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Summary of Changes from Previous Version

Version	Date	Author	Note/Summary of Revisions
V2	February 2022	DHO	Additions and amendments throughout to align with national guidance. Addition of FAQs and further useful information links
V3	May 2024	DHO	Complete re-write

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STATEMENT OF INTENT

Maltby Learning Trust is committed to providing a safe, calm and supportive environment within which students can learn and achieve without being subject to bullying behaviours. Bullying of any kind is unacceptable at a Maltby Learning Trust Academy.

The Education and Inspections Act 2006 outlines several legal obligations regarding the school's response to bullying. Under section 89 schools must have measures in place to encourage good behaviour and prevent all forms of bullying amongst students. These measures are part of the school's Behaviour Policy which is on the Academy website. The policy also works alongside other key MLT policies including the Child Protection and Safeguarding Policy, RSHE Policy and Suspension and Permanent Exclusion Policy.

This policy outlines the procedures taken to prevent bullying from occurring, and the prompt action taken if it does.

LEGAL FRAMEWORK

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Education and Inspections Act 2006
- Equality Act 2010
- Protection from Harassment Act 1997
- Malicious Communications Act 1988
- Public Order Act 1986
- Communications Act 2003
- Human Rights Act 1998
- Crime and Disorder Act 1998
- Education Act 2011
- DfE (2017) 'Preventing and tackling bullying'
- DfE (2018) 'Mental health and wellbeing provision in schools'
- DfE 'Keeping children safe in education'
- DCMS, DSIT, and UK Council for Internet Safety (2020) 'Sharing nudes and semi-nudes: advice for education settings working with children and young people'.

STATUTORY REQUIREMENTS

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

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

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

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

In addition to the duties in relation to students with disabilities under the Equality Act, schools also have duties under Part 3 of the Children and Families Act 2014 to ensure that students with Special Educational Needs engage in the activities of the school together with children who do not have Special Educational Needs.

DEFINITIONS OF BULLYING

Bullying is defined in 'Preventing and Tackling Bullying: Advice for headteachers and school staff' (DfE - July 2017) as 'behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally.'

Bullying is generally characterised by:

- **Repetition:** Where incidents are not one-offs; they are frequent and happen over an extended period of time.
- **Intent:** The perpetrator means to cause verbal, physical or emotional harm; it is not accidental.
- **Targeting:** Bullying is generally targeted at a specific individual or group.
- **Power imbalance:** Whether real or perceived, bullying is generally based on unequal power relations.

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

- Students who are adopted.
- Students with a health problem.
- Students with caring responsibilities.
- Students from socioeconomically disadvantaged backgrounds.

Students with certain characteristics are also more likely to be targets of bullying, including, but not limited to:

- Students who are LGBTQ+, or perceived to be LGBTQ+.
- Black, Asian and minority ethnic (BAME) students.

- Students with SEND.

Bullying is damaging whether it is a one-off incident or sustained over a period of time. It can be painfully obvious, but it can also be surreptitious and subtle. It can also be one student against another or involve several students. Stopping violence and ensuring immediate physical safety is an Academy's first priority but emotional bullying can be more damaging than physical; teachers and Academies have to make their own judgements about each specific case.

TYPES OF BULLYING

Bullying can take place online and/or offline and usually takes one, or a combination of, the following forms:

- **Verbal** – including name calling and making use of written material.
- **Physical** – including bodily assault, unwanted physical contact which may be aggressive in nature and sexual touching.
- **Emotional** – including intimidation, ostracisation and the spreading of rumours.
- **Online (cyberbullying)**- see below.

Bullying could also take a targeted form in terms of being racist, homophobic, biphobic, transphobic, sexist, sexual, ableist and/or be seen as prejudicial and relational.

CYBERBULLYING

The rapid development of, and widespread access to, technology has provided a new medium for 'virtual' bullying, which can occur in or outside the Academy. Cyberbullying is a different form of bullying and can happen at all times of the day, with a potentially bigger audience, and more accessories as people forward on content at a click.

Cyberbullying can include the following:

- Threatening, intimidating or upsetting text messages.
- Threatening or embarrassing pictures and video clips.
- Disclosure of private sexual photographs or videos with the intent to cause distress.
- Silent or abusive phone calls.
- Using the victim's phone to harass others, to make them think the victim is responsible.
- Threatening or bullying emails, possibly sent using a pseudonym or someone else's name.
- Menacing or upsetting responses to someone in a chatroom.
- Unpleasant messages sent via instant messaging.
- Unpleasant or defamatory information posted to blogs, personal websites and social networking sites, e.g. Facebook.

The Education Act 2011 amended the power in the Education Act 1996 to provide that when an electronic device, such as a mobile phone, has been seized by a member of staff who has been formally authorised by the Principal, that staff member can examine data or files, and delete these, where there is good reason to do so. This power applies to all Academies and there is no need to have parental consent to search through a young person's mobile phone.

If an electronic device that is prohibited by the Academy rules has been seized and the member of staff has reasonable ground to suspect that it contains evidence in relation to an offence, they must give the device to the police as soon as it is reasonably practicable. Material on the device that is suspected to be evidence relevant to an offence, or that is a pornographic image of a child or an extreme pornographic image, should not be deleted prior to giving the device to the police. If a staff member finds material that they do not suspect contains evidence in relation to an offence, they can decide whether it is appropriate to delete or retain the material as evidence of a breach of Academy discipline.

CHILD-ON-CHILD ABUSE

Bullying is considered to be an aspect of child-on-child abuse as outlined in Keeping Children Safe in Education and is comprehensively referenced in each MLT Academy Child Protection and Safeguarding Policy which can be found on the Academy websites.

BULLYING OUTSIDE OF SCHOOL

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

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

The guidance document 'Behaviour in Schools – advice for headteachers and school staff' (2024) states that:

Subject to the Behaviour Policy, teachers may sanction students for:

Misbehaviour when the student is:

- Taking part in any Academy-organised or Academy-related activity.
- Travelling to or from an Academy.
- When wearing Academy uniform.
- When in some other way identifiable as a student at the Academy.

OR misbehaviour at any time, whether or not the conditions above apply, that:

- Could have repercussions for the orderly running of the Academy.
- Poses a threat to another student or member of the public or
- Could adversely affect the reputation of the Academy.

The Maltby Learning Trust will apply Academy sanctions and follow behaviour policies, including in cases of bullying. More detailed advice on teachers' powers to sanction, including their power to sanction students for misbehaviour that occurs outside the Academy, is included in 'Behaviour in Schools – advice for headteachers and school staff' (2024).

SIGNS OF BULLYING

Staff will be alert to the following signs that may indicate a student is a victim of bullying:

- Being frightened to travel to or from school.
- Unwillingness to attend school.
- Repeated or persistent absence from school.
- Becoming anxious or lacking confidence.
- Saying that they feel ill on repeated occasions.
- Decreased involvement in school work.
- Leaving school with torn clothes or damaged possessions.
- Missing possessions.
- Missing money and/or asking for extra money or stealing.
- Cuts or bruises.
- Lack of appetite.
- Unwillingness to use the internet or mobile devices.
- Lack of eye contact.
- Becoming short tempered.
- Change in behaviour and attitude at home.

Although the signs outlined above may not be due to bullying, they may be due to deeper social, emotional or mental health issues and will still be investigated, particularly if there are numerous indicators of concern. Maltby Learning Trust staff employ professional curiosity, maintain an attitude of 'it could happen here' and liaise closely with safeguarding personnel.

AIMS OF OUR ANTI-BULLYING STRATEGY

Within the Maltby Learning Trust, we endeavour to:

- Ensure all staff, the Local Governance Committee, students and parents/carers have an understanding of bullying and its consequences; and the knowledge that it is not acceptable in any Maltby Learning Trust Academy.
- Create an atmosphere of trust between staff and students, where students feel they are listened to and are willing to tell an adult if they are being bullied.
- Ensure that there are clear procedures and systems for reporting and recording bullying, which are understood and followed consistently by all staff.
- Closely monitor students who have reported bullying and to ensure students and staff learn to keep themselves and others safe.

- Teach students to respect the differences between groups of people within the Academy's community.
- Offer support and education to those students who are both the victims and perpetrators of bullying, providing them with a range of strategies which they can use if they are at risk of bullying others or are being bullied themselves.
- Encourage 'bystanders' to bullying incidents (adults and children) both to intervene when appropriate to stop the incident and to report it to the student's class teacher/appropriate staff member so that action can be taken.
- Support and train all staff members in identifying bullying incidents and in dealing with them confidently and effectively.

ROLES AND RESPONSIBILITIES

MALTBY LEARNING TRUST BOARD

Have the responsibility of monitoring bullying incidents across the whole Trust, ensuring all Academies treat bullying equally seriously and follow the robust procedures laid out in this policy. They will ensure Academies which either appear to be under reporting bullying, or have too high an incidence of bullying, are held to account.

EXECUTIVE LEADERS

Are responsible for ensuring that there is a consistent approach to combating bullying across all Trust Academies, informing Governors and holding leaders to account for the effectiveness of their Academy.

ACADEMY LEADERS

Are responsible for ensuring robust systems and processes, which meet the Trust expectations laid out in this policy, are in place. They should ensure that parents/carers, staff and students know the importance which is placed on ensuring the Academy is a safe and caring place and that bullying will not be tolerated. They should ensure that robust reporting systems are in place and that staff are empowered to investigate bullying and support children when it is identified. Leaders are responsible for ensuring a warm, open and caring ethos pervades the Academy.

Leaders will also ensure that a preventative culture is in place and that the curriculum explores, in an age-appropriate manner, issues including:

- Healthy relationships, and how to recognise abusive relationships and coercive control.
- Boundaries and consent.
- Stereotyping, prejudice and equality.
- Body confidence and self-esteem.
- Harmful sexual behaviour.

LOCAL GOVERNANCE COMMITTEE

Is responsible for holding the Academy leaders to account for the performance in this area, ensuring robust mechanisms for the reporting of bullying are in place, that leaders take bullying seriously and

are not complacent and that students and parents/carers feel confident in the approaches adopted by the Academy.

ACADEMY STAFF

Are responsible for being fully aware of the approach taken by the Academy to combatting bullying.

All staff should be vigilant for bullying, be open and receptive to any child reporting bullying – ensuring all reports are taken seriously, reported and investigated. Staff are expected to model positive behaviours and be good examples of how to deal with disputes and conflict by positively dealing with any students without using raised voices or intimidating behaviour.

PARENTS/CARERS

Are responsible for reporting any suspicion they have that their child is being bullied to the Academy as soon as possible. They are also responsible for encouraging good behaviour and helping the Academy to be proactive in preventing bullying occurring.

STUDENTS

Are responsible for reporting any bullying they see and challenging negative behaviours when they see it. There is an expectation that students show good behaviour at all times.

DEALING WITH BULLYING INCIDENTS / ALLEGATIONS

Academies within the Maltby Learning Trust should apply sanctions for students who bully in order to show clearly that their behaviour is wrong. These must be applied fairly, consistently, and reasonably taking account of any Special Educational Needs and Disabilities that the students may have and taking into account the needs of vulnerable students. It is also important to consider the motivations behind bullying behaviour and whether it reveals any concerns for the safety of the perpetrator. Where this is the case, the child engaging in bullying may need support themselves.

Where a student reports/alleges a bullying incident to an adult, or an adult witnesses an incident, the following are agreed procedures:

- Staff will prioritise ensuring the immediate safety of all other students, staff and property. In exceptional circumstances where there is a risk of injury to an individual, a member of staff may physically intervene, following the Academy's Positive Handling Policy.
- Any injured student or member of staff will receive appropriate medical attention as soon as is practicable.
- Staff will inform the appropriate staff members as soon as possible.
- The appropriate staff member will interview both the target(s) and bullying student(s) separately and in private to establish the facts without apportioning blame and ascertain any bystanders, who may in turn be spoken to.
- A decision will be taken regarding whether to contact the parents/carers of both the target(s) and bullying student(s). Parents/carers of the victim(s) will be informed if there is any injury or the young person is at risk of significant harm.

- Copies of any paperwork will be retained for filing in the behaviour file and/or on CPOMS for all students involved. Where necessary records will also be kept in the Behaviour log and/or CPOMS. When it is technically possible, incidents will be recorded on SIMS.
- Appropriate sanctions and support will be discussed and agreed upon. The Pastoral Manager will take the targeted student's wishes into account when deciding how to deal with the bullying student, but incidents will always be dealt with in line with the Academy's Behaviour Policy. The incident will be recorded either in the behaviour file, detailing the bullying student's actions and sanctions and/or on CPOMS.
- Both the targeted student and the bullying student will be offered the opportunity to meet and talk about their experiences.
- After initial investigation by relevant staff, if the incident is deemed to be bullying under the definitions above, the students will be informed that notes will be taken of the conversation and both will agree at the end that what has been written is a true record. Confidentiality will not be promised.

SUPPORT, EDUCATION AND CONSEQUENCES FOR THE BULLYING STUDENT (S)

Maltby Learning Trust treats bullying with the up most seriousness and sanctions are applied with consistency and equity in all MLT Academies. Sanctions can vary depending on the situation/seriousness of the incident(s) but bullying should always carry a consequence and must not be ignored. However, it should not be forgotten that bullying behaviours often arise because of a child's own difficulties/circumstances. In these cases, support will be given to the student as well as consequence.

The Behaviour Policy outlines Academy specific support and consequences for unacceptable behaviour, including bullying.

WORKING WITH PARENTS/CARERS WHEN BULLYING OCCURS

Maltby Learning Trust appreciates that there will be occasions when the parents/carers of one or both sets of students involved will feel that the Academy has not sanctioned appropriately. Parents /carers will be given the opportunity to share their concerns and if appropriate, staff will discuss the decisions to impose the particular sanction(s) with them.

Where a parent/carer is dissatisfied with the Academy's handling of a situation, then the Principal will seek to resolve the situation informally. In the event of a formal complaint, then the agreed complaints procedure for the Trust will be invoked.

The Maltby Learning Trust actively encourages and welcomes comments, questions and suggestions regarding our Anti-Bullying Policy, and would be pleased to receive feedback from parents/carers.

Further resources can be found on the Safeguarding page on the website, located within the Parent and Carers section.