

# MELROSE PRIMARY SCHOOL



## **RESPECTFUL RELATIONSHIPS POLICY**

### ***Anti-Bullying Policy for Children and Young People's Learning Settings in the Scottish Borders***

***Approved: Education Committee 27 November 2012***

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## INTRODUCTION

### POLICY PURPOSE

The purpose of this policy is to support the development of respectful relationships within learning settings for children and young people aged 3-18 in the Scottish Borders. The policy will provide guidance to staff, parents, and children and young people on the prevention and management of bullying behaviour to make learning settings safe, respectful and positive environments where bullying behaviour is never acceptable.

The remit of this policy covers the following areas:

- Definition and Approach
- Raising Awareness and Prevention
- Education and Training
- Reporting and Responding to Bullying Behaviour
- Managing and Recording Bullying Behaviour
- Monitoring Bullying Behaviour – Responsibilities of the local authority

### POLICY SCOPE

This policy will apply to all learning settings and to all practitioners within the framework of Curriculum for Excellence. This policy has been informed by *A National Approach to Anti-Bullying for Scotland's Children and Young People*. The approach we take in the Scottish Borders is one which operates within the context of the United Nations Convention on the Rights of the Child.

This policy applies to all incidents of bullying behaviour within the learning setting: between learners; between learners and staff; and between staff and learners– with the exception of staff to staff bullying; in which circumstances the corporate Grievance Procedure applies. This policy considers the impact of bullying behaviour which is experienced out with the learning setting, as the impact of the behaviour is likely to affect the individuals motivation towards learning.

This policy sits alongside other Scottish Borders Council policies: in particular Child Protection Policy, Procedures, and Guidance; and Violent Incidents in Schools policy. In some situations more than one policy approach should be taken: where there is a Child Protection concern this will supersede the Respectful Relationships policy.

This policy sits within and will be considered to be part of the Learning setting's Behaviour Management policy or approach.

This policy replaces all previous Education and Lifelong Learning Anti-Bullying Guidance, Policies and Procedures adopted by the local authority and those developed by individual schools/learning settings.

## **CORPORATE CONTEXT**

This policy contributes to:

- National Outcome 4 “Our young people are successful learners, confident individuals, effective contributors and responsible citizens”
- National Outcome 5 “Our Children have the best start in life and are ready to succeed”
- National Outcome 9 “We live our lives safe from crime, danger and disorder”
- Scottish Borders Community Planning priorities of Early Intervention.
- Local Outcome 4.1 “Young people enjoy living in the Borders and make a positive contribution within their community”
- Children and Young People’s Planning Partnership: Children and Young People’s Services Plan 2012-15
- E&LL(Schools) Strategic Improvement Plan 2012-15

## **TERMS OF REFERENCE**

### **Learning Setting**

A learning setting is any educational environment which delivers the outcomes of curriculum for excellence. This will include authority provided nursery and pre-school education, primary and secondary schools, specialist educational providers, post-16 training provisions, informal learning such as youth work, arts and cultural development, and after school clubs and groups.

In addition this document should be referred to as good practice for activities which occur within schools and community centres, and for authority commissioned/funded services such as third sector youth work provision, out of schools clubs, and early years education provision.

### **Children and Young People or Learner**

A Child is any person aged 3-11 years and a Young Person any person aged 12-18 years. In addition learners may be older than 18 and attend a learning setting in the Scottish Borders. This will include those learning within the conditions of our Adults in School policy.

### **Parent**

Parent is used to describe parents, carers, kinship carers and any other adult with a primary caring responsibility for a child or young person.

### **Respectful Relationship**

A respectful relationship is based upon mutual trust, honesty, kindness, consideration and fairness, bringing out the best in those involved.

## IMPLEMENTATION

This policy will be implemented under the leadership of the Director of Education and Lifelong Learning. Governed by the Scottish Borders Anti-Bullying Policy Implementation Board. Supported by Senior Education Officers, Head of Establishments and delivered by Practitioners and Establishment Staff. Learners and parents, working in partnership with learning settings, can contribute towards implementation.

This single policy will apply in all learning settings. Learning settings should form an overview group to ensure that the policy and procedures are being realised. Learning settings may issue additional guidance for parents, learners, or staff which will support but not contradict this policy. Each learning setting will develop an ethos policy statement for inclusion in to the policy document.

This policy has been written by a multi-agency Implementation Board with consideration given to the recommendations of the Scottish Borders Youth Commission on Bullying.

This policy will be reviewed for amendments on the anniversary of the policy implementation date (20 August 2013) with a full policy review commencing in 2017.

## **Ethos and Values**    **LEARNING SETTING ETHOS STATEMENT**

Our vision, values and aims are set in the context of the Education and Lifelong Learning Strategic Improvement Plan and How good is our school?

At Melrose Primary School our vision is '**To be the best we can be**'

This vision is embedded in our school's **aims** to:

- create a welcoming and happy environment where all achievement is celebrated
- listen to and consider all points of view
- provide a variety of stimulating opportunities and experiences to maximise potential
- equip children with the skills for life and for the future
- recognise and support different styles of learning and teaching
- work in partnership within our school and the wider community

Our **values** guide the way we work.

Together we will:

- respect and look after each other and the world around us
- create a challenging, engaging and responsive environment
- provide a safe, supportive and inclusive community where we value everyone
- build on the strengths, interests and aspirations of all
- promote equal opportunities, respect diversity and value the special contribution everyone can make
- actively encourage and promote health and well being

## Section 1 DEFINITION AND APPROACH

### ***Definition***

Bullying is a behaviour that is unacceptable in our learning settings.

Bullying is defined by its impact on the person/people affected as a result of the intended or unintended behaviour and actions of others. Bullying behaviour impacts on the wellbeing of those affected and results in a reduced sense of self-esteem; and a negative impact on wellbeing. Bullying behaviour is typically characterised by the individuals involved perceiving difference between themselves and others.

*“The impact an incident has had on a child or young person is more important than whether it is classified as bullying.” (Scottish Government, 2010)*

Bullying behaviour should be defined by the person or people affected; therefore enabling those individuals to claim ownership of their experience. It is the responsibility of adults (parents and staff) to support, listen, respect and respond to the experience of the child or young person experiencing bullying behaviour. The effective management of bullying behaviour should be through dialogue and discussion. Our approach is child-centred and within the principles of Getting it Right for Every Child.

All our learning settings will seek to enable and promote respectful relationships based upon mutual trust, honesty, kindness, consideration and fairness, bringing out the best in those involved. It is acknowledged that children and young people will disagree with one another, fall out, have arguments, or stop talking to each other. This should be distinguished from bullying behaviour. In an environment where this behaviour is not effectively addressed it could lead to bullying behaviour.

### ***Impact and Behaviour***

Impacts of bullying behaviour may be experienced as, but not limited to:

- Reduced self confidence
- Withdrawal from normal activities
- Non attendance at school
- Loneliness
- Anxiety and depression
- Tearfulness
- Humiliation
- Fearful and frightened
- Changes to behaviour
- Aggression
- Changes to physical appearance
- Demonstrating bullying behaviour towards others
- Eating disorders
- Self harm and suicidal thoughts

Bullying can be displayed as behaviours such as, but not limited to:

- name calling / verbal abuse
- physical abuse
- emotional and psychological abuse
- isolation and exclusion of others
- theft or damage to belongings
- extortion and manipulation

### **Cyber Bullying**

This policy definition of bullying includes cyber bullying. Cyber bullying is bullying which takes place online or by virtual means. This will be defined by the same impact and behaviours as any other forms of bullying behaviour. 'Cyber' should be considered as the location of the behaviour rather than the behaviour itself. This may be experienced through text messaging, online forums or social networks.

### **Prejudice Based Bullying**

Prejudice based bullying is when the bullying behaviour is targeted directly due to actual or perceived difference/diversity. Specifically this will include the protected characteristics of the Equalities Act 2010:

- Disability
- Sexual orientation
- Sex
- Gender reassignment/transgender
- Race
- Religion and belief
- Age
- Pregnancy and maternity,
- Marriage or civil partnership

This behaviour will be defined by the same impact and behaviours as any other forms of bullying behaviour and must be recorded. These incidents will be monitored and reported on independently of other bullying behaviours. It should be noted that this behaviour may also be a Hate Crime and anyone involved has the right to report this to the Police:

*“Hate crime is any criminal offence committed against a person or property that is motivated by hostility towards someone based on their disability, race, religion, gender identity or sexual orientation.” (Crown Prosecution Service, undated)*

### **Language**

Throughout this policy, procedure and implementation the terms victim and bully will not be used. In their place we will use person demonstrating bullying behaviour (perceived or actual) and person experiencing bullying behaviour.

*“Avoid labelling children and young people as bullies or victims because these labels can constrain thinking of the problem as solely a characteristic of the individual, rather than as a problem that emerges from complex social dynamics.” (Scottish Government, 2010)*



Persistence, frequency, and intent are not defining characteristics of bullying behaviour within this policy.

### ***Approach***

This policy approach requires that the rights and responsibilities of all within the learning setting are understood, valued and respected.

This policy requires partnership and collaboration within the learning setting. Effective implementation of this policy will require the active involvement of learners, parents and staff. The implementation of the policy will require strong and effective leadership from the Department of Education and Lifelong Learning and within each learning setting.

This policy requires consistency in interpretation and implementation to ensure that children, young people and their parents can have clear expectation of learning in settings which promote and maintain respectful relationships and where bullying behaviour is unacceptable. This consistency in approach will contribute to effective transitions between learning settings for children and young people.

This policy sits alongside other Scottish Borders Council policies, in particular:

- Child Protection Policy, Procedures, and Guidance
- Violent Incidents in Schools Policy

In some situations more than one policy approach should be taken. Where there is a Child Protection concern this will supersede the Respectful Relationships policy.

This policy sits within and will be considered to be part of the Learning Setting's Behaviour Management policy or approach. These setting specific policies are available within each learning setting.

### ***Principles and Policy Drivers***

- United Nations Convention on the Rights of the Child
- National Approach to Anti-Bullying for Scotland's Children and Young People
- Curriculum for Excellence
- Getting it Right for Every Child
- Partnership within the learning community
- Participation and involvement of learners and parents
- Equalities and Diversity

Further details of the principles and policy drivers can be found in Appendix 1.

## Section 2 RAISING AWARENESS AND PREVENTION

All learning settings in the Scottish Borders will actively, openly talk about and discuss bullying behaviour. It is not acceptable for bullying behaviour to be a 'taboo' subject. It is the aim of this policy to dispel myths that bullying is an inevitable or acceptable part of growing up. Bullying behaviour is never acceptable.

All learning settings should seek to prevent bullying behaviour by effectively implementing strategies which support the principles of this policy; in particular strategies that engage the involvement and participation of learners, parents, and staff in their design, development, and implementation.

### ***Suggested Approaches to Awareness Raising and Prevention***

The following activities and interventions offer a suggestion of the range of activities which may be developed and implemented by learning settings. The aim of these activities will be to promote and foster respectful relationships:

- Curricular activities
- Poster campaigns
- Specific information regarding prejudice-based bullying and equalities
- Policy information in parents handbooks
- Policy information in pupil planners
- Diversity Week/Equalities campaigns
- National Anti-Bullying Week
- Guest speakers
- Themed assemblies
- Buddy/Mentors/Role Models
- Parent Information Events
- Working towards achieving UNICEF Rights Respecting Schools accreditation

### ***Compulsory Approaches to Awareness Raising and Prevention***

All learning setting will raise awareness of bullying behaviour and its impact on wellbeing by implementing the following:

- **Working in partnership** with organisations such as, but not limited to:
  - NHS Borders
  - Integrated Children's Services
  - Lothian and Borders Police
  - Churches and Faith Groups
  - Third Sector Organisations such as Action for Children, LGBT Youth Scotland, YouthBorders, and *respectme*
- **Contracts for Respectful Learning**  
Learning groups should negotiate a Contract for Respectful Learning for the settings they are in. This should be agreed with the class/pastoral teacher or group leader and should be monitored and enforced by peer review. These contracts should be concise and should be accessible to read within the learning setting. Learners should demonstrate their

commitment to these contracts through an agreeable means. This approach will likely complement traditional approaches such as “School Rules” or “Codes of Conduct”

➤ **Peer Education / Peer Mentoring**

Learning Communities will be supported to establish a model of peer education or peer mentoring – where these do not currently exist – for raising awareness of bullying behaviour and for prevention and/or management. This will have a high degree of learner leadership and participation and the resource should be available across all learning settings within the learning community.

➤ **Directory of Services**

Scottish Borders Council Education and Lifelong Learning will publish and maintain a directory of local and national services which can offer reliable support, resources, and information about bullying behaviour. This will be available<sup>1</sup> at [www.scotborders.gov.uk](http://www.scotborders.gov.uk) and will be reviewed on an annual basis by a Senior Education Officer.

➤ **Equalities Council**

All learning settings will establish an Equalities Council to provide a forum for discussion of equalities issues and to coordinate activity which raises awareness and celebrates difference and diversity within the learning settings and its wider community. This should be an inclusive group of learners, parents, staff, and community members.

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<sup>1</sup> This will be available at policy implementation in August 2013.  
Respectful Relationships: Anti-Bullying Policy  
Version 27/11/12

## Section 3 EDUCATION AND TRAINING

### **Health and Wellbeing responsibilities for Staff/Volunteers**

All staff and volunteers with a responsibility for children and young people will participate in appropriate training and development to ensure effective implementation of this policy. It is not acceptable for staff/volunteers working with children and young people in learning settings to have had no formal training on understanding and managing bullying behaviour.

### ***Core Training***

Through Support and Supervision, Performance Review and Development (PRD), and Continuing Professional Development (CPD) planning; learning settings should support staff/volunteers to undertake appropriate training. All staff/volunteers have a responsibility for health and wellbeing and therefore will undertake a core training course which will support the promotion of Respectful Relationships as well as understanding, recording and managing bullying behaviour. This should be refreshed every 3 years.

Delivery of this training will be varied; the core module requiring two learning hours. Options will include in-service training as well as centralised training. Staff should be encouraged and supported by management to become in-house trainers to cascade the core training module within their learning setting or learning community. Training for Trainers unit is also available to enable this.

### ***Supplementary and Advanced Training***

A range of further training and skill development sessions are available for staff and volunteers to access. This menu of training is available<sup>2</sup> at [www.sbc-cpd.co.uk](http://www.sbc-cpd.co.uk)

Supplementary training areas may include, but not be limited to:

- Developing and supporting respectful relationships
- Understanding Impact of bullying behaviour
- Understanding respectful relationships and preventing bullying behaviour and its impact
- Recording, Monitoring and Reviewing bullying behaviour
- Developing and implementing effective prevention and early intervention strategies
- Making appropriate responses to the management of bullying behaviour
- Prejudiced based bullying: Equalities and Children's Rights
- Cyber bullying and staying safe online

### **Newly Qualified Teachers**

All Newly Qualified Teachers working in Scottish Borders Schools will receive, as part of their induction to the authority, an awareness raising session on understanding, recording and managing bullying behaviour and the approach of this policy.

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<sup>2</sup> This will be available at policy implementation in August 2013.  
Respectful Relationships:Anti-Bullying Policy  
Version 27/11/12

**Pupils/Learners and Parents**

Within Curriculum for Excellence there are specific Health & Wellbeing outcomes which children and young people would expect to achieve as part of their learning experience. Those of key relevance to the implementation of this Respectful Relationships policy and provide learning opportunities for children and young people to understand the purpose and implications of this policy are listed in Appendix 2. Specifically learning settings will consider the following outcome for learners at all stages:

*“I know that friendship, caring, sharing, fairness, equality and love are important in building positive relationships. As I develop and value relationships, I care and show respect for myself and others” (Curriculum for Excellence, **HWB (0-4)-05a**)*

This along with other outcomes aims to develop and promote respectful relationships, to identify and manage bullying behaviour, equalities and diversity, children’s rights, and online safety. This will be complemented with parent information sessions e.g. at transition times and existing parents nights.

## Section 4 REPORTING AND RESPONDING TO BULLYING BEHAVIOUR

### Reporting

Learning settings will provide friendly, confidential, and safe ways for learners to report bullying behaviour. Learning settings should take action to empower the reporting of bullying behaviour – either as those who have experienced bullying behaviour or those who believe that they have witnessed this behaviour or can see the impact of the behaviour in others.

All staff within a learning setting should be equipped to receive and respond to a report of bullying behaviour. In addition each learning setting will have specific staff, made known to learners and parents, who will have a lead responsibility for managing the reports of bullying behaviour. It is the role of the adult to listen: to explore thoughts, feelings and impact, and to help the child or young person feel safer as a result.

In each learning setting an option for online reporting will be made available to learners through an appropriate means, including taking consideration of age – such as a dedicated email address or online form. This must be managed to ensure there is no significant delay between incidents being reported and them being addressed and responded to. This will be managed within each learning setting.

It is the expectation of Education and Lifelong Learning Management Team that the number of reported and recorded incidents of bullying behaviour may increase as a result of the effective implementation of this policy.

### Recording the Report

Through listening to the child/young person reporting the bullying behaviour the following should be recorded in to the Management Information System (SEEMIS<sup>3</sup>).

- **People:** Who is involved in the incident(s) being reported; did anyone witness this behaviour.
- **Impact:** The feelings, emotions, and wellbeing of the person experiencing bullying behaviour
- **Behaviour:** The nature of the behaviours displayed or demonstrated towards the person experiencing bullying behaviour
- **Nature:** The nature of the bullying behaviour (could this incident invoke Violent Incidents in School; or Child Protection Guidelines to replace or run in addition to this approach)
- **Place:** Where did the incident(s) take place
- **Date, Time and Details:** When did the incident(s) take place

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<sup>3</sup> An incident recording module is currently under development for this purpose.  
Respectful Relationships:Anti-Bullying Policy  
Version 27/11/12

## Consent

Responding to bullying behaviour requires a partnership approach – when it is safe to do so. The response to incidents of bullying behaviour will normally involve the learning setting staff, learners, parents, and partner organisations if appropriate.

**Learning settings should seek to inform and involve parents in supporting resolution of bullying behaviour. However, it is important the children and young people are aware of the learning settings intentions and actions regarding parental involvement<sup>4</sup>.**

This process should involve seeking the consent of the child or young person as to whether they wish their parents to be involved. Learners aged 12 and over should be deemed to have the capacity and maturity to form a view and give consent. There may be occasions when staff consider because of additional support needs or general vulnerability that learners over 12 years do not have the capability to express a view. Equally, there will be occasions when staff will consider that children under the age of 12 years have the capability of expressing a view. It should be noted that whilst any learner's view, as expressed, should be considered, there may be situations whereby it is deemed to be in their best interests that their parents or third parties are advised of the situation.

Consent may need to be sought and re-sought at different intervals throughout a bullying incident to manage risk, harm, and consideration of child protection. Consent can be verbal and will be recorded within the Management Information System.

## Confidentiality

Responding to bullying behaviour requires a commitment to confidentiality by all parties – this should take account of the right to confidentiality of all involved:

- ★ child/young person experiencing bullying;
- ★ parents/carers of child/young person experiencing bullying;
- ★ child/young person perceived/actually demonstrating bullying;
- ★ parents/carers of child/young person perceived/actually demonstrating bullying

When responding to and managing incidents it may be appropriate in some circumstances for a confidentiality agreement to be put in place for all parties. **It will be made explicit to the child/young person the circumstance in which confidentiality may have to be broken to ensure they are protected from harm and kept safe.**

## Response and Action

The response to bullying behaviour must be child-centred and operate within the values of Getting it Right for Every Child and with consideration of the Scottish Borders Council Child Protection Guidelines.

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<sup>4</sup> In some circumstances where the bullying behaviour is characterised by factors such as sexual orientation, parental behaviour or beliefs, family circumstances including domestic abuse, a child or young person may express a preference to not involve their parents.

All reported incidents must be addressed by an appropriate response and subsequent action. The purpose of this stage is to establish a deeper understanding of the experience and impact on the person experiencing bullying behaviour. The response must be child-centred, constructive, empathetic, and demonstrates a serious commitment to the experience of the individuals involved.

The response to the report of bullying behaviour will be made by a trained member of staff. When identifying the person who will address and respond to this incident consideration should be made of the existing relationships they have to the individuals involved.

Staff, learners, and when involved parents, should agree mutually acceptable time frames within which the initial recording and response should be completed. As a guide, this should be within one week of the initial reporting. This should be followed by agreed actions for addressing the behaviour. The member of staff to whom the bullying behaviour was first reported should take responsibility for ensuring all parties are actively informed of progress made.

#### **To be recorded at response stage**

- Name of person addressing the incident
- Details of who is involved in the incident being addressed
- The feelings, emotions, and wellbeing of the person experiencing bullying behaviour
- The feelings, emotions, and wellbeing of the person demonstrating bullying behaviour
- The nature of the behaviours displayed or demonstrated towards the person experiencing bullying behaviour as accounted for by all parties
- The recording of any behaviours characterised by prejudice
- Confirmation that consent to contact parents has been sought from all parties.

Following this recording and response the management phase begins (see section 5).

It may be established that the bullying behaviour is perceived not actual: in such cases the management response should include only the individual who perceives they are experiencing bullying. For example – a child may say that ‘everyone’ is bullying them and as a result they feel isolated and without friends. Without being able to identify any individual or group of individuals it would not be appropriate to manage this incident involving both parties. In this instance, approaches that build trust, confidence, resilience, restore agency, and self-esteem would be more appropriate.

#### **Additional Considerations**

Bullying behaviour is complex. It should be remembered that the incident being reported as bullying behaviour may require consideration of other factors, in particular:

- Child Protection
- Violence
- Criminality – including Hate Crime
- Equalities and prejudice



To ensure the effective and safe support to individuals involved in bullying incidents, learning settings are required to consider the circumstances in which the involvement of the following people would be essential:

- Lothian and Borders Police including Locality Integration Officer
- Local authority Child Protection Officer
- Locality Social Worker, and;
- Local authority Corporate Equalities Officer

Further information of additional considerations about these circumstances can be found in Appendix 3 to this policy.

## Section 5 **MANAGING AND RECORDING BULLYING BEHAVIOUR**

### **Managing**

Management of bullying behaviour begins after the response has established the impact and nature of a bullying incident. A partnership approach should be taken to the management of incidents. The approach will be agreed between all parties, will be transparent, and will have review dates in place from the outset of the management plan.

### ***Management Approach***

The aim of management is to intervene effectively to stop the bullying behaviour and where possible to help restore relationships, if that is the wish of the parties involved. Intervention and management should help children and young people regain a sense of control, of self-determination and ability to express who they are and what they want to happen.

Management approaches should include, but not be limited to:

- Restorative meetings
- Mediation
- Counselling
- Peer support/mentoring
- Advocacy
- Facilitated Apology

Behaviour management is the approach to be taken for the resolution of bullying behaviour. Punitive approaches are not considered appropriate for managing bullying behaviour. The management of bullying behaviour should focus on: preventing repeat behaviour; developing an understanding of behaviour which is disrespectful; and restoring and repairing damaged relationships. The approach to management should consider the rights and responsibilities of all.

### ***Bullying Behaviour and Pupil Exclusion***

Exclusion is an extremely serious option of last resort, impacting disproportionately on our most vulnerable children and young people. Exclusion must only be used within an overall ethos of prevention, early intervention and support for children and young people, including consistently applied methods for promoting positive relationships and behaviour in schools. If exclusion is a consideration for the management of bullying behaviour then it must be applied within the context of Scottish Borders Council Exclusions Policy. There are no grounds for informal exclusions such as 'cooling off periods' with this policy and procedure – if this approach is required this must be done within the learning setting with the learner in attendance.

### **Recording at Management**

To be recorded through the Management phase:

- Date at which management approach began
- Name of Management Coordinator
- Name of learners engaged in the management approach
- Names of any other adults engaged/involved, including parents and partner organisation staff (if appropriate)

- Statement of agreed management response/actions and review date
- Anticipated and negotiated outcomes of the incident being addressed
- Chronology of meetings, agreements, actions
- Record of actual outcomes
- Planned date of monitoring outcomes (between 3 and 6 months in the future)
- When resolved: a statement of resolution

### **Review**

An effective management approach to bullying behaviour will include a period of time for review and monitoring. This will allow for the situation and relationships to be monitored over a period of time and to evaluate the impact and effectiveness of the management approach. Monitoring meetings should be scheduled with the learners involved at increasing intervals of time over a 3 to 6 month period as appropriate to the circumstances, following the achievement of the agreed outcomes. The learners should mutually agree an end date of monitoring with the Management Coordinator.

### **Complaints**

Any individual has the right to express their dissatisfaction and complain if they feel that the learning setting has not fulfilled the expectations of this policy or any agreed management plans.

Scottish Borders Council defines a complaint as:

*“An expression of dissatisfaction by one or more members of the public about the local authority’s action or lack of action, or about the standard of service provided by or on behalf of the local authority.”*

In addition a Complaint is NOT:

- ★ a routine first-time request for a service
- ★ a first time reporting of a fault/concern
- ★ a request for compensation only
- ★ issues that are in court or have already been heard by a court or a tribunal
- ★ disagreement with a decision where a statutory right of appeal exists
- ★ an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision.

It is encouraged that complaints should be responded to and resolved within the learning setting. However complainants have the right to request a formal investigation in to their complaint by the local authority.

## Section 6 **MONITORING BULLYING BEHAVIOUR – RESPONSIBILITIES OF THE LOCAL AUTHORITY**

It is the expectation of Education and Lifelong Learning Management Team that the number of reported and recorded incidents of bullying behaviour may increase as a result of the effective implementation of this policy.

### **Data Monitoring – Bullying Incidents**

Quarterly reports of key data gathered about bullying behaviour will be produced: it is the responsibility of the learning setting to ensure Management Information Systems are kept up to date. This information will be for the purposes of the Education and Lifelong Learning Management Team and the Management Teams of each learning setting to:

- Identify patterns of bullying behaviour
- Evaluate effectiveness of prevention and awareness mechanism
- Evaluate effectiveness of management responses
- Monitor the impact of this policy and its procedures
- Support learning settings through Improvement Planning

The Director of Education and Lifelong Learning will present this information to the Education Committee at quarterly intervals.

Scottish Borders Council Education and Lifelong Learning will publish an annual statement in September for the previous academic year, available to the public, containing aggregate data for the number and nature of bullying incidents for:

- (i) Pre-School Settings
- (ii) Primary School Settings
- (iii) Secondary School Settings
- (iv) Informal Learning (Youth Work) /Training Provision

This report will be available on the Scottish Borders Council website, with active signposting by learning settings to their community for accessing this information.

### **Data Monitoring – Equalities**

A report of bullying incidents which are characterised by the protected characteristics of the Equalities Act 2010 (perceived or actual) will be presented to the Education and Lifelong Learning Management Team by the Senior Policy and Planning Officer on a quarterly basis. It is the responsibility of the learning setting to ensure Management Information Systems are kept up to date to enable this activity.

Education and Lifelong Learning Management Team will produce a bi-annual aggregated and anonymous report for the Corporate Equalities Officer who will present the report to Corporate Equalities Group and Corporate Management Team. This information will be subject to publication in the Scottish Borders Council Equalities Mainstreaming report, commencing 2015 on a two-yearly cycle.

**Developing Understanding and Communications Plan**

The effective implementation of this policy requires leadership. It is a leadership role to transform the culture of our learning settings and to influence the wider community on the issue of bullying behaviour and developing respectful relationships.

Ongoing communication with children, young people, parents, community members and partner organisations is essential to the success of this policy. Learning settings should seek to inform their community of the approach of this policy using existing and new communication technologies – such as newsletters, assemblies, parent nights, open days, social media, school websites and forums.

Resources will be made available by the Department for Education and Lifelong Learning and Corporate Communications to support and facilitate this aspect of the policy. This policy will be available in a summarised format for increased accessibility.

- Appendices** Appendix 1: Principles of Policy Approach
- Appendix 2: Curriculum for Excellence – Respectful Relationships
- Appendix 3: Additional Considerations for Equalities / Prejudice Based Bullying

## APPENDIX 1: RESPECTFUL RELATIONSHIPS – POLICY PRINCIPLES

### Section 1: Definition and Approach: Principles

This policy will be implemented and followed with consideration of the following principles and drivers. These principles give us overarching guidance as to the approach we take when we consider the procedure contained within this policy.

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| <p><b>United Nations Convention on the Rights of the Child</b></p> | <p>The United Nations Convention on the Rights of the Child (UNCRC) is an international agreement that protects the human rights of children under the age of 18.</p> <p>Human rights are guarantees that protect individuals and groups from actions that affect their freedom and human dignity. Human rights are things that everyone is entitled to by simply being a person; there are no conditions imposed to access rights. However, often rights are considered alongside responsibilities when discussing with children and young people.</p> <p>There are 42 articles within the Convention. Significant to our policy principles are:</p> <p>Article 12: You have the right to speak up and have your opinions listened to and taken seriously by adults on things that affect you.</p> <p>Article 13: You have the right to say whatever you believe as long as it does not harm or offend other people. You also have the responsibility to respect the rights and freedoms of others.</p> <p>Article 19: Children must be kept safe from harm and protected against violence.</p> <p>Article 28: You have the right to an education.</p> <p>Article 29: Schools should help children develop their skills and personalities fully, teach them about their own and other people's rights, and prepare them for adult life.</p> <p><i>Adapted from: The UN Convention on the Rights of the Child: A guide for children and young people. (Scottish Government, 2008)</i></p> |
| <p><b>Curriculum for Excellence</b></p>                            | <p>Within Curriculum for Excellence there are specific Health &amp; Wellbeing outcomes which children and young people would expect to achieve as part of their learning experience. Those of key relevance to the implementation of this Respectful Relationships policy and provide learning opportunities for children and young people to understand the purpose and implications of this policy are outlined in appendix 2.</p>  |
| <p><b>Getting it Right for Every Child</b></p>                     | <p>As children and young people progress on their journey through life, some may have temporary difficulties, some may live with challenges and some may experience more complex issues.</p> <p>Sometimes they – and their families – are going to need help and support. No matter where they live or whatever their needs, children, young people and their families should always know where they can find help, what support might be available and whether that help is right for them.</p>  |

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|   | <p><b>What Getting it right for every child means;</b><br/> <b>For children, young people and their families:</b></p> <ul style="list-style-type: none"> <li>• They will feel confident about the help they are getting</li> <li>• They understand what is happening and why</li> <li>• They have been listened to carefully and their wishes have been heard and understood</li> <li>• They are appropriately involved in discussions and decisions that affect them</li> <li>• They can rely on appropriate help being available as soon as possible</li> <li>• They will have experienced a more streamlined and co-ordinated response from practitioners</li> </ul> <p><b>For practitioners:</b></p> <ul style="list-style-type: none"> <li>• Putting the child or young person at the centre and developing a shared understanding within and across agencies</li> <li>• Using common tools, language and processes, considering the child or young person as a whole, and promoting closer working where necessary with other practitioners</li> </ul> <p><i>Adapted from guide to Getting it right for every child (Scottish Government, 2012)</i></p> |
| <p><b>Partnership within the learning community</b></p>             | <p>A learning community seeks to address the learning needs of its locality through partnership. It uses the strengths of institutions, public, private and voluntary services, and community groups to enable children, young people and adults to achieve to their full potential. Learning communities use learning as a way to build community capacity, and to promote social cohesion, social inclusion, regeneration and economic development. In practical terms, therefore, a learning community is the group of partners who work together to support learning and development within a locality.</p>   |
| <p><b>Participation and involvement of learners and parents</b></p> | <p>Involved: The participation of children and young people in the Scottish Borders 2012-15 Strategy aims:</p> <ul style="list-style-type: none"> <li>• To work in partnership with children and young people to ensure improved outcomes for children, young people, and the services they use</li> <li>• To ensure that the services we design and deliver meet the needs of the children and young people who use them</li> <li>• To enable children and young people, through participation, to influence design, delivery, development, and evaluation of their services</li> </ul> <p>In addition to this we should be guided by the Scottish Borders Council Parental Involvement Policy 2008. The aim of the policy is for all parents to:</p> <ul style="list-style-type: none"> <li>• be fully informed about their child's education and learning</li> <li>• feel welcomed and involved in the life of their child's school</li> <li>• be encouraged to express their views about their child's education and school, and have confidence that their views will be listened to</li> </ul>  |



## **APPENDIX 2: RESPECTFUL RELATIONSHIPS – CURRICULUM FOR EXCELLENCE**

### **Section 3: Education and Training: Pupils and Learners**

Within Curriculum for Excellence, Health & Wellbeing is a core element and is regarded, alongside Literacy and Numeracy, as being the 'responsibility of all'. In practice this means that all practitioners, regardless of their specialist subject area, will have a role in:

- establishing open, positive, supportive relationships across the learning community, where children and young people will feel that they are listened to, and where they feel secure in their ability to discuss sensitive aspects of their lives;
- promoting a climate in which children and young people feel safe and secure;
- modelling behaviour which promotes health and wellbeing and encourages it in others;
- using learning and teaching methodologies which promote effective learning, and;
- being sensitive and responsive to the wellbeing of each child and young person.

Within Curriculum for Excellence there are specific Health & Wellbeing outcomes which children and young people would expect to achieve as part of their learning experience. Those of key relevance to the implementation of this Respectful Relationships policy and provide learning opportunities for children and young people to understand the purpose and implications of this policy are listed below.

#### **Mental & Emotional Wellbeing**

I know that friendship, caring, sharing, fairness, equality and love are important in building positive relationships. As I develop and value relationships, I care and show respect for myself and others. **HWB (0-4)-05a**

I understand the importance of mental wellbeing and that this can be fostered and strengthened through personal coping skills and positive relationships. I know that it is not always possible to enjoy good mental health and that if this happens there is support available. **HWB (0-4) – 06a**

I am learning skills and strategies which will support me in challenging times, particularly in relation to change and loss. **HWB (0-4) – 07a**

I understand that people can feel alone and can be misunderstood and left out by others. I am learning how to give appropriate support. **HWB (0-4) – 08a**

#### **Social Wellbeing**

As I explore the rights to which I and others are entitled, I am able to exercise these rights appropriately and accept the responsibilities that go with them. I show respect for the rights of others. **HWB (0-4) – 09a**

I recognise that each individual has a unique blend of abilities and needs. I contribute to making my school community one which values individuals equally and is a welcoming place for all. **HWB (0-4) – 10a**

## Physical Wellbeing

I am learning to assess and manage risk, to protect myself and others, and to reduce the potential for harm when possible. **HWB (0-4) – 16a**

## Relationships

I am aware of how friendships are formed and that likes, dislikes, special qualities and needs can influence relationships. **HWB (0-1) – 44a**

I understand positive things about friendships and relationships but when something worries or upsets me I know who I should talk to. **HWB (0-1) – 44b**

I am aware the positive friendships and relationships can promote health and the health and wellbeing in others. **HWB 2 – 44b**

I understand and can demonstrate the qualities and skills required to sustain different types of relationships. **HWB (3-4) – 44b**

I am aware of the need to respect personal space and boundaries and can recognise and respond appropriately to verbal and non-verbal communication. **HWB (0-4) – 45b**

I recognise that we have similarities and differences but are all unique. **HWB 0 – 47a**

## Technology

I am developing my knowledge and use of safe and acceptable conduct as I used different technologies to interact and share experiences, ideas and information with others. **TCH (1-2) – 08a**

## APPENDIX 3: RESPECTFUL RELATIONSHIPS – EQUALITIES

### Section 4: Reporting and Responding to Bullying Behaviour – Additional Considerations

#### Additional Considerations

Bullying behaviour is complex. It should be remembered that the incident being reported as bullying behaviour may require consideration of other factors, in particular:

- Child Protection
- Violence
- Criminality – including Hate Crime
- Equalities and prejudice

To ensure the effective and safe support to individuals involved in bullying incidents, learning settings are required to consider the circumstances in which the involvement of the following people would be essential:

- Lothian and Borders Police including Locality Integration Officer
- Local authority Child Protection Officer, and;
- Local authority Corporate Equalities Officer

#### Child Protection

If the bullying behaviour experienced by the child or young person gives cause for concern of significant harm then the learning setting must engage and consult with the Child Protection Officer. This may be associated to violence, trauma, persistent abuse, threats, and coercion.

*“More often, significant harm results from an accumulation of significant events, both acute and long-standing, that interrupt, change or damage the child’s physical and psychological development.” (Scottish Borders Child Protection Committee, 2012)*

#### **Further information can be found at:**

[Clarifying Child Protection Concerns: Find out more](#)

#### Violence and Aggression

When responding to reports of bullying behaviour of an aggressive or violent nature staff should make learners and parents (when the child has given active consent) aware of their right to contact the Police. In all instances the learning setting should consult with and seek guidance from the Child Protection Officer.

If the nature of the bullying behaviour is also characterised by the following definition: *“any incident in which a pupil is seriously abused, threatened or assaulted by a pupil or any other person in circumstances arising out of school activities. This includes physical attack and threatening behaviour with or without a weapon and intentional damage to personal property”* then the learning setting should invoke the Violent Incidents in School Policy (2009) which provides guidance and recording requirements for such circumstances.

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| <p><b>Equalities: Consideration of Circumstances related to Protected Characteristics.</b></p> <p>When responding to reports of bullying behaviour which is characterised by the protected characteristics of the Equalities Act (2010) staff should make learners and parents aware of their right to contact the Police to report a Hate Crime.</p> <ul style="list-style-type: none"> <li>• Disability</li> <li>• Sexual orientation</li> <li>• Sex</li> <li>• Gender reassignment/transgender</li> <li>• Race</li> <li>• Religion and belief</li> </ul> <p>In all instances the learning setting will consult with and seek guidance from the Locality Integration Police Officer. The Locality Integration Police Officer can offer consultation and guidance for learning setting staff, pupils and parents. The learning setting may also want to consult with the Corporate Equalities Officer.</p>  |
| <p><b>Disability – including Learning Disability</b><br/> <i>[Awaiting Content – to be developed in consultation with young people and staff during implementation period]</i></p>   |
| <p><b>Sexual Orientation, Sex, and Gender Reassignment</b></p> <p>When responding to reports of bullying behaviour which have been characterised by prejudice of sexual orientation, sex, or gender reassignment specific considerations should be made. It is important to distinguish this bullying behaviour, from those which are sexually aggressive or violent (see Child Protection).</p> <p>Examples this bullying behaviour may include:</p> <ul style="list-style-type: none"> <li>• sexualised name calling;</li> <li>• spreading rumours about sexual activity;</li> <li>• spreading rumours about sexual orientation;</li> <li>• using the word gay to mean substandard or negative;</li> </ul> <p>Staff should make learners and parents (when the child has given active consent) aware of their right to contact the Police to report a Hate Crime. When necessary the learning settings should seek to signpost the child/young person to specialist support services, having sought the consent of the child/young person to share this information (see section 4 – consent and confidentiality).</p> |
| <p><b>Race</b><br/> <i>[Awaiting Content – to be developed in consultation with young people and staff during implementation period]</i></p>   |
| <p><b>Religion and Belief</b><br/> <i>[Awaiting Content – to be developed in consultation with young people and staff during implementation period]</i></p>  |