

## Responsibilities for tackling bullying – schools

## Appendix 1

Legislation	National Guidance & Policy	National Strategies & Initiatives	Local Policy & Strategies
<p><b>School Standards and Framework Act 1998</b></p> <ul style="list-style-type: none"> <li>-must have a written policy on measures to prevent all forms of bullying: need not be a separate policy</li> </ul> <p><b>Education Act 2002</b></p> <ul style="list-style-type: none"> <li>-duty to “safeguard and promote welfare”</li> </ul> <p><b>Children Act 2004</b></p> <ul style="list-style-type: none"> <li>- established 5 Outcomes for c&amp;yp: “Stay safe” and “Make a positive contribution refer to bullying”</li> </ul>	<p><b>DCSF Safeguarding in Children and Safer Recruitment in Education 2007</b></p> <ul style="list-style-type: none"> <li>-safeguarding “encompasses bullying”</li> </ul> <p><b>Every Child Matters 2004</b></p> <ul style="list-style-type: none"> <li>- 5 Outcomes for c&amp;yp</li> <li>-“Stay safe” – reduction in % of 11-15 year olds who have been bullied in last year</li> <li>- “Make a positive contribution” – reduction in % of 10-19 year olds admitting to a) bullying in last 12 months, b) attacking, threatening, or being rude due to skin, colour, race or religion</li> </ul>	<p><b>National Strategies: Behaviour and Attendance</b></p> <ul style="list-style-type: none"> <li>- addresses bullying as an issue schools must address</li> <li>- Social and Emotional Aspects of Learning (SEAL) aids the development of social and emotional skills, including those associated with empathy</li> <li>- SEAL teaches strategies to resolve conflict</li> <li>- SEAL has specific anti-bullying resources in both primary and secondary sectors</li> </ul>	<p><b>Children and Young People Plan</b></p> <ul style="list-style-type: none"> <li>- schools must “have regard to the local C&amp;YP Plan</li> <li>-covers all ECM Outcomes multi-agency plan</li> <li>c&amp;yp should be consulted</li> <li>- annual review</li> </ul> <p><b>Anti-Bullying Strategy</b></p> <ul style="list-style-type: none"> <li>- should link into Children and Young People’s Plan</li> </ul> <p><b>Local Safeguarding Children Board</b></p> <ul style="list-style-type: none"> <li>-responsible for safeguarding: bullying is a safeguarding issue</li> </ul>

<p><b>Education &amp; Inspections Act 2006</b></p> <ul style="list-style-type: none"> <li>- headteacher given responsibility for “encouraging good behaviour and respect for others on part of pupils and, in particular, preventing all forms of bullying”</li> <li>- duty “to promote well-being of pupils”</li> <li>- take action over bullying out of school: “empowers headteachers, to such an extent as is reasonable, to regulate the behaviour of pupils when they are off school site --- empowers members of staff to impose disciplinary penalties for inappropriate behaviour”</li> <li>- “duty to promote community cohesion”</li> </ul>	<p><b>Tell Us Survey</b></p> <ul style="list-style-type: none"> <li>- Ofsted survey from sample of schools in every LA covering ECM agenda</li> <li>- specific questions on bullying in and out of school</li> </ul> <p><b>DCSF Guidance on the Duty to promote community cohesion 2007</b></p> <ul style="list-style-type: none"> <li>- defines community as “school”, “school’s local community”, “UK community” and “global community”</li> <li>- cohesion defined as “common vision”; appreciation and value of diversity”; “similar opportunities for all” and “strong and positive relationships”</li> </ul>	<p><b>National Healthy Schools Programme</b></p> <ul style="list-style-type: none"> <li>- bullying relates to 2 of NHSP core themes: “Personal, Social and Health Education” and particularly to “Emotional Health and Wellbeing”</li> <li>- under EHWP bullying has a specific criterion “Has a clear policy, which is understood and owned, understood and implemented by the whole school community”</li> <li>- NHSP “Anti-Bullying Guidance for Schools” 2008</li> </ul> <p><b>Personal, Social and Health Education (PSHE)</b></p> <ul style="list-style-type: none"> <li>- will be a statutory requirement from 2009 (?)</li> </ul>	<ul style="list-style-type: none"> <li>- multi-agency</li> <li>- responsible for policy, procedures and guidance inc. training</li> </ul> <p><b>Child and Adolescent Mental Health Services Strategy (CAMHS)</b></p> <ul style="list-style-type: none"> <li>- covers all those agencies / services that contribute to mental health care, including schools, and specialist services</li> <li>- 4 Tiers of provision: tier one provided by non-mental health specialists with advice: tier two usually outreach provision: tier 3 specialised provision usually outreach: tier 4 highly specialised may be residential</li> </ul>
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<p>- schools must “have regard to the local C&amp;YP Plan</p> <p><b>Schools need to be mindful of legislation relating to:</b></p> <p><b>- Child Protection</b> (Children Act 1989; Children Act 2004)</p> <p><b>- Equalities and Discrimination</b> (Human Rights Act 1998; Race Relations Acts 1976 &amp; 2000); Disability Discrimination Act 2005; Equality Act 2006)</p> <p><b>- Criminality</b> (e.g. Offences against the person (Assaults) Act; Harassment Act; Crime and Disorder Act)</p>	<p><b>DCSF Safe to Learn 2007</b></p> <p>-provides definition of bullying</p> <p>-schools are recommended to follow the principles of DCSF “Bullying – A Charter for Action”: provides framework for self-evaluation</p> <p>- makes recommendations for school policy: policy should made through consultation including pupils: should be reviewed on average every two years</p> <p>-policy must cover all forms of bullying</p> <p>- addresses prevention and intervention</p> <p>- all bullying requires a disciplinary sanction</p>	<p>- PSHE contributes to all ECM Outcomes: helps c&amp;yp acquire appropriate attitudes, skills and knowledge</p> <p>- skills developed can increase protective behaviours and influence response to bullying incidents</p> <p><b>Safer Schools Partnerships</b></p> <p>- partnerships of police, schools and other agencies to prevent crime and anti-social behaviour</p> <p>- building safe environments: school and local community</p> <p>- part of “extended school”</p>	<p><b>Children in care</b></p> <p>- strategy in response to Care Matters Implementation Plan 2008</p> <p><b>Schools need to be aware of local authority performance assessment carried out by Regional Government Office and Ofsted: local authorities may require data and information from schools:</b></p> <p><b>-Public Service Agreement</b> PSA 13 Indicator 1 concerns “% of children who have experienced bullying”</p> <p><b>- National Indicator</b> NI 69 “% of children who have experienced bullying in last 12 months</p>
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<p><b>Ofsted Framework 2005</b></p> <ul style="list-style-type: none"> <li>- new inspection framework introduced in 2005 incorporates the ECM agenda</li> <li>- schools are expected to complete a Self-Evaluation Form: sections 4b “To what extent do learners feel safe and adopt safe practices? Whether learners feel safe from bullying and racist incidents. The extent to which learners have confidence to talk to staff and others when they feel at risk” and 4d “How well do learners make a positive contribution to the community? Learners’ growing understanding of their rights and responsibilities, and of those of others. How well learners express their views and take part in communal activities”</li> </ul>	<ul style="list-style-type: none"> <li>- all incidents should be recorded and data analysed (from 2009 will be a statutory requirement)</li> <li>- training should be provided for staff</li> </ul> <p><b>DCSF Safe to Learn: Supplementary Guidance</b></p> <ul style="list-style-type: none"> <li>- Bullying around to racism, religion and culture</li> <li>- Homophobic Bullying</li> <li>- Cyber Bullying</li> <li>- Bullying involving Children with SEN and Disabilities</li> <li>- Bullying in the Community (2009)</li> </ul>		<ul style="list-style-type: none"> <li>- <b>Local Area Agreement</b> negotiated by each LA with Children’s Services Adviser from Government Office: must be at least one target from Safeguarding NIs</li> <li>- <b>Comprehensive Area Assessment (from 2009)</b> carried out annually by Ofsted against NIs: LAs will receive an Annual Performance Rating</li> </ul> <p><b>Other local agencies and partnerships whose work may relate to bullying include:</b></p> <ul style="list-style-type: none"> <li>- <b>Crime and Disorder Partnership</b></li> <li>- <b>Youth Justice Board and Youth Offending Team</b></li> </ul>
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<p>- children's views will be taken into account through the SEF and by inspectors talking to them</p> <p><b>Equality Act 2010</b></p> <p>The Equality Act 2010 has replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. It also provides some changes that schools need to aware of.</p>			
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