Anti-Bullying Work in Brighton & Hove Schools
- Response to request for scrutiny

Introduction
This paper provides a brief outline of the context of anti-bullying work in Brighton & Hove, a description of Local Authority support and a summary of the activities schools undertake with a range of partners.

1   The legal context and schools
The law and schools, extracts from *Preventing and Tackling Bullying; Advice for headteachers, staff and governing bodies*, DfE 2012

1.1   The Education and Inspections Act 2006
There are a number of statutory obligations on schools with regard to behaviour which establish clear responsibilities to respond to bullying:
*   every school must have measures to encourage good behaviour and prevent all forms of bullying amongst pupils. These measures should be part of the school's behaviour policy which must be communicated to all pupils, school staff and parents
*   Headteachers have the ability to discipline pupils for poor behaviour even when the pupil is not on school premises or under the lawful control of school staff.
The legislation outlined above does not apply to independent schools.

1.2   The Equality Act 2010
The Equality Act 2010 replaces previous anti-discrimination laws with a single act. A key provision is a new public sector Equality Duty, which came into force on 5 April 2011. The Duty has three aims. It requires public bodies to have due regard to the need to:
*   eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the act
*   advance equality of opportunity between people who share a protected characteristic and people who do not share it
*   foster good relations between people who share a protected characteristic and people who do not share it.
Schools are required from April 2012 to publish equality information and objectives. The Act also makes it unlawful for the responsible body of a school to discriminate against, harass or victimise a pupil or potential pupil in relation to admissions, the way it provides education for pupils, provision of pupil access to any benefit, facility or service, or by excluding a pupil or subjecting them to any other detriment. In England and Wales the act applies to all maintained and independent schools, including academies and Free Schools, and maintained and non-maintained special schools.

1.3   Safeguarding children and young people
Under the Children Act 1989 a bullying incident should be addressed as a child protection concern when there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm'. Where this is the case, the school staff should report their concerns to their Local Authority children's social care. Even where safeguarding is not considered to be an issue, schools may need to draw on a range of external services to support the pupil

1

who is experiencing bullying, or to tackle any underlying issue which has contributed to a child engaging in bullying.

1.4   Criminal law

Although bullying in itself is not a specific criminal offence in the UK, some types of harassing or threatening behaviour – or communications – could be a criminal offence. If school staff feel that an offence may have been committed they should seek assistance from the police. For example, under the Malicious Communications Act 1988, it is an offence for a person to send an electronic communication to another person with the intent to cause distress or anxiety or to send an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known or believed to be false by the sender.

2   The national context

2.1   The Local Authority is no longer required to collect racist and religiously motivated incident data. There are no statutory requirements on the Local Authority related to bullying in schools, unless they fall under local procedures for dealing with Child Protection and Safeguarding.

2.2   *The Importance of Teaching*, DfE 2010 increased 'freedom and autonomy for all schools, removing unnecessary duties and burdens, and allowing all schools to choose for themselves how best to develop' [and made it clear that] 'schools – governors, head teachers and teachers – have responsibility for improvement.'

2.3   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*

3   **Local Authority support for schools**

3.1   The Local Authority provides support for whole school approaches to anti-bullying and equality through the Learning and Partnership Unit[1] funded by Direct Schools Grant and £12, 400 Council funds. In addition parents and carers who have concerns that their child is being bullied and the school is not responding effectively can contact the Access to Education Service. A risk assessment screening process has also been put in place for the victims of bullying and prejudice based incidents in partnership with the Neighbourhood Schools Officers (Police) and Community Safety Team.

3.2   From September 2012, the Local Authority has requested that schools return their bullying by type data to support city wide monitoring. This data will be collated and reported to various groups including head teachers, the Learning Partnership, the Racial Harassment Forum, the Disability Hate Incident Forum and the LGBT Safety Forum. Some local authorities no longer require schools to return any data.

3.3   The Local Authority provides guidance to schools. In September 2012 the *Bullying and prejudice-based incident recording and reporting guidance for Brighton & Hove Schools* was disseminated to all schools. This guidance provides definitions of bullying, prejudiced based incidents and types of prejudice, offers a rationale for recording bullying and prejudice based incidents by type and ideas for how to do this effectively. It also covers the risk assessment process outlined in 1.1 and how to report incidents to the Hate Incident and Anti-Social Behaviour Case Work Team.

3.4   The Local Authority in partnership with Health co-ordinates and analyses an annual Safe and Well School Survey for Years 4-11 (7 years old to 16 year olds) and is planning to provide this for Colleges in 2013. This survey asks questions about experiences of bullying and safety in school. Each school is provided with their own data set and the data from across the city to compare themselves with city averages. All secondary schools, four special schools and all but three primary and junior schools are participating in the 2012 survey. The Learning and Partnership Unit reviews individual school data with each secondary school and with primary schools where data is significantly above the city average.

3.5   The Healthy Settings Programme requires schools to have anti-bullying provision in place to secure Healthy School Status. Anti-bullying and equality are city wide priorities which schools can choose as their Planning for Change project.

3.6   The Learning and Partnership Unit offers some whole school anti-bullying and equality training to schools. Over the last academic year this has focused on support for staff teams to identify, challenge and record prejudiced based bullying and incidents. This has been offered as central training attended by 16 schools and as school-based training delivered in 10 schools with more planned. Historically a range of training has been provided including training to develop pupil / student social and emotional aspects of learning (SEAL). In addition the Learning and Partnership Unit offers schools anti-bullying

---

[1] Capacity within Learning and Partnership Unit = 2.5 days Partnership Adviser Health and Wellbeing, x2 days per week primary PSHE Lead teacher supporting all primary PSHE curriculum including diversity / equality elements

3

and equality monitoring visits; these have taken place in 4 secondary schools and 2 primary schools since April 2012. The Learning and Partnership Unit has liaised with Kidscape to provide training in supporting bullied young people for secondary schools in November.

3.7   The Learning and Partnership Unit provides training and resources to support schools to develop the anti-bullying and diversity aspects of the PSHE education curriculum. This includes resources on Family Diversity, Gender Stereotyping, and Disability Equality. Gypsy Roma Traveller Awareness, Human Rights, Cultural Diversity, Sexual Orientation and anti-homophobia, biphobia and transphobia. These resources are shared with schools through the Virtual Learning Environment Pier2Peer.

3.8   The Learning and Partnership Unit provides training, consultancy and resources to support schools to meet the requirements under the Public Sector Duty under the Equality Act to publish information and objectives. The Learning and Partnership Unit is also monitoring school compliance and working with schools that have not yet completed this task.

3.9   A range of other Local Authority services support equality and anti-bullying work in schools including the Ethnic Minority Achievement Service, Traveller Education Service, Community Mental Health and Wellbeing, Education Psychology Service, Participation Team, Youth Offending Service (Restorative Justice) and the Access to Education Service.

4   Partnership Working

4.1   The Learning and Partnership Unit co-ordinates and chairs the Anti-Bullying and Equality Strategy Group which includes Local Authority and community and voluntary sector partners. This group has developed a statement of commitment which is to be signed off by the Learning Partnership, has agreed definitions and is developing an action plan.

4.2   The Learning and Partnership Unit has a long history of working in partnership with Allsorts Youth Project to improve LGBT anti-bullying work in schools. This has included staff training, resource development and the use of Allsorts peer educators within staff training and PSHE lessons. This work resulted in Brighton & Hove being awarded first place in Stonewall's Education Equality Index. Currently policy and practice is being developed to support transgender or gender questioning children and young people and challenge transphobia.

4.3   The Learning and Partnership Unit has worked in partnership with the Traveller Education Service to develop resources for PSHE and staff training for schools. The Learning and Partnership Unit also promoted the theatre in education production Crystal's Vardo, developed by Friends and Families and Travellers.

4.4   The Learning and Partnership Unit has been commissioned to work in partnership with Rise to develop whole school approaches to the prevention of domestic abuse and sexual exploitations. This work is in the early stages but includes curriculum work on healthy relationships, gender stereotyping and activities to prevent and respond to sexist and sexual bullying.

4

4.5   The Learning and Partnership Unit supported Mosaic in the development of its Cric! Crac! story telling project and is working in partnership with Mosaic, Black and Minority Ethnic Young People's Project and a secondary school to pilot work consulting with the parents and carers of BME students.

4.6   A range of colleagues from the community and voluntary sector have been invited to attend PSHE Consortium and network meetings to talk with schools about the services they offer. These include Safety Net, Young Carers Project, YMCA Homeless Project and Allsorts.

5   Community and Voluntary Sector and private sector

5.1   Schools access a range of support from outside of the Local Authority and are not required to report to the Local Authority information about additional support received. Therefore, there will be good practice not known about by the Local Authority. Support known to be delivered in Brighton & Hove includes commissioning Safety Net to develop playground buddies and for groups to support the victims of bullying, Theatre in Education companies such as Big Foot, and schools will attend a range of training including from organisations such as Show Racism the Red Card. Some schools are working with colleagues from the Universities to develop the use of sociograms or develop resilience, for example.

6   Examples of work in schools

6.1   All schools have anti-bullying policies and to be a Healthy School are required to review these in consultation with the whole school community every three years.

6.2   All schools deliver PSHE which will include learning opportunities which develop social and emotional skills, empathy, resilience, self-awareness, assertiveness, understanding of the impact of bullying and strategies for challenging and responding to bullying.

6.3   All schools participate in Anti-Bullying Week activities and many celebrate additional equality calendar events such as Black History Month and LGBT History Month. Assemblies, enrichment days and theatre in education are also used to prevent bullying behaviour.

6.4   Schools provide a range of responses to bullying for the targets and perpetrators including restorative justice, circle of friends, small group work and referral to other services and support.

6.5   Many schools use their School Councils, buddies and peer mentors to promote pupil and student involvement in anti-bullying work.

7   Young people's voices

7.1   Through anti-bullying and equality monitoring visits to schools over the past academic year the Learning and Partnership Unit has spoken to focus groups of pupils and students about their experiences in school. The vast majority feel safe in their school

5

communities; many feel their school does respond to bullying although some think the school could do better. However, similar to the findings of the 2012 Ofsted Report *No place for bullying* pupils and students described a range of prejudiced based derogatory language that they heard in the school community some of which was not always challenged by school staff. The training described in 3.6 responds to this issue.

7.2 The Learning and Partnership Unit encourages other services and individuals who are aware of bullying issues within a particular school to get in contact and the Learning and Partnership Unit will act on this intelligence to discuss with the school the concerns and if appropriate offer support. Organisations such as Mosaic, the Black and Minority Ethnic Young People's Project, Safety Net and Allsorts have all provided this sort of feedback.

7.3 Andrew Wealls' letter to Councillor Sven Rufus of the 17th October outlines concerns about bullying voiced by Young Carers and their parents, the Youth Council and Safety Net. Bullying still happens in our schools and that on occasions it is not dealt with as well as it could be. It is also the case that vulnerable children and young people may experience more bullying inside or outside school and may, for understandable reasons, be less resilient in the way they deal with it. There is still a lot more work to do. It is important to remember that not everyone uses the same definition of bullying and that sometimes schools have not been informed of issues occurring. There will be many examples of times a school has resolved bullying.

8 Example Data

Safe and Well School Survey Trend Data Secondary (2011 sample 6846):

Year	I enjoy coming to school	My school is good at dealing with bullying	Been bullied this term
2005			26%
2006	71%	55%	25%
2007	74%	63%	26%
2008	79%	67%	22%
2009	79%	69%	15%
2010	76%	64%	17%
2011	**76%**	**63%**	**16%**

What was the bullying about?	2009	2010	2011
Ability	29%	23%	15%
Appearance	59%	69%	49%
Class or family background	23%	17%	13%
Disability or special need	10%	11%	8%
Gender	9%	7%	6%
Race or ethnic origin	9%	14%	9%
Religion	6%	6%	6%

6

Sexual orientation of you or family member	17%	23%	12%

Safe and Well School Survey Data Primary (2011 sample 5097):

Year	I enjoy coming to school	My school is good at dealing with bullying	Been bullied this term
2005			33%
2006	85%	79%	28%
2007	87%	84%	27%
2008	88%	86%	22%
2009	89%	85%	23%
2010	87%	84%	24%
2011	**89%**	**85%**	**21%**

What was the bullying about?	2009	2010	2011
Ability	24%	15%	15%
Appearance	28%	26%	25%
Class or family background	9%	10%	8%
Disability or special need	5%	5%	5%
Gender	10%	12%	13%
Race or ethnic origin	4%	5%	4%
Religion	6%	3%	5%
Sexual orientation (of you or family member)	7%	16%	15%

9 Conclusions

9.1 There is a lot of good anti-bullying work going on in schools supported by the Learning and Partnership Unit and other organisations and levels of bullying anonymously reported in the Safe and Well School Survey are decreasing. From September 2013 we will have further bullying by type data to interrogate. Please see Appendix 1 for a case study of good practice from St Luke's Primary.

9.2 However, it remains the case that there are some children and young people who experience bullying and this issue is not resolved as quickly as it could be. Often these are very complex cases. It is also the case that prejudiced based and abusive language is used by children and young people in school communities and that this is not always consistently challenged. The Local Authority and Brighton & Hove Schools are open to offers of support in the development of this challenging aspect of their work.

7

Case study - Family Diversity at St Luke's Primary

Contextual statement:
St. Luke's Primary School is a popular and vibrant community school with 628 children on roll. It was judged as Outstanding by Ofsted in 2010. Achievement and attainment at the end of KS1 and KS2 are well above average. The local area is distinctive for its social, cultural and economic diversity and the children come from a wide range of family units. 32% of the children live in one of the 20% most deprived areas in the country. 16% of the school population is FSM. 28% of children are on the SEN register. The percentage of children on the EAL register is 5% and BME pupils make up 16% of the population. The school building is over 100 years old. A key feature of the school is the wide ability range of its pupils and its inclusive nature. A commitment to equalities forms the foundation of the school's ethos and is central to our evaluation of provision and outcomes.

Family Diversity at St Luke's Primary
An Equalities audit was undertaken in 2009 and this highlighted that gender equality and family diversity needed to be promoted more mindfully i.e. in anticipation of children's needs rather than an ad hoc response to arising needs. This work recognised the relationship between gender stereotyping and homophobia and transphobia. An equalities action plan was devised and included:

- ***Whole school Family Diversity week***: A review of our teaching and learning environment was undertaken to ensure it reflected all children's family experiences, including those with lesbian, gay or bisexual family members. Running a special week was the beginning of this process and now consideration of family diversity is now part of our everyday practice e.g. resources reflecting family diversity are in place across the school, in guided reading packs, embedded in our PSHE curriculum; assembly programme, welcome packs and induction for new families.

- ***Whole school language code***: A language code was researched and developed to reflect St Luke's commitment to equalities practice. An example of this process was taking on the term *grown up* to describe a child's parent – this was to ensure all children feel their family-type is valued by not referring to 'mums and dads' as a general term and instead referring to 'your grown-ups' as our preferred general term. The language code also included guidance about homophobic language. Procedures for reporting such incidents were introduced in staff training sessions and strategies to challenge usage were explored.

- ***Children's Equality-team****:* An E-team of children was set up to make St Luke's a more welcoming place for everyone. Playtime was investigated to see if it was fair for everyone and what sort of put downs were being used. The E-team took part in a gender trail around the school which led to a series of assemblies on gender equality. The children presented images and historic examples to illustrate gender stereotypes and discussed how these attitudes can limit choices and possibilities for everyone. The link between gender stereotypes and potential homophobic bullying was powerfully established by a member of the E-team describing some aspects of his appearance (which did not conform to gender norms) and the negative reactions he had experienced and what needed to change to help him feel safe. A whole school children's language code was agreed which included the use of the term *gay* as a put down as both prejudicial and never acceptable.

- ***Support for an individual child***: One member of the E-team, whose gender or gender identity was seen as being different to typical gender norms and who had struggled with this experience, made a presentation to some 300 of his peers about how he could feel safer and more welcome at school. This child was supported in school by an approach that was inspired by an application of the social model of disability to gender issues. Instead of trying to fix him staff worked to find ways for him to be who he wanted to be and evolved a more fluid understanding of gender. He became an integrated member of St Luke's school community and valued for who he was. His experience of homophobic bullying was reduced and his peers were actively seen to challenge any put downs towards him. After some specific transition planning meetings he has now successfully begun his journey through secondary education.

- ***Say no to Bullying week 'Words can hurt' 2011***: Inspired by the Stonewall *The School Report* and Stonewall's *Different Families, Same Love* campaign, a series of lessons were run across all year groups to explore issues of gender stereotyping, family diversity and devise strategies to cope with and challenge homophobic and other put downs relating to these issues.

- ***Allsorts workshops 2012:*** Local (LGBTU) youth group Allsorts ran a workshop with year 6 as part of the secondary transition programme. Children explored terms to describe gender identity and sexual orientation; listened to the secondary school experiences of lesbian, gay, bisexual and transgender young people and devised strategies to cope with and challenge the use of *gay* as a put down in a safe way. It is St Luke's aim that this will become part of the annual transition programme.

All of this work has been supported and developed in partnership with staff from the Learning and Partnership Unit's Healthy Schools Team and disseminated and shared in the local schools through the network of PSHE primary school co-ordinators.

9