

# Sheffield City Council



## **Bullying and prejudice-based incident recording and reporting guidance for Sheffield Schools**

February 2017



## **Background**

Parents see bullying as a key concern about their children's safety and wellbeing and it is a high concern for children and young people.

Being on the receiving end of bullying or prejudice related hate makes any person's life a misery, undermines their confidence and self-esteem and destroys their sense of security.

Bullying and prejudice related hate negatively impacts on attendance and attainment at school, marginalises those groups who may be particular targets for bullies and can cause a lifelong impact on some young people's lives.

There is an extensive library of reports around bullying and prejudice related hate incidents which highlights the issues. One of these, the 2012 Ofsted report '*No Place for Bullying*' indicated that bullying continued to be a significant issue for pupils, disproportionately affecting pupils with a disability or special education need and those who are or are perceived to be, lesbian, gay and bisexual. Language that discriminates against these groups was common in many of the schools Ofsted visited.

Schools which deal most effectively with bullying are those which have anti bullying and anti prejudice related incidents policies in place which are known to known by all members of the school community.

This guidance focusses on the recording and reporting of bullying and prejudice based incidents to enable schools to effectively identify, monitor and respond to bullying and prejudice-based incidents.

## **Schools and the law**

By law, all state (not private) schools must have a behaviour policy in place that includes measures to prevent all forms of bullying among pupils.

This policy is decided by the school. All teachers, pupils and parents must be told what it is.

Schools must also follow the Equality Act 2010. This means staff must act to prevent discrimination, harassment and victimisation within the school. This applies to all schools in England and Wales. Recording all bullying and prejudice-based incidents is one way in which a school may show that it has 'due regard' for fostering good relations, as well as eliminating discrimination, harassment and victimisation and thus demonstrate compliance with the Equality Act 2010.

## **Schools should:**

- *ensure that they are able to evaluate, at an appropriate time after any bullying event, how effective their action has been*
- analyse their information about bullying to assess whether there are any patterns, trends or issues emerging

- use this analysis to plan future actions.

## **Defining bullying and prejudice-based incidents**

### **Bullying**

The Guidance has used a definition of bullying that has been adapted from; **Preventing and Tackling Bullying** Advice for Head Teachers, Staff and Governing Bodies, DfE, 2011:

- Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via social media or the internet). It can involve verbal taunts, name calling, physical injury, and damage to property, rumour spreading, shunning or ridicule and is often motivated by prejudice against particular groups, for example on grounds of ethnicity, religion, belief, gender or gender identity, sexual orientation or disability, or because a child is in care, has caring responsibilities or mental health issues. It might be motivated by actual differences, perceived differences or as a result of association with someone else.

### **Prejudice-based incident**

The Guidance definition of prejudice based incidents:

- As a one-off incident which is perceived by the victim or any other person, to be motivated by hostility, prejudice or ignorance, based on a person's perceived or actual ethnicity, gender, disability, religion, beliefs, sexual orientation or gender identity or their association with someone from one of these groups. These can also include indirect prejudice driven behaviour that is not targeted at one individual. The impact of this expression of prejudice against an equality group whether intentional or not can be damaging and must therefore be responded to as a prejudice based or hate incident.

### **Hate incident**

The Guidance definition prejudice based incident:

The Association of Chief Police Officers (ACPO) has distinguished between a hate incident and a hate crime as follows:

- A **Hate incident** is "Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate."
- A **Hate crime** is "Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or hate."

Therefore, hate incidents are incidents that do not constitute a criminal offence, but cause alarm, distress or harassment where anyone believes the victim has been targeted because of their race/ethnicity, religion/belief, gender/gender identity, disability, age, sexual orientation or any other actual or perceived difference.

Appendix 2 sets out further information and more detailed information about prejudice related bullying.

### **Reporting of bullying and prejudice-based incidents**

Schools will need to ensure that the school community is one in which it is **'safe to tell'** and safe to report bullying and prejudice related incidents. Schools need to have a range of methods for pupils and students to self-report and for pupils and students and parents and carers to report bullying and incidents that have happened. Ultimately, the school is best placed to determine the routes for reporting.

School staff needs to be sensitive to pupil and student concerns about reporting, for example a situation becoming worse following an incident being reported. There may also be particular concerns for some groups related to reporting. This includes:

- Those pupils and students experiencing homophobic, biphobic or transphobic bullying may be concerned that if they report the bullying then assumptions will be made about their sexual orientation or that they will need to 'come out'.
- Some pupils and students with particular special needs may also be identified as perpetrators and so may not be listened to when they report bullying.
- Black and Minority Ethnic pupils and students may be concerned about perceptions after disclosing their experiences of racism, particularly those forms of racism which result due to others not understanding a particular culture or faith or are a 'joke' or 'banter'.

### **Recording of bullying and prejudice-based incidents**

#### **Introduction**

Having a school policy with clear definitions will help guide staff, pupils and students to identify bullying and prejudice-based incidents. Inevitably, with such incidents, there will be times when it is difficult to know how to record an incident as no two incidents will be exactly the same or an incident has particular dimensions to it, for example a child or young person with special education needs could experience bullying during which homophobic, biphobic or transphobic language is used. Therefore, staff will need to manage reporting discussions carefully, be sensitive to children and young people who could find it difficult to disclose an incident, listen carefully to what is being said and use professional judgement to identify the main motivation behind the bullying or type of prejudice being expressed to enable effective recording.

Staff have to be mindful that it is the child or young person's perception of the incident type of bullying or prejudice based incident rather than their own that should best inform how the incident is recorded. When recording, staff may have to identify the main cause 'best fit' and use notes sections on the reporting form or SIMS to record further detail.

## **Methods of recording**

Schools need to use a method of recording bullying and prejudice-based incidents that best suits their setting. This may be using a paper report form before input into SIMS or input straight into SIMS.

SIMS based recording has many advantages:

- Easy to run reports
- Easy to track recurring incidents related to perpetrators or victims/targets
- Information to enable different approaches to responding
- Potential to safeguard children and young people who may be a target of a range of incidents

Behaviour incident data in SIMS is not routinely transferred between schools, therefore, primary schools may wish to inform secondary schools about children who are repeat perpetrators or victims/targets of bullying and prejudice-based incidents.

Both paper based recording methods and SIMS can only work effectively as long as a school has a robust system for dealing with and responding to the incident or the bullying.

## **Victim or target and perpetrator**

There may not always be a clear victim / target or there may be multiple victims or targets or the perpetrator is unknown. However, any incident should still be recorded with as much information as is available as it helps identify trends and patterns of how often incidents occur.

## **Incidents in the community / out of school**

Not all incidents that are reported take place within the school. Staff may be told of incidents that have taken place outside of school.

Schools are reminded that:

- Teachers' powers to discipline include the power to discipline pupils even when they are not at school or in the charge of a member of staff. In addition: The school's behaviour policy should set out what the school will do in response to all non-criminal bad behaviour and bullying which occurs anywhere off the school premises and which is witnessed by a staff member or reported to the school, including the punishments that will be imposed on pupils. (Behaviour and discipline in schools; **A guide for head teachers and school staff Department for Education, 2012**).

The main incident types taking place outside the school gates, which need recording, are:

- The rapid growth of smartphones and tablet computers has widened online access to social networking sites, messaging apps, gaming sites and chat rooms. Cyber bullying which takes many forms is rife on the

internet and most young people will experience it or see it at some time. Cyber bullying can happen anytime 24/7/365 it can go viral very fast and it can be very difficult to remove cyber content. The Sheffield Safeguarding children Board has procedures on how to deal with e safety.

<http://www.safeguardingsheffieldchildren.org/sscb/safeguarding-information-and-resources/online-safeguarding>

- Some prejudice related incidents or bullying in the community involving children and young people may come to the school's attention. Staff will need to act on these incidents and record this bullying as incidents in the community may impact on behaviour within the school. Any serious prejudice-based incident or bullying should be recorded.

Schools are encouraged to report prejudice related incidents involving adults within the school gates as well as those that take place nearby but involve parents or carers. Schools may also need to offer support to families suffering from prejudice or hate crimes. Though not involving children or young people, reporting of such incidents will enhance and feed into the intelligence that South Yorkshire Police has. Hate incidents can be reported directly to the police by calling 101 or 999 in the event of an emergency.

### **Supporting Vulnerable Individuals (Channel)**

Safeguarding children, young people and adults who are vulnerable to being radicalised or at risk of being drawn into terrorist-related activity is one of the main objectives of the Prevent strategy. Recording and monitoring of bullying and prejudice based incidents may with other evidence help to identify children and young people who are vulnerable to being radicalised.

## **Responding to bullying and prejudice-based incidents**

### **Introduction**

The School's policies will set out how bullying and prejudice-based incidents should be managed and dealt with and a local solution optimum solution on how the school will manage such incidents.

There needs to be short and long-term responses

### **Short term responses**

- Take firm swift action where violence and aggression is involved. – if immediate response required arrange attendance by the police or call 999 in an emergency.
- Ensure the victim/target feels supported and is given space and the opportunity to talk about the incident.
- If it's a bullying incident refer to your Anti-Bullying Policy
- Involve the parents and carers of the targets and or victims as well as those of the perpetrators.
- Identify a response that is consistent with the seriousness of the incident. Respect the wishes of the victim and or target in terms of a

response unless there are safeguarding concerns which would require that action is taken

- Avoid being confrontational with the perpetrator and challenge the ideas and behaviour but not the person.
- Help the perpetrator understand that what they said or did was hurtful and not in line with the school's values, ethos or policies.
- Provide some time and safe space to enable the perpetrator to reflect on their behaviour or calm down before taking any follow-up action or talking through the incident further.
- If the perpetrator has made inaccurate statements, point these out, question stereotypes and counter prejudice by providing accurate information.
- Consider the intentions of the perpetrator before applying sanctions.
- Where the perpetrator was retaliating following ongoing bullying you will need to consider carefully before applying sanctions.
- Ensure that other pupils or students who witnessed the incident know that the behaviour was unacceptable and robust action is being taken in response.
- Ensure that the victim and or target and their parents and carers are kept fully informed about progress and any actions taken.
- Record on SIMS whether the incident has been resolved, particularly whether the victim / target and parents / carers are satisfied with the outcome.
- Identify clear times to 'check-in' with those involved (including parents and carers) to ensure issues have been resolved.

### **Longer term responses**

- Undertake a follow-up at a pre-identified time on at least two occasions to check if the issue has been fully resolved.
- The victim/s and target/s as well as the perpetrator/s may require longer term support, for example. peer mentoring, 'buddy' scheme or you may want to contact a specialist support service.
- When responding to incidents it is vital to look at the incident in its wider context. There is the procedural dimension of the disciplinary matter and also the school's approach and procedures in relation to incidents contributes in the spiritual, moral, social and cultural education of pupils and students and also to their personal, social, health and citizenship education.
- Incidents provide an opportunity to reinforce the school's Equality Policy and/or Anti-Bullying Policy, through channels including assemblies and newsletters.. They can also provide learning opportunities for pupils to discuss issues of diversity, cohesion, discrimination and equality through PSHE, citizenship and the whole curriculum.
- Monitoring bullying and prejudice-based incident data can support improvements and developments in the whole school approaches and to the curriculum.

- Following a serious incident, schools should consider reviewing their whole school approach to preventing and responding to incidents. This could become an action-plan that is included in the school's improvement plan and as an equality objective under the Equality Act 2010 duty.

### **Informing and involving parents and carers**

Ensuring that parents and carers are continually updated on the school's work related to bullying and equality will increase their confidence in the school's approach to tackling bullying and ensuring equality.

This can be done by:

- Encouraging parents and carers to become involved in policy development and review and in developing equality objectives as part of the school's Public Sector Duty.
- Disseminating the anti-bullying or other policies to parents and carers. Ensuring that the welcome pack for new parents / carers in your school gives details of the anti-bullying and prejudice-based incident recording process along with details of your schools' complaints process
- Ensuring that parents and carers are kept updated in relation to the Safe and Well School Survey data and in school anti-bullying and equality developments.

Some parents and carers may feel intimidated entering a school at some times. If a prejudice-based or bullying incident has occurred it can be an emotive time for all involved. Keeping parents and carers informed of their rights, communicating that the school takes incidents seriously, and wants to know when they occur as well as actions taken can help them feel more positive even if their child is having a difficult time. In addition, there is value in contacting the parents or carers sometime after the school believes the incident to be resolved to ensure that parents and carers also agree.

The key benefits of effectively recording bullying and prejudice-based incidents by type on SIMS enables schools to:

- Manage individual cases effectively.
- Identify and track individual and group patterns of behaviour.
- Develop effective intervention, follow-up and prevention strategies.
- Produce reports monitor and evaluate the effectiveness of strategies.
- Demonstrate correct and robust decision making in the event of complaints being made.
- Engage and inform multi-agency teams as necessary.

To record bullying and prejudice-based incidents effectively schools will need to continue to develop practice as follows:



- Whole school, age appropriate understanding of the definitions of bullying, prejudice-based incidents and the different forms of prejudiced behaviour.
- Training for school staff to effectively identify, challenge and record bullying and prejudiced based-incidents.

## **Reporting bullying and prejudice-based incidents**

### **Reporting to the school community**

Schools will want to ensure that data of bullying and prejudice-based incidents is reported to the school community. The levels of data shared will depend on the needs of specific sections within the school community.

Schools will need to appropriately share data as part of the equality information required under the Equality Act and are best placed to determine the level of data shared to different audiences and the contextual information to accompany it.

### **Reporting to Sheffield City Council**

Schools and Academies are asked to return bullying and prejudice related incident data on a termly basis by type to Sheffield City Council. The types of bullying being asked for are the prejudice-based forms of bullying under the Equality Act protected groups:

- Disability
- Ethnicity / Race
- Gender Identity
- Religion / belief
- Sex
- Sexual Orientation

In addition, special needs and medical conditions can be added to disability. Appearance and home circumstances can contribute and include bullying related to class and background, children on free school meals, young carers etc.

Data can be handled either through a paper based approach or through SIMS. The data can be collected in whichever way suits the school and returned to the Local Authority on a termly basis.

Returning the data:

- Supports schools to record bullying by type as required by Ofsted
- Results in Sheffield wide monitoring of bullying by type and prejudice related incidents alongside the Safe and Well School Survey and an annual and helps inform effective city wide approaches to tackle incidents.

Data on prejudice related incidents hate incidents will be of interest and importance by groups in the City, for example the Equality Hubs and the Sheffield Hate Crime Scrutiny Panel.

**Reporting Prejudice-based/Hate Incidents involving adults**

Schools need to report prejudice related incidents involving adults within the school gates as well as those that take place nearby but involve parents or carers.

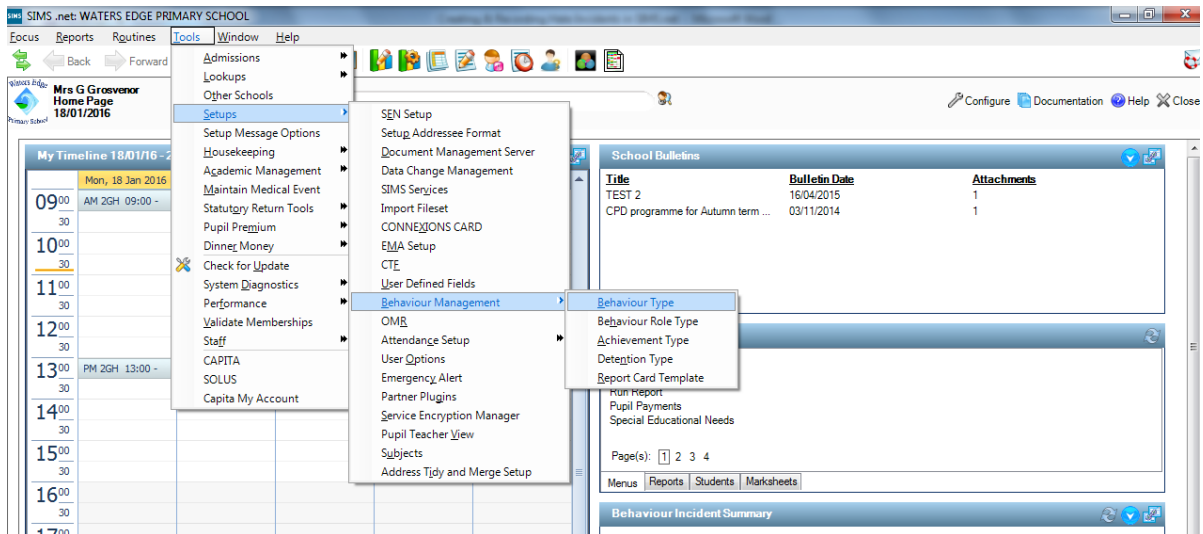
Reporting these incidents will enhance intelligence that South Yorkshire Police has. Hate incidents can be reported directly to the police by calling 101 or 999 in the event of an emergency.

# Appendix 1

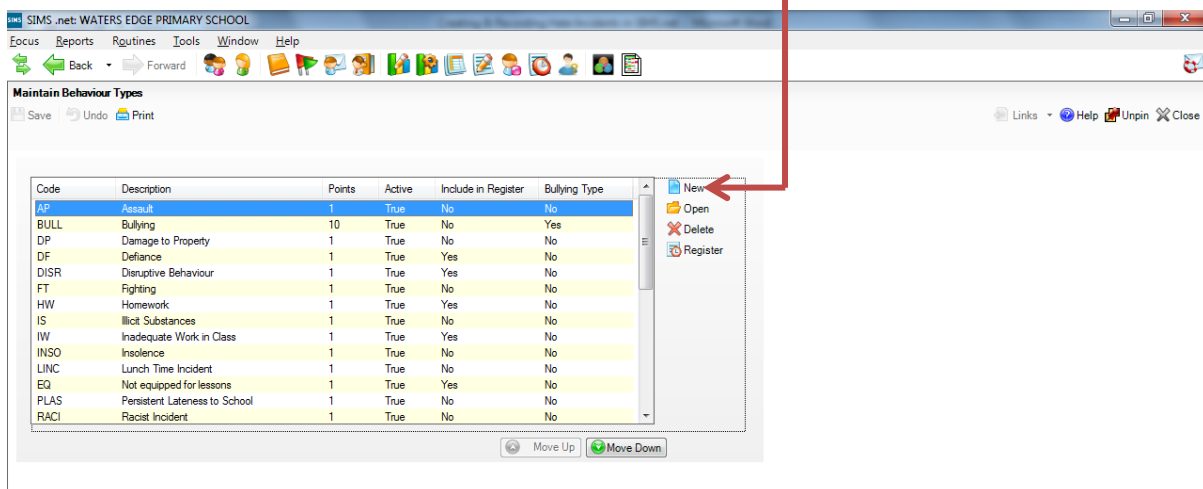
## Creating & Recording Hate Incidents in SIMS.net

### A. Adding a new Behaviour Type

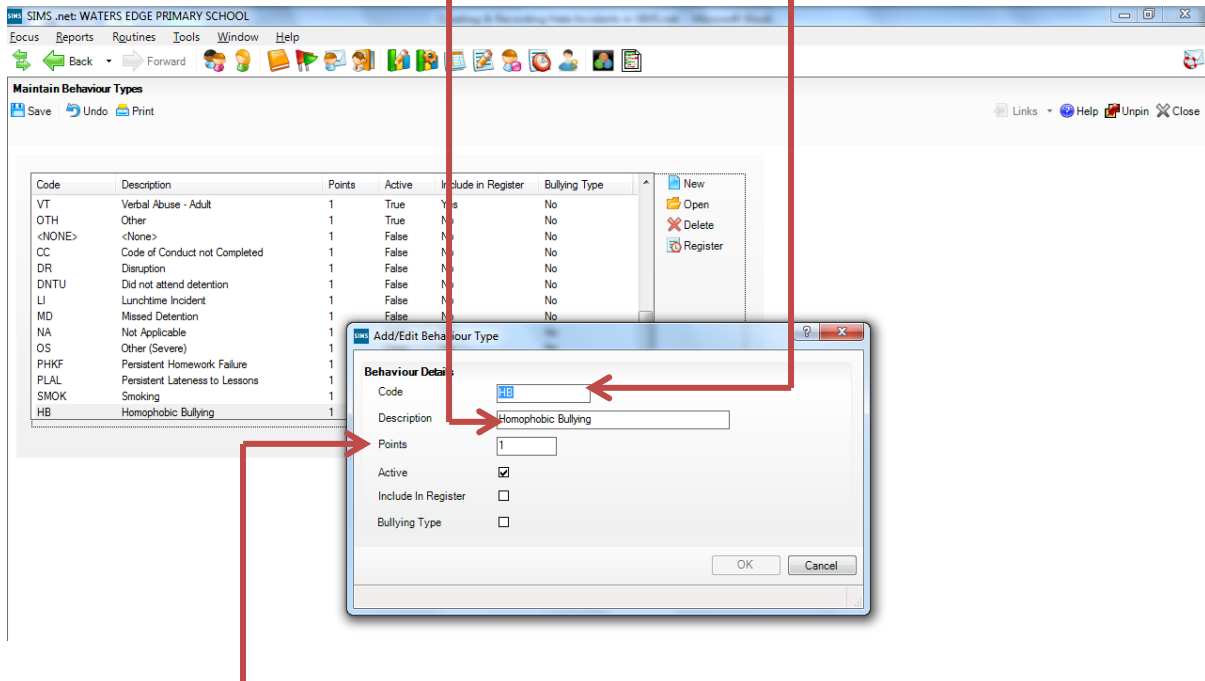
1. Go to **Tools > Setups > Behaviour Management > Behaviour Type**



2. In the **Maintain Behaviour Types** screen select **New**

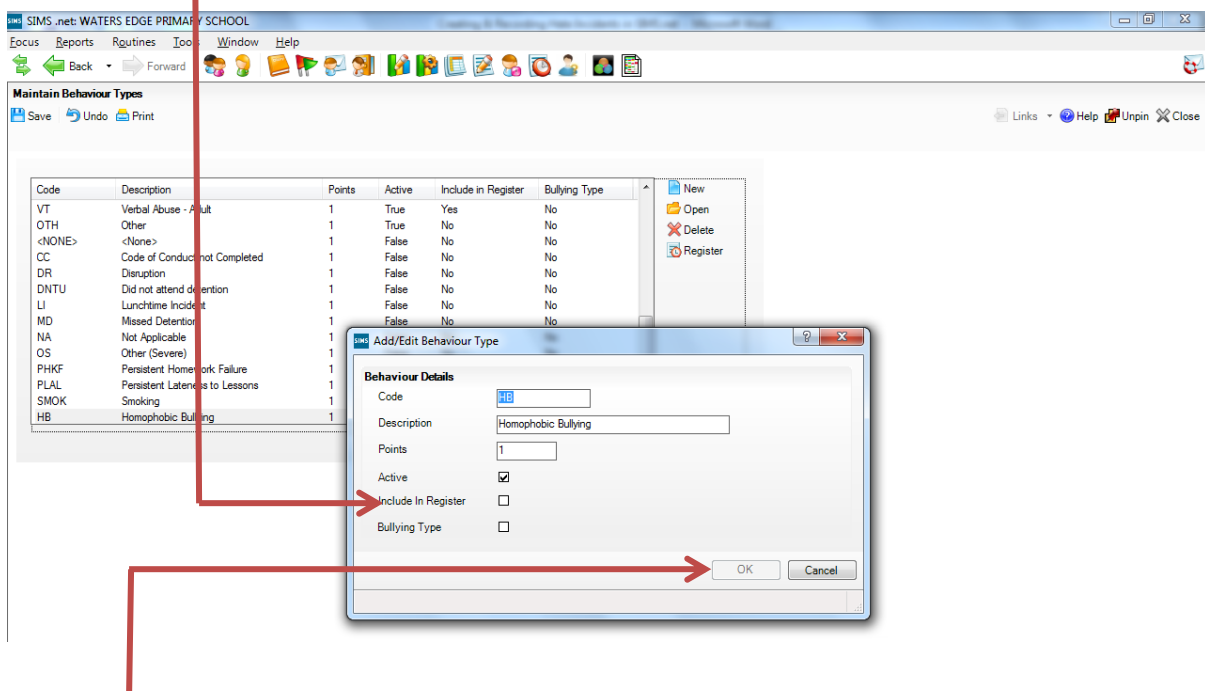


3. In the **Add/Edit Behaviour Type** screen add the **Code** (upper-case abbreviation of Behaviour Type) and the **Description** of the Behaviour Type



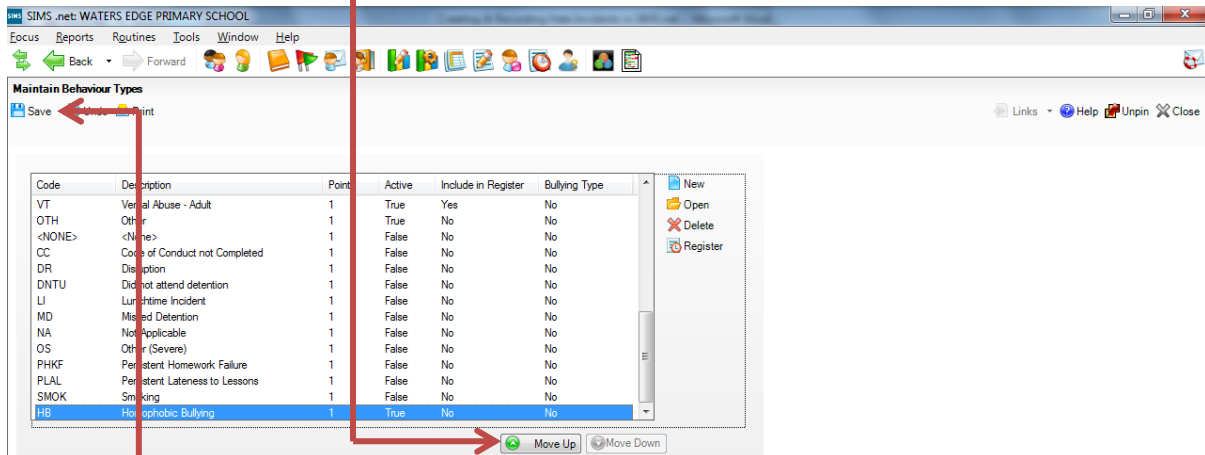
The relevant **Points** per pupil can be left as the default 1 or amended as required (including 0 if no points are allocated per pupil per incident)

Tick **Include in Register** if you want to record incidents via the class/lesson register



Select **OK** to complete the new Behaviour Type

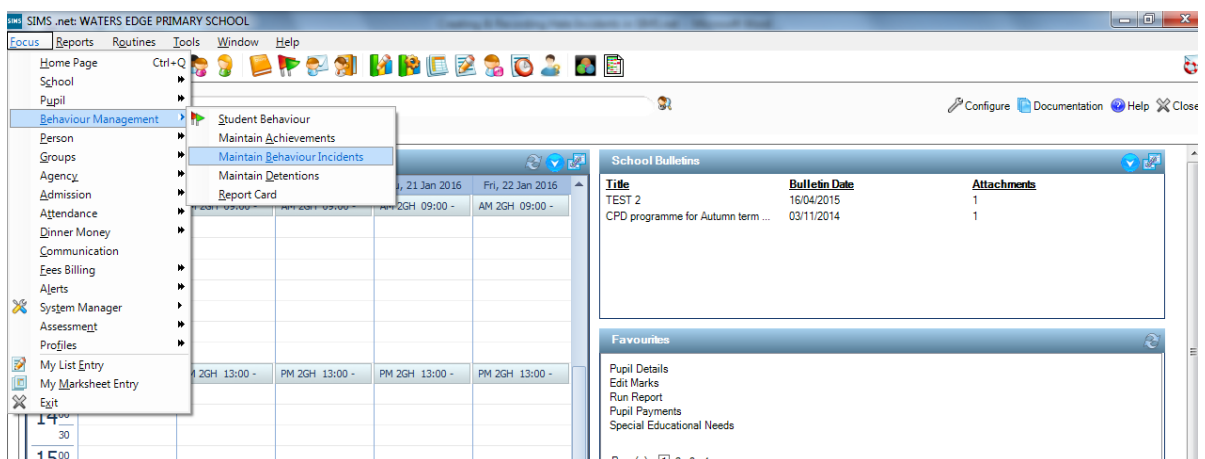
4. The new **Behaviour Type** is listed at the bottom of the look-up list and can be moved using the **Move Up** arrow if required



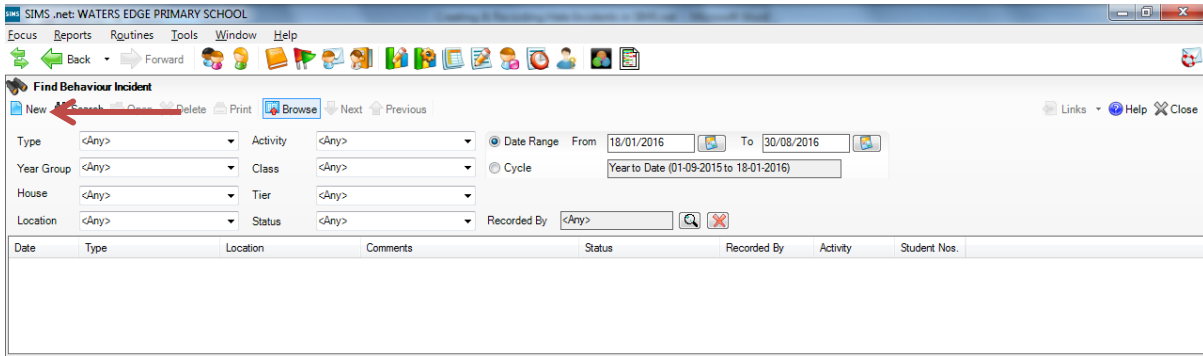
And **Save**

## B. Recording Behaviour/Hate Incidents

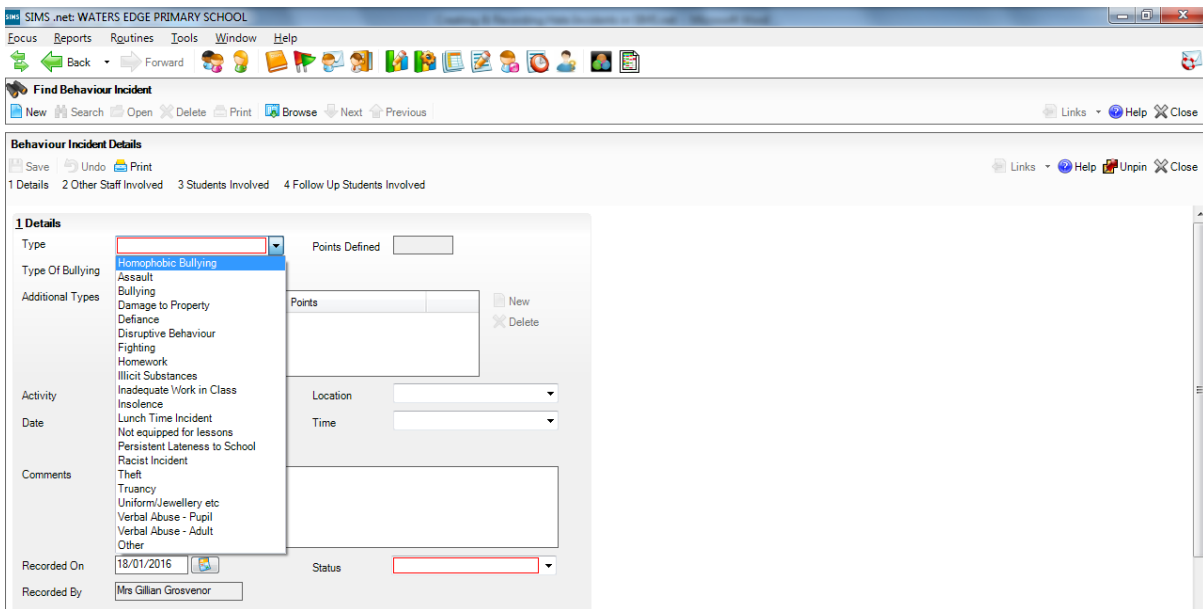
1. Select **Focus > Behaviour Management > Maintain Behaviour Incidents**



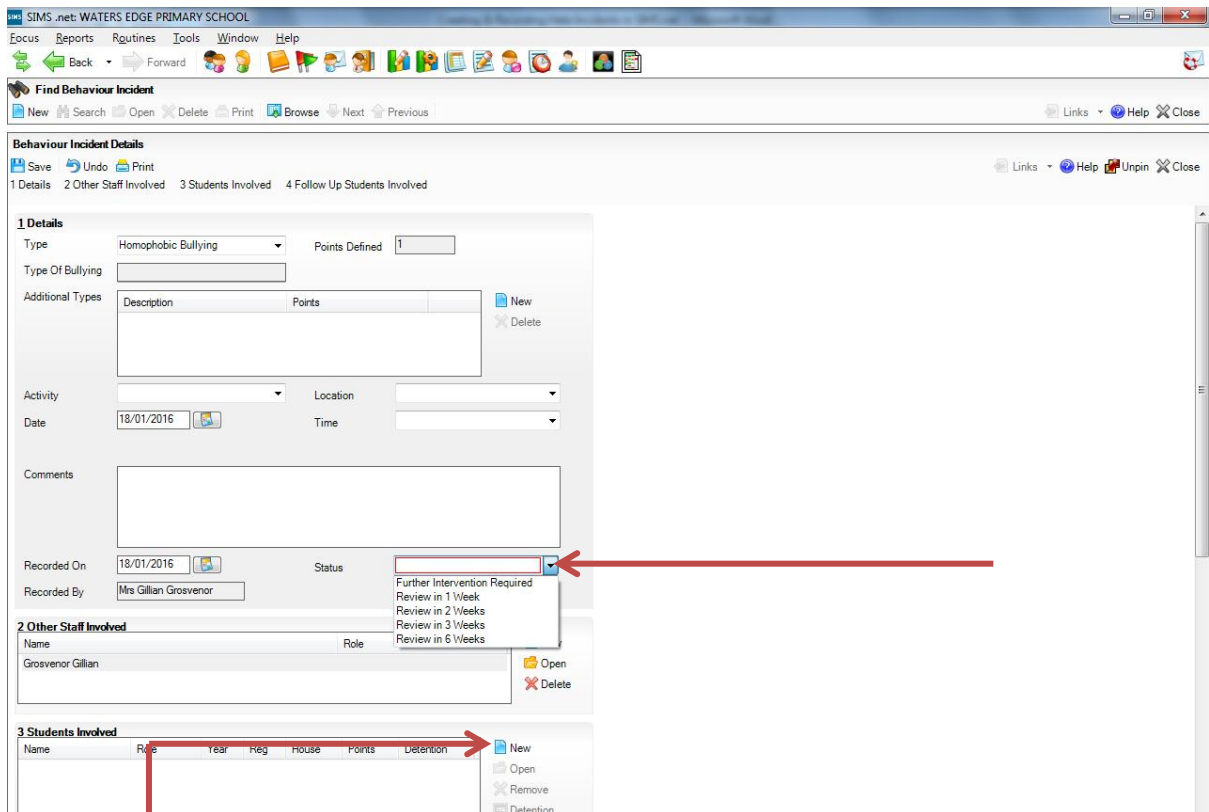
2. Select **New** to record an incident



3. From the look-up list select the relevant **Type** e.g. Homophobic Bullying

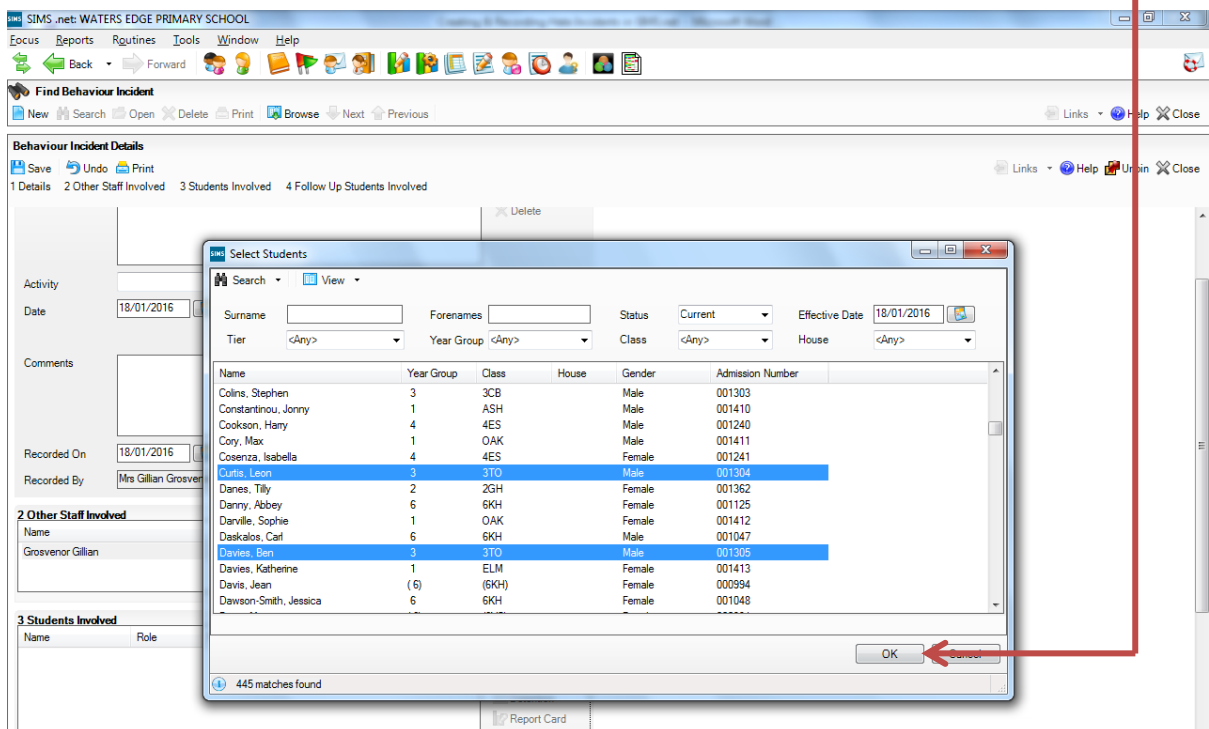


Add any other required data in the relevant fields (please note the **Status** must be completed)

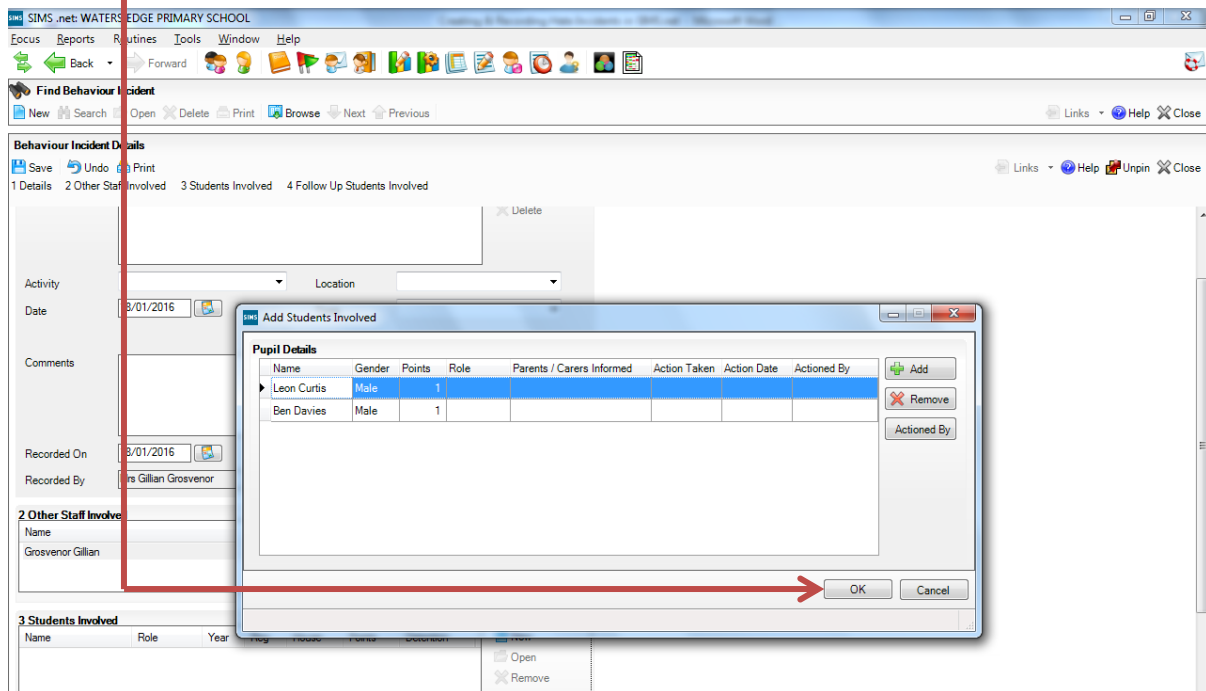


Select **New** to add **Pupils/Students** involved in the incident

In the **Select Students** window select the required pupils/students and select **OK**



Check the details in the **Add Students Involved** screen and amend if required then select **OK**



With the required pupils added and all details checked select **Save**



SIMS .net: WATERS EDGE PRIMARY SCHOOL

Focus Reports Routines Tools Window Help

Back Forward

**Find Behaviour Incident**

New Search Open Delete Print Browse Next Previous Links Help Close

**Behaviour Incident Details**

Save 1 Details 2 Other Staff Involved 3 Students Involved 4 Follow Up Students Involved Links Help Unpin Close

Activity: [ ] Location: [ ]

Date: 18/01/2016 Time: [ ]

Comments: [ ]

Recorded On: 18/01/2016 Status: Further Intervention Required

Recorded By: Mrs Gillian Grosvenor

**2 Other Staff Involved**

Name	Role
Grosvenor Gillian	

New Open Delete

**3 Students Involved**

Name	Role	Year	Reg	House	Points	Detention
Leon Curtis		3	3TO	1	No	
Ben Davies		3	3TO	1	No	

New Open Remove Detention Report Card Exclusion Send

**4 Follow Up Students Involved**

Add Follow Up Remove Follow Up

Follow Up Date: [ ] Referred To: [ ] Select Staff

Send personal reminder to the referred staff for followup.

Comments: [ ]

Links: Linked Docume... Quick letter Data Collection... Send Message Student Teache... Pupil Details History Reports SEN Exclusions Behaviour Man... Timetable Classes Attendance Dinner Money F... Assessment Communication... Pupil Curriculum

Help

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## Appendix 2

### Bullying

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via social media or the internet). It can involve verbal taunts, name calling, physical injury, and damage to property, rumour spreading, shunning or ridicule and is often motivated by prejudice against particular groups, for example on grounds of ethnicity, religion, belief, gender or gender identity, sexual orientation or disability, or because a child is in care, has caring responsibilities or mental health issues. It might be motivated by actual differences, perceived differences or as a result of association with someone else. Adapted from; **Preventing and Tackling Bullying Advice for Head Teachers, Staff and Governing Bodies, DfE, 2011**

### Prejudice-based incident

This is a one-off incident which is perceived by the victim or any other person, to be motivated by hostility, prejudice or ignorance, based on a person's perceived or actual ethnicity, gender, disability, religion, beliefs, sexual orientation or gender identity or their association with someone from one of these groups. These can also include indirect prejudice driven behaviour that is not targeted at one individual. The impact of this expression of prejudice against an equality group whether intentional or not can be damaging and must therefore be responded to as a prejudice related incident. In some settings prejudice-based incidents are referred to as Hate Incidents.

### Bullying and prejudice-based incident behaviours

Prejudice-based incidents and bullying can be perpetrated using the following behaviours:

- **Cyberbullying** Internet, mobile phones, blackberry messenger, social media
- **Damage to property** Damage, interference, withholding, demanding or stealing of personal possessions, money and loaned or allocated equipment/resources, graffiti
- **Indirect / social** Not being spoken to or being excluded, or left out of activities, gossiping, spreading rumours, dirty or intimidating looks, gestures

- **Physical** Pushing, kicking, hitting, pinching, tripping, spitting or any other form of violence or physical force.
- **Possession / distribution of offensive materials** This could be materials or publications that seek to promote extremist and prejudiced views such as racist literature.
- **Sexual abuse / harassment** Suggestive sexual comments or innuendo including offensive comments about sexual reputation; or using sexual language that is designed to subordinate, humiliate or intimidate, groping / inappropriate touching
- **Verbal Abuse** Using language in a derogatory or offensive manner, such as name calling, sarcasm, personal threats, nasty comments or 'jokes' or persistent teasing and taunting.

### **Further definitions: cyberbullying / sexual bullying**

#### **Cyberbullying**

Cyberbullying can be defined as the use of information and communications technology (ICT), particularly mobile phones, the internet and social media to support deliberate, repeated and hostile behaviour by an individual or group that is intended to harm others. It can be an extension of face-to-face bullying, with technology providing the bully with another route to harass their target. However, it differs in several significant ways from other kinds of bullying: the invasion of home and personal space; the difficulty in controlling electronically circulated messages; the size of the audience; perceived anonymity; and even the profile of the person doing the bullying and their target. Ongoing changes to technology mean the methods used to bully keep evolving. Adapted from; **Cyberbullying; Safe to Learn, Department for Children, Schools and Families, 2007**

#### **Sexual Bullying**

All forms of bullying and particularly sexist, homophobic and transphobic bullying can have a specific sexual dimension or a sexual dynamic and it may be physical, verbal or nonverbal/psychological. Behaviours may involve suggestive sexual comments or innuendo including offensive comments about sexual reputation; or using sexual language that is designed to subordinate, humiliate or intimidate. Sexual bullying may be referred to as sexual harassment. Adapted from **Preventing and responding to sexist, sexual and transphobic bullying, Safe to Learn Department for Children, Schools and Families, 2009**

## **Types of bullying / prejudice-based incidents**

It is important for learning communities to be able to identify, record and monitor the different types of bullying and in particular bullying or incidents affecting those with protected characteristics as described under the Equality Act. All members of the school are protected under the Equality Act, 2010 from discrimination on the basis of:

- Age (adults only)
- Disability
- Gender reassignment
- Marriage or civil partnership (adults only)
- Pregnancy & maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

It is recommended that schools record all bullying and one off incidents resulting from prejudice against one or more of the protected characteristics above. However, children and young people outside of these groups may also experience bullying as a result for example of being overweight, or wearing glasses or having red hair. This can be recorded as bullying / incident related to appearance. It should also be remembered that someone from one protected group can be prejudiced against other members of that group.

### **Brief definitions: Types of bullying / incidents**

- **Appearance** Hair colour, body shape, clothing etc
- **Disability / Special Needs / Medical condition** Real or perceived disability, special need, gifted or talented or health conditions or association with someone in those categories (related derogatory language for example: retard / spaz / geek / nerd) or association with someone with a disability / special need
- **Race / Ethnicity** Ethnic origin, skin colour, national origin, culture, language, real or perceived or because of their association with someone of a particular ethnicity, culture etc (racism)
- **Gender Identity** Transgender, perceived to be transgender, someone whose gender or gender identity is seen as being different to typical gender norms, or someone who has a transgender family member.

Language/stereotyped perceptions of gender (sissy, butch, she/ he, gender bender, tranny) (transphobia).

- **Religion / Belief** Beliefs, faith, mistaken identity, lack of faith (Islamophobia and anti-Semitism for example). It may also be because of a perception or assumption about religion or belief (which may or may not be accurate), or because of their association with someone of a particular religion or belief.
- **Home Circumstances** Class background, low income, free school meals, young carer, looked after (chav, posh)
- **Sex** Based on sexist attitudes that when expressed demean, intimidate or harm another person because of their sex or gender. Language such as bitch, slag etc (sexism)
- **Sexual Orientation** Related to sexual orientation or perceived orientation of target or target's family / friends and/or homophobic / biphobic abuse and language used. Bisexual people may experience homophobic bullying but they are also likely to experience biphobia, that is, prejudice which is specifically related to their bisexual identity. Biphobia often takes the form of stereotypes: for example, that bisexual people are 'greedy', 'promiscuous' or 'confused'.