





# Bullying and prejudice-based incident recording and reporting guidance for Brighton & Hove Schools

# Acknowledgments and thanks

The *Brighton & Hove Schools bullying and prejudice-based incident recording and reporting guidance* has been developed by Brighton & Hove's Healthy Schools Advisory Service in partnership with the ICT Support for Schools Team. This guidance has been informed by that written by East Sussex County Council and we are grateful to them for sharing their work with us. We are also grateful to the following schools for piloting the use of SIMS to record bullying and prejudice-based incidents by type and for their support in developing this guidance.

Brighton Aldridge Community Academy Davigdor Infant Dorothy Stringer Elm Grove Patcham Infant Patcham Junior

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# 1 Introduction: the purpose of the document

#### 1.1 Vision

In Brighton & Hove we want all children and young people to feel safe and supported to achieve. Our vision is that every child and young person in Brighton & Hove should belong to a learning community which shares and celebrates common values of mutual care, equality, respect, rights and responsibility and is free of fear, harassment, and intimidation.

(Statement of Commitment, Brighton & Hove Equality and Anti-Bullying Strategy Group, 2012)

This guidance explains why the recording and reporting of bullying and prejudice based incidents by type is important; provides suggestions for how to do this and provides working definitions to enable schools to effectively identify, monitor and respond to bullying and prejudice-based incidents. Recording and monitoring is one important part of a school's activities to develop effective strategies for preventing and responding to bullying and to:

- Foster good relations;
- Advance equality of opportunity;
- Eliminate discrimination.

(Equality Act; 2010)

The previous system of reporting racist and religiously motivated incidents to the local authority using SIMS Behaviour Management system will be replaced by a request for schools to return their bullying data by type. See section 5.2 for more information on this. See Appendix 5 *Using SIMS to record bullying and prejudice-based incident guide* for information on how to use SIMS to record bullying and prejudice-based incidents by type.

# 1.2 Key Points

- 1. It highly recommended that Schools and Academies use the SIMS Behaviour Management system to record bullying and prejudice-based incidents by type, but they are not required to do so.
- 2. Schools and Academies will be asked to return their data on <u>bullying by type</u> to the local authority (see Section 5.2 and Appendix 3) and this will be used alongside the Safe and Well School Survey data to monitor types and rates of bullying and inform the review and development of practice across Brighton & Hove. This data will form an annual report which will be shared with partners including schools. Individual schools will not be identified in this report.
- 3. The recording and monitoring of bullying and prejudice based incident data is a key feature of the Ofsted Inspection Framework, September 2012. Data collected by the school as part of this new process will help with Ofsted obligations around safeguarding as well as contributing to the requirements of the Equality Act, 2010.
- 4. Key benefits of effectively recording bullying and prejudice-based incidents on SIMS is that it enables schools to:
  - manage individual cases effectively
  - identify and track individual and group patterns of behaviour and develop effective interventions and prevention strategies
  - produce reports and monitor and evaluate the effectiveness of strategies
  - demonstrate defensible decision making in the event of complaints being made
  - engage and inform multi-agency teams as necessary.

#### 1.3 The Equality Act 2010 and Ofsted

Recording all bullying and prejudice-based incidents is one of the ways 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. For more information on the Equality Act please visit <a href="Pier2Peer">Pier2Peer</a> / Healthy Schools / Emotional Health and Wellbeing / Equalities

'The Importance of Teaching', the Schools White Paper 2010 (DfE, 2010), outlined the importance of addressing bullying behaviour in all its forms and placed significant emphasis on pupil, student and parent perception and experiences of bullying behaviour, and how it was dealt with.

The principles of school inspection as described in the 'Framework for School Inspection', September 2012 states that the inspection will focus on the needs of pupils and parents by evaluating the extent to which schools provide an inclusive environment which meets the needs of all pupils irrespective of age, disability, gender reassignment, race, religion or belief, sex or sexual orientation. The 'Ofsted School Inspection Handbook', September 2012 states that inspectors will request logs of racist incidents and incidents of bullying, including homophobic bullying. Under the Behaviour and Safety judgement of the Ofsted Evaluation Schedule inspectors are asked to consider:

- types, rates and patterns of bullying and the effectiveness of the school's actions to prevent and tackle all forms of bullying and harassment this includes cyber-bullying and prejudice-based bullying related to special educational need, sexual orientation, sex, race, religion and belief, gender reassignment or disability
- the effectiveness of the school's actions to prevent and tackle discriminatory and derogatory language – this includes homophobic and racist language, and language that is derogatory about disabled people

Inspectors will also find evidence of pupils' spiritual, moral, social and cultural development where pupils:

- develop awareness and respect for diversity in relation to, for example, gender, race, religion, and belief, culture, sexual orientation and disability
- understand and appreciate the range of different cultures within school and further afield as an essential element of their preparation for life.

The Ofsted Report <u>No Place for Bullying</u>; How schools create a positive culture and prevent and tackle bullying, 2012 makes several recommendations to schools including the following:

#### 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.

#### 1.4 Local and national data

In the Safe and Well School Survey (B&H: 2011) the most common reason that pupils and students gave for why they think they had been bullied was 'their appearance'; which could include prejudice-based bullying. When taken as a whole, various forms of 'prejudice-based bullying' (e.g. racist, faith based, homophobic, sexist and bullying because of a disability or special educational

needs) was also reported by large numbers of pupils and students. In addition, focus group discussions with secondary age students in a range of schools reveals that prejudiced language and in particular sexist language and language related to perceived ability of lack of ability is common within the school community.

The Ofsted Report *No Place for Bullying; How schools create a positive culture and prevent and tackle bullying*, 2012 similarly found that disparaging language was commonly heard in both primary and secondary schools.

Stonewall's <u>The School Report</u> 2012, a survey of more than 1, 600 gay young people found that 55 per cent had experienced homophobic bullying, 96 percent hear homophobic remarks such as 'poof' or 'lezza' used and 99 per cent hear phrases such as 'that's so gay' or 'you're so gay in school.

In school, 37 per cent of young people hear sexual name-calling on a daily basis. (*'End Violence Against Women Poll'* conducted by YouGov, EVAW 2010)

86 per cent of Gypsy, Roma and Traveller children are subjected to racist comments. (*This is who we are: A study of the experiences of Roma, Gypsy and Traveller children throughout England.* Children's Society 2007)

In a sample of children who stammer, 91 per cent reported being subjected to name calling. (Money, and Smith 1995) 'Bullying and the child who stammers', *British Journal of Special Education*, 22, 1, 24-27)

77 per cent of children and young people with a learning disability reported being verbally bullied. (*Bullying Wrecks Lives*, Mencap 2007)

# 2 Identifying and reporting bullying and prejudice-based incidents

#### 2.1 Purpose

As has been stated in the introduction the key benefits of effectively recording bullying and prejudice-based incidents by type on SIMS is that it enables schools to:

- manage individual cases effectively
- identify and track individual and group patterns of behaviour and develop effective interventions and prevention strategies
- produce reports and monitor and evaluate the effectiveness of strategies
- demonstrate defensible 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 the follow aspects of practice:

- 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

#### 2.1 Definitions

The process of examining, debating and reviewing definitions is vital to anti-bullying and equality work. The definitions below and in Appendix 1 are based on recent national guidance and have been amended, developed and then agreed by Brighton & Hove's Equality and Anti-Bullying Strategic Group with the purpose of improving the identification, recording and monitoring or bullying and incidents by type.

It is recommended that schools record bullying and prejudice-based incidents separately. Both have the potential to do harm to individuals, groups and communities, both need to be recorded to gain a full picture of the experiences of pupils / students within the school community but responses to these behaviours will differ. In particular, the cumulative harm of on-going persistent bullying on mental health should be responded to.

#### **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 / Hate 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 based or hate incident.

\*Hate Incidents is the term widely used by the Police and other sectors to describe this type of incident. Schools in the pilot preferred the term prejudice-based incidents, but schools should be aware that at their most serious both bullying and prejudice-based incidents should be reported to the Police. See section 4.5

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

Schools will need to ensure that as far as possible the community is one in which it is 'safe to tell' and safe to report bullying and one off incidents. Schools should have in place a variety 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 to a third party. Methods for reporting bullying include:

- Bully boxes
- Email addresses
- Text numbers
- Reporting to a tutor, teacher or named member of staff
- Peer mentors / Bully Busters

Staff need to be sensitive to pupil and student concerns about reporting. First and foremost children and young people are often concerned that reporting will make the situation worse and or that they will be labelled a 'snitch'. Schools will therefore need to consider how to counteract these concerns. There may also be particular concerns for some groups related to reporting. For example, pupils and students experiencing homophobic or biphobic 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 worry that they are being disloyal to their school or their peers when it comes to disclosing their experiences of racism; particularly forms of racism which are as a result of others not understanding a particular culture or faith or are in the format of a 'joke' or 'banter'.

# 3 Recording of bullying and prejudice-based incidents

#### 3.1 Introduction

Having definitions within school policy will provide a guide to staff and pupils and students in the identification of bullying and prejudice-based incidents. However, there will be times when it is difficult to know how to record bullying or a one-off incident on SIMS or on paper. For example; a child or young person with special education needs could experience bullying during which homophobic 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, listen carefully to what is being said and for the purposes of recording use professional judgement to identify the main motivation behind the bullying or type of prejudice being expressed. Staff may also need to be mindful that it is the child or young person's perception of the type of bullying or 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.

# 3.2 Methods of recording

Schools will use a method of recording bullying and prejudice-based incidents that best suits their setting. This method should be easy for staff to complete and enable effective monitoring of the data so that it can be readily used to identify pupils or students for whom there are concerns and to review and develop whole school approaches to anti-bullying and fostering good relations. The system used should also enable schools to identify which cases are successfully resolved and to ensure follow-up of the most challenging and complex cases.

Some schools will use a paper report form such as the one in Appendix 2. Information from this can then either be inputted into SIMS or into another spreadsheet or method of logging. Some schools will want staff to input straight into SIMS. See the *Using SIMS to record bullying and prejudice-based incident guide* in Appendix 5 for information on how to record bullying and incidents on SIMS.

Recording on SIMS will have a range of benefits. For example, it will be straightforward to run reports and to track recurring incidents related to perpetrators or victims / targets. Staff in schools may need reassuring that a child or young person is not being labelled if for example they have been identified as a perpetrator of prejudice-based incidents. Children and young people should be provided with opportunities to make mistakes, make amends and learn from their mistakes without being labelled. However, the recording of incidents against named perpetrators does ensure that should an incident be repeated the school may wish to take a different approach it also

has the potential to safeguard children and young people who may be a target of a range of incidents. In a pilot school, the use of SIMS identified that incidents were being perpetrated by the members of the same family; leading to discussions with parents.

The behaviour incident data in SIMS is not routinely transferred between schools. However, primary schools may wish to inform secondary schools if they know of children who are repeat perpetrators or victims / targets of bullying and prejudice-based incidents.

Secondary Schools that enable parents and carers to see the behaviour area of SIMS will need to communicate with parents and carers about how bullying and incidents are recorded and enable parents and carers to fully understand what is meant by their child being a perpetrator or target / victim. In best practice parents and carers would know about any incident prior to them being able to view it on SIMS. Reminders that recording is in the best interests of the whole school community and in the development of prevention may be helpful to parents and carers.

Both paper based methods and SIMS additionally require that schools have robust systems for dealing with and responding to the incident or the bullying.

#### 3.3 Victim or target and perpetrator

There may not always be a clear victim / target or there may be multiple victims or targets or you may not know who the perpetrator is e.g. Graffiti. The incident should still be recorded with as much information as is available. On SIMS this may include using the comments box to add detail.

# 3.4 Incidents in the community / out of school

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).

Particularly, in the case of cyberbullying schools will need to be prepared to act; including making a record of this bullying. Schools are referred to local and national guidance available on <a href="Pier2Peer">Pier2Peer</a> to support them to tackle cyber-bullying effectively. Staff will have to use their professional judgment as to which out of school incidents to record; however any serious prejudice-based incident or bullying should be reported through the Anti-social behaviour and Hate Crime Reporting Form as described in Section 5.3.

There may be occasions when the police become aware of incidents in the community involving children and young people and the Neighbourhood Schools Officer will want to discuss these with the school or ask whether any similar incidents or patterns of behaviour have been exhibited in schools. The Neighbourhood Schools Officer will do their best to ensure that schools are kept informed of incidents in the community which may impact on behaviour within the school.

# 4 Responding to bullying and prejudice-based incidents

#### 4.1 Introduction

School policies will set out how bullying and prejudice-based incidents should be managed and dealt with. Sections 4.2 and 4.3 contain some guidance on short and long-term responses and Appendix 4 contains a guidance sheet on challenging homophobic language; this format can be used to respond to a range of prejudiced language.

# 4.2 Short term responses

- Take firm swift action in cases of violence and aggression if immediate response required arrange attendance by the police. Call your Neighbourhood Schools Officer or in an emergency 999
- Ensure the victim / target feels supported and is given space and the opportunity to talk about the incident
- If a bullying incident refer to your Anti-Bullying Policy
- Involve the parents and carers of victims / targets and perpetrators
- Identify a response in line with the seriousness of the incident, in cases which have been handed over to the Police they will run the investigation
- Respect the wishes of the victim / target in terms of a response unless there are safeguarding concerns or if they answer yes to any of the four risk assessment questions which would require that action is taken (see Section 4.6)
- Avoid being confrontational with the perpetrator and challenge their behaviour and ideas rather than them
- 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 space to allow 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 and consider carefully cases where the perpetrator was retaliating following ongoing bullying
- Let other pupils or students that have witnessed the incident know that the behaviour was unacceptable and that it is being dealt with
- Keep the victim / target and their parents and carers 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

#### 4.3 Longer term responses

- The victim/s and target/s and perpetrator/s may require longer term support. Your school may
  have a peer mentoring or 'buddy' scheme and you may wish to contact a support service such
  as a specialist community and voluntary sector service or a services such as the Youth Service
  or from the Community Mental Health and Wellbeing Team.
- When responding to incidents it is important to remember that it is not only a disciplinary matter. Your school's attitudes and procedures in relation to incidents play a part in the spiritual, moral, social and cultural education of pupils and students and also to their personal, social, health and citizenship education.

- Incidents can provide an opportunity to reinforce the school's equality policy and/or Anti-bullying policy, through assemblies, newsletters, and circle-times. They can also provide learning opportunities for pupils to discuss issues of diversity, discrimination and equality through PSHE, citizenship and the whole curriculum.
- The monitoring of the bullying and prejudice-based incident data may lead to improvements and developments in the whole school approaches and to the curriculum. For local resources and links to national resources visit <u>Pier2Peer</u> and or email a request to <u>healthy.schools@brighton-hove.gov.uk</u>
- Following a serious incident, schools should consider reviewing their whole school approach to
  preventing and responding to incidents. This may include a focus on the curriculum and an
  action-plan to be included into the school's improvement plan and as one of the school's
  equality objectives.

# 4.4 Informing and involving parents and carers

Parents and carers may sometimes feel intimidated on entering schools and 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 you take incidents seriously, and want to know when they occur as well as actions taken can help them feel empowered. Consider detailing the anti-bullying and prejudice-based incident recording process for new parents / carers in your schools' welcome pack along with details of your schools' complaints process.

# 4.5 Working within the Brighton & Hove wide victim-focused approach to hate incidents and hate crime

In Brighton & Hove, a new victim focused, harm based approach to hate crime, hate incidents and anti-social behaviour has been introduced by public and voluntary sector partners whereby the risk of harm to victims / targets is assessed based on three themes; Frequency, Vulnerability and Impact. If the risk to a victim or target is high, a multi-agency response will be facilitated. This change follows the Fiona Pilkington case where mother and daughter had been subjected to a series of low level disability hate crime incidents that when considered separately would not have seemed serious. However the impact on Fiona and her daughter was great and ultimately led to their deaths.

Therefore, schools are being asked to ask the screening questions of the victims / targets of bullying or prejudice-based incident or incidents.

#### 4.6 Risk Assessment screening questions

- Is the victim safe? (if not, consider immediate response)
- Is the victim vulnerable or especially upset?
- Has the victim experienced this prejudice-based incident or prejudice-based bullying before?
- Has the reported incident(s) had an impact on the wellbeing of the victim? Or on a group of individuals such as a family?

Whenever an incident or bullying occurs schools should ask these four questions. If the victim or target answers yes to any of the four questions then the school should contact their Neighbourhood Schools Officer (NSO) who will complete a full risk assessment and if necessary coordinate a multi-agency response. This will ensure in partnership with the school that the victim / target are fully supported.

# 5 Reporting bullying and prejudice-based incidents

# 5.1 Reporting to the school community

Schools will want to ensure that appropriate aspects of their bullying and prejudice-based incident data is reported to all members of the school community. Schools that participate in the Safe and Well School Survey may want to report both sets of data together. The level of data shared will depend on the needs of particular groups within the school community. Governors may wish to see detailed data sets in order to support monitoring, analysis and target setting. Parents and carers will want to know if there have been increases and decreases and the action that is being taken as a result of the data analysis. School Council members may also want to see the detailed data and schools will want to report successes in reducing the amount of bullying report to all pupils and students. Staff will want to know which forms of bullying and prejudice-based incidents are particularly widespread in order to increase their vigilance in responding to it and in developing the curriculum.

Schools are advised to appropriately share this data as part of the equality information required under the Equality Act, but will need to give careful thought to the level of data shared and contextual information that goes with it.

#### 5.2 Reporting to the local authority

Schools and Academies are asked to return on a termly basis their <u>bullying</u> data by type. 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

The pilot group for this return suggested adding special needs and medical conditions to the disability category and the addition of appearance (as this is the single biggest reason for bullying in the Safe and Well School Survey) and Home Circumstances to cover bullying related to class and background, children on free school meals, young carers etc.

The data can be collected in whichever way suits the school and the totals added to the local authority report form in Appendix 4. Please e mail your completed form (nil returns are required) to: <a href="mailto:schools.data@brighton-hove.gov.uk">schools.data@brighton-hove.gov.uk</a> by week 2 of each term. Alternatively run a SIMS report following guidance in Appendix 5.

The return of this data will:

- Support schools to record bullying by type as required by Ofsted
- Result in City Wide monitoring of bullying by type alongside the Safe and Well School Survey and an annual report to schools and community and voluntary sector partners and groups such as the Racial Harassment Forum
- Inform commissioning and the provision of support services to schools

This data is seen of being important by key groups in the City such as the Racial Harassment Forum, LGBT Community Safety Forum and the Disability Hate Incident Forum. In addition, Phélim Mac Cafferty; Deputy Leader, Brighton and Hove City Council and Sue Shanks; Chair of the Children & Young People Committee fully support this change in policy and state the following:

Brighton & Hove City Council is committed to tackling inequality and as part of this aim to ensure that all children are happy, healthy and safe. We are asking schools to return their bullying data so that we can monitor the prevalence of types of bullying and use this to inform strategic developments across the City. We are delighted that Brighton & Hove was awarded first place in Stonewall's Education Equality Index and this demonstrates the commitment of schools to fostering good relations, promoting equality of opportunity and eliminating discrimination and harassment. However, we all recognise that there is more work to do in tackling inequality and hope that schools will support city wide work by returning their data.

# 5.3 Reporting Prejudice-based / Hate Incidents involving adults

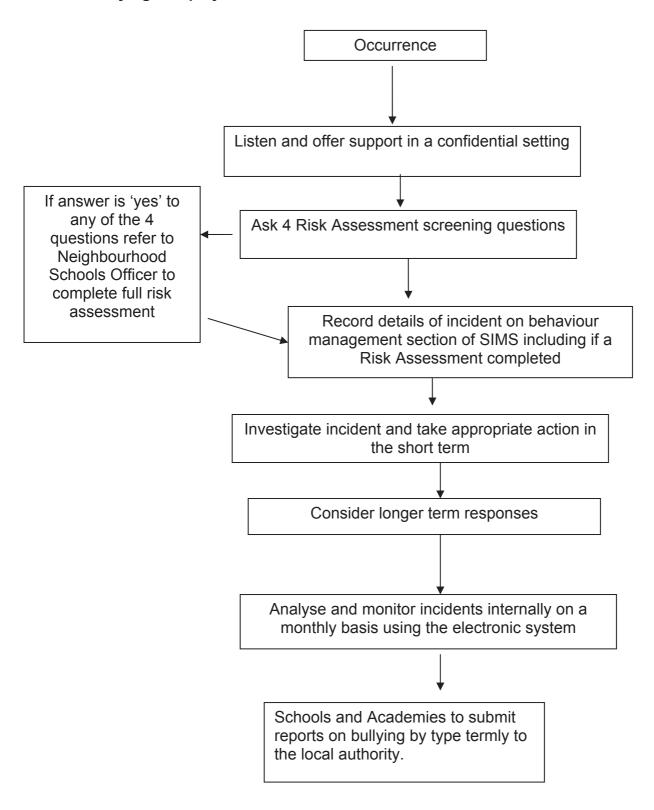
Schools are encouraged to report incidents involving adults in and around the school community. Similarly schools may be asked to or may offer to support families suffering from prejudice or hate crimes in their community to report. Some schools may wish to publicise the information below on their school websites.

Hate incidents and anti-social behaviour can be reported directly to a specialist Casework Team within a combined police and council team. Vulnerability and risk are assessed for each incident and the team will either directly support victims or refer cases on to reduce harm and resolve issues.

A duty phone line, 01273 292735, is staffed on weekdays between 09:00 and 17:00, an answer machine is operation out of office hours or the team can be emailed direct on <a href="mailto:communitysafety.casework@brighton-hove.gov.uk">communitysafety.casework@brighton-hove.gov.uk</a>

Hate incidents and anti-social behaviour can also be reported directly to the police by calling 101 or 999 in an emergency.

# 6 Bullying and prejudice-based incident flow chart



#### Appendix 1

## **Brighton & Hove Equality and Anti-Bullying Strategy Group Definitions**

Definitions can be problematic. However, the process of examining, debating and reviewing definitions is vital to anti-bullying and equality work. The following definitions are based on recent national guidance and have been amended, developed and then agreed by Brighton & Hove's Equality and Anti-Bullying Strategic Group with the purpose of improving the identification, recording and monitoring or bullying and incidents by type. The definitions are provided here to stimulate discussion, and to inform the statements and definitions that appear within individual school / college / settings policies. School / College staff and pupils / students will then be able to use them as a guide when identifying, recording and reporting bullying and incidents.

This document separates out bullying and one-off prejudice incidents. Both have the potential to do harm to individuals, groups and communities, but responses to these behaviours may differ. In particular, the cumulative impact of on-going persistent bullying on mental health should be recognised and acted on.

#### **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.

\*Hate Incidents is the term widely used by the Police and other sectors to describe this type of incident. Schools in the pilot preferred the term prejudice-based incidents, but schools should be aware that at their most serious both bullying and prejudice-based incidents should be reported to the Police. See section 4.5

#### **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
Verbal Abuse	subordinate, humiliate or intimidate, groping / inappropriate touching 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 non-verbal/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.

In addition to children and young people with protected characteristics there are other vulnerable groups who may be targeted for bullying or other forms of harassment and abuse. Learning communities will need to decide whether or not to keep records and monitor bullying related to these groups.

#### Example additional vulnerable groups

- Looked after children
- Pupils known to be eligible for free school meals
- Pupils from low income backgrounds
- Those who are academically more or less able / those with speech and language difficulties
- Children and young people with mental health issues
- Young carers
- Homeless
- Children of prisoners
- Those newly arrived in the country / asylum seekers

# Brief definitions: types of bullying / incidents as requested in the local authority bullying return

Appearance	Hair colour, body shape, clothing etc
Disability /	Real or perceived disability, special need, gifted or talented or health
Special Needs /	conditions or association with someone in those categories (related
Medical	derogatory language for example: retard / spaz / geek / nerd) or association
condition	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	Class background, low income, free school meals, young carer, looked after
Circumstances	(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	Related to sexual orientation or perceived orientation of target or target's
Orientation	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'.

# Extended definitions of types of bullying

# Homophobic bullying

Homophobic bullying occurs when bullying is motivated by a prejudice against lesbian, gay or bisexual people. This can affect:

- Young people who are lesbian, gay or bisexual (LGB).
- Young people who are thought to be lesbian, gay or bisexual.
- Young people who are different in some way they may not act like the other boys or girls.
- Young people who have gay, lesbian or bisexual friends, or family, or parents/carers are gay, lesbian or bisexual.
- Teachers, who may or may not be lesbian, gay or bisexual.

Adapted from Homophobic Bullying; Safe to Learn Department for Children, Schools and Families, 2007

#### Biphobic bullying

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'. Bisexual people can experience biphobic prejudice from both heterosexual people and lesbian and gay people".

Bullying that targets disabled children and children with Special Educational Needs
Behaviour by an individual or group repeated over time that intentionally hurts disabled children or
those who Special Needs either physically or emotionally or those who are perceived to have
special needs or a disability or because of their association with someone with a special need or
disability.

Bullying can involve verbal taunts, name calling, physical injury, and damage to property, rumour spreading, shunning or ridicule. It can be manipulative, making the disabled pupil do something they should not, or deliberately engineering their discomfort or isolation. It can be done through social media (cyberbullying). Some children with SEN and disabilities may not recognise that they are being bullied or that their own behaviour may be seen by someone else as bullying. Adapted from *Bullying Involving Children with Special Educational Needs and Disabilities; Safe to Learn, Department for Children, Schools and Families, 2008* 

#### Racist bullying

This is behaviour by an individual or group repeated over time, that intentionally hurts another individual or group either physically or emotionally and makes a person feel unwelcome, marginalised, excluded, powerless or worthless because of their colour, ethnicity, culture, community, national origin or national status. It may also be because of a perception or assumption about ethnicity or culture (which may or may not be accurate), or because of their association with someone of a particular ethnicity, culture etc (for example a parent/carer). Adapted from *Bullying around racism, religion and culture*, Department for Education and Skills, 2005

#### Bullying based on religion or belief

This behaviour by an individual or group usually repeated over time that intentionally hurts another individual or group either physically or emotionally and makes a person feel unwelcome, marginalised, excluded, powerless or worthless because of their religion, belief or lack of religion or belief. 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 (for example a parent/carer).

#### Sexist bullying

This is bullying based on sexist attitudes that when expressed demean, intimidate or harm another person because of their sex or gender. Adapted from *Preventing and responding to sexist, sexual and transphobic bullying, Safe to Learn, Department for Children, Schools and Families, 2009* 

#### **Transphobic Bullying**

'Trans' is an umbrella term that describes people whose sense of their gender or gender identity is seen as being different to typical gender norms. Where children and young people are perceived not to be conforming to the dominant gender roles that may be widely expected of them, schools should be alert for signs of bullying.

Transphobic bullying is commonly underpinned by sexist attitudes and can affect any child or young person. An individual may also experience transphobic bullying as a result of perceptions that a parent, relative or other significant figure displays gender 'variance' or is transgender. Adapted from *Preventing and responding to sexist, sexual and transphobic bullying, Safe to Learn* Department for Children, Schools and Families, 2009

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Troport form completed by:						
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Initial report made by	<u>v:</u> Targe	et 🗌	Perpetrator	or		
Third Party: Staff	Child	/ young p	person	Parent / ca	arer  Other	
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other details in the next t						
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Disability / Special Needs / Medical condition	or association	n with son			talented or health condition lated derogatory language f	
Ethnicity / Race	Ethnic origin	, skin colo	ur, nationality, cult	ure, langu	age, real or perceived (racis	sm)
Gender Identity	Transgender, perceived to be transgender or someone who does not fit with gender norms or stereotypes or who has a transgender family member.  Language / stereotyped perceptions of gender (sissy, butch, she/he, gender bender) (transphobia)					
Religion / Belief	Beliefs, faith example)	, lack of fa	ith real or perceive	d (Islamor	phobia and anti-Semitism fo	or
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Name and Age/Year/Tutor Group of Target/s*:  *some incidents may not have a target
Name and Age/Year/Tutor Group of Perpetrator/s:
<ul> <li>Risk Assessment screening questions</li> <li>Is the victim safe? (if not, consider immediate response)</li> <li>Is the victim vulnerable or especially upset?</li> <li>Has the victim experienced this prejudice-based incident or prejudice-based bullying before?</li> <li>Has the reported incident(s) had an impact on the wellbeing of the victim? Or on a group of individuals such as a family?</li> <li>If the answer is yes to any of these questions refer to the Neighbourhood Schools Officer for a full risk assessment.</li> </ul>
Please give a description of bullying / incident reported
Actions including contact with parents / carers (taken at time of report and agreed for the future and including any support provided for target of bullying / incidents) and any referrals:
If appropriate to your setting: Restorative approaches used? Yes / No
Follow-up
Report form completed by: Date of Report:
Date recorded on SIMS

**Details of Reported Bullying / Incident** 

# Appendix 3

School Number  Please complete the boxes below with the total numbers of bullying cases recorded for the academic year, relating to:  Appearance Disability / SEN / Medical condition Condition Home circumstances Gender Identity Race or Ethnicity Religion or Belief Sex Sexual orientation Other  Please e mail your completed form (nil returns are required) to:	Bullying Summary by Type Academic Term Ending		
School Number  Please complete the boxes below with the total numbers of bullying cases recorded for the academic year, relating to:  Appearance Disability / SEN / Medical condition Home circumstances Gender Identity Race or Ethnicity Religion or Belief Sex Sex Sexual orientation Other  Form completed by  Date			
School Number  Please complete the boxes below with the total numbers of bullying cases recorded for the academic year, relating to:  Appearance Disability / SEN / Medical condition Home circumstances Gender Identity Race or Ethnicity Religion or Belief Sex Sex Sexual orientation Other  Form completed by  Date	School Name		
Please complete the boxes below with the total numbers of bullying cases recorded for the academic year, relating to:    Appearance			
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Date	Other	0	
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	Form completed by		
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Please e mail your completed form (nil returns are required) to:			
bullying.data@brighton-hove.gov.uk by week 4 of each term.			

#### Appendix 4

# Responding to homophobic, biphobic and other prejudiced language

Even if lesbian, gay, bisexual and transgender pupils and students are not directly experiencing bullying they are learning in an environment where homophobic language and comments are commonplace. According to Stonewall's *The School Report* (2012), ninety six percent % gay pupils hear homophobic remarks such as 'poof' or 'lezza' used in school. Almost all, (99 per cent) hear the phrases "that's so gay" or "you're so gay" in school. If homophobic language is allowed to persist it is likely to encourage homophobic bullying.

'The misuse of the word 'gay' meant that it was only when I was sixteen I knew what the word really meant. I think it's important that teachers challenge the use of the word 'gay' as a negative term. They should encourage kids to use other words as an alternative, such as 'rubbish'. By doing this, pupils will (hopefully) realise the potential impact it can have on the pupils who are lesbian or gay, or questioning their sexuality.' Joe, Allsorts

#### A Some key skills and tips for challenging prejudice

- Ensure you are aware of school policy and that you follow school policy and legal requirements such as reporting racist incidents
- Challenge all incidents, behaviour and language and be seen to be doing this
- Be calm and constructive (responding and helping to build skills). Take time, remain silent if you
  are upset or angry until you regain control
- If appropriate remove them from an audience or the scene of the incident, although be clear with the whole group that the language / behaviour was unacceptable
- Role model how to challenge/how to take a stand in a non-aggressive way so that the group can be effective without you
- Be mindful of what happens next with friendships and other spin-offs
- Show that you are delaying judgement (in some cases) by asking questions
- Allow them space to reflect on what they have just said or done
- Give them a chance to back-track: self-justify, own or modify their behaviour
- Be critical of behaviour and language, but not of individuals and so allowing the challenged child/person to still feel OK and able to move on
- Build a sense of empathy, co-operation and shared rules "we all agreed..." "how would you feel if..." Linking back to ground rules at all times
- Be firm and clear about diversity and rights and what is not acceptable. This should be supported by policy
- Show upset and hurt if appropriate
- Search for the personal, individual concerns which may lie behind their words or reflect
- Use stories/scenarios as distancing techniques to help find solutions to issues that have arisen within the group
- If required by school policy / the law record the incident for monitoring purposes and report to relevant school personnel.

#### B Challenging homophobic language: a 'palette' of responses

It is important that homophobic language is challenged, but the challenge or response will depend on a variety of factors including the age and understanding of the person using the language and their intention. This section offers a variety of responses for different situations and for different age groups (Key Stages 1-4). This script can be adapted for use in challenging all forms of prejudice.

# Institutional response

In our school we always try to be kind to each other and when you use 'gay' like that it is unkind.

The ground-rules we agreed at the beginning of the session said we would show respect to each other.

The anti-bullying policy says that homophobic language is not tolerated.

The school/youth centre policy says that we are all responsible for making this a safe place for everyone. That kind of language is homophobic and makes people feel unsafe. Therefore it is unacceptable.

#### Question

What do you think that word means?

What makes you think that?

Do you mean that as a compliment or an insult?

Do you realise that what you said is homophobic?

Would you be happy if someone talked like that about your sister?

Can you explain what you mean by calling that 'gay'?

How would you feel if someone spoke about you in that way?

#### Confront

Language like that is not acceptable.

You might not think that remark's offensive, but many would.

Let's talk about why people think like that.

# Personal response

I'm not happy with what you said.

Homophobic language offends me. I don't want to hear it again.

What you've said really disturbs/upsets/angers me.

I'm really surprised and disappointed to hear you say that. I hoped you would recognise that it is important to treat everyone with respect and that it is therefore wrong to use such homophobic language.

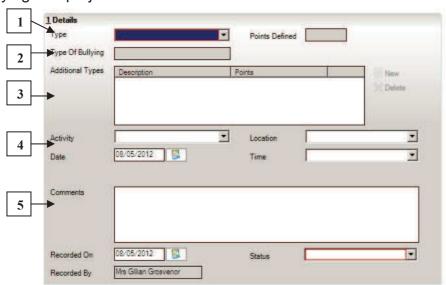
#### Appendix 5

# Using SIMS to Record Bullying and Prejudice-Based Incidents

#### Section 1 - Overview

The purpose of this document is to assist schools in using SIMS to record bullying and prejudice-based incidents. This will enable the effective monitoring of bullying and incidents and support schools to meet the requirements under the Equality Act and the Ofsted Inspection Schedule.

Recording of bullying and incidents will take place in the behaviour management section of SIMS. The system will need to be set-up in order to record bullying <u>and</u> prejudice based-incidents. See Section 2, 'For the SIMS Manager' and see the guidance document for definitions of example bullying and prejudice based incidents.



#### 1.1 Type

PREJUDICE-BASED INCIDENT BULLYING

You will then be able to record the main focus of the bullying or incident:

# 1.2 Type of Bullying\*

**Appearance** 

Disability/SEN/Medical Condition

Gender identity

Home circumstances

Other

Race/Ethnicity

Religion/Belief

Sex

**Sexual Orientation** 

<sup>\*</sup> This is the subset of types offered when either PREJUDICE-BASED INCIDENT or BULLYING is selected in box 1; it is essential that a 'main focus' type is selected.

You can then record the behaviour that occurred:

#### 1.3 Other Types

PREJUDICE-BASED INCIDENT } should be chosen as the first step (box 1)
BULLYING } to 'open up' the Type of Bullying codes

Physical – against staff

Physical – against pupil/student

Verbal Abuse – adult

Verbal Abuse – pupil

Damage to property

Cyberbullying

Social/Indirect

Sexual abuse

Possession/distribution of offensive materials

Defiance

Disruptive behaviour

**Fighting** 

Homework

Illicit substances

Inadequate Work in Class

Insolence

Not equipped for lessons

Persistent lateness to school

Persistent lateness to lessons

Persistent homework failure

**Smoking** 

Theft

Truancy

Uniform/jewellery etc

Disruption

Missed detention

The highlighted behaviours are those which are used in bullying or prejudice based incidents. The other behaviours will be utilised outside of bullying or prejudiced behaviours.

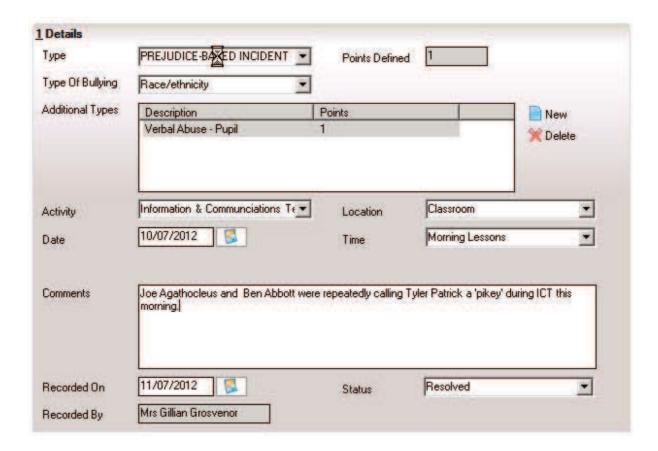
#### 1.4 Location

This list can be amended to reflect the list on the Bullying and Prejudice based incident report form, if required, left as standard or made specific to your school.

#### 1.5 Comments

There is space to record what action you have taken and a free text '**comments**' box to include any other relevant information or longer term responses.

The comments box may be used when there is more than one type of prejudice expressed in the bullying or incident or when a range of behaviours have been used.



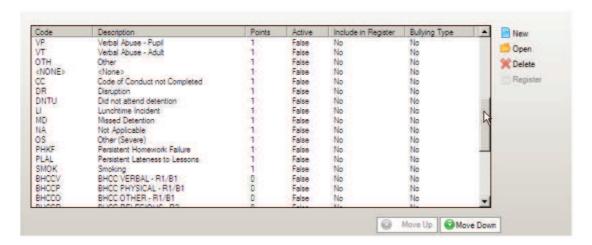
The following pages provide guidance on how to ensure that your school SIMS system is setup with the recommended set of behaviour codes.

# Section 2 – For the SIMS System Manager

It is necessary to ensure that the types of behaviour you want to record are setup within SIMS.

To do this, go to Tools | Setups | Behaviour Type

The following screen (or similar) will be displayed:

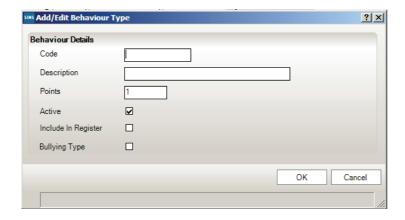


It is now necessary to add the types of behaviour you want to record. Each type must have a code and a descriptor.

The full recommended code set is detailed in section 1.3 (page 2).

# How to Add a New Behaviour Type

Click on **NEW** to display the following screen:



Next to **Code**, add letters that describe the behaviour you want to record. For example to create a behaviour type for PREJUDICE-BASED INCIDENT (see over):-

Code PRJ

**Description** PREJUDICE-BASED INCIDENT \*

**Active** Make sure this is ticked or you will not be able to use it.

**Include in register** Tick this if you want your class teachers to be able to record the

behavioural incident when they take the register or lesson

monitor.

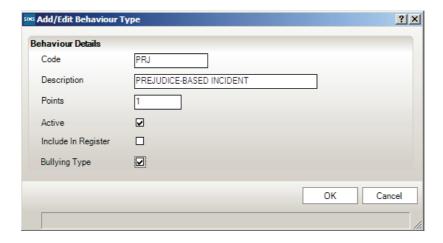
**Bullying type** Tick this to then be able to insert 'motivation' (bullying type)

when recording the incident.

**Points** You can opt to increase the number of points awarded to any

type of incident. If you are targeting a specific type, you can

increase the points tally for this type of event.



<sup>\*</sup> we recommend you that you enter the Description in uppercase to identify it as code that will then allow you to add a Type of Bullying.

Repeat the New Code process for the following behaviour type:

Behaviour Type	Code	Description
BULLYING	BULL	Repetitive, intentional hurting of an
		individual by another

You can continue to add other codes shown in the recommended list on page 2. However, ensure that you do not tick the Bullying Type for these others.

You can 'deactivate' existing codes from the list that is displayed when adding a new incident. We recommend that you do this for the 'BHCC – R1/B1' etc codes (issued in the Racist and Religiously Motivated Incident (RRMI) SIMS reporting guidance), with immediate effect.

NB. You cannot delete codes that have previously been used in the system, no matter how long ago.

#### Creating a List of Types of Bullying

Now that you have updated the list of Behaviour Types, you need to amend which codes are displayed under 'Type of Bullying' (this relates to prejudice-based incidents as well as bullying).

These fields can be found via Tools/Lookups/Maintain/Type of Bullying.

The suggested codes and descriptions are as follows and guidance on how to create a new code can be found on page 3.

Code	Description
B_SEX	Sex
B_SEN	Disability/SEN/Medical Condition
B_RRC	Race/ethnicity
B_RBL	Religion/belief
B_SEXO	Sexual Orientation
APP	Appearance
GEN	Gender Identity
HOME	Home Circumstances
B_OTH	Other

To replicate this list, it will be necessary to amend the description of some existing codes e.g. B\_OTH will change from Bullying-Other to just Other, as well as adding some new ones.

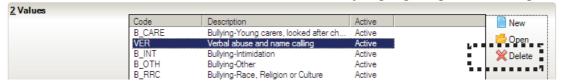
#### **To Deactivate Codes**

Double-click on the code that you wish to 'hide' to be presented with the following screen:



Deselect the tick in the Active box

NB. Codes that have *never* been used can be deleted by highlighting and clicking Delete.

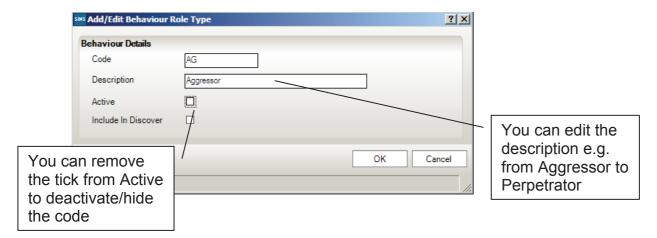


## **Behaviour Role Types**

A number of 'role types' are available for assignment to pupils/students when recording a behaviour incident. We would recommend that you change/hide some of these so that the list reflects the list below:

Current Description	Changes required (if any)
Participant	No change required
Target	No change required
Aggressor	Change description to 'Perpetrator'
Witness	Deactivate
Bystander	No change required

These changes can be made by going to: Tools | Setups | Behaviour Role Types



# **Reporting in SIMS**

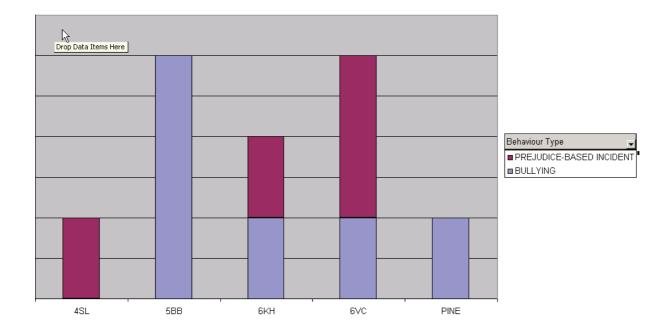
There are a number of predefined reports available in SIMS .net that focus on behaviour. These can be found via Reports | Run Report in the following Focus folders:

Student
Behaviour Incidents
Achievements/Behaviour Incidents
Student Behaviour Review

Examples of all of these reports can be found in the report catalogue that is accessed via the Documentation button on the home page in SIMS .net.

It is advisable to explore the various reports available to see what information you can access. For example, some reports open up as a pivot table in Excel and can easily be converted into charts (see the example over the page).

SIMS Discover also opens up new ways for you to explore behaviour data and the charts in this area will be added to in future upgrades to SIMS.



The School ICT Team will upload a report definition to The Wave to assist with the completion of the return to the LA. Guidance on how to import it into your SIMS system will also be available on the <u>School ICT Wave</u> page.



If you have any queries regarding any of the SIMS processes detailed in this document, please contact the School ICT Support Service Desk on 293663.