and victimisation against students, to demonstrate our commitment to anti-discrimination and the Equality Act 2010.

2.0 Legislation and Guidance

- Keeping Children Safe in Education (DfE, September 2024)
- The Equality Act 2010
- Preventing and Tackling Bullying Advice for Head teachers, Staff and Governing Bodies (DfE, July 2017)
- What to do if you're worried that a child is being abused (DfE, March 2015)

3.0 Definitions of Bullying and Hate Crime Incidents/Crimes

- 3.1 *"Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences." - DfE Preventing and tackling bullying (July 2017)*
- 3.2 Ofsted defines bullying as "aggressive or insulting behaviour by an individual or group, often repeated over time, that intentionally hurts or harms." Perpetrators and victims may include adults as well as children. Bullying may take a number of different forms, the principal ones being verbal and cyber bullying, physical and manipulative. Perception of the situation by the victim may be distorted, but the experience is very painful and difficult to defend against. Bullying often focuses on individual differences. In this respect it undermines the College's work in promoting tolerance and understanding in the community. Bullying may seize upon aspects of physical shape

or appearance, or focus on parental, cultural or ethnically-based lifestyles. It may dwell upon race, religion or nationality. Sexual bullying may involve misogyny or homophobia, or focus on alleged sexual attractiveness or lack of it.

4.0 Bullying

4.1 The term bullying refers to a range of harmful behaviour, both physical and psychological. All bullying behaviour usually has the following four features.

- It is repetitive and persistent — though sometimes a single incident can have the precisely the same impact as persistent behaviour over time, for it can be experienced as part of a continuous pattern and can be extremely threatening and intimidating. This is particularly the case with racist bullying.
- It is intentionally harmful — though occasionally the distress it causes is not consciously intended by all of those who are responsible.
- It involves an imbalance of power, leaving someone feeling helpless to prevent it or put a stop to it.
- It causes feelings of distress, fear, loneliness and lack of confidence in those who are at the receiving end.

4.2 Bullying can be:

- Physical - Pushing, kicking, hitting, punching or any use or threat of violence.
- Verbal - e.g., name-calling, insulting remarks, racist or homophobic comments.
- Indirect - Excluding someone from social groups, rumouring.
- Cyber - sending threatening or abusive text messages, emails or images. Writing abusive or negative things about people online.
- Emotional – tormenting, threatening ridicule, humiliation, exclusion from groups or activities.
- Racist – racial abuse, graffiti, gestures.
- Sexual – unwanted physical contact, abusive comments.
- Damage to property or theft - demanding possessions, money, deliberately damaging belongings.
- Homophobic, Bi-phobic, Transphobic - taunts, graffiti, gestures relating to the sexual orientation or gender identity.

5.0 Harassment

5.1 Harassment covers a wide range of offensive behaviour. It is commonly understood as behaviour intended to disturb or upset. In the legal sense, it is behaviour which is found to be threatening or disturbing. It is also commonly related to discriminatory behaviour linked to; age, disability, gender reassignment, race, religion or belief, sex, sexual orientation.

5.2 Bullying or harassment does not have to occur within college itself to be a disciplinary matter. Physical or emotional bullying or harassment of another member of the college community in person or by email, text etc is equally unacceptable outside the college or outside college hours. In such instances, the Trust and its colleges will support the recipient of the bullying/harassment in addressing the issue, providing advice and guidance, including the involvement of the police and/or social services as appropriate.

5.3 Signs and Symptoms of Bullying and Harassment

A student may indicate by signs or behaviour that he or she is being bullied. Members of staff should be aware of these possible signs and that they should investigate if a student:

- is frightened of walking to or from college
- doesn't want to go on the college/public bus
- changes their usual routine
- is unwilling to go to college (college phobic)
- begins to miss lessons
- becomes withdrawn anxious, or lacking in confidence
- feels ill in the morning
- begins to do poorly in college work
- has possessions which are damaged or "go missing"
- asks for money or starts stealing money (to pay bully)
- has unexplained cuts or bruises
- becomes aggressive, disruptive or unreasonable
- is frightened to say what's wrong
- attempts or threatens suicide or runs away
- is afraid to use the internet or mobile phone
- is nervous and jumpy when a cyber-message is received
- gives improbable excuses for any of the above

6.0 Peer on Peer Abuse (Including Sexual Violence and Sexual Harassment between children)

- 6.1 The conduct of students towards each other will, in most instances, be covered by the College's Behaviour and Attendance Policy, however, some behaviour by a student towards another may be of such a nature that safeguarding concerns are raised. Peer on peer abuse rarely takes place in isolation and can often indicate wider safeguarding concerns that are linked to other things that are happening in a child's life and/or the spaces in which they spend their time. This is known as contextual safeguarding, which simply means that assessments of children should consider whether wider environmental factors are present in a child's life that may be a threat to their safety and/or welfare. All staff, but especially the DSL (or Deputy DSL) should be considering the context within which such incidents and/or behaviours occur. Research has also shown that many children who present with harmful behaviour towards others, in the context of peer on peer abuse, are themselves vulnerable and may have been victimised by peers, parents or adults in the community prior to their abuse of peers. Children's social care should be informed of all such information to allow any assessment process to consider all available evidence and the full context of any abuse.
- 6.2 Peer on peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between children and within children's relationships (both intimate and non-intimate). Peer on peer abuse can take various forms, including (but not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

- 6.3 References to sexual violence are references to sexual offences under the Sexual Offences Act 2003, specifically rape, "unwanted conduct of a sexual nature" that can occur online and offline. In the context of child on child sexual harassment, it is likely to: violate a child's dignity; and/or make them feel intimidated, degraded or humiliated; and/or create a hostile, offensive or sexualised environment.
- 6.4 Harmful sexual behaviour is an umbrella term that includes sexual violence and sexual harassment. The Trust recognises that problematic, abusive and violent sexual behaviours are inappropriate and may cause developmental damage. Harmful sexual behaviour can occur online and offline (both physical and verbal) and the Trust recognises the gendered nature such behaviour can take. Harmful sexual behaviour, like all peer on peer abuse, is never acceptable and will be taken seriously.
- 6.5 NCLT takes allegations of peer on peer abuse very seriously; abuse in all situations is unacceptable and should never be tolerated or passed off as "banter", "just having a laugh" or "part of growing up". Behaviour such as initiation violence or any form of sexual violence or sexual harassment is not acceptable.
- 6.6 Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. All incidents will be taken seriously by the Trust and those affected will be offered appropriate support. Staff should be aware that some groups of individuals are potentially more at risk of peer on peer sexual violence – for example evidence shows that girls, children with SEND and LGBT+ children are at greater risk.
- 6.7 All staff should be alert to the well-being of students and to signs of abuse, and should engage with these signs, as appropriate, to determine whether they are caused by peer on peer abuse. Signs that a child may be suffering from peer on peer abuse can also overlap with those indicating other types of abuse (see the Trust's Safeguarding and Child Protection Policy for further details on the indicators of abuse). Any child can be vulnerable to peer on peer abuse due to the strength of peer influence during adolescence.
- 6.8 Minimising the Risk of Peer on Peer Abuse NCLT actively seeks to raise awareness of and prevent all forms of peer on peer abuse by:
- Having robust anti-bullying procedures in place (see also the Trust's Safeguarding and Protection Children Policy) and students are taught about acceptable behaviour and how to keep themselves safe;
 - Encouraging staff and volunteers that all peer on peer abuse issues are reported as safeguarding concerns in accordance with the procedures in this policy to enable the DSL to spot and address any concerning trends and identify students who may need additional support;
 - Challenging the attitudes that underlie such abuse (both inside and outside the classroom);

- Creating a culture in which students feel able to share their concerns openly, in a non-judgmental environment, and have them listened to.
- Responding to cases of peer-on-peer abuse promptly and appropriately.

6.9 How Allegations of Peer on Peer Abuse are Recorded, Investigated and Dealt With

6.9.1 It is essential that all concerns/allegations of peer on peer abuse (including sexual violence or sexual harassment between children) are handled sensitively, appropriately and promptly. If a member of staff thinks, for whatever reason, that a child may be at risk of abuse by their peer(s), they should discuss their concerns with the DSL without delay so that a course of action can be agreed.

6.9.2 The DSL will, where necessary, take any immediate steps to ensure the safety of the child/all children affected, in line with the advice for practitioners in: What to do if you're worried that a child is being abused (March 2015). The DSL will use their professional judgement to determine whether it is appropriate for the alleged behaviour to be dealt with internally, or whether any external specialist support is required.

6.9.3 The DSL will agree on a course of action, which may include:

- Managing the incident internally with help from external specialists where appropriate and possible;
- Undertaking/contributing to an inter-agency early help assessment, with targeted early help services provided to address the assessed needs of a child/children and their family;
- Referring the child/children to children's social care for assessment;
- Reporting alleged criminal behaviour to the Police. All concerns/allegations of peer on peer abuse will be assessed on a case by case basis, and in light of the wider context.

Staff involved with cases of peer on peer abuse should ensure that they keep accurate records of all related conversations, meetings, communications, discussions, decisions and outcomes on Cedar.

7.0 Cyberbullying

7.1 Visual evidence after cyberbullying has taken place should be retained and students should be encouraged to pass the evidence to a member of staff or their parents.

7.2 The following advice should be given to those experiencing cyberbullying:

- Not to retaliate or reply but retain the evidence.
- To block or remove offenders from contact lists.
- To make sure to tell a trusted adult.
- To keep calm and not to let the bully see a reaction.

7.3 If the person responsible for the bullying is identified, sanctions will be considered under the Behaviour and Attendance Policy, which could include temporary or permanent exclusion. Additionally, depending upon the nature and severity of the bullying, the following sanctions may be implemented:

- Confiscating equipment such as mobile phones.
- Withdrawing access to the Internet for a set period of time.
- Limiting use of the Internet for a set period of time.
- Contacting the police, CEOP.

7.4 Where the cyberbullying is sufficiently severe, informing external agencies such as social networking or email member sites. Support will be provided for the victim. This may include meeting the bully to discuss what has happened and agreeing a way forward. It is important that all children and staff recognise that when an incident of 'cyberbullying' takes place it is dealt with swiftly.

8.0 Sexting

8.1 Staff should be aware of the dangers posed to children and young people in relation to 'sexting' and 'youth produced sexual imagery'. These terms refer to messages, photos and videos of a sexual nature created by children or young people which can be shared via mobile phones, webcams over the internet and social media.

8.2 The Trust treats all incidences of sexting as safeguarding matters to be actioned in accordance with this policy.

8.3 Members of staff should not view sexual imagery which is reported to them, or copy, print or share the images under any circumstances. In referring any incident of sexting, members of staff should describe the content of the images as reported to them.

8.4 Staff should report any concerns regarding sexting and youth produced sexual imagery immediately to the DSL. Staff should also be alert to the fact that children with SEN and disabilities (SEND) can face additional risks online, for example, from online bullying, grooming and radicalisation.

8.5 The DSL may in exceptional circumstances view the image where:

- It is the only way to make a decision whether to involve other agencies, as there is insufficient information available as to its contents;
- It is necessary to report the image to a website or agency to have it taken down; or a student has reported the image directly to a member of staff in circumstances where viewing the image is unavoidable. Where viewing an image is unavoidable: viewing should take place on college premises wherever possible;
- The image should be viewed by a person of the same sex as the person alleged to be shown in the image (where this is known);
- A senior member of staff should be present to monitor and support the person viewing the image. This member of staff should not view the image;
- Full details of the viewing must be recorded in the College's safeguarding records, including who was present, the date and time, the nature of the image and the reasons for viewing it;
- Any member of staff who views an indecent image should be given appropriate support.

8.6 If any devices need to be confiscated (whether in order to view the image(s) or to pass evidence to the appropriate authority), they should be locked away securely until they are required.

- 8.7 If images have been shared online and cannot now be deleted by the person who shared them, the College should consider reporting the images to the relevant web host or service provider (if an option is provided), or contacting the Internet Watch Foundation
- 8.8 Where a student receives unwanted images, the College should advise the student and their parents of options that may be available to block the sender or to change the students mobile phone number or email address.
- 8.9 For further information of support agencies and further information on how to respond to incidents of sexting, staff can refer to Sexting in schools and colleges (UK Council for Child Internet Safety, January 2017).

9.0 Bullying which occurs outside College premises

- 9.1 Trust staff members have the authority to discipline students for misbehaving outside the college premises. Sections 90 and 91 of the Education and Inspections Act 2006 say that a school's/college's disciplinary powers can be used to address pupils' conduct when they are not on school/college premises and are not under the lawful control or charge of a member of college staff, but only if it would be reasonable for the college to regulate students' behaviour in those circumstances. This may include bullying incidents occurring anywhere off the college premises, such as on college or public transport, outside the local shops, or in a town or village centre. Where bullying outside college is reported to college staff, it should be investigated and acted on.
- 9.2 SLT should also consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the action taken against a student. If the misbehaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed. While college staff members have the authority to discipline students for bullying that occurs outside college, they can only impose the disciplinary sanction and implement that sanction on the college premises or when the student is under the lawful control of college staff, for instance on a college trip.

10.0 Hate Incidents/Crime

- 10.1 A *hate incident* is any non-crime incident which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a person's disability, race, religion, sexual orientation or gender identity or perceived disability, race, religion, sexual orientation or gender identity.
- 10.2 A *hate crime* is any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's disability, race, religion, sexual orientation or gender identity or perceived disability, race, religion, sexual orientation or gender identity.
- 10.3 A hate crime should be directly reported to the police by calling 101.

11.0 Increasing Awareness of Anti-bullying

- 11.1 All students, staff, volunteers and governors need to be aware of this policy, what constitutes bullying/harassment and what hate crime and incidents are and the Trust's

approach to the reporting of bullying and harassment. The Trust and its colleges will endeavour to address these requirements through:

- Appropriate information and regular training for staff, volunteers and governors.
- Information provided for students through induction, the electronic student handbook, and through tutorials.
- Annual events to coincide with National Anti-Bullying Week in November each year as well as during the college themed weeks.
- By encouraging staff and students to challenge bullying behaviour where it arises and to intervene to support victims where evidence of bullying is proven.

12.0 Procedures for Dealing with Incidents

12.1 Parents

- If your child is being bullied or you know of someone else who is being bullied, you should tell a member of staff, usually the student's Progress Tutor or member of their teaching staff.
- Provide as much detail as possible, who is being bullied, by whom, with details of any incidents and where possible screen shots of evidence if this is taking place online.

12.2 Students

- Report the concerns to a member of staff.
- If the bullying involves threatening behaviour, intimidations, or violence, tell a member of staff as quickly as you can. If you cannot find one of your teachers or your tutor, tell the nearest member of staff immediately.

12.3 What Subject Teachers / Progress Tutors should do if they are informed that a student is being bullied/harassed.

12.3.1 If a student or parent/carers reports a case of bullying to you, the below guidance should be followed:

- Stay calm and reassure the student/parent/carers that the matter will be dealt with as quickly and sensitively as possible.
- Talk to the student/parent and find out what has happened – keep notes of this conversation. Gather as much information from the staff member/student/parent/carers as possible. Try to find out when (dates/times), where (places) and who (names of the bully/bullies). Students/parents/carers are not always keen to give this information as they are concerned about the repercussions if the bully/bullies find(s) out. Please reassure them – we cannot deal with specific cases of bullying if we do not have this information.
- Deal with the situation if it is straightforward (incidents of minor bullying), and you feel that you are able e.g., name-calling in a classroom situation.
- Contact a member of the Safeguarding Team if there are any safeguarding issues relating to the bullying.
- Ensure the incident is recorded on Cedar, through a safeguarding pastoral log
- Ensure when the bullying/harassment involves more than one alleged perpetrator it is important to question those accused without allowing any further discussion

between them. Students must be seen separately so that they are not able to collude. The investigation must not assume blame or be prejudiced. There should be no more than two members of staff involved in discussing the matter with students.

- Ensure that students who are involved in the allegations are encouraged to gather as much supporting evidence of bullying as possible, e.g., saved and printed pages from social networking sites, copies of notes passed or text messages that have been saved.
- If there is not enough evidence to uphold the accusations, the matter will be deemed to have been resolved and all parties should be asked if they wish their parents/carers to be informed.
- Where the offense is judged to be proven, but did not include violence, racial or sexual bullying/harassment then the matter will be discussed with the students by their subject teachers/Progress Tutors/Senior Progress Tutor/SLT as appropriate. Parents may also be telephoned and asked if they wish to come into college to discuss the matter.
- The usual outcome for the student found to be bullying would be to:-
 - warn them as to their future behaviour
 - place them on Stage 4 of the college's Formal Behaviour and Conduct Procedures under the Behaviour and Attendance Policy.
 -
- Outcomes may also involve apologies, changed behaviour and the seeking of support to modify behaviour, e.g., anger management or counselling.
- If parent/carers do not accept the decision of the college then they will be advised to appeal to the Principal.
- The members of staff involved in repetitive or more serious incidents of bullying are most likely to be Senior Progress Tutors or a member of SLT.
- In cases where staff are convinced that the allegations are justified, and they include violence, racial or sexual bullying and/or harassment, or that where a student has already been warned, as above, that they must not continue to bully a student, then the case should be referred to a member of SLT.
- The student will then be seen by a member of the Senior Leadership Team and the Principal will be informed. Each case will be judged on its individual merits, but serious aggravated sexual, physical or racial abuse will usually merit suspension or exclusion. Parents/carers will be invited to attend the meeting with the student. If the parents/carers do not agree with the decision of the college they will be invited to appeal to the Chair of the Advisory Group, who will investigate the allegations and make a ruling as to the correctness of the Principal's decision.
- In extreme circumstances the college may involve the police. Where the police are involved the matter must first have involved a member of the Senior Leadership Team.
- If safeguarding issues are involved, advice should be sought from the Safeguarding Team.
- A record will be kept of all bullying and hate incidents.
- If a hate incident occurs, the Assistant Principal/Vice Principal will record this and it will be reported anonymously to the police/LA within 7 days of the incident.
- If a hate crime is reported to staff members this will be reported immediately to the appropriate police force.

13.0 Learners with Learning Difficulties and/or Disabilities

- 13.1 Some learners with learning difficulties and/or disabilities may be especially vulnerable to bullying or harassment. Any indication of bullying/harassment of these students should be reported in the same way as for other students. Where appropriate, the Study Support Team should be involved.
- 13.2 Where bullying or harassment is suspected, students and vulnerable adults who have difficulties in communicating should be given the chance to express themselves to a member of staff with appropriate communication skills and/or be provided with an advocate.

14.0 Restorative Practice

- 14.1 A restorative college is one which takes a restorative approach to resolving conflict and preventing harm. Progress Tutors within the Trust are trained in restorative practice and actively use this method in dealing with conflict.
- 14.2 Restorative approaches enable those who have been harmed to convey the impact of the harm to those responsible, and for those responsible to acknowledge this impact and take steps to put it right.
- 14.3 Restorative approaches refer to a range of methods and strategies which can be used both to prevent relationship-damaging incidents from happening and to resolve them if they do happen.

15.0 External Support

- 15.1 If you need urgent assistance with regards to a hate crime call 101 or 999.
- 15.2 If you find it difficult to talk to anyone at the college or at home, ring ChildLine on Freephone 0800 1111, or email www.childline.org.uk. The phone call or email is free and it is a confidential helpline.
- 15.3 Mental Health
- <https://www.youngminds.org.uk/> - Bullying support for young people and advice about positive mental health - Telephone: 0808 802 5544.
 - www.getconnected.org.uk - Bullying support and advice, support and guidance about wellbeing, mental health, practical advice and other issues affecting young people - Bullying Telephone: 0808 808 4994.
 - NSPCC - <http://www.nspcc.org.uk/preventing-abuse/child-abuseand-neglect/bullying-and-cyberbullying/>
- 15.4 Cyber Bullying and Online Safety
- Think you Know – Advice and information about social networking, E-Safety and reporting online abuse - <https://www.thinkuknow.co.uk/>
 - Bullying UK - <http://www.bullying.co.uk/>
 - Young Minds - <http://www.youngminds.org.uk/>

- www.digizen.org - Provide online safety information for educators, parents, carers and young people.
- www.childnet.com - Specialist resources for young people to raise awareness of online safety and how to protect themselves.

15.5 Race, Religion and Ethnicity

- www.stophate.uk.org - Advice with regards to hate incidents and crimes.
- www.tellmamauk.org – Website which allows people from across England to report any form of anti-muslim abuse.

15.6 LGBTQ+

- www.stonewall.co.uk - An LGBTQ+ equality organisation with considerable expertise in LGBYQ+ bullying and also a dedicated youth site.
- www.theproudtrust.org - helps young people empower themselves to make a positive change for themselves and their communities through youth groups, peer support, delivering of training and events, campaigns, undertaking research and creating resources.

15.7 Local Links

- Doncaster Education Safeguarding Anti- Bullying and Online Protection - <http://www.doncaster.gov.uk/services/schools/doncaster-education-safeguarding-anti-bullying-and-online-protection>
- Wakefield & District Safeguarding Children Board www.wakefieldscb.org.uk/children-and-young-people/bullying/
- Bradford Safeguarding Children Board – Information for Children and Young People http://bradfordscb.org.uk/?page_id=440