

Procedure Title - Preventing and Responding to Bullying and Prejudice Amongst Children and Young People

Procedure Number -

Management Information	
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	Tel: 469 2850
Lead Service Area	Communities and Families
Date Agreed	Subject to approval
Last Review Date	October 2020
Next Review Date	
Agreed by	
Has Screening for Equality Impact been undertaken for this procedure?	<p>Yes: This procedure promotes equalities and the wellbeing and protection children and young people. The procedure informs practice at all levels with the purpose of ensuring effective implementation. The implementation of this procedure will promote equality and children's' rights and prevent unlawful discrimination.</p> <p>Date</p>
Has Implementation and Monitoring been considered for this procedure?	<p>Yes: The Communities and Families Risk Register recognises the inherent risk of not fully or properly implementing equalities legislation which leads to poor experience for service users and potential reputational damage. The work to tackle bullying and prejudice is key to meeting one of the public sector duties of the Equality Act 2010. A review of the procedure will begin between 2023-24.</p> <p>Date</p>
<p>If appropriate, has Health and Safety section had oversight of this procedure?</p> <p>Name of Health and Safety contact</p>	<p>Yes/No: n/a</p> <p>Date</p>

Definition: Procedure – An agreed method or approach to comply with Policy, Legislation and Departmental Decisions.

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**City of Edinburgh Council
Communities and Families**

**Procedure
Preventing and Responding to Bullying and Prejudice Amongst Children and Young People**

City of Edinburgh Council is strongly committed to providing a safe environment for all people in its educational establishments. We are committed to ensuring positive relationships. Bullying, prejudice and discrimination are never acceptable and children and young people have the right to learn in a safe, fair and secure environment.

This procedure is based on '*Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People*' (Scottish Government 2017). It exists to protect all children, young people and staff from all form of unacceptable behaviours by other children, young people and staff.

It addresses all forms of bullying, discrimination and prejudice and includes the right of protection from discrimination for any of the nine protected characteristics in the Equality Act 2010.

Supplementary Guidance

A series of supplementary documents will provide specific guidance for school staff on preventing and responding to incidents of prejudice and discrimination related to six of the protected characteristics under the Equality Act 2010. The first document in the series addresses racism.

- Tackling Racist Incidents / Creating and Anti-Racist Culture (October 2020)
- *Homophobic, biphobic and transphobic discrimination (planned)*
- *Faith-related discrimination (planned)*
- *Disability-related discrimination (planned)*
- *Gender-related discrimination (planned)*

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1. PURPOSE

This procedure reflects our commitments to equalities and the wellbeing and protection of children and young people from bullying and prejudice by other children and young people and aims to prevent bullying and prejudicial behaviours and attitudes.

2. SCOPE

- 2.1 This procedure covers our children and young people in all City of Edinburgh Council services and establishments. Where relevant and possible, the procedure extends beyond establishments; for example, online bullying which takes place outside of the establishment will be taken as seriously as any other form of bullying and may also be addressed by the establishment where health, wellbeing and learning is impacted.
- 2.2 This procedure sits within the overarching context of City of Edinburgh Council's 'Included, Engaged and Involved' policy. Edinburgh Children's Partnership's core principles guide our working and define our service culture, specifically the vision '*Edinburgh's children and young people enjoy their childhood and achieve their potential*'. Sections 5.7 and 6.2-6.4 of our 'Included, Engaged and Involved' policy are particularly relevant.
- 2.3 Schools and partners are committed to developing strong collaborative working through a 'one service approach' that is based on professional trust and transparency informed by listening to and working *with* children and their parents.
- 2.4 Our core practices reflect our commitment to the development of positive relationships at all levels and in all settings. Our core practices are the 4 Rs:
- Relationships
 - Rights Respecting
 - Resilience
 - Restorative
- 2.5 A commitment to developing positive relationships with all members of school communities and partnerships is instrumental to our approach to getting it right for every child, creating communities that allow children to be Safe, Healthy, Active, Nurtured, Achieving, Respected, Responsible and Included.

3. DEFINITIONS

- 3.1 **Bullying.** The Council has adopted the definition in Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People (Scottish Government, 2017):

"Bullying is both behaviour and impact; the impact is on a person's capacity to feel in control of themselves. This is what we term as their sense of 'agency'. Bullying takes place in the context of relationships; it is behaviour that can make people feel hurt, threatened, frightened and left out. This behaviour happens face to face and online".

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- 3.2 **Bullying behaviour** is a more useful phrase than ‘bully’. The term bully labels an individual with a fixed trait, whereas bullying behaviour can be transient and temporary and can be changed/corrected.
- 3.3 **Person being bullied/picked on/isolated or person on the receiving end of bullying behaviour** are more useful phrases than ‘victim’. The label victim can be disempowering. The term victim labels an individual with a fixed trait whereas bullying experiences can be temporary. There can also be a complex interplay between those involved and there may not be a clear beginning and end.
- 3.4 **Online bullying or cyberbullying** is bullying behaviour that takes place via mobile phone or over the internet through email, messaging, social networking websites or online gaming and should be taken as seriously as any other form of bullying
- 3.5 **What is not bullying behaviour?**

“You don’t have to like me...agree with me...or enjoy the same things I do. But you do have to respect me.” (respectme, 2018). In order to work effectively, positively and diligently to prevent and respond to all forms of bullying and allegations of bullying behaviour, it is important to distinguish between what is and is not bullying behaviour.

Anyone can make a mistake or behave in a way that is inappropriate but not every action that has a negative impact on someone else is ‘bullying behaviour’. Part of our responsibility and duty is to support our children and young people to develop resilience. We cannot condone the overuse or misuse of the term ‘bullying’ or react disproportionately to children and young people’s behaviours. To do so would be counterproductive.

We know that children and young people will fall out and disagree with each other as they form and build relationships. This is a normal part of development and most children and young people have the ability to bounce back from these experiences. It is important to discuss how they feel and help them to develop resilience to manage their relationships. This is in line with guidance from respectme. *“We should always remember that children will tease each other, fall in and out with each other, have arguments, stop talking to each other and disagree about what they like and don’t like. This is a normal part of growing up and should be distinguished from bullying. However, in an environment where this behaviour is left unchecked, it can lead to bullying, making those being bullied feel afraid, uncomfortable and unsafe in their environment.”* (respectme, 2018).

Furthermore, bullying behaviour can sometimes be unsuccessful as bullying behaviours can sometimes have no impact. In this case the person the behaviours were directed at has not been bullied but the behaviour still needs to be challenged appropriately and should not be ignored. For example, the use of homophobic or prejudicial language, which may have no impact on the person it is aimed at, must still be challenged, as the language itself is unacceptable and could affect other people.

respectme state “Bullying can affect people in different ways and this should be taken into consideration. If you are unsure if behaviour is bullying, look at the effect it is having on the child or young person. If they are unable to respond effectively and regain their sense of self and control in the situation, adults need to intervene to help restore it. Keeping the focus on impact reduces the emphasis on issues of persistence and intent. What you do about bullying is more important than how you define it.” (2018)

Incidents may be perceived as bullying when they are, in fact, criminal in nature. It is important to ensure that criminal offences such as hate crime, child sexual exploitation and gender-based violence are clearly distinguished from bullying. For example, when someone is coerced or pressurised to do something sexual or is touched inappropriately, this is not bullying. It is sexual

assault, sexual abuse or gender-based violence. There are laws to protect children and young people from this very serious behaviour.

3.6 Hate crime, equalities and prejudice-based bullying

Hate crime is a crime motivated by malice or ill-will towards individuals because of their actual or perceived disability, race, religion, sexual orientation or transgender identity. Hate crime can take a number of forms. Advice and guidance from Police Scotland should be sought if a hate crime may have taken place.

We are committed to advancing equality of opportunity for all. All forms of bullying and discrimination are unacceptable. At City of Edinburgh Council, we actively foster positive relations between diverse groups and people and we work towards eliminating any abuse of power or relationships. City of Edinburgh Council strives to ensure that we treat all people with respect and provide a positive and safe space in which to access services and work. There may be additional barriers or risks for people with certain characteristics or beliefs. The Equality Act (2010) outlines characteristics protected by the Act:

- Age
- Disability
- Being or becoming a transsexual person
- Being married or in a civil partnership
- Being pregnant or on maternity leave
- Race including colour, nationality, ethnic or national origin
- Religion, belief or lack of religion/belief
- Sex
- Sexual orientation

In addition, we recognise that children who do not have a protected characteristic may also be at risk of experiencing disadvantage, prejudice and discrimination. For example, care experienced children, young carers, non-heterosexual children, children with English as an additional language. Body image and socio-economic status can also be negatively impacted by prejudice.

3.7 Race, religion, belief and faith

Bullying based on race, religion, belief or faith is motivated by racism or belief-based prejudice. Children and young people do not have to be of a different race, religion, belief or faith themselves to experience this sort of bullying. It may be directed towards young people perceived to be of a different race, religion, belief or faith or those who have friends or family of a different race, religion, belief or faith.

For further information on effectively challenging racism:

<http://respectme.org.uk/wp-content/uploads/2019/01/Addressing-Inclusion-Effectively-Challenging-Racism-in-Schools.pdf>

3.8 Sexual orientation and gender identity: lesbian, gay, bisexual, transgender and intersex plus

Bullying based on sexual orientation is motivated by a prejudice against non-heterosexual people. It is also sometimes referred to as homophobic or biphobic bullying. Biphobic bullying refers to bullying targeted around bisexuality.

Children and young people do not have to be non-heterosexual themselves to experience homophobic or biphobic bullying. This type of bullying may be directed towards young people perceived to be non-heterosexual or bisexual or those who have non-heterosexual or bisexual friends or family.

Although homophobic bullying is distinct from sexist and transphobic bullying, it is related to these forms of bullying through underlying sexist attitudes. The term transgender is an umbrella term for those whose gender identity or expression differs in some way from the gender that was assigned to them at birth. Gender identity reflects an individual's internal sense of self as being male, female, or an identity between or outside the two. Some individuals identify as Lesbian, Gay, Bisexual, Transgender and Intersex plus (LGBTI+).

Transgender people can face significant societal prejudice, largely because they are perceived as not conforming to gender stereotypes, expectations and norms. As a result, those who identify as transgender, non-binary or gender questioning can be particularly vulnerable to bullying and prejudice. This can manifest in many ways, including name calling, deliberate mis-gendering and/or dead-naming. Dead naming is the act of referring to someone by their previous name and/or gender identity. An individual may also experience transphobic bullying as a result of a perception that they are LGBTI+ or that a parent, friend or family member is LGBTI+.

For further information on effectively challenging homophobia, biphobia and transphobia:

<http://respectme.org.uk/wp-content/uploads/2017/11/Addressing-Inclusion-FINAL-NOV-17-1.pdf>

3.9 Additional support needs

Every child gets help in school with their learning and development. As part of our commitment to inclusion, schools and services maintain effective arrangements to ensure the widest range of individual needs are met as a natural part of what we do on a day-to-day basis. This includes planning to meet children's needs, collaborative working, tracking children's progress, identifying any barriers to learning, helping children with any difficulties that arise, communicating with parents/carers and supporting transitions. A child has additional support needs if they need more, or different, support to what is normally provided in schools to children of the same age. Some children may need a lot of support all through school. Others may need only a small amount of additional support for a short time. Children with additional support needs may be at risk of experiencing bullying or discrimination and conversely children who are bullied are likely to develop additional support needs.

3.10 Parents/carers

Parents/carers are defined as a guardian and any person who is liable to maintain or has parental responsibilities (within the meaning of Section 1(3) of the Children (Scotland) Act 1995) in relation to, or has care of a child or young person, for example:

- Non-resident parents who are liable to maintain or have parental responsibilities in respect of a child.
- Carers who can be parents.
- Others with parental responsibilities, e.g. foster carers, relatives and friends who are caring for children and young people under supervision arrangements.
- Close relatives, such as siblings or grandparents caring for children who are not looked after or are under home supervision arrangements.
- All councillors, as corporate parents, have a responsibility for the wellbeing of children in the Council's care.

4. ACTIONS

- 4.1 City of Edinburgh Council's approach to preventing and responding to bullying sits within a context of the wider Council policy and ethos and in particular the rights of the child.

The [United Nations Convention on the Rights of the Child \(UNCRC\)](#) sets out the fundamental rights of all children and young people. We use the UNCRC as a framework to ensure that we consider children's rights whenever we take decisions, and to help guarantee every child a good start in life with a safe, healthy and happy childhood.

The City of Edinburgh has a strong commitment to [Getting it Right for Every Child \(GIRFEC\)](#) and promoting the wellbeing of all our children and young people. Specifically, that they should be as safe, healthy, active, nurtured, achieving, respected, responsible and included as possible. We are also committed to The Children and Young People Act, the Equality Act, seeking educational inclusion for all children and young people, promoting resilience, and restorative approaches. To promote and maintain the wellbeing of all children and young people we:

- Place children at the centre of practice
 - Focus on strengths and build resilience
 - Prioritise prevention
 - Improve fairness
 - Listen to and work *with* children and the key adults in their lives
- 4.2 Bullying and discriminatory behaviours are not tolerated in any establishment or service. Anti-bullying and anti-discriminatory attitudes and behaviours should be promoted through a range of preventative, proactive and responsive approaches. These can be found in Appendix 1.
- 4.3 This procedure requires that allegations of bullying and prejudice must be treated seriously from the outset, investigated, recorded and dealt with according to the procedure. Guidelines for

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responding to instances of bullying or prejudice can be found in Appendix 2. Supplementary guidance for tackling racist incidents should be followed for all allegations of racism.

- 4.4 Information gathered in relation to bullying and prejudice incidents should be recorded on the Bullying and Equalities Module within SEEMiS with effect from June 2019. Detailed guidance for recording incidents can be found in Appendix 3. In City of Edinburgh we take data protection seriously and comply with the European Union General Data Protection Regulation 2018. This applies fully to information gathered in relation to anti-bullying.
- 4.5 An exemplar establishment anti-bullying procedure can be found in Appendix 4 and further advice from **respectme** to support establishments to develop local policy is available here: <http://respectme.org.uk/wp-content/uploads/2017/11/Policy-throught-to-Practice-2017.pdf>

5. RESPONSIBILITIES

- 5.1 It is the responsibility of all staff and partners in Communities and Families to prevent and respond to bullying and prejudice amongst children and young people.

5.2 Communities and Families is responsible for:

- Developing, maintaining and monitoring this procedure.
- Supporting establishments to develop their own local policies and procedures to reflect this local authority guidance and to communicate this to staff, volunteers, children, young people, parents and carers.
- Consulting with stakeholders on this procedure.
- Supporting establishments to examine the overall extent of bullying and prejudice and sharing good practice.
- Reporting to the Executive of the Council as required.
- Providing staff development as required.
- Providing advice and conciliation services.
- Working with other Council agencies and partners to prevent and reduce bullying and discrimination.

5.3 Heads of establishments are responsible for:

- Ensuring that all staff are aware of this procedure and the locally developed policy and procedures.
- Dealing appropriately and effectively with all allegations brought to their attention.
- Following Communities and Families guidance including recording of incidents.
- Ensuring that their establishment procedure corresponds with this procedure.
- Ensuring all staff have access to appropriate learning and development including induction training.
- Making efforts to ensure that children and young people feel safe in reporting experiences of bullying and prejudice to members of staff and are assured that any allegations will be treated seriously, investigated and action taken, where appropriate.
- Encouraging all staff, volunteers, children, young people, parents and carers to express their concerns and views through robust consultation exercises.

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- Referring to Child Protection Procedures and/or Police Scotland where necessary.
- Examining the possible extent of bullying and prejudice in their establishment.

5.4 In addition, Head Teachers are responsible for:

- Communicating their local policy and procedure to staff, volunteers, children, young people, parents and carers.
- Identifying a designated senior manager as the Equalities Coordinator
- Embedding and evidencing regular and frequent proactive work through the School Standards, Quality and Improvement Plan and/or Curriculum for Excellence.
- Supporting all staff and volunteers in following this guidance and local policy and procedures
- Liaising with parents/carers and voluntary organisations as appropriate.

5.5 All other Communities and Families staff are responsible for:

- Promoting positive attitudes and relationships.
- Dealing appropriately and effectively with all allegations of bullying and prejudice.
- Supporting their head of establishment in undertaking investigations and gathering information.
- Being aware of this procedure and local policy and procedures.
- Seeking learning and development opportunities.
- Supporting children and young people to understand the differences between bullying and other non-bullying behaviours.
- Building the capacity of children and young people to challenge prejudice and bullying behaviour.
- Challenging bullying and prejudice.

5.6 Children and young people are responsible, as far as possible, for:

- Promoting positive attitudes and relationships.
- Respecting others even if they don't like them, they don't agree with them or do they don't enjoy the same things they do.
- Questioning and learning the differences between bullying and other non-bullying behaviours.
- Where they feel safe, telling someone if they have any worries about bullying and / or prejudice.
- Seeking support from others to tell if they need it.
- Keeping themselves and others safe, with support from adults.
- Encouraging and supporting others to tell a responsible adult or speaking on their behalf.
- Challenging bullying and prejudicial behaviour, if safe to do so.

5.7 Parents and carers are expected to:

- Respect others even if they don't like them, they don't agree with them or do they don't enjoy the same things they do.
- Question and learn the differences between bullying and other non-bullying behaviours.
- Safeguard and promote their child(ren)'s health, development and welfare.
- Ensure the safety of their child/children on the way to and from school.
- Maintain communication with a relevant member of staff.
- Work in partnership with staff to maintain the rules, regulations and expectations of the establishment.

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- Discuss issues related to bullying and prejudicial behaviour with their child(ren) according to their age and maturity and taking account of their views.
- Speak to an appropriate member of staff if they have any concerns about their child or another child / children experiencing bullying or prejudice.
- Speak to the Head Teacher if their concerns continue following school staff's intervention.
- Make use of the school's complaints procedure / City of Edinburgh Council's Advice and Conciliation service if concerns continue following the Head Teacher's intervention.

5.8 Support and advice for parents

respectme have a guide for parents and carers on their website. <http://respectme.org.uk/wp-content/uploads/2017/11/Bullying-a-guide-for-parents-and-carers-2016.pdf>. Parents/carers can help by supporting the establishment's anti-bullying procedure.

6. POLICY BASE

- Children and Young People (Scotland) Act 2014
- Education (Additional Support for Learning) (Scotland) Act 2004 as amended
- [Equality Act 2010](#)
- [Offences \(Aggravation by Prejudice\) \(Scotland\) Act 2009](#)
- [Schools \(Consultation\) \(Scotland\) Act 2010](#)
- [UN Convention on the Rights of the Child](#) 1992

7. ASSOCIATED DOCUMENTS

- City of Edinburgh Council's [Education Advice and Complaints](#)
- City of Edinburgh Council's [Equality Diversity and Rights Framework 2017-21](#)
- LGBT Youth Scotland [Supporting Transgender Young People - Scotland \(2017\)](#) (*replacement guidance pending*)
- City of Edinburgh Council's 'Included, Engaged and Involved' policy
- City of Edinburgh Council's Risk Management procedure
- City of Edinburgh Council [Getting It Right For Every Child](#)
- Included, Engaged and Involved (Education Scotland) 2018
- City of Edinburgh Council's framework for implementing the Additional Support for Learning Act [In on the Act \(2019\)](#)
- Edinburgh and Lothians Inter-agency Child Protection Procedures [Child Protection Procedures](#)
- LGBT Youth Scotland website <https://www.lgbtyouth.org.uk/>
- Respect Me Scotland's Anti Bullying Service www.respectme.org.uk
- Pregnancy and Parenthood in Young People strategy <http://www.gov.scot/Publications/2016/03/5858/0>

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8. RECORD KEEPING

When a procedure has been followed there are often outputs such as decisions made or events occurred that need to be recorded. These outputs are considered Council records. Please list all Records, including completed forms, generated by this procedure. For each record, list its title, location, responsible officer and minimum retention period.

Record Title	Location	Responsible Officer	Minimum Retention Period

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Appendix 1 Preventative, protective and responsive approaches

City of Edinburgh Council is committed to the key themes of promoting positive relationships, resilience, restorative approaches and developing Rights Respecting Schools at the heart of our communities. Welcoming diversity and ensuring equality underpin the ethos of our establishments and create the right environment to prevent bullying and discrimination. To promote respect, positive attitudes and relationships City of Edinburgh Council uses a variety of preventative, protective and responsive approaches, some of which are described below.

Preventative approaches

- Establishments to have clear procedures that guide staff responses to bullying incidents, informed by this procedure. Consultation with stakeholders on establishment procedure is recommended.
- Using the advice of **respectme**, and 'Included Engaged and Involved' (Scottish Government / Education Scotland).
- Information provided to children, young people and parents/ carers explaining how the establishment deals with incidents of bullying and prejudice.
- Ongoing events involving the school community that promote equality and diversity.
- Building resilience and empathy through Edinburgh Health and Wellbeing Team's range of Growing Confidence and resilience programmes.
- Use of appropriate approaches and resources for example nurture and Emotion Talks, to develop social skills and emotional literacy.
- Staff learning and development on core themes: promoting positive relationships, equalities, resilience, restorative approaches, rights respecting schools, growing confidence, nurture etc.
- Consistent responses to negative interactions, distressed behaviours, bullying and prejudicial behaviours, led by restorative practices.
- Frequent opportunities for children and young people to discuss issues and for them to request private appointments with staff to talk.
- Welcoming public messages and images throughout the establishment, with text in a range of languages.
- Use of self-evaluation tools which measure ethos, relationships and confidence in the establishment, such as pupil well-being questionnaires and surveys.
- Involvement of other agencies and partners in social work, health, police and the voluntary sector.
- Audits of race equality, inclusion and achievement of bilingual and minority ethnic pupils (Additional Support for Learning Service can offer advice)
- Promotion of training opportunities to parents that explore the development of attachment, empathy and resilience and developing problem solving skills e.g. Psychology of Parenting Project, Incredible Years, Growing Confidence, Teen Psychology of Parenting Project.
- Working towards award programmes, e.g. UN Rights Respecting Schools Award, Diana Award, LGBT Charter, Intercultural Youth Scotland Pro-Black and Anti-racist Education Ambassadors Programme (secondary).

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Protective approaches

- Establishments will have a number of interventions that aim to build protective resilience factors in children and young people, particularly those who are identified as being vulnerable or at risk.
- Buddy systems, especially at transition times.
- Groups to support identified pupils for example nurture groups and 'Seasons for Growth'
- Use of materials such as 'Cool in School', 'Keeping Myself Safe'.
- Participation in the Emotional Wellbeing academy led by Psychological Services and Child and Adolescent Mental Health Service (CAMHS).
- Peer mentoring and mediation.
- Specialist individual supports within and beyond school e.g. counselling and therapeutic services
- Playground supervision from trained staff who encourage and lead play
- Arrangements for young people to raise issues confidently with staff including for example, confidential 'Comments Box' or 'Listening Post' in a neutral and confidential place.
- Encouraging everyone to respect others even if they don't like them, they don't agree with them or do they don't enjoy the same things they do.
- Involvement of other agencies and partners in social work, health, police and the voluntary sector.
- Involvement of Psychological Services where appropriate and with consent from the child and their parents

Responsive approaches

Sometimes a child or young person may not be engaging consciously in bullying or prejudicial behaviour. However, this behaviour can still impact negatively on others and must be taken seriously. The level of understanding and awareness of a child who is bullying is a significant factor in how it is dealt with. Establishments will have an appropriate and proportionate response to bullying and prejudice incidents, in line with their legal responsibility to support and educate all those involved, including pupils identified as displaying bullying or prejudicial behaviours.

- De-escalation strategies delivered consistently by staff.
- Physical separation of person/people bullying, where necessary, possible and safe.
- Involvement of parents/carers where appropriate.
- Use of restorative practices, where appropriate, including acknowledging grievances.
- Helping children to recognise that their actions have consequences and involving them in a discussion about how to make things better.
- Consequences for the person/people bullying.
- Consideration of whether known or unidentified additional support needs have contributed to the bullying.
- Specific support services, such as Psychological Services, Additional Support for Learning Service, Education Welfare, Edinburgh Together, Social Work or CAMHS with consent from the child and their parents.
- Involvement of police if incident involves any criminal acts, including possible hate crimes.

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- GIRFEC child planning processes.
- Where appropriate, Child Protection procedures must be followed.
- City of Edinburgh Council Risk Management Procedure.
- All incidents must be recorded on the SEEMiS Bullying and Equalities Module (see detailed guidance in Appendix 3).
- If there is any dispute or doubt (on the part of any individual) about whether the incident was or was not bullying or discrimination, the incident and the doubts should be recorded.

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Appendix 2 Guidelines for responding to incidents of bullying or prejudice

INITIAL RESPONSE

The response of the teacher or other member of staff is crucial, whether they witness something which could be bullying or prejudicial behaviour or a child or young person reports to them that they are being bullied. Children and young people may have been experiencing bullying or prejudice and a negative impact on their health and wellbeing for some time before they report it. The child or young person's experience may be directly affected by the response they get from the adult.

1. Listen to the child, reassure them that they have done the right thing by telling.
2. Show the child or young person that you are taking the reported bullying or prejudice seriously.
3. Be ready to offer support whenever required, no matter how busy you are at the time.
4. Find out what happened, who was involved, where and when.
5. Let the child or young person speak without interruption as far as possible.
6. Ask the child or young person what would be helpful to resolve the issue and what they want to happen next. Take the views of the child or young person seriously, with awareness that bullying and prejudice cannot go unchallenged even when the person targeted may be reluctant to seek a solution or want to avoid a direct approach.
7. Record the incident on a Wellbeing Concern form. It may be helpful to keep notes. If you do, it is important that the child or young person knows why and how the notes will be used. This information will form the basis for further investigation and recording.
8. Use professional judgement to decide on appropriate action.
9. Tell the child or young person clearly about what happens next. It is essential that they are involved and updated on progress, especially in cases where it takes time to work towards a resolution.
10. Discuss and agree next steps with the Equalities Co-ordinator / designated member of the senior leadership team (Primary) or Pupil Support Team (secondary). This should include how the case will be investigated, monitored and reviewed.

Respectme recommend that staff ask the following five questions:

- What was the behaviour?
- What impact did it have on the school environment, learning or health and wellbeing?
- What does the child or young person want to happen?
- What do I need to do about it?
- What attitudes, prejudices or other factors have influenced the behaviour?

At all times, child protection procedures and / or Risk Management procedures should be followed if necessary.

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NEXT STEPS / FURTHER INVESTIGATION

1. Follow through the next steps agreed with the Equalities Co-ordinator / designated member of senior leadership team.
2. In most cases, further investigation will be done by the Equalities Co-ordinator / designated member of senior leadership team or Pupil Support Leader (secondary)

Further investigation may involve:

- Speaking with child/children or young person/people involved, preserving confidentiality.
 - Speaking with children or young people or others who witnessed the incident, preserving confidentiality.
 - Speaking with parents (after consultation with the child or young person – see ‘Parents as Partners’ below)
 - Seeking advice from relevant partner services
 - In all cases where there may be criminal implications (e.g. sexual assault or hate crime), contact Police Scotland.
3. Where bullying or prejudice is substantiated, decide on appropriate action – see Appendix 1: Responsive Approaches.
 4. Where bullying or prejudice is not substantiated, speak with the child or young person who reported the bullying or prejudice and offer further support if needed.
 5. At each stage of the process, update the child or young person who reported the bullying or prejudice.

Parents as Partners

The views of the child or young person who has experienced bullying should always be considered when deciding whether to inform their parents/carers. There may be both risks and benefits of informing parents: the child or young person may think that this will make matters worse or it may place the child or young person in a harmful situation. In most cases, it is likely that parents/carers will be informed as they can play an essential role in preventing and addressing bullying. Contact may be face-to-face, by telephone or letter. A record of all communication should be kept and the child or young person informed about who their information has been shared with. In the small number of cases when, in the best interests of the young person, the decision is taken by a member of the senior leadership team not to inform parents/carers, this must be recorded in the pupil’s pastoral notes with a clear rationale for not informing.

RECORDING, MONITORING AND REVIEWING A BULLYING INCIDENT

1. Record all incidents on the SEEMiS Bullying and Equalities module. (See Appendix 3)
2. If there is any dispute or doubt about whether an incident was bullying or prejudice, the incident and the doubts should be recorded
3. Continue to check in with the child or young person who experienced bullying to ensure it has stopped / hasn’t resumed.

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Appendix 3

SEEMiS: Recording, reporting and monitoring of bullying and discriminatory incidents / alleged incidents

This guidance should be read in conjunction with the Scottish Government’s ‘Supplementary Guidance on Recording and Monitoring of Bullying Incidents in Schools’ [Recording and Monitoring Bullying Incidents - schools](#).

Responsibility

The designated member of senior leadership team / Equalities Co-ordinator should have responsibility for:

- ensuring that procedures relating to allegations of bullying and prejudice are implemented.
- monitoring SEEMiS reports on regular basis, ideally twice per term.

Recording

The following information must be recorded in the SEEMiS Bullying and Equalities module:

1. Person experiencing the behaviour
2. Person displaying the behaviour
3. Nature of the incident
4. Specific perceived reason for bullying

<p>Nature of incident</p> <ul style="list-style-type: none"> • Name calling, teased, put down or threatened • Hit, tripped, pushed or kicked • Belongings taken or damaged • Being ignored • Spreading rumours • Abusive Messages - online/phone/gaming/social media • Online/phone/gaming/social media • Targeted because of who they are/ perceived to be • Other (Please Specify) 	<p>Perceived reason(s) for bullying (previously ‘Characteristics’)</p> <ul style="list-style-type: none"> • Actual or perceived sexual orientation (e.g. homophobic, bi-phobic) • Additional support needs • Asylum seekers or refugee status • Body image and physical appearance • Care experience • Disability • Gender identity or Trans identity • Gypsy/Travellers • Marriage/civil partnership of parents/ carers or other family members • Mental health • Not known • Other: please specify • Pregnancy and maternity • Race and racism including culture • Religion or belief • Sectarianism • Sexism and gender • Socio-economic prejudice • Young carer • If ‘Other’ is selected from the list and added to the incident, an additional Other text box will be displayed to enable details of the ‘Other’ incident to be recorded.
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As well as recording that an alleged incident has been reported, detail about the incident should be recorded. Information about how the situation is to be monitored and reviewed should be entered in the appropriate section and the views of the person experiencing, the person displaying, and, if appropriate the views of parent/carer should be recorded.

Monitor and review

- Do they feel their concerns were listened to? If not, why not?
- Do they feel satisfied with the outcome? If not, why not?
- Does the parent/carer feel satisfied with the outcome? If not, why not?
- Has some form of restorative action taken place, if appropriate? What form did this take?

The **Action Progressed** section should then be completed outlining the actions taken and the conclusion of the investigation.

Incident Conclusion

- Being addressed
- Resolved
- Not resolved
- Unfounded

Automatic link with ‘pastoral notes’

Information recorded in this part of the Module automatically creates an entry into the pastoral notes for each of the children or young people. This entry does not contain detail about the incident – its purpose is to indicate that an incident has been recorded in the Bullying and Equalities module.

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Appendix 4 Exemplar Establishment Anti-Bullying Procedure (text in blue to be adapted to establishment context)

[Establishment Name] Anti-Bullying Procedure [Date]

See also supplementary guidance on preventing and responding to incidents of prejudice and discrimination related to protected characteristics in the Equality Act 2010. Part 1: Tackling Racist Incidents / Creating an Anti-racist Culture.

INTRODUCTION AND PURPOSE

City of Edinburgh Council is strongly committed to providing a safe environment for all people in its educational establishments. We are committed to ensuring positive relationships. Bullying, prejudice and discrimination are never acceptable and children, young people and staff have the right to learn and work in a safe, fair and secure environment.

This school procedure follows the City of Edinburgh Council's Communities and Families Procedure on 'Preventing and Responding to Bullying and Prejudice amongst Children and Young People' (2020) which is based on 'Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People'.

The emotional health and wellbeing of children, young people and staff is essential for our children to have the best start to life and to have successful life chances. We are committed to developing positive relationships between all in the school community, children, young people, staff and parents. Our core practices are the 4 Rs: Relationships, Rights Respecting, Resilience, Restorative.

We are a Rights Respecting School. This procedure covers the following articles of the UNCRC:

- Article 2 – You have the right to protection against discrimination.
- Article 19 – You have the right to be protected from being hurt or badly treated.
- Article 29 – You have the right to and education which develops your personality and your respect for other's rights and the environment.

This procedure has been revised and updated in consultation with staff, parent and pupil groups, including our Pupil Council, Parent Council and Equalities Committee (include others that apply).

Our values and beliefs (for example – adapt to school context)

- All pupils and staff have the right to feel happy, safe and included. [Establishment Name] supports every young person to achieve and attain their very best.
- We actively foster good relations between diverse groups and individuals, respect individuality and celebrate diversity.
- We are committed to promoting equality of opportunity for all and we work actively towards eliminating all forms of bullying, prejudice and discrimination. We challenge inequality and promote inclusive, nurturing environments.
- We recognise the effects that bullying, prejudice and discrimination can have on a child or young person's feelings of worth, on their health and wellbeing and on their school-work.
- We provide opportunities for success through a variety of curricular and extra-curricular options and pathways.
- We encourage creativity and support our young people to build the skills and resilience they need for the future.
- We have the courage to aspire to the very best we can be. We belong to our school and we are very proud of our tradition and heritage.

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- We use restorative approaches to repair and strengthen relationships between staff and pupils within our whole school community.

What do we mean by bullying?

“Bullying is both behaviour and impact; the impact is on a person's capacity to feel in control of themselves. This is what we term as their sense of 'agency'. Bullying takes place in the context of relationships; it is behaviour that can make people feel hurt, threatened, frightened and left out. This behaviour happens face to face and online”.

(respect**me** 2015)

Bullying behaviours can take many forms. Examples of bullying behaviours include:

- Name calling, teasing, putting down or threatening.
- Ignoring, leaving out or spreading rumours.
- Hitting, tripping, kicking.
- Taking and damaging belongings
- Sending an abusive text, email or instant message, or posting an abusive comment on a social networking site (online or cyber-bullying).
- Targeting someone because of who they are or who they are perceived to be.

Discrimination, Prejudice-based Bullying and the Equality Act 2010

Bullying behaviour can often be rooted in prejudice and discrimination due to difference or a perceived difference. We are committed to challenging discrimination, prejudice-based bullying and language, and to fulfilling our duty under the Equality Act 2010.

The Equality Act 2010 sets out rights which include legal protection from discrimination to any of the nine protected characteristics: **disability; race; sex (gender); pregnancy/maternity; religion/belief; sexual orientation; gender re-assignment; age; marriage/civil partnership**

Note: In relation to the education of children and young people, the protected characteristics of age, marriage and civil partnership are not included.

We recognise that children and young people can also experience bullying in relation to: asylum seeker or refugee status; body image; being care experienced; social or economic status; young carer responsibilities; imprisonment of parents/carers, siblings, or other family members.

We recognise that children and young people can experience disadvantage, prejudice or discrimination because of any of these individual factors or a combination of factors.

Hate incident or hate crime

A bullying incident is a hate incident if the victim or anyone else thinks it was carried out because of hostility or prejudice based on actual or perceived disability, race, religion, sexual orientation or transgender identity. If the incident is a criminal offence and the offender targeted the victim because of their prejudice or hostility based on any of these characteristics, this is a hate crime. All hate crimes should be reported to Police Scotland through the School Link Officer. In the case of hate incidents, the designated member of staff / Equality Co-ordinator should seek advice from the School Link Officer.

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Responsibilities and Reporting bullying, prejudice and discrimination incidents

Headteachers are:

- responsible for the introduction and implementation of this procedure. However, all staff, all pupils and their parents/carers must play an active part in following the guidance and putting it into practice. Teachers and support staff are expected to be pro-active, to treat all allegations seriously and to refer reports of incidents to the Equalities Co-ordinator / designated member of the senior leadership team. The incident is recorded accurately with future actions detailed.

The Equalities Co-ordinator, in consultation with the Head Teacher, is required to:

- ensure that all allegations are reported and recorded rigorously
- monitor SEEMiS Bullying and Equalities module reports regularly, at least termly
- monitor and report annually on the implementation of this procedure
- supervise the review and updating of this procedure at least every three years

Pupils are asked to:

- report all incidents and suspected incidents of any type of bullying, discrimination or prejudice that they experience to a member of staff, where it is safe for them to do so
- report all incidents and suspected incidents of bullying, discrimination and prejudice that they see to a member of staff, where it is safe for them to do so
- support each other and to seek help from a member of staff, to ensure that everyone feels safe and nobody feels excluded or afraid in school.
- if they don't feel able to speak to a member of staff, ([insert school arrangements for anonymous reporting here](#)) or contact an external organisation for advice and support, e.g. Childline, LGBT Youth Scotland or ELREC.

All school staff are required to:

- be pro-active in implementing the procedure
- treat all allegations and observation of bullying, discrimination and prejudiced behaviour or language seriously
- seek to address incidents, where appropriate
- record any incidents on a Wellbeing Concern form
- inform the Equalities Co-ordinator / designated member of staff of all incidents

Parents/carers are asked to:

- be aware of *respectme*, Scotland's Anti-bullying Service booklet – Bullying Behaviour: A Guide for Parents and Carers ([available at http://respectme.org.uk/resources/publications/](http://respectme.org.uk/resources/publications/))
- work collaboratively and respectfully with staff, children and young people and other parents/carers where appropriate to help ensure bullying, discrimination and prejudice cannot thrive
- speak to any member of staff (the class teacher, guidance teacher or member of senior leadership team) if they have any concerns about bullying, discrimination and prejudice experienced by their child or by another child / children at the time of the incident or as soon as possible thereafter

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- encourage their children to be positive members of our school community
- monitor closely their child's use of mobile phone and the internet and to intervene if there is a suspicion that these are being used inappropriately.
- understand that we seek to understand the experiences and address the needs of all children and young people who experience bullying, discrimination or prejudiced behaviour as well as those who present bullying, discrimination or prejudiced behaviour. We do this within a framework of respect, responsibility, resolution and support.
- speak to the Head Teacher if their concerns continue following initial intervention
- be aware that they can contact a relevant external organisation for advice and support
- be aware of the school's complaints procedure and the Council's Advice and Conciliation Service and their rights with regard to these procedures

PROMOTION OF EQUALITY

Through the Curriculum for Excellence, we: (adapt to school context)

- Increase knowledge of children's rights and responsibilities as responsible citizens.
- Challenge stereotypes, bias and discrimination, including prejudice-based attitudes and language
- Teach Critical Literacy
- Provide age-appropriate reading materials and resources that positively reflect and represent diversity, e.g. family structures that include single parents, people from minority ethnic backgrounds, disabled people, same-sex parents.
- Build resilience and empathy in young people as confident individuals.
- Raise awareness about bullying and our Anti-Bullying Procedure across a range of school subjects.

PREVENTION

By promoting a positive school ethos, with a focus on rights, equalities and health and wellbeing, we hope to prevent bullying, prejudice and discrimination happening. [For example \(adapt to school context\)](#)

- We update posters and school display screens regularly and use them to remind pupils that bullying, prejudice and discrimination are not acceptable and what to do if they or someone they know is being bullied or experiencing prejudice.
- Our pupil Equalities Committee actively supports the school's work on prevention of bullying, prejudice and discrimination.
- Bullying, prejudice and discrimination and other equality-related issues are a standing item on the SLT meetings, faculty meetings and our Pupil Council agenda.
- We carry out regular surveys and focus groups to evaluate ethos and health and wellbeing in the school.
- The school holds diversity, anti-bullying projects to raise the profile of these issues. For example, during Respect Week we hold an annual Anti-bullying event to raise awareness

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of what bullying looks like, how we can prevent it and what supports are available for pupils who experience bullying. We also hold anti-bullying year group assemblies and discuss bullying in key adult time and PSE lessons.

- The Rights Respecting School group ensure that all the pupils are aware of and learn about their human rights through lessons, events, assemblies and displays. The Rights-Respecting values are being embedded in the school and so pupils are being empowered to become more active citizens and learners.
- The Mentors in Violence Prevention (MVP) programme is now established in the school. Senior pupils are trained and empowered to prevent incidents that could lead to gender violence, which can be domestic abuse, sexting, assault or homophobia. Pupils are taught to challenge peers about their behaviour if it is safe to do so.
- We work with other agencies and partners in health, police and the voluntary sector to promote a positive ethos. This includes working with organisations such as [Edinburgh and Lothians Race Equality Council \(ELREC\)](#), [Intercultural Youth Scotland \(IYS\)](#), [LGBT Youth Scotland](#), [respectme](#), (include any that apply)
- We have a successful befriending system to support transition from primary school and senior pupils have been trained in peaceful resolution to conflict.
- Our staff receive regular training to increase their awareness and understanding of all forms of bullying, prejudice and discrimination as well as to develop skills in restorative practice.

SUPPORT

How we support pupils who are bullied or experience prejudice and discrimination

See also supplementary guidance on preventing and responding to incidents of prejudice and discrimination related to the protected characteristics in the Equality Act 2010. Part 1: Tackling Racist Incidents / Creating an Anti-Racist Culture.

We listen to the child or young person

- We reassure them that they have done the right thing by telling.
- We encourage them to talk about how they feel, find out what happened and who was involved
- We involve them in making choices about how the matter could be resolved.
- We discuss strategies for being safe and staying safe.
- We ask them to report any further incidents to us straight away.
- We affirm that the bullying can be stopped and that we will persist with intervention until it does.
- We say clearly what will happen next and that we will update them on progress.
- When the incident has been resolved, we monitor and check that bullying has not started again.

What happens next?

- The teacher or member of staff who receives the report will record the incident on a Wellbeing Concern form and discuss next steps with the designated member of senior leadership team / Equalities Co-ordinator.

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- At all times, child protection procedures and/or Risk Management procedures should be followed, if necessary.
- In most cases, further investigation will be done by the designated member of senior leadership team / Equalities Co-ordinator or Pupil Support Leader (secondary)
- Further investigation may involve:
 - Speaking with the children or young people involved, preserving confidentiality.
 - Speaking with children or young people or others who witnessed the incident, preserving confidentiality.
 - Speaking with parents (*after consultation with the child or young person*)
 - Seeking advice from partner services and relevant organisations
- In all cases where there may be criminal implications (e.g. sexual assault or hate crime), the designated member of senior leadership team / Equalities Co-ordinator will report this to Police Scotland.
- In the case of hate incidents, the designated member of the senior leadership team / Equalities Co-ordinator will seek advice from Police Scotland.
- If it is found that bullying, prejudice or discrimination has taken place, we will take appropriate and proportionate action (see examples of possible actions below)
- If it is found that bullying, prejudice or discrimination has not taken place, we will speak with the child or young person who reported the incident and offer further support if needed.
- At all times, we will update the child or young person who reported bullying, prejudice or discrimination.

Our work with pupils who bully others or present prejudiced or discriminatory attitudes / behaviour

A child or young person who is bullying someone else may not be doing this consciously but the impact of bullying, prejudice or discrimination is still felt and this is taken seriously. Pupils who engage in bullying behaviour or present prejudiced or discriminatory attitudes / behaviour will be treated fairly and consistently using actions that are proportionate and appropriate to the age and stage of the child and to the incident (see below).

- We interview the pupil (or pupils) involved in the incident separately.
- We listen to their version of events and take time to discover the reasons for the behaviour.
- We talk to anyone who may have witnessed the incident.
- We reinforce the message that bullying, prejudice and discrimination are not acceptable, and that we expect it to stop.
- We address prejudicial or discriminatory attitudes that may be behind the behaviour
- We seek a commitment to stop bullying.
- We affirm that it is right for pupils to let us know when they are being bullied.
- We consider consequences under our school's Positive Behaviour Management Procedure.
- We consider what support the pupil needs and whether other referrals are required, e.g. educational psychologist, counsellor.
- In all cases where there may be criminal implications (e.g. sexual assault or hate crime) we report this to Police Scotland.
- In the case of hate incidents, we seek advice from Police Scotland.
- We advise pupils responsible for bullying, prejudice or discrimination that we check to ensure that the behaviour stops.

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- We contact the parents of the pupil(s) at an early stage.
- We follow up after incidents to check that the bullying, prejudiced or discriminatory behaviour has not started again in any form.

Some examples of our actions

- Restorative practices, including acknowledging grievances.
- Involvement of a parent/carer where appropriate.
- Peer mentoring and mediation.
- De-escalation strategies.
- Physical separation of person/people presenting bullying, prejudiced or discriminatory behaviour, where necessary and possible.
- Use of support base to increase confidence and provide support.
- Consequences, including loss of privileges.
- Assessment of additional support needs, including counselling, for the person being bullied or experiencing prejudiced or discriminatory behaviour or for the person who is bullying or displaying prejudiced or discriminatory behaviour.
- Involvement of other agencies and partners in health, police and voluntary sector.
- Referral to specific support service, such as Psychological Services, Education Welfare Service, Social Work or Child and Adolescent Mental Health Service (CAMHS).

Note: Exclusion from school is not itself a sanction or punishment for bullying, prejudiced or discriminatory behaviour and would only be used in specific circumstances and as a last resort.

Online bullying and bullying outside the school premises

We know that bullying, prejudice and discrimination can occur outside the school gates and via mobile phones and social network internet sites. The behaviour may be presented by pupils from our own school, by pupils from other schools or by people who are not at school at all. Where a pupil or parent informs us of bullying, prejudice or discrimination outwith the school premises we will:

- Talk to pupils about how to avoid or handle these incidents outside of school.
- Talk to the Head Teacher of any other school(s) whose pupils are allegedly presenting bullying, discrimination and prejudiced behaviour.
- Talk to the transport company about bullying on buses
- Talk to the police, if appropriate.

Follow-up

When the incident has been resolved, we monitor and check with the child or young person that bullying has not started again.

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RECORDING AND MONITORING BULLYING INCIDENTS

The designated member of senior leadership team / Equalities Co-ordinator or Pupil Support Leader (secondary) will record all incidents in the Bullying and Equalities module in SEEMiS.

The following information is recorded:

- the person experiencing the behaviour
- the person displaying the behaviour
- the nature and category of the incident
- the perceived reason(s) for bullying
- actions already taken and future actions
- conclusion (being addressed, resolved, not resolved, unfounded)

All incidents should be recorded. Records should include whether the incident is bullying, and/or prejudice-based and the nature of this. If there is any dispute or doubt (on the part of any individual) about whether the incident was or was not bullying or prejudice, the incident and the doubts should be recorded.

The designated member of senior leadership team / Equalities Co-ordinator will:

- ensure that this procedure is implemented.
- monitor SEEMiS reports on regular basis, at least termly.

Records of bullying, discrimination and prejudice-based incidents will be collected centrally from SEEMiS by the local authority from August 2020 on a termly basis.

COMMUNICATING THIS PROCEDURE (adapt to reflect school context)

We promote our anti-bullying procedure throughout the session. This procedure is on the school website. Posters are on display around the school advising pupils how they can report bullying, discrimination and prejudice, or seek confidential help. ([In-school arrangements for anonymous reporting](#)) are regularly promoted via the school bulletin. The procedure is also reinforced through PSE classes and assemblies.

CONCERNS AND FEEDBACK

We recognise that there may be times when pupils or parents/carers feel that we have not dealt well with an incident of bullying, discrimination and prejudice or a wider community issue. If a pupil or parent/carer feels that an incident/issue has not been fully resolved to their satisfaction, we ask them to contact the Head Teacher in the first instance.

If the Head Teacher cannot resolve these concerns informally, parents/carers can raise their concerns more formally through the school's Complaints Procedure. If early resolution at this stage is not achieved, then parents/carers can use the Council's Advice and Conciliation Service. We are also pleased to receive positive feedback from parents/carers when things have gone well.

At any time, a pupil or parent/carer can seek advice and support from an external organisation.

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EVALUATING AND REVIEWING OUR PROCEDURE (adapt to reflect school context)

We evaluate the effectiveness of this procedure on an annual basis, reviewing the number of incidents that are reported alongside the attendance, exclusions, attainment and achievement of pupils in protected groups. Pupils' perceptions and experiences of bullying are reviewed through questionnaires and focus groups. Feedback received from parents is also taken into consideration. The procedure is reviewed formally every 3 years.

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