“STICKS AND STONES”

The report on Bullying in schools from the Single Issue Panel established by the Lifelong Learning Policy Development and Scrutiny Committee on 11 October 2001.

Chairman:  Mr C Waterhouse  CC
Vice- Chairman:  Ms T E Williams  CC

Membership:  County Councillors:  Mrs S V Bain  M J Crago
Mrs J M Hume  Mrs T Lello  W H Roberts
Teacher Representative:  P Bond
Parent Governor Representative:  J Pascoe
Church representative:  Rev. D Rhymer

Date:  4 March 2002

“Although bullying can occur during the journey to or from school e.g. extortion or theft of possessions such as mobile phones, most typically it takes place in school. It is more likely where adult surveillance is intermittent... Both boys and girls bully others. Usually boys are bullied by boys, but girls are bullied by girls and boys. The most common perpetrators are individual boys or groups of several boys. Children who bully others can come from any kind of family, regardless of social class or cultural background.”

SOURCE:  Don’t suffer in silence: an anti-bullying pack for schools
Department for Education and Employment  DfEE  0064/2000

“All schools are likely to have a problem with bullying at some time or another...

Bullying can include the following:
◊ name calling and teasing
◊ threats and extortion
◊ physical violence
◊ damage to someone’s belongings
◊ leaving pupils out of social activities deliberately and frequently
◊ spreading malicious rumours.”

SOURCE:  Don’t suffer in silence website  - www.dfes.gov.uk/bullying

“Name calling is the most common direct form. This may be because of individual characteristics, but pupils can be called nasty names because of their ethnic origin, nationality or colour; sexual orientation; or some form of disability.”

SOURCE:  Don’t suffer in silence: an anti-bullying pack for schools
Department for Education and Employment  DfEE  0064/2000

Christopher Fletcher was amazed when he came down to breakfast ..to find his 14-year old son Mark in floods of tears, begging not to be sent to school that day. His amazement turned to shock and rage when he found out that some of his son’s classmates had set up a web site devoted to Mark. Posted on this site was a variety of abuse and taunts. It had already been seen not only by pupils in Mark’s class, some of whom had accessed it via the computers in their school, but by other children in the area, one of whom had phoned to alert Mark.

Foreword by Tamsin Williams

"The emotional distress caused by bullying in whatever form, be it racial, or as a result of a child’s appearance, behaviour or special educational needs, or related to sexual orientation can prejudice school achievement, lead to lateness or truancy and, in extreme cases, end with suicide."


As a new member of the council, I was interested in the policy review and scrutiny work that could be undertaken by groups of Members. Lifelong Learning was seeking items from Members for its work programme and I was keen to explore the issue of bullying. Both myself and many people I know have been bullied. It is unpleasant and affects a person’s sense of well-being, the influences of which are often carried into later life. It affected my own studies. Through my contact with schools I have seen examples of excellent work to combat discrimination and wanted to see how good practice could be shared in Cornwall. I would like to say that this is a national problem, a human issue, and one that is being addressed in a positive way in Cornish schools. Practice in Cornish schools has received attention from national organisations like Childline and this is something positive we can build upon.

The Panel explored the nature of bullying so that there would be a shared understanding of bullying and its different forms. Evidence was given by two schools, Alverton CP School and Callington School and Community College detailing peer support and anti-bullying strategies and by the co-ordinator for the Anti-Bullying Cornwall initiative. Members heard how pupils were brought into the design and implementation of successful schemes, and the whole school approach was explained.

From the outset the Panel was fully supported with officers at many levels providing evidence and information on existing and draft LEA policies and support. The Panel’s recommendations reflect the willingness of all to examine ways in which schools, parents and pupils can be supported and helped to manage bullying issue so we can continue to promote a better environment in all our schools.
1. Introduction

1.1 Terms of Reference

The Lifelong Learning Policy Development and Scrutiny Committee at its meeting on 11 October 2001 agreed to establish a Single Issue Panel to look at “Bullying in Schools” as part of the 2001-2002 Work Programme. The Panel considered the Terms of Reference that had been drawn up by Ms Williams and M Perry which were:

1. To examine existing policy and consider good current practice (within the LEA and beyond).
2. To consider if the LEA should issue a model scheme for bullying prevention and consider which scheme should be adopted as a model.
3. To relate the above targets to National Guidelines with regards to duty of care and child welfare.
4. To develop effective policy in respect of education transport appeals where change of school can be established as resulting form genuine bullying incidents.

The questions to be addressed by the Panel were:

**Is bullying an issue in Cornish Schools?**

**Are there good practice approaches to dealing with bullying that have a high success rate and deserve a wider application?**

The Panel were also asked to consider including the issue of homophobic bullying but it was agreed that the Terms of Reference were flexible enough to encompass this and other issues of discrimination. Member meetings were planned to cover the following topics:

<table>
<thead>
<tr>
<th>Session 1</th>
<th>12 November 2001</th>
<th>Introduction and planning. S. Chapman, Head of Behaviour Support Service, to lead a presentation on the main issues and current documentation. Discussion on the remaining programme over the months ahead.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Session 2</td>
<td>5 December 2001</td>
<td>The DfES guidance. Developing a policy for schools Good practice: a Primary School perspective</td>
</tr>
<tr>
<td>Session 3</td>
<td>10 January 2002</td>
<td>Good Practice: a secondary school perspective</td>
</tr>
<tr>
<td>Session 4</td>
<td>13 February 2002</td>
<td>The Anti Bullying in Cornwall initiative Developing a protocol for transport appeals and the criteria to assist in decision making Working with, and support for, families</td>
</tr>
<tr>
<td>Session 5</td>
<td>4 March 2002</td>
<td>Conclusion and draft report</td>
</tr>
</tbody>
</table>
2. WHY IS BULLYING A KEY ISSUE FOR SCHOOLS?

5.2 In a national study by Michelle Elliot in 1991 of 4,000 children between the ages of 5 and 16 it was established that 68% had been bullied; 38% had been victims of serious incidents and 8% had felt their lives were blighted.

2.2 A local survey “Were you bullied last year” undertaken by W.G Henthorn in 2 Cornish secondary schools, (A and B), compared local figures with the National Foundation for Educational Research (NFER) survey in 1994:

<table>
<thead>
<tr>
<th>Year 9</th>
<th>A(146)</th>
<th>B(179)</th>
<th>NFER (980)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Never</td>
<td>60%</td>
<td>60%</td>
<td>59.7%</td>
</tr>
<tr>
<td>Once/Twice</td>
<td>26%</td>
<td>27%</td>
<td>26.3%</td>
</tr>
<tr>
<td>Quite often</td>
<td>5%</td>
<td>8%</td>
<td>6%</td>
</tr>
<tr>
<td>Often</td>
<td>5%</td>
<td>3%</td>
<td>3.7%</td>
</tr>
<tr>
<td>Nil response</td>
<td>4%</td>
<td>2%</td>
<td>4.3%</td>
</tr>
</tbody>
</table>

5.2 The Department for Education and Science (DfES) survey in 1997 on the “Incidence of Bullying in schools” provides further evidence that concern over this issue is justified. Pupils reported bullying incidents as follows:

5 4.1% - several times per week
6 3.8% - once per week
7 4.3% - two to three times per month
8 32.3% - once or twice during the school year

55.5% of Pupils reported they had not been bullied at all.

2.4 Bullying does remain an issue for Cornish Schools with 1 in 10 pupils in Cornwall suffering from frequent bullying. It is impossible to know the real extent of bullying as disclosure is not always recorded. But according to those who work in the field it would appear that about 1 in 5 pupils may experience at least one incident of bullying during their school life.

2.5 In Cornwall, during the period September 2000 – August 2001 there was one pupil permanently excluded for bullying, 38 fixed term exclusions for bullying (these could be repeat offenders) and 7 (Full-Time Equivalent) exclusions for intimidating behaviour.

2.6 Apart from the effects on a pupil’s sense of well-being and attainment there have been some high profile cases that have been brought before the courts. Looking at the national picture we can see that there have been a number of bullying cases that have been brought to court under the law of negligence. In October 2000, a boy was awarded £1,500 for verbal bullying he suffered at school. Judge Holman stated “a school must take reasonable steps to minimise bullying and to address problems in a positive manner.”

A separate case of Bradford-Smart V West Sussex County Council was decided in the Court of Appeal on 23 January 2002. The Trial Judge in the case had concluded that the victimisation in school did not amount to bullying as it was not “unprovoked, intended to hurt and persisted in over a period of time”. The school had taken “appropriate defensive measures” to prevent the victimisation. Whilst the school had taken reasonable steps to prevent a child being bullied inside school property the Trial Judge stated it was not fair, just and reasonable to extend that duty outside the school. The school had acted appropriately in ensuring the
known outside bullying did not spill over into school. Although the Court of Appeal felt that this was too restrictive it found that there had not been a breach of duty taking into account that primary responsibility for out of school behaviour is the “duty of parents and ... the Police” and dismissed the £75,000 claim for damages.

Actions for compensation on the grounds of negligence may possibly succeed if three elements are present:

- a duty of care;
- breach of that duty; and
- damage, either physical or psychological.

2.7 Following this judgement is clear that the onus is on schools to draft, implement, and monitor anti-bullying procedures. This also implies that schools “may have to exercise their disciplinary powers to punish pupils for out of school activities. Such a duty may also extend to informing parents and the Police of their concerns about pupils' behaviour. An “ostrich” approach of ignoring events outside school is not acceptable” but it would appear that “isolated incidents of victimisation will not result in liability.”

One outcome of this case is that the Local Education Authority and the school would need to look further at ways to reduce bullying. But were the parents aware of and using the existing support systems in place?

2.8 In addition, schools, as public authorities, schools must act in accordance with the Human Rights Act 1998 that could prove another route for victims of bullying seeking compensation.

2.9 Under section 64 of the School Standards and Framework Act 19998 (SSFA) the school’s governing body must ensure that the school follows policies designed to promote good behaviour and discipline.

3. EVIDENCE FROM PRESENTATIONS

3.1 Elected members must drive the Policy Development and Scrutiny agenda, consequently Panel members suggested the “witnesses” to be invited. It is recognised that there are many examples of good practice in Cornish Schools and selecting one school in each of the primary and secondary sectors to give evidence has some drawbacks. However, it must be seen that the Panel’s work is a snapshot from a particular angle and might throw up some issues for further consideration.

3.1.1 The Behaviour Support Service

Mr Sandy Chapman - Head of The Behaviour Support Service

5.2.1 The Department for Education and Employment (DfEE) guidance for schools Don’t suffer in silence outlines the effects and potential consequences in a young person’s life of being a victim of bullying.

---

1. Bullying/Negligence Bradford-Smart V West Sussex CC. Court of Appeal: 23 January 2002
Legal Update. Weightmans

STICKS AND STONES - Report of the Single Issue Panel Inquiry on Bullying In Schools 5
5.2.2 The Panel sought to understand the nature of bullying and its different forms and fully supports teachers, governors and the Local Education Authority in their efforts to eliminate bullying in Cornish schools. There are three common factors relating to bullying:

- 5.2.3 It is deliberately hurtful behaviour
- 5.2.4 It is repeated over a period of time
- 5.2.5 It is difficult for those being bullied to defend themselves

5.2.6 Bullying is an issue that is already being addressed but comprehensive data is not held by the Behaviour Support Service, a service of the Cornwall Local Education Authority, as to the extent or effectiveness of school policies in this area. This is a difficult area to monitor at a countywide level. Every primary and secondary school is required to have an anti-bullying policy, which is often made available in the individual school’s prospectus. A skeleton bullying policy is available from the Behaviour Support Service and is sent to them at their request but this is a draft policy and different models were available from a variety of sources. Schools may want to work with an approach that fits their needs.

3.1.5 From the published information available to the Behaviour Support Service, three-quarters of for example, primary age bullying takes place in the school playground.

3.1.6 Definitions of bullying do vary. A one-off attack might be described as “bullying” by parents and this has prompted the Behaviour Support Service to draft a guidance booklet for parents entitled “Bullying at School - Advice for Families”. The Cornwall Association of Secondary Headteachers or Cornwall Association of Primary Headteachers has not, as yet, considered this document. However a number of questions remain regarding publication and distribution: -

- Is this document duplicating material already available?
- If not, who should be assisting and making further contribution?
- How will it be funded?
- Where would it be placed?
- Who would take the decision on whether is a viable proposition?

Although there is a point of contact in the Education Office at County Hall the County Council did not have a helpline for bullying issues. A further question not raised by the panel concerns their perception of the role of the LEA. “Would parents expect the LEA to provide guidance in this area? Other LEAs have produced guides – Gloucestershire, for example. If a booklet is to be made available, after appropriate consultation with initially the Pupil Management Group and the Chairman of the Pupil Issue Group at Redruth School and then a wider group of consultees, including CASH and CAPH, it would be useful to include:-

- Details of contacts and telephone numbers (titles and agencies only)
- Clarification on the Appeals process
- An encouragement to parents to work with schools to resolve problems
- An introductory paragraph to the document that could be included within a school’s prospectus.

Alternatively, the booklet might be kept centrally, with Parent Governors having a copy and a reference copy for each school and public library.
3.1.6 The Behaviour Support Service is promoting the message that it is ‘OK to tell’ and that schools continued to be ‘listening schools’. There are different mechanisms that can be put in place and policies are most effective where school staff find the time to follow up incidents with both the victim and the bully, who should also be offered help and support. Excluding the bully from the school should be seen as the very last resort, although new government directives tend to favour exclusion for repeat offenders and those carrying weapons.

3.1.7 Advisors from the Behaviour Support Service can provide training and support to schools on request. The LEA cannot impose policies or methodology in this area on individual schools. The Behaviour Support Service only gets involved if a school asks for their assistance. Behaviour Forums had been instigated, which gave colleagues the opportunity to exchange good practice and bullying would become a subsequent theme.

3.2 Alverton CP School, Penzance

Mrs Carol Webster

The primary school has a mixed catchment area and 30% of the pupils had special needs. A “Bullybuster Council” is in operation based on the notion that effective strategies for tackling bullying depend on involving the children themselves in a variety of ways.

Key points from the presentation: -

- Bullying happens when teachers and other school staff are not around. Therefore encouraging children to become part of the decision-making process but not to take on too much responsibility was the key
- It is not difficult for schools to implement anti-bullying policies that will make life better for pupils and their teachers
- Role play activities can be effective
- Posters, badges and a post box where children can post private writings are all useful activities
- Minor incidents should be addressed immediately pointing out that hurt had been caused
- Counselling was helpful for persistent bullies most notably where it was found they had chaotic home lives and social difficulties
- “Befriending” schemes are useful models that can be used
- Circles of Friends, where pupils volunteer to help those with a behavioural problem can be valuable
- “Bubble Time” is a concept that allows for a discrete one-to-one talk with a teacher and not be interrupted i.e. no one must disturb and “burst the bubble”
- Learning about one’s and others rights as an individual at an early stage can provide dividends for future growth and maturity
- Token rewards and sanctions can be used
- Parents are consulted and involved
- Increases in reporting bullying may be due to better systems in place and an understanding by pupils that action will follow
- Exclusions have fallen since anti-bullying policies have been introduced
- Involvement with other schemes and agencies such as “Scallywags” and “Parentlinks” is beneficial
3.3 **Callington Community College**

*Mrs Rockcliffe-King, Director of Behaviour Management*

Key points from the presentation:-

- Bullying existed in all schools and there was significantly more bullying 15 years ago than now. It was an issue that involved the whole school and the behaviour of young people was everyone’s responsibility. The school must be pro-active.
- Anti-bullying must part of the school ethos and management, involving adults, from whom children learned their behaviour.
- Bullying was a form of power control and did not necessarily stem from low self-esteem. It could be as much about adults getting what they wanted, as well as children.
- Modifying behaviour is a two-way process involving the way in which young people in school were treated and how young people treated each other and adults.
- New staff should receive appropriate training in recognising and dealing with incidents of bullying. Staff should be encouraged to adopt a positive, quiet, assertive approach.
- It was essential to re-visit and re-write anti-bullying policies to reflect a changing society which had an impact on behaviour.
- Assemblies and the Personal, Social Health and Education programmes can be used to promote responsibility, rights and respect.
- Identifying young people who were having difficulties, for whatever reason, and could also identify bullies.
- In terms of their understanding, adults are often perceived as being a long way away from young people.
- Anonymous questionnaires, perhaps circulated within tutor groups on an annual basis, provide a platform for discussion and can help identify young people who were having difficulties, for whatever reason, and bullies. The questionnaire will also identify “hot spots” on campus when supervision by staff is poor.
- Peer Group Counselling in year groups provides a major support network, its importance should not be underestimated and can, for Sixth Form students, and is a good additional factor for University entrance application forms.
- Peer Group Counselling can also use a “Circle of Friends” approach- young people being befriended by older pupils who didn’t necessarily know details of any particular problem.
- A ‘listening ear’ was critical to ensure policies became practice. Pupils must believe that the school will take a strong line on bullying behaviour in school and instigate sanctions.
- Parents need to know that their son or daughter’s bullying behaviour is unacceptable and their involvement is vital.
- The majority of schools see signed Codes of Conduct/behaviour as good practice and the LEA has a skeleton “Whole School Behaviour Policy”. For new pupils going through the induction process codes of behaviour also gives a positive message to parents.
- Temporary exclusions can be used for a second offence but permanent exclusion should be considered after three exclusions for bullying.
- Support mechanisms need to be in place for the bully, who may also be a victim.
3.4 **Anti-Bullying in Cornwall initiative**

*Ms Sally Brooks - Co-ordinator (time-limited post)*

3.4.1 ABC is a countywide initiative under the umbrella of the Cornwall Association of Victim Support Schemes, Cornwall Association of Secondary Headteachers and Connexions - Cornwall and Devon. Victim Support will only deal directly with the parents of primary school children. Parents are free to ignore the advice given.

The ABC initiative focuses on young people over 14 and its aims and objectives are to:

- Help young people who are bullied and those responsible
- Help in more accurate definitions of bullying
- Encourage a “whole school” approach
- Provide support to victims of bullying
- Minimise pupil absences that occur as a result of bullying
- Improve self-esteem of vulnerable young people and subsequently increase attendance and academic performance
- Enhance support for young people at risk through an independent confidential telephone helpline and e-mail service.

3.4.2 Ms Brooks has written to all secondary schools and visited 10. Those schools visited are undertaking a bullying survey with results to be presented to school councils. Victim Support produces a range of publications, posters and cards that are available to schools who ask for them and builds upon a scheme piloted in Kerrier by Victim Support and local schools. A card showing the national Childline number, a local contact number and an e-mail address is also available to all pupils in schools as 50,000 had been printed and are in current use.

3.4.3 Victim Support has trained counsellors and volunteers able to offer support.

Key points from the presentation

- All schools recognise that bullying occurs and work hard to deal with it
- All schools visited have a bullying policy
- Policies need revisiting and reviewing but there is concern that placing too much emphasis on bullying could have a detrimental effect
- Listening to the victim was very important
- “Access Rooms” * with a trained member of staff was an option that should be considered with the aim of encouraging children experiencing difficulties to attend school on a regular basis and continue their education.

* "Access Rooms” is one term for any room or unit that is available to provide a higher level of adult supervision for ‘vulnerable’ pupils. Another term being used is “Learning Support Unit”.

3.5 **Developing a Protocol for transport appeals and criteria to assist in decision-making**
3.5.1 The Terms of Reference of the Panel included a reference to transport appeals, as Ms Williams, a member of the Panel, is also a member of the Transport Appeals Panel dealing with these issues. Her observations are that there appeared to be no procedures in place for children who felt they could not go back to school because of bullying. The LEA would not usually become involved unless the school requested it and would refer such cases back to the school. Difficulties may arise when the parent’s perspective differed from that of the school and the parents took the child out of school. If the school felt they had dealt with the problem adequately the ensuing disruption to the child’s education would leave the child at a disadvantage as the parent may find if problematic to enrol the child in a new school. Schools need to be supported by the LEA as bullying is a complex issue and each case was unique. A fresh start might be the solution after every avenue had been exhausted but there may not be any council transport available if the child was to enrol at a school outside the area. An analysis of School Transport Appeals has shown that approximately 20% of cases referred to bullying as a contributory factor towards the appeals. Detailed statistical evidence is not available for School Admission Appeals but estimates from those involved would suggest that about 10% of these had included references to bullying.

3.5.2 Some pupils do arrive at school intimidated and frightened because of problems on the buses. They could also be worried about the journey home. There are plans to introduce CCTV on large buses. Escorts would be very expensive and difficult to recruit. There were also practical difficulties. Bus drivers should not vary routes and should examine bus passes.

Ms Jackie Turner – Head of School Admissions/Transport (Policy) Team

- Schools do not have a budget for transport
- LEA officers have to adhere to a strict School Transport Policy coupled with a huge amount of work for the Transport Appeals Panel
- Officers are unable to authorise any expenditure outside the policy
- Where there is support of a Headteacher and other professionals such as an educational psychologist or an Education Welfare Officer it would ease the burden of officers dealing with appeals if they were allowed to authorise small amounts of expenditure on transport
- A report on Transport Appeals was in preparation and is to be considered by the Executive in May. A recommendation would be included in the report requesting that officers are allowed to authorise expenditure in this way.

4 CONCLUSIONS

4.1 Every young person has the right to go to school and feel safe, and every parent should feel they are sending their youngster into a climate of safety. Young people must feel safe enough to talk about anything that is going wrong for them and need to be confident that school staff will do something about the situation. Girls, in particular, don't tell and have a desire to be part of a group, which sometimes can cause conflict. Do existing policies and strategies recognise this point? It is also very important to recognise that responsibility for unacceptable behaviour involved everyone, including parents.

4.2 Schools in Cornwall should be commended for the approach they have taken in dealing with the issue of bullying. There are a range of approaches and initiatives underway at present, funded form a number of sources. It would be helpful to map
out existing provision and resources.

4.3 The Panel was told that more Behaviour Support Workers are needed, as there are only six in the county at present, working at Key Stage 1 and 2 only. They are appointed on an annual basis, using money that the LEA has been able to attract from the Standards Fund. There is no similar provision for secondary schools and the Pupil Retention Grant only targeted Key Stage 3 and 4 and this was devolved to schools to encourage them not to exclude pupils with behaviour problems. This was an annual grant. If it is unlikely that schools or the LEA will find further funding for the employment of more workers in this area the gap in provision will remain.

5. RECOMMENDATION THAT

5.1 The Panel recognises and supports the current work of schools in this area;
5.2 schools should be encouraged to regularly review their Whole School Positive Behaviour policies and especially their Anti-Bullying Policies;
5.3 that Support Rooms in secondary schools should be considered;
5.4 the LEA should work in partnership to produce a Resource Guide for Schools;
5.5 good practice should continue to be shared through Behaviour Forums;
5.6 the Council’s website should be used more to share good practice;
5.7 officers should be given some financial leeway with certain Transport Appeals;
5.8 statistical data on School Admission Appeals and School Transport Appeals should be coded in a simple way to allow basic figures to be collated where bullying is cited as a reason, or one of the reasons, for the Appeal.

MAP/4.3.2002/rev 8 March 2002
The Panel thanks the following for their evidence and assistance:

Mrs P A Bostock-Smith - Chairman of the Cornwall Association of Primary Headteachers
Mrs S Brookes - Anti Bullying in Cornwall Initiative Co-ordinator
S Chapman - Head of Behaviour Support Service
Miss T Dower, Secretary, Education, Arts & Libraries
D Edwards, County Education Transport Officer
Mrs A Fisher - Parent Governor Representative
G Hogg - Assistant Director (Individual Needs) Education, Arts and Libraries
Mrs J Rockcliffe-King - Director of Behaviour Management, Callington Community College
R Spowart - Chairman of the Cornwall Association of Secondary Headteachers
Ms Jackie Turner – Head of School Admissions/Transport (Policy) Team
Mrs C Webster - Alverton CP School, Penzance