

The background of the slide features the Falkirk Council Coat of Arms. It is a shield divided into four quarters. The top-left quarter shows a saltire (X-shaped cross) on a blue field. The top-right quarter shows a stag's head facing left on a red field. The bottom-left quarter shows a three-masted sailing ship on a blue field. The bottom-right quarter shows a lion passant guardant on a red field. Above the shield is a crown with four fleurs-de-lis. Below the shield is a ribbon with the motto 'A'NE FOR A'.

Agenda Item 6

**Promoting Positive Relationships in
Falkirk's Educational Establishments
(Anti-Bullying Policy)**

Falkirk Council

Title: Promoting Positive Relationships in Falkirk's Educational Establishments (Anti-Bullying Policy)
Meeting: Education Executive
Date: 6 November 2018
Submitted By: Director of Children's Services

1. Purpose of Report

- 1.1. The purpose of this report is to present the updated Anti-Bullying Policy, rebranded 'Promoting Positive Relationships in Falkirk's Educational Establishments' (Appendix 1) and to seek its approval.

2. Recommendation

- 2.1 The Education Executive is asked to approve the new policy so that this approach can be implemented in Falkirk's Early Learning and Childcare Centres (ELCCs) and schools.**

3. Background

3.1 Working Group

This policy update commenced at the end of April 2017 and a working group was convened. The working group comprised of four Headteachers, one secondary Depute Headteacher, Children's Services Officers and the Corporate Policy Officer with responsibility for equalities from Corporate & Housing Services. The group convened ahead of the publication of new national guidance on Anti-Bullying which was due to be published in late 2017.

3.2 New National Guidance

The new national guidance on Anti-Bullying, *Respect for All – The National Approach to Anti-Bullying for Scotland's Children and Young People*, was published in November 2017. This was followed by the publication of *Respect for All: Supplementary Guidance on Recording and Monitoring of Bullying Incidents in Schools*, in May 2018. Together, this new guidance has helped us to draft the updated policy throughout 2018.

3.3 Aim and Outcomes of New Policy

The core aim of the policy update was to merge the current Anti-Bullying Policy and the two Anti-Bullying service circulars (*SC15 Prejudiced-Based*

Bullying and SC19 Anti-Bullying) into one concise and coherent policy document in line with new national guidance.

3.4 Outcomes for this policy update which were agreed at the outset included:

- Children's Services would have an updated policy in line with national guidelines;
- school staff are fully trained in supporting children and young people (restorative approaches) who exhibit or experience bullying behaviour;
- a clear understanding of 'what is bullying' is disseminated to all school staff, pupils and parents;
- schools have a set of procedures in place to support children and young people who exhibit or experience bullying behaviour;
- schools adopt a consistent approach for recording incidents of bullying behaviour; and
- pupils report that they feel safe in school and are not subjected to bullying behaviour.

4 Considerations

- 4.1 The policy update has taken into consideration the views and advice of a number of stakeholders including school staff, Officers and Managers in Falkirk Council, *respectme* (Scotland's Anti-Bullying Service), the Council's equality duties and feedback from consultations that were undertaken (see section 5 below).
- 4.2 As part of the policy update, three 'train the trainer' sessions with *respectme* have been organised for November 2018. This will enable school staff in attendance to be trained on approaches at dealing with bullying behaviour and will also provide them with the tools to pass that training on to their colleagues. Attendance at the training is being arranged on a school cluster basis to ensure widespread coverage across all of Falkirk's ELCCs and schools.
- 4.3 A number of strategic actions have been included in the updated policy which will eventually lead to the policy review in 2021 – it is advised that the Anti-Bullying Policy is reviewed every three years. These strategic actions (including parental engagement and pupil participation) complement the work already undertaken through the new National Improvement Framework where there is a particular focus on these two work streams.

5 Consultation

- 5.1 A public consultation went live on Citizenspace on 29th January 2018 and closed on 12th March 2018. This consultation was promoted via social media, schools, parent councils and an advert in both the Falkirk Herald and Bo'ness Journal.

We received 174 responses to our public consultation from parents/carers, pupils, staff and other members of the public – the majority of responses were from parents.

- 5.2 The schools represented on the working group also consulted with both parents and pupils in their school. This involved asking parents and pupils a set of reflective questions which would enable both groups to open up and expand on their views towards approaches for dealing with bullying behaviour. An email was sent to all other ELCCs and schools in Falkirk with the reflective questions in order to give them the opportunity to put these to their own parent council/parent group if they wished.
- 5.3 Throughout the drafting of our new policy, we have consulted and sought support from *respectme* as well as the views of those on the working group. This was particularly important given that *respectme* were involved in the update of the new national guidance.

6 Implications

Financial

- 6.1 There are no financial implications arising from this updated policy. The training provided by *respectme* is free of charge.

Resources

- 6.2 There are no resource implications arising from this updated policy other than staff time for attending and cascading training materials.

Legal

- 6.3 Please refer to section 6.4 below 'Risk' for any legal implications associated with this policy update.

Risk

- 6.4 The risk associated with not approving this updated policy would be that Children's Services current approach towards bullying behaviour in our educational establishments would remain outdated and incompatible with the new national approach.

Equalities

- 6.5 An Equality and Poverty Impact Assessment (EPIA) has been conducted for this policy update. There are direct equalities implications with this updated policy and these implications centre on instances of prejudiced-based bullying and Falkirk Council's duties under the Equality Act 2010. Page 7 of the updated policy illustrates Children's Services approach to such instances and also links to guidance from *respectme*.

The updated policy seeks to protect children and young people of, or associated with, a protected characteristic from any form of discrimination including bullying behaviour. The policy also goes further by seeking to protect children and young people of other characteristics not listed in the legislation – this can be viewed through our link to *respectme*'s website as well as the reference to Falkirk Council's Poverty Strategy on page 10 regarding bullying based on an individual's socio-economic background.

Sustainability/Environmental Impact

- 6.6 There are no sustainability/environmental impacts.

7 Conclusions

- 7.1 Following the publication of new national guidance on approaches for dealing and recording and monitoring instances of bullying behaviour, Children's Services have updated their Anti-Bullying Policy. This new policy will ensure that Falkirk's ELCCs and schools adopt approaches in line with national requirements so that children and young people are fully supported and feel safe whilst in our educational establishments.
- 7.2 The updated policy details a number of strategic actions to be undertaken over a three year period leading into a review of the approaches detailed in the updated policy in 2021.

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Appendix

Appendix 1 - Promoting Positive Relationships in Falkirk's Educational Establishments

List of Background Papers:

None

Promoting Positive Relationships in Falkirk's Educational Establishments

(Anti-Bullying Policy)

*“Bullying is both behaviour and impact; the impact is on a person’s capacity to feel in control of themselves. This is what we term as their sense of ‘agency’. Bullying takes place in the context of relationships; it is behaviour that can make people feel hurt, threatened, frightened and left out. This behaviour happens face to face and online”
respectme, 2015*



Falkirk Council
Children's Services

November 2018

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1. Statement

All children and young people have the right to be protected from intimidation and the fear of bullying behaviour in any of its forms.

Bullying behaviour, of any kind, impacts on children and young people's wellbeing and effects their attainment, inclusion and participation.

Bullying should never be seen as a normal part of growing up. Falkirk Council promotes positive relationships and embeds the values of Fairness, Respect, Equality and Inclusion in all our Early Learning and Childcare Centres (ELCC) and schools. By establishing a positive ethos and culture, all of Falkirk's Children and Young People can flourish and achieve the best possible outcomes.

This policy reflects the Legal Framework which underpins Education in Scotland.

Legal Framework

- [United Nations Convention on the Rights of the Child \(UNCRC\)](#)
- [Respect for All: The National Approach to Anti-bullying for Scotland's Children and Young People \(2017\)](#)
- [Getting it Right for Every Child \(GIRFEC\)](#)
- [National Guidance for Child Protection in Scotland \(2014\)](#)
- [Curriculum for Excellence and the continued focus on the Health & Wellbeing agenda](#)
- [Education \(Scotland\) Act 1980](#)
- [Children \(Scotland\) Act 1995](#)
- [Human Rights Act 1998](#)
- [Equality Act 2010](#)
- [Children and Young People \(Scotland\) Act \(2014\)](#)
- [Education \(Scotland\) Act 2016](#)

2. This Policy and Framework will:

- **Promote positive relationships**
- **Help prevent bullying behaviour**
- **Implement a consistent approach to dealing with incidents of bullying behaviour**
- **Address six strategic actions over the next three years**



3. Our ELCCs and Schools will:

- Create and maintain an open, positive and supportive environment for children and young people.
- Listen to all so that they feel safe, secure and able to discuss sensitive issues.
- Model behaviour which promotes health and wellbeing and builds resilience.
- Understand [Getting it Right for Every Child](#) and our duties under the [Equality Act 2010](#).



So that...

- ELCCs and Schools will have a positive, equality and respect-based ethos encouraging inclusion of all children and young people.
- Positive relationships between pupils, staff and parents/carers.
- Confident, included and resilient children and young people capable of achieving better outcomes.
- All staff will be confident and responsible for implementing a positive ethos and culture in their ELCC or school.
- Increased parental awareness, understanding and engagement in the approaches used by their child's ELCC or school.

4. What is Bullying?

Bullying behaviour can harm people in different ways. It can cause physical, emotional and/or psychological harm and although the actual behaviour may not be repeated, the threat and fear may remain over time.

- Being called names, teased, put down or threatened face-to-face and/or online
- Being hit, tripped, pushed or kicked
- Having belongings taken or damaged
- Being ignored, left out or having rumours spread about you face-to-face and/or online
- Sending abusive messages, pictures or images on social media, online gaming platforms or phone
- Behaviour which makes people feel like they are not in control of themselves or their lives face-to-face and/or online
- Being targeted because of who you are or who you are perceived to be face-to-face and/or online

Sometimes there can be attempts at bullying which have no clear or profound impact or effect. This happens when a person attempts to bully another individual using a variety of means but with no effect. Although this does not constitute bullying, the behaviour should be challenged. Bullying behaviour or attempts at bullying should never be ignored and only through challenging these types of behaviour through a restorative approach will a positive ethos, culture and relationships be achieved and maintained.

5. Prejudiced-based bullying

Under the Equality Act 2010, Falkirk Council have an important responsibility to ensure that no one: pupils, staff or visitors, are discriminated against, victimised or harassed for any of the protected characteristics listed in the legislation.



Protected characteristics

Equality Act 2010

- Age*
- Disability
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and maternity
- Race
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation

***NB: Age does not apply to school pupils, but does apply to parents, visitors and staff.**

Prejudiced-based bullying is not solely directed at those with a protected characteristic. It may also be directed at individuals who are perceived to have or are associated with another individual with a protected characteristic. Therefore, it is important that our schools include consideration of all protected characteristics across learning to ensure children and young people have the understanding and confidence to respond to incidents of prejudiced-based bullying effectively.

There are other types of bullying behaviour that are prejudiced-based but not listed as a protected characteristic under the Equality Act 2010. When these behaviours are exhibited Falkirk Council have a responsibility to address this to ensure no: pupils, staff or visitors, are discriminated against, victimised or harassed for any of these additional characteristics. More detailed information on this is available from [RespectMe](#).

6. Online Bullying

It is crucial that a consistent approach is taken to all forms of bullying. Online bullying should not be treated any differently than face-to-face bullying. Schools will make sure pupils understand that unacceptable behaviour remains unacceptable whether online or face-to-face and that pupils are responsible for their behaviour online.

Where online bullying occurs during the school day, ELCCs and schools should adopt a restorative and proportionate response to the behaviour involving all relevant individuals in the process.



Where online bullying occurs outwith school (e.g. at home, in the community), schools will work in partnership with children and young people and their parents/carers in order to prevent the bullying.

There is a parental responsibility to monitor their child or young person's online behaviour and it should not be assumed that the sole responsibility for dealing with online bullying outside of school rests with the school.

ELCCs and schools will refer parents/carers to support helplines/websites where necessary.

7. Restorative approaches

Why restorative approaches?

It is common for many people to prefer a form of punishment for children and young people exhibiting bullying behaviour. However, this more traditional approach can be ineffective, dangerous and breed resentment. It can also worsen the situation for all concerned as the child or young person may become resentful at the punishment; as opposed to reflecting on their actions and their impact.

Benefits of restorative approaches

- Embeds values which separate the person from the behaviour
- Promotes accountability
- Attempts to resolve the harm caused due to the behaviour
- Help create positive, forward-thinking environments
- Help children and young people become successful learners, confident individuals, responsible citizens and effective contributors.
- More effective than traditional forms of punishment

What are restorative approaches?

Falkirk's ELCCs and schools use restorative approaches as part of a planned response to bullying behaviour. Restorative approaches are based on a set of questions that help children and young people think about their behaviour and understand how they can correct it. These approaches positively alter a school environment and their effective use should help to establish positive relationships within schools.

Restorative approaches can include the use of a 'restorative conversation'. This can take place during the school day and the use of restorative language and questions helps to enable children and young people to understand the impact of their behaviours – both on themselves and others.

Any parent/carer wishing to find out more about what type of restorative approach is used within their child's school, should contact the school directly.

The use of restorative approaches does not mean there are no consequences for children and young people exhibiting bullying behaviour. ELCCs and schools may use a mix of restorative approaches as well as sanctions.

8. Recording and monitoring

All instances of bullying must be recorded by ELCCs and schools. Recording instances of bullying is an integral part of the approach adopted by Falkirk Council in preventing and managing bullying behaviour.

All ELCCs and schools will have a consistent approach to recording and monitoring instances of bullying behaviour. This will enable ELCCs, schools and Children's Services to identify any trends or specific issues which exist.

All instances of prejudiced-based bullying that fall under any of the protected characteristics listed under the Equality Act 2010 must be recorded and monitored. As per [Falkirk Council's Poverty Strategy](#), bullying behaviour based on an individual's socio-economic background must also be challenged, recorded and monitored by schools.

Benefits:

- Provides valuable information on the scope and scale of the bullying
- Helps identify trends, patterns and specific issues
- Helps inform approaches to preventing and managing bullying behaviour
- Can identify any improvements that are required in our approach

What we will consider when recording bullying incident:

- What was the behaviour?
- What is the impact on the school, learning or health and wellbeing?
- What does the child/young person want to happen?
- What do I need to do?
- Is there evidence of any prejudiced-based attitudes or behaviour?

9. What ELCCs and Schools will do

The list below contains strategies and responses which, depending on the context of the bullying behaviour, children and young people and parents/carers may expect schools to adopt.

- Pupils experiencing bullying behaviour will be listened to and supported.
- Pupils who exhibit bullying behaviour will be dealt with fairly and consistently.
- Previous instances of bullying behaviour involving either the individual experiencing the behaviour or the individual exhibiting the behaviour, will be taken into account.
- ELCCs and schools may use de-escalation strategies using restorative approaches
- There may be physical separation of the individuals involved where necessary and where possible (the views of the pupil experiencing the bullying behaviour will be taken into account)
- The use of a restorative meeting
- Parents/carers will be informed and involved in response to the bullying behaviour
- The use of formal sanctions may be deemed necessary.

Where a criminal offence has occurred, the incident should be reported to Police Scotland. Schools may seek advice from the School Based Police Officer where this is the case. If this has occurred on school grounds or during the school day, a School Incident Report form must be completed and forwarded to Children's Services Senior Leadership Team.

STRATEGIC ACTIONS 2018 - 2021

2018

November 2018

- Launch the policy.
- RespectMe training for staff.
- Launch online resources for schools/pupils.

2019

May – August 2019

- Review the recording of bullying behaviour.
- Review recorded incidents of prejudiced-based bullying behaviour.
- Review bullying-related complaints.

2020

May – August 2020

- Review the recording of bullying behaviour.
- Review recorded incidents of prejudiced-based bullying behaviour.
- Review bullying-related complaints.

2021

May 2021

- Begin the review of this policy and framework.

September 2021

- Launch public consultation on the strengths of our approaches and areas for further improvement.
- School consultations with pupils and parents on the strengths of our approaches and areas for further improvement.

Helpful websites and resources

respectme - Scotland's Anti-Bullying Service.

www.respectme.org.uk

ChildLine - website has a section on bullying for young people and adults.

www.childline.org.uk

Childnet International - works in partnership with other organisations to help make the internet a safe place for children and young people.

www.childnet.com

CEOP – The Child Exploitation and Online Protection Centre website provides information and advice for online safety.

www.ceop.police.uk

LGBT Youth Scotland

www.lgbtyouth.org.uk

Parentzone

<https://education.gov.scot/parentzone>

Kids Health

<https://kidshealth.org/>

Coalition for Children

<https://safechild.org/>

Scottish Family Information Service

<http://www.scottishfamilies.gov.uk/>

Children 1st

<https://www.children1st.org.uk/>