

# Kesgrave High School



## Anti-bullying and Anti-discrimination Policy

This policy reviewed **triennially**

### Policy Approval

Where	Chair	When
EE	David Bevan	9 February 2021

Chair of Governors	Sue White
Headteacher	Julia Upton

### Policy History

Issue No.	Author	Date written	Approved by governors	Comments
1	L Warfield/J Upton	October 2021	9 Feb 2021	Policy combined bullying and discrimination and referenced new behaviour policy

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# Anti-Bullying and Anti-Discrimination Policy

## Statement of Intent

Society today is one whereby acceptance should be a natural feature of life and Kesgrave High School believe its community should be accepting of everyone; even people with different views.

Kesgrave High School works hard to shape a curriculum that encourages people to form their own opinions and strive to cultivate a more integrated, harmonious society where understanding and mutual respect is the basis and acceptance is the norm.

We are committed to providing a caring, friendly and safe environment for all of our students so they can learn in a secure, inclusive atmosphere. Bullying and Discrimination of any kind is unacceptable at our school and we adopt a zero tolerance approach to these. If bullying or discrimination occur, everyone should be able to tell and know that incidents will be dealt with promptly and effectively.

We are an OPEN, SHARING, LISTENING school. This means that **anyone** who knows that bullying or discrimination is happening is expected to tell the staff. Everyone must realise that not telling means that the bullying or discrimination are likely to continue. Everyone should feel confident to make disclosures and that they will be listened to and taken seriously.

## 1 Principles

- The School will use all the powers and resources at its disposal to eliminate bullying and prejudice related incidents. We recognise that tolerance comes with understanding and education is a powerful tool to ensure that everyone is valued.
- The School will work with parents, communities and other agencies to ensure that it is clearly understood that bullying and discrimination in any form is unacceptable.
- The School aims to provide an atmosphere where everyone is valued and differences are accepted and any bullying and discrimination is always challenged.
- The School will ensure that any complaint of bullying and prejudiced related harassment is promptly investigated and that everyone is aware of their responsibility and the procedures to challenge and report it when it occurs.

### 1.1 The School Curriculum

Within the curriculum, the school will raise the awareness of the nature of bullying and discrimination through inclusion in PSHEE, form tutorial time, assemblies and subject areas, as appropriate, or in an attempt to eradicate such behaviour.

## 2 Definitions

### 2.1 What is Bullying?

Bullying is deliberately hurtful behaviour which is **repeated over a period of time** where it is difficult for those being bullied to defend themselves. There are seven common types of bullying:

**Physical                      Mental                      Verbal                      Cyber**  
**Social                      Racist                      Sexual**

It is important to identify which type of bullying is impacting on the victim so it can be understood what is happening to them, how they can be supported and what action to take.

The focus of bullying can be more or less anything that distinguishes an individual and represents a deviation from a presumed 'norm.' Bullying is not the same as quarrelling or falling out with each other over friendship groups, as all adolescents will do from time to time.

Not all aggression is bullying, nor all name calling; it becomes bullying when it is **persistent** and when it is exercised through the use of power rather than an exchange between equals.

### 2.2 What is a Discriminatory/Prejudice Related Incident?

Discrimination is an incident that is perceived to be discriminatory by the victim or any other person. Discrimination happens when someone is treated less favourably within the nine protected characteristics as listed in the Equalities Act 2010 (known as direct discrimination), or when a policy, practice or process puts someone at an unfair disadvantage (known as indirect discrimination). Incidents might include:

- Verbal or Physical threats;
- Insulting, abusive, embarrassing or patronising behaviour or comments;
- Humiliating, intimidating, demeaning and/or persistent criticism;
- Open hostility;
- Isolation or exclusion from normal work or study place, conversations or social events;
- Publishing, circulating or displaying pornographic, racist, sexually suggestive or otherwise offensive pictures or other materials;
- Unwanted physical contact, ranging from an invasion of space to a serious assault, and suggestive comments or body language;
- Alleged discrimination in the failure to provide a service, or
- Discriminatory graffiti.

(The above list is not intended to be exhaustive.)

Bullying and Discrimination incidents will include any such incidents related to the following nine protected characteristics as referred to in the Equalities Act 2010

**Age                      Disability                      Gender Re-assignment                      Marriage and Civil Partnership**  
**Pregnancy & Maternity                      Race                      Religion or Belief                      Sex                      Sexual Orientation**

## 3 Safeguarding and Young People

When there is 'reasonable cause to suspect that a student is suffering, or is likely to suffer, significant harm', a bullying or discrimination incident should be addressed as a safeguarding concern under the Children Act 1989. Where this is the case, the school staff should discuss with

the school's Designated Safeguarding Lead ('DSL') and report their concerns to their Local Authority Children's Social Care and work with them to take appropriate action. Full details can be found in Part 1 of Keeping Children Safe in Education<sup>1</sup>.

However, external support can be given to students whether or not it is deemed a child protection concern. Even where safeguarding is not considered to be an issue, schools may need to draw on a range of external services to support the student who is experiencing bullying, or to tackle any underlying issue which has contributed to a child engaging in bullying. Full details can be found in Part 1 of Keeping Children Safe in Education<sup>1</sup> and Chapter 1 of Working Together to Safeguard Children<sup>2</sup> and the school Safeguarding Policy.

#### **4 Criminal Law**

Although bullying in itself is not a specific criminal offence in the UK, it is important to bear in mind that some types of harassing or threatening behaviour – or communications – could be a criminal offence, for example under the Protection from Harassment Act 1997, the Malicious Communications Act 1988, the Communications Act 2003, and the Public Order Act 1986.

If school staff feel that an offence may have been committed, they should seek assistance from the Police. For example, under the Malicious Communications Act 1988, any person who sends an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known or believed to be false by the sender, is guilty of an offence if their purpose in sending it was to cause distress or anxiety to the recipient.

#### **5 Bullying or Discrimination Which Occurs Outside School Premises**

School staff members have the power to discipline students for misbehaving outside the school premises. Sections 90 and 91 of the Education and Inspections Act 2006 say that a school's disciplinary powers can be used to address students' conduct when they are not on school premises and are not under the lawful control or charge of a member of school staff, but only if it would be reasonable for the school to regulate students' behaviour in those circumstances. This may include bullying or discriminatory incidents occurring anywhere off the school premises, such as on school or public transport, outside the local shops, or in a town or village centre.

Where bullying or discrimination outside school is reported to school staff, it should be investigated and acted on. The headteacher 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 school staff members have the power to discipline students for bullying or discrimination that occurs outside school, they can only impose the disciplinary sanction and implement that sanction on the school premises or when the student is under the lawful control of school staff, for instance on a school trip.

#### **6 Why Is It Important to Respond to Bullying or Discrimination?**

Bullying or discrimination, especially if left unaddressed, can have a devastating effect on individuals. It can be a barrier to their learning and have serious consequences for their mental health. Bullying or discrimination which takes place in and out of school does not only affect an

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<sup>1</sup> [Keeping Children Safe In Education – Part 1](#)

<sup>2</sup> [Working Together to Safeguard Children](#)

individual during childhood but can have a lasting effect on their lives well into adulthood. By effectively preventing and tackling bullying and discrimination, schools can help to create safe, disciplined environments where students are able to learn and fulfil their potential.

Bullying and discrimination hurts. No one deserves to be a victim of either. Everybody has the right to be treated with respect. Students who are bullying or discriminatory need to learn different ways of behaving.

Schools have a responsibility to respond promptly and effectively to issues of bullying and discrimination.

## **7 Procedures**

All incidents of bullying or discrimination should be reported to a member of staff. The most appropriate would be the form tutor, the relevant student support officer or the relevant Head of Year. The exact form of action will vary with each situation but the main objectives should be that bullying incidents are brought into the open, discussed, strategies agreed to help resolve the problem and to make sure the behaviour is not repeated.

It is important to make sure that:

1. Everything that happens is recorded.
  - a. All incidents of discriminatory bullying and/or cyber-bullying will be recorded on the schools bullying log.
  - b. All incidents which are prejudiced related bullying (racial, disabled or homophobic in their content) will be recorded and logged separately with the Senior Teacher responsible in the Prejudice Related incidents Log.

The person reporting or recording an incident will provide details including:

- date, time and place of incident;
  - type of incident;
  - person(s) involved, and
  - actions (including sanctions) taken.
2. The application of sanctions will be in line with the School's Behaviour Management Policy and will depend on the individual circumstance of each incident.
  3. Support will be available to the victim.
  4. Support will be available for the bully to help change their behaviour.
  5. All relevant stakeholders will be informed and involved.

### **7.1 In Cases Involving Volunteers, Parents/Carers or Other Adults**

- The incident should be reported to the Headteacher.
- The procedure for making a formal complaint will be made known to the complainants(s).
- The Headteacher will investigate the case and take appropriate action.

In cases involving a member of staff the matter will be handled in accordance with the School's disciplinary procedures and will therefore be referred to the Local Governing Body.

### **7.2 For Offences That Take Place Outside School Premises**

- The protection of students is the first priority and staff should seek to secure that;
- Incidents that involve physical assault should be reported to the Police as soon as practical and their assistance sought;

- Aggressive or provocative action should be avoided;
- Perpetrators should be clearly warned that their behaviour is unacceptable and is likely to be reported to the police where appropriate;
- A full report must be made to the Headteacher as soon as possible, and
- The parents/carers of students involved in the incident will be informed about the incident and the action taken.

### **7.3 Following Up An Incident and Dealing with its Impact on the School Community**

Extra vigilance should be applied following serious incidents. There should be alertness to:

- patterns of absence;
- outbreaks of graffiti, and
- the presence of discriminatory literature, badges and insignia.

There should be increased alertness when students are arriving or leaving and when they are moving between buildings and lessons and at break times. Every opportunity should be taken to remind the pupils of the School's code of practice. Rumours should be promptly challenged.

Feedback will be sought from the victims and their parents/carers as well as from members of the community in order to assess the impact of the incident and to evaluate the appropriateness /effectiveness of the School's action.

### **Appendix 1 – Supporting Information from DfE**

- [Preventing and Tackling Bullying](#)
- [Cyberbullying: Advice for Headteachers and School Staff](#)
- [Advice for Parents and Carers on Cyberbullying](#)