

SAFEGUARDING 2: ANTI-BULLYING POLICY

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Introduction

The purpose of this policy is to provide guidance to the employees of Benenden School (Kent) Limited and its subsidiaries (collectively 'Benenden' or 'the School').

At Benenden, we aim to create an environment in which bullying is not tolerated, in which pupils can report bullying and staff and pupils can talk openly and regularly about the issues of bullying through our PSHE provision, Tutor Meetings, House Order, Prayers and through presentations, briefings and discussion in Staff Meetings. Staff, parents, and pupils are encouraged to support the ethos of kindness and respect for others and we ensure that all are aware of their responsibility to watch out for and respond appropriately to any bullying behaviour. All members of the community at Benenden are encouraged to call out any behaviour which might be deemed as bullying, and representatives from both the pupil and staff body (Hms, DHms, Matrons, Teachers, Tutors, Grey Jumpers, Prefects, Heads of Layer, Heads of Year, Safeguarding Team, Independent Listeners) are given training in ways to support anyone who needs think that they, or someone they know, is being bullied.

All bullying is unacceptable. At Benenden, we wish to live in a caring and supportive school in which no one suffers any form of bullying or discrimination, a School in which kindness and respect for others is strongly encouraged and a school in which pupils, their parents and staff will report bullying, knowing that the issue will be dealt with sensitively but robustly.

This policy applies to all pupils and all member of the School community irrespective of their age or whether or not a pupil is in the care of the School when/if bullying behaviour occurs. Staff must be aware that bullying can happen both inside and outside of school and online. While this policy focuses mainly on the bullying of pupils by other pupils, it is recognised that other forms of bullying may occur. All staff should understand, that even if there are no reports of bullying it does not mean it is not happening, it may be the case that it is just not being reported. As such, it is important if staff have any concerns regarding bullying, they should speak to their designated safeguarding lead (or deputy).

This policy is available on the School website and pupils are given a summary of this policy in the Students' Handbook.

Safeguarding is everyone's responsibility, and we expect all members of our community to support this policy.

Definition of Bullying

Bullying is behaviour by an individual or group, which *could happen once or is repeated over time and intentionally hurts another individual or group.*

Bullying is the intentional hurting, harming, or humiliating of another person. It may take many forms, including physical (including any threat of or use of violence of any kind), sexual (including the sharing of nudes/semi-nudes), verbal (including cyber-bullying via email, social media, gaming, and SMS or other instant messages), and emotional (including by excluding, being sarcastic, name-calling, tormenting or spreading malicious rumours). It can involve manipulating a third party to tease or torment someone, or actions that fall short of direct participation, where someone encourages others to bully, or joins in with laughing at a victim. Bullying is often hidden and subtle. It can also be overt and intimidating, and often involves an imbalance of power between the perpetrator and the victim whether that be a physical, psychological or intellectual imbalance, or by the perpetrator having the capacity to socially isolate the victim.

Bullying can sometimes amount to child-on-child abuse, which is defined as abuse by one or more pupils against another pupil.

Bullying is often motivated by prejudice against particular groups, and may involve actions or comments regarding a person's race, religion, gender, sexual orientation, special education needs or disabilities (SEND), or because of a child's familial circumstances, such as they are adopted, in care or that they have caring responsibilities. Bullying may be motivated by actual differences between children, or perceived differences. For example, bullying can still be homophobic if directed towards a child that is perceived to be gay, whether or not this is the case.

Bullying can have a significant psychological, emotional, and/or physical effect on a victim causing damage to self-esteem and confidence. It often involves an imbalance of power between the perpetrator and the victim. This imbalance of power can manifest itself in several ways: it may be physical or psychological; it may derive from an intellectual imbalance or by having access to the support of a group; or it may derive from the capacity to socially isolate someone. It can result in the intimidation of a person through the threat of violence or by isolating them physically or online. The persistent use of unkind comments or actions which may seem trivial in isolation but which, taken together, create a climate where the victim feels unworthy, inferior, or excluded can also have a harmful effect.

Bullying can happen anywhere and at any time and can involve anyone - pupils, other young people, staff and parents.

The School's response to Bullying

At Benenden, we always treat bullying very seriously. It conflicts with Benenden's values and ethos, and with other policies such as, the Equality Diversity and Inclusion Policy, and will not be tolerated. When incidents of bullying do occur, they are dealt with quickly and taken seriously. Benenden will never dismiss bullying as banter, and all reported incidents of bullying will be dealt with by staff in accordance with this policy.

Benenden understands that bullying can be so serious that it may cause physical, emotional and psychological damage, such as eating disorders, self-harm and even suicide. Stopping violence and ensuring the immediate physical safety of pupils is the School's first priority, however, we acknowledge that emotional bullying can be more damaging than physical bullying, and therefore staff will use their discretion when dealing with an incident of bullying within the parameters of this policy and the Pupil Behaviour Policy (Rewards and Sanctions). Whilst bullying is not a specific criminal offence, there are criminal laws which apply to harassment, sexual violence and assault, sexting, the sharing of nudes/semi-nudes (in certain circumstances), upskirting and to violent and threatening behaviour. No one deserves to be a victim of bullying: everybody has the right to be treated with respect. Pupils who are victims of bullying will be supported. Pupils who have engaged in bullying behaviour will be subject to appropriate disciplinary sanction and will also, where possible, be supported in learning different ways of behaving.

Bullying which occurs on School trips or outside of the School's premises will not be tolerated any more than bullying on School premises. Teachers will, where appropriate, discipline pupils for misbehaviour outside School premises and outside School hours.

Types of Bullying

Some examples of behaviour which could count as bullying at Benenden include:

- Name-calling and hurtful or discriminatory remarks.
- Banter bullying, when 'joshing' or 'joking' ('just having a laugh', 'just part of growing up') are used to target, humiliate, or intimidate and lead to a culture of unacceptable behaviours.
- Spreading rumours or gossip about a person.
- Exclusionary behaviour.
- General unkindness.

- Attempting to humiliate or isolate someone by exclusion from a group.
- Initiation/hazing type violence and rituals.
- Cyberbullying, which involves e-technology. Bullying can happen through text messaging, blogs, social media platforms and websites etc. Please refer to Cyberbullying below:
- Physical violence such as kicking, hitting, pushing, or the threat of violence (this may include an online element which facilitates, threatens and/or encourages physical abuse).
- Abuse in intimate personal relationships between peers.
- Sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence).
- Sexual harassment, such as sexual comments, remarks, jokes, and online sexual harassment, which may be standalone or part of a broader pattern of abuse.

Bullying may also be:

- Prejudiced based and discriminatory.
- Racist – or related to someone’s religion, belief, or culture.
- Sexist – related to a person’s gender or gender identity.
- Sexual – how someone is spoken to or if someone is touched in a sexually inappropriate way.
- Homophobic – relating to a person’s sexual orientation.
- Related to/focused on someone’s disability (including invisible), SEN, physical attributes (physical body shape or hair for example), health conditions or home circumstances.

Bullying can involve complicity (silently accepting) which falls short of direct participation. It can be hidden and subtle or overt and obvious. All of these forms of bullying are equally unacceptable.

Severe Bullying

Bullying that is so extreme that a pupil suffers or is likely to suffer significant harm is a Safeguarding and Child Protection concern and will be reported as such. In these cases, the Child Protection and Safeguarding Policy will be followed, and a referral will be made to external agencies, such as the police/children’s social care, as appropriate.

Vulnerability to Bullying

Examples of characteristics which might make a person feel vulnerable or become a target of bullying include:

- Age
- Physical appearance
- A disability
- A difficult situation at home
- Ethnic background
- Social background
- Nationality
- Religion
- Sexual or gender identity

Symptoms of Bullying

Signs of bullying can be difficult to interpret as many of them are the same as signs of other stress-related difficulties.

Changes in behaviour that may indicate that a pupil is being bullied include:

- Unwillingness to return to school;

- Displays of excessive anxiety, becoming withdrawn or unusually quiet, disruptive or aggressive;
- Failure to produce work, or producing unusually poor work, or work that appears to have been copied, interfered with or spoilt by others;
- Books, bags, money and other belongings suddenly go "missing", or are damaged;
- Change to established habits (e.g. giving up music lessons, change to accent or vocabulary);
- Diminished levels of self-confidence;
- Frequent visits to the Medical Centre with symptoms which may relate to stress or anxiety, such as stomach pains or headaches;
- Having unexplained injuries, such as cuts and bruises or giving an odd explanation about how injuries happened;
- Beginning to self-harm which could include cutting or changes to eating habits;
- Frequent absence, erratic attendance or late arrival to class;
- Choosing the company of adults rather than other children;
- Displaying repressed body language and poor eye contact;
- Being often seen alone;
- Significant changes in sleep or work pattern – this can involve difficulty in sleeping or experiencing nightmares; or
- Talking of suicide or running away from home or school.

Although there may be other causes of some of the above symptoms, a repetition or combination of these possible signs of bullying should be investigated by parents and teachers and reported/ recorded, as appropriate, in accordance with this policy.

If a member of staff, a parent, or a pupil notices any of these signs, or others which cause concern, they should speak to a member of the pastoral staff, medical staff, or Safeguarding Team.

Bullying - preventative measures

Benenden's response to bullying does not start at the point in which a pupil has been bullied. We take the following preventative measures in order to create an environment that prevents bullying from becoming a problem at the School in the first place:

Pupils

- The School promotes an ethos of good behaviour where pupils treat each other with respect at all times, inside and outside of school;
- All new pupils (both full boarders and day boarders) are briefed thoroughly on the expected standards of behaviour. They are told what to do if they encounter bullying. We try to ensure that those who report bullying in good faith will not be punished and will be supported;
- We use Prayers, Form time, House Orders and PSHE to explain the School's policy on bullying. Our PSHE programme is timetabled for all year groups with an explicit focus on relationships and social responsibility. All teaching is underpinned by the Equality Act (2010). We emphasize individual rights and responsibilities in preventing discrimination, and how to form healthy relationships, and actions to stay safe. Students are clearly signposted as to where to go for support both in School, through our Independent Listeners and using Independent Safeguarding support. Our pupils are actively involved too, through our Grey Jumpers (Prefects) and our Founders Peer Listener programme whereby trained older pupils are encouraged to offer advice and support to younger pupils.
- Additionally, our SMSC policy outlines our students social and moral responsibilities as they progress through the School. We have an active partnership programme which enforces messages about community involvement and taking care of each other. Once again underpinning our core ethos and values which clearly show bullying to be unacceptable.
- All of our pupils are encouraged to tell any member of staff at once if they are being bullied, or if they know or suspect that bullying is taking place; and all boarders know how to report anxieties to their HMs and other members of the House team.

- All pupils have access to a telephone helpline such as SHOUT or ChildLine, enabling them to call for support in private.
- All of our boarding houses displays advice on where pupils can seek help, including details of confidential help lines and websites where they can connect with external specialists, such as ChildLine and the Samaritans;
- We provide leadership training to our Grey Jumper (Prefect) team which includes Heads of Houses which specifically covers the importance of offering support and assistance to younger and to vulnerable pupils; and
- The School does not tolerate peer-group "initiation ceremonies" or hazing rituals designed to cause pain, anxiety or humiliation to pupils, and all staff remain alert to such actions.

Staff

- Upon induction, all new members of staff are given training and guidance on the Benenden's anti-bullying policy and on how to react to, and record allegations of bullying at the School. The School will ensure that all School staff understand the principles of the School's policy, the School's legal responsibilities, actions to be taken to resolve and prevent incidents of bullying from arising or escalating and also details of sources of further support;
- The School recognises that certain children may be more at risk of bullying than others, and may require additional support when dealing with an incident of bullying, for example children with SEND and LGBTQ+ pupils. The School will ensure that staff receive safeguarding training to be able to understand the specific needs of our pupils, and to enable all staff to provide an inclusive environment for all pupils;
- All reported incidents are recorded on CPOMS and investigated at once. We always monitor reported incidents. Records of any incidents are kept securely in the office of the Deputy Head Pastoral and Boarding in order that patterns of behaviour can be identified and monitored by the Safeguarding team;
- We have a strong and experienced pastoral team of Tutors, Heads of Year, and House Master/Mistresses and wider House team who support the Deputy Head Pastoral and Boarding and Assistant Head Boarding and are trained in handling any incidents as an immediate priority, and who are alert to possible signs of bullying and will know when to apply our Safeguarding and Child Protection policy to bullying incidents;
- Our trained School Counsellors are an important part of our pastoral support service, providing specialist skills of assessment and counselling. They are available to give confidential advice and counselling support to pupils who can refer themselves to them when they have social, emotional or behavioural concerns. On occasion, a member of our pastoral team may refer a pupil to them as appropriate;
- The School Chaplains will give support and guidance to pupils of all faiths who are able to refer themselves to them whenever they wish (for example at a time of family break-up, sickness or bereavement). The Chaplain will provide confidential advice and seek to encourage the development of tolerance, understanding and respect for others in a multi-faith community
- Staff are trained to be alert to inappropriate language or behaviour at all times;
- In boarding houses, there are strong teams who act *in loco parentis*. Staff are aware that boarding houses provide more opportunities for bullying and are therefore always vigilant and alert to signs of issues with or between boarders. The informal house environment is important in reinforcing a pupil's standards and values, providing the opportunity for friendly, informal discussion of matters of concern to the individual pupil outside the formal classroom. A member of the boarding house staff is always on duty to supervise the pupils;
- Benenden has the right, and duty, to investigate incidents of bullying involving our pupils which take place outside School hours, on School visits and trips, or that otherwise occur outside of School. The School has the right to take disciplinary measures in respect of such incidents. Disciplinary measures will be taken in accordance with the School's Pupil Behaviour policy and any sanctions will be applied in a fair, consistent, and reasonable manner, taking into account the needs of SEND and vulnerable pupils; and
- Staff will always consider the motive behind bullying behaviour and whether it raises any concerns for the welfare of the perpetrator. If staff reasonably suspect that a pupil may be suffering, or is likely to suffer significant harm, they should follow the procedures set out in the

School's Safeguarding and Child Protection Policy and discuss their concerns with the School's Designated Safeguarding Lead (DSL) without delay.

Parents

- This policy is readily available on our website so that they are clear on the School's approach to bullying and what to do if their child experiences bullying;
- We encourage close contact between the Housemaster/ Mistress and parents/ guardians, and will always make contact if we are worried about a pupil's well-being;
- If parents know or suspect that their child, or another pupil, is being bullied, they should contact the School without delay. All concerns will be taken seriously; and
- We welcome feedback from parents and guardians on the effectiveness of our preventative measures and all other aspects and implementation of this anti-bullying policy.

Reporting a Bullying incident

The best way to stop bullying is to get help, so we actively encourage pupils who feel they are being bullied, or who are worried another pupil is being bullied, to raise this without delay. This can be done in a number of ways:

- Speak to the House team, School Chaplains, Medical Centre, or any member of staff with whom they feel comfortable.
- Tell their parents.
- Speak with the School Counsellor.
- Speak with the Captains of School or one of the Grey Jumper Team (Pupil Support).
- Contact the Independent Person.
- Use Tootoot to inform the Safeguarding Team.

We recognise that staff may experience bullying in the workplace. They should raise concerns with their Line Manager, Headmistress, HR, or member of SMT. They can also refer to the staff handbook.

Procedures for responding to and dealing with bullying

When a disclosure is made about a potential case of bullying, members of staff (or parents or pupils) should adopt the following procedure.

If a pupil is disabled or has special educational needs, account will be taken of those circumstances and consideration will always be given to modifying how a concern is managed and how any sanctions are applied.

Listen: The member of staff, parent or pupil should listen to the concern, avoid asking leading questions and record what is said straight after the disclosure, using the pupil's actual words where possible.

Reassure: The victim can be reassured that the situation will get better and that they were right to report the bullying. If a parent or pupil is told about bullying, we strongly encourage them to contact the Hm or another appropriate member of staff.

Seek help: The member of staff, parent or pupil must then seek help and advice in dealing with the matter from one of the following: The Headmistress, the Deputy Head of Boarding and Pastoral Care, Assistant Head Boarding or a Housemistress /Housemaster. If bullying is reported to an older pupil, she should tell a member of staff right away, without trying to investigate it.

Other routes: If a pupil does not wish to report the concern to a member of staff, they may speak to the School Counsellors or the School's Independent Listeners or organisations (e.g., Childline) outside the school community.

Benenden ensures that all instances of, or concerns about bullying and cyber-bullying, both on and away from School premises are easy to report and that they are recorded properly. Records of instances of bullying and allegations of bullying will be kept by Deputy Head Boarding and Pastoral care and on CPOMS our digital safeguarding reporting software. Records will be kept in order to enable the School to identify patterns of behaviour and to evaluate the effectiveness of this anti-bullying policy.

The School recognises that pupils are likely to report bullying to someone they trust: this could be any member of staff. All staff will be trained in handling an allegation and will be aware that they must listen to the pupil, not ask leading questions and make a written record of the allegation to the best of their ability.

If an incident of bullying is reported, the following procedure will be adopted:

- The member of staff to whom the incident was reported, or who first discovers the situation, will reassure and support the pupils involved, without promising absolute confidentiality;
- They will inform an appropriate member of the School's Safeguarding Team about the bullying allegation as soon as possible;
- Where an issue of pupil behaviour or bullying gives 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm', staff should follow the procedures set out below.
- The victim and the alleged perpetrator/s will each be interviewed individually by the DSL or a member of the Safeguarding team (if appropriate, with a suitable person present for support) and asked to write their account of events;
- Where the DSL considers that the reported bullying behaviour may be criminal or considers that there may be a risk of harm to someone, they will discuss this with the Headmistress, and will report the matter to the Police without delay if considered necessary. The School will then follow the procedures set out in the Safeguarding and Child Protection as well as any guidance from the Police;
- The incident/s should be recorded on CPOMS or a written account should be signed and scanned into CPOMS as soon as possible.
- The Deputy Head Boarding and Pastoral care in liaison with the Assistant Head Boarding inform the Housemaster/Mistresses and or tutors, of both the alleged perpetrator(s) and the victim(s) as soon as possible. In very serious incidents, the Headmistress should be informed as soon as possible;
- The victim may be interviewed again at a later stage by a member of the Safeguarding Team, separately from the alleged perpetrator(s). They will be offered support to develop a strategy to help herself. It will be made clear to her why revenge or retaliation is inappropriate;
- The perpetrator(s) may be interviewed again at a later stage by a member of the Safeguarding Team, separately from the victim, and it will be made clear why their behaviour was inappropriate and caused distress. They will be offered guidance on modifying their behaviour. The School's Pupil Behaviour (Rewards and Sanctions) Policy may also be invoked. Sanctions under the Pupil Behaviour (Rewards and Sanctions) Policy might include, for example, detention and withdrawal of privileges. The School may exclude a pupil, either temporarily or permanently, in cases of serious or persistent bullying, or in the event that the support put in place for the perpetrator(s) does not result in the modification of behaviour to an acceptable level.



- The parents/ guardians of all parties will be informed and may be invited into School to discuss the matter, and the appropriate sanctions under the Pupil Behaviour Policy (Rewards and Sanctions). The parents' support will be sought in respect of preventative measures, and any concerns of either party will be addressed;
- A way forward, including where appropriate disciplinary sanctions and support for the perpetrator(s), should be determined, and where possible agreed with all parties. This should recognise that suitable support may be needed by the pupils who are being bullied, and also by the pupils who bully others, as well as dealing with disciplinary measures in accordance with the School's Pupil Behaviour Policy (Rewards and Sanctions) if appropriate;
- As part of this process, a meeting involving all the parties, with close staff supervision, may be convened to help develop a strategy which enables all concerned to close the episode;
- A monitoring and review strategy will be put in place and put on record;
- In very serious cases, and only after the Headmistress has been involved, it may be necessary to make a report to the Police, or to Children's Services. However, in many cases it will be possible to resolve such issues internally under this policy and the School's Pupil Behaviour (Rewards and Sanctions) Policy.

Please also refer to the Appendix for 'The Seven Steps Approach'.

Sanctions

We will do all that we can to resolve issues of bullying through mediation, discussion and making bullies aware of the effects of their actions, but we will also use sanctions against them when this is necessary. These sanctions will be in line with the Pupil Behaviour Policy. In lesser cases, pupils might be placed in detention, be gated, or be temporarily excluded. In clear cases of severe and persistent bullying, the sanction may result in exclusion and the reporting of allegedly criminal behaviour to the police.

If a parent or pupil is not satisfied that an issue of bullying has been addressed appropriately, they should speak with the Deputy Head Boarding and Pastoral Care in the first instance and then, if still unhappy, refer to the School's Complaints Procedure, as set out in the Parents' Information Booklet and Student Handbook.

Cyber-bullying

Cyber-bullying can be defined as "*the use of information and communication technologies to support deliberate, repeated, and hostile behaviour by an individual or group that is intended to harm others*" (Belsey, <http://www.cyber-bullying.org/>). It is an aggressive, intentional act often carried out repeatedly over time, and often against a victim who cannot easily defend himself/ herself. The School acknowledges that cyber-bullying may take place inside School, outside of School and at any time of the day.

Cyber-bullying could involve communications by various electronic media, including for example:

- Texts, instant messages (including Snapchat and Whatsapp) or calls on mobile phones;
- The use of mobile phone camera images to cause distress, fear or humiliation;
- Posting threatening, abusive, sexual, discriminatory, offensive or humiliating material or comments on websites (including blogs, Teams, personal websites and social networking sites such as TikTok, Facebook, Instagram, Twitter or YouTube);
- Using e-mail to message others in a threatening or abusive manner; or
- Hijacking/ cloning e-mail accounts.

Benenden acknowledges that cyber-bullying may take many different forms including: cyber-stalking, exclusion or peer rejection, impersonation, unauthorised publication of private information or images, encouraging derogative comments on online platforms, sharing nudes/semi-nudes, upskirting and sexting.

Benenden has a role to play in teaching pupils about the underpinning knowledge and behaviours that can help them to navigate the online world safely and confidently regardless of the device, platform or app. In taking this forward, the School has regard to the DfE's non-statutory guidance on *Teaching online safety in school* (updated June 2019).

Prevention of cyber-bullying

For the prevention of cyber-bullying, in addition to the measures described above, Benenden:

- Expects all pupils to adhere to its Online Safety Policy. Certain sites are blocked by our filtering system and our IT Department monitors pupils' use;
- May impose disciplinary sanctions for the misuse, or attempted misuse, of the internet in accordance with the Online Safety Policy;
- Issues all pupils with their own personal School email address. With restricted access to social media sites during the school day
- Offers guidance on the safe use of social networking sites and cyber-bullying in PSHE lessons, which covers online risks and harms including: blocking, removing contacts from "friend" lists and sharing their personal data;
- Ensures its pupils are aware of the various forms in which cyber-bullying can take place, that it can have severe and distressing consequences, and that participation in cyber-bullying will not be tolerated;
- Offers guidance on keeping names, addresses, passwords, mobile phone numbers and other personal details private and secure;
- Does not allow the use of mobile phones in classrooms for students in the lower and middle school without the permission of a member of staff, public areas of the School, or where they may cause annoyance, humiliation or distress to others; and
- Does not allow the use of cameras/ mobile phone cameras in toilets, washing and changing areas or in the bedrooms of boarding houses.

Procedures for dealing with cyber-bullying

The School will follow the procedures set out in this policy and the Safeguarding and Child Protection Policy where relevant for incidents of cyber-bullying, taking such disciplinary action that is considered reasonable in the circumstances, with a view to regulating pupil conduct and protecting the reputation of the School, and the welfare of its pupils.

Although cyber-bullying is not a specific criminal offence, there are criminal laws that may apply to communications of a harassing or threatening manner or the unauthorised publication of private images, upskirting, sharing nudes/semi-nudes and sexting. Where the School considers that a reported incident of cyber-bullying may amount to a criminal offence, it will inform the Police.

Electronic devices

In response to an allegation of cyber-bullying, certain staff are permitted to conduct a search for electronic devices, such as a pupil's mobile phone, with the authority of the Head. Staff do not require the consent of the pupil, or their parents to undertake a search, provided they have reasonable grounds for suspecting that the pupil is in possession of a prohibited item, and provided they have the Head's prior consent to undertake a search.

The search will be conducted in accordance with the procedure set out in the, Conducting a Search of a Pupil's Room, Possession, or Person' policy

Where a search finds an electronic device that is prohibited by the School rules, or where the member of staff undertaking the search reasonably suspects that the electronic device has been, or is likely to be, used to commit an offence or cause personal injury or damage to property, the School may examine any data or files on the device, where there is good reason to do so, for example, where there has been an allegation of cyber-bullying. Parental consent to search through electronic devices is not required. However, this should be viewed as a last resort and where possible, external advice should be sought first.

The School may also erase any data or files from the device if the School considers there to be good reason to do so, unless there are reasonable grounds to suspect that the device may contain evidence in relation to a criminal offence, where the files should not be deleted and the device must be given to the Police without delay.

If, following a search, the member of staff determines that the device does not contain any evidence in relation to an offence, or are advised by the Police following a report to them that they will not take any further action to investigate an alleged offence, Benenden can decide whether it is appropriate to delete any files or data from the device, and may retain the device as evidence of a breach of this policy Pupil Behaviour (Rewards and Sanctions) Policy. The School may then take steps to sanction the student in accordance with the Pupil Behaviour (Rewards and Sanctions) Policy, where appropriate. In the event that the search highlights a safeguarding concern in respect of any pupil, the School will follow the procedures set out in the School's Safeguarding and Child Protection Policy.

The School will keep a record of all searches carried out, including the results of any search, and the actions taken following that search.

Cyberbullying and the law

The School has a duty to safeguard and protect its pupils and staff from cyberbullying. Misconduct which takes place out of School - in holiday time as well as term time - but affects pupils or staff, is now the responsibility of the School, as outlined in the *Education and Inspections Act 2006 (EIA 2006)*. This legislation gives schools the power 'to such an extent as is reasonable' to regulate the conduct of pupils both in and out of School.

The law protects people against cyberbullying in many ways. The list below shows some criminal and civil offences for which bullies can be prosecuted.

- Using threatening, abusive, or insulting words, behaviour, or images with the intention of causing harassment, alarm, or distress.
- Sending an indecent, grossly offensive, obscene, or threatening letter, electronic communication, or other article to another person with the intention that it should cause them stress or anxiety.
- Harassment (behaviour which causes alarm or distress) is an offence if repeated more than twice.
- Causing another person fear, on at least two occasions, that violence will be used against them.
- Sending a message that is known to be false for the purposes of causing annoyance, inconvenience, or needless anxiety.

Procedures for Responding to Cyberbullying

It is important that a pupil who raises a bullying concern is reassured and feels safe to ask for help, the member of staff to whom bullying is reported or who first discovers this situation, must inform a member of the Safeguarding Team as soon as possible. The DSL will always be informed of incidents of this type. It should also be logged on CPOMS.

A member of the safeguarding/pastoral team will normally see the pupil concerned and any witness without delay and make an assessment which will be passed on to the DSL who will take action.

The procedures for responding to cyberbullying are the same as those for other forms of bullying. In addition:

- **Evidence:** The pupil should pass on any evidence of cyberbullying such as saved web pages of chat rooms or social networking websites, texts, emails. A copy should be made of them in case the evidence is later deleted from the original source.
- **Response:** A member of staff should ascertain whether the victim has responded to the bullying and record evidence of any response, making sure the victim understands that there should be no retaliation.
- **Identification:** Steps will be taken to identify the bully, where possible. This may include examining School system logs, identifying and interviewing possible witnesses, contacting the service provider and the police, if necessary.
- **Liaise:** The person dealing with the initial incident will liaise with the Online Safety Officer to decide whether any material found on an electronic device should be deleted, retained as evidence of a breach of the AUP, Anti-Bullying Policy or Pupil Behaviour Policy or whether it is of such seriousness that it requires the involvement of the police.

The [Online Abuse and Bullying Prevention Guide](#) has an excellent summary in Annex C about responding to a pupil disclosure of online abuse. It follows the same procedure outlined in the Safeguarding 1: Safeguarding and Child Protection Policy.

Sanctions

In addition to the sanctions outlined in the Anti-Bullying Policy and the Acceptable Use of ICT Policy, those involved in cyberbullying may:

- Be asked to remove any material deemed to be inappropriate.
- Have their mobile device confiscated so that inappropriate content can be deleted.
- Have their internet access suspended and have their access to mobile devices restricted.
- Be reported to the police if a criminal offence is suspected.

Complaints procedure

Parents and pupils are encouraged to use our Complaints Procedure (which is published on our website) if they feel that any concerns about bullying (or anything else) are not being addressed properly.

Monitoring and Review

All cases of bullying, including cyberbullying, are reported to the Deputy Head of Boarding and Pastoral Care, Assistant Head Boarding or member of the Safeguarding Team. They administer the Behaviour and Bullying log. The Behaviour and Bullying log is reviewed by the Headmistress and Senior Management Team at least termly and reviewed at a meeting of all the Hms twice a term. The Anti-Bullying Strategy and Policy are reviewed by the Safeguarding and Pastoral Care Committee, and the Policy is referred to Council annually. The School will record all incidents of reported bullying in accordance with this policy.

This policy is reviewed and updated at least annually, by the Senior Management Team and is also reviewed by the Safeguarding and Pastoral Care committee at least annually.

Monitoring and Reviewing the Anti-Bullying Strategy and Policy

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Anti-Bullying Scrutiny

This Anti-Bullying Policy has been drafted taking account of guidelines as published in:

- *DfE's 'Preventing and Tackling Bullying. Advice for headteachers, staff and governing bodies' (July 2017)*
- *ISI's 'Commentary on the Regulatory Requirements*
- *Keeping Children Safe in Education (2022)*

Additional Policies and Documentation to be Read in Conjunction with this Policy

- Safeguarding and Child Protection Policy
- Online Safety Policy
- Conducting a search of a pupil's room or possession Policy
- Equality Diversity and Inclusion Policy
- Acceptable Use of Mobile Phones and Handheld Devices Policy
- Anti-Radicalisation Policy
- Children Missing in Education Policy
- Pupil Behaviour Policy (Rewards and Sanctions)
- Whistleblowing Policy
- Keeping Children Safe in Education (September 2022)
- Working Together to Safeguarding Children (2018 updated 2020)
- Relationships, Sex and Health Education Policy

Bullying and victimisation in schools are high profile issues, which have the potential to inflict serious harm upon a school's reputation. The Government together with not-for-profit organisations have expended considerable resources in trying to help schools to tackle this problem by offering advice, guidance and training to schools. A number of useful guidance notes, reference points, as well as guidance produced by the Department of Education (DfE) are listed below:

- A. ["Preventing and Tackling Bullying", DfE, July 2017](#)
- B. [ISI Inspection Framework, September 2022](#)
- C. [Bullying UK: Cyber-bullying](#)
- D. ["Cyber-bullying: Advice for Headteachers and School Staff", November 2014](#)
- E. ["Cyber-bullying Guidance: Understand, Prevent and Respond" - Childnet International](#)
- F. ["Searching, screening and confiscation", DfE, January 2018](#)
- G. ["Teaching Online Safety in School", DfE, June 2019](#)
- H. ["Sharing nudes and semi-nudes: advice for education settings working with children and young people", DfE, December 2020](#)

Benenden Safeguarding Team

Designated Safeguarding Lead	Anne Wakefield Deputy Head Boarding and Pastoral Care 01580 236793
Deputy Designated Safeguarding Lead	Steve Miller First Deputy 01580 236718
Deputy Designated Safeguarding Lead	Lucy Lynch Assistant Head Boarding 01580 236973
Deputy Designated Safeguarding Lead	Kate Dobson Safeguarding Team Hm of Limes 01580 236682
Deputy Designated Safeguarding Lead	Neal George Assistant Head - Head of Co-Curricular 01580 236961
Anti-Radicalisation Officer (not DSL trained)	Matt Commander Director of International and strategic projects (Interim Director of Estates) 01580 236885
School Medical Officer	Dr Sara Butler-Gallie
Headmistress	Sam Price 01580 236616
Chair of Council	Anna Birkett cmabirkett@benenden.school
Council Member with responsibility for Safeguarding	Fiona Cornish cmfcornish@benenden.school

Appendix 2 –

Staff may find this helpful when investigating an alleged bullying incident.

The Seven Steps Approach

Benenden operates an approach that does not assign blame, understanding that there will usually (but not always) be a bully group, with probably one person leading it. The Hm (or other member of staff appointed to deal with the issue), will usually follow the 'seven steps' programme below.

1. Interview with the alleged victim

When a member of staff finds out that bullying has potentially happened, they start by talking to the alleged victim about their feelings. They do not question the alleged victim about the incidents, but they do need to know who was involved.

2. Convene a meeting with the people involved

The member of staff arranges to meet with the pupils who are alleged to have been involved. This may include some potential bystanders or colluders who may have joined in but did not initiate the alleged bullying.

3. Explain the problem

The member of staff tells them about the way the alleged victim is feeling and might use the alleged victim's words to emphasise their distress. At no time does the teacher discuss the details of the alleged incidents or allocate blame to the group.

4. Share responsibility

The member of staff does not attribute blame but states that they know that the group are potentially responsible and can do something about it.

5. Ask the group for solutions

Each member of the group is encouraged to suggest a way in which the alleged victim could be helped to feel happier. The member of staff gives some positive responses but will not go on to extract a promise of improved behaviour.

6. Leave it to them

The member of staff ends the meeting by passing over the responsibility to the group to solve the problem. They arrange to meet with them again to see how things are going on.

7. Meet them again

About a week later the member of staff discusses with each pupil, including the alleged victim, how things have been going. This allows the member of staff to monitor the alleged bullying and keeps the pupils involved in the process.

Appendix 3

Anti-bullying Strategy Overview

- **Preventative measures:** Benenden's response to bullying does not start at the point at which a child has been bullied. We have developed a more sophisticated approach in which School staff proactively gather intelligence about issues between pupils which might provoke conflict and implement strategies which try to prevent bullying occurring in the first place.
- **Staff responsibility:** Staff are reminded in their new staff safeguarding induction meeting and at regular policy briefings that The Staff Code of Conduct makes clear that all members of staff have a statutory responsibility to safeguard and promote the welfare of pupils (Children Act 2004). This duty should inform the way staff behave in the classroom and other workplaces in the School when they interact and communicate with the pupils. Staff must, therefore, treat pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to their professional position. Verbal abuse and intimidatory or aggressive behaviour in the classroom or wider workplace will not be tolerated and will become a disciplinary matter.
- **School Polices:** Our anti-bullying education includes making pupils aware that there are criminal laws which apply to harassment and threatening behaviour. Every House has a copy of this policy on its noticeboard which Hms remind pupils to read, and there are copies on the Portal which all staff and pupils can refer to. The House noticeboard copies of the Anti-Bullying Policy and Online Safety Policy are deliberately written in a pupil friendly and accessible language, so that the pupils are in no doubt respecting their content. During an investigation, the more detailed staff policies would take precedence over these and would be made available to pupils if requested. Parental attention is drawn to the policy via the Parent Bulletin each year.
- **Sanctions:** We make known the sanctions for bullying and we make it clear that bullying outside of School will also be treated as a disciplinary issue, just as it would be within School. This could include liaising with the police if it appears a criminal offence might have taken place or with Children's Social Care if external help is needed to support a pupil.
- **Keeping it current:** Staff are briefed annually on the policy, and it is included in the induction programme for all new teaching and pastoral staff as well as for all new pupils. Updates are circulated to all staff and explained in Staff Meetings. Pupil updates are mentioned in Prayers and/or House Order or Form Order. Anti-bullying is an integral part of safeguarding training.
- **Visibility:** In addition to our education and training programme for staff and pupils, sources of support are advertised to pupils via their House noticeboards and the Student Handbook – see 'Who Can YOU Talk To?'.
- **Recording of allegations:** An allegation of poor behaviour is entered into CPOMS, and each case will remain 'live' until all parties agree that the situation has improved and that the action taken to counter the unkind behaviour or bullying has had a positive impact. The B&B log details the various types of bullying, including: external, physical, verbal abuse, exclusion, cyberbullying, unkindness and others. It also details in the 'action' box the range of anti-bullying strategies deployed to counter the bullying, including: communicating with parents, talking to the victim/s and perpetrator/s, talking to the House year group or whole year group; deploying the School Prefects and others.
- **Monitoring of behaviour:** The means of recording instances of bullying behaviour enables the Deputy Head of Boarding and Pastoral Care to identify developing trends and patterns with regards to types of bullying and the effectiveness of the range of measures we employ to

combat the behaviour. The 'Behaviour and Bullying' log is administered by the Deputy Head of Boarding and Pastoral Care.

- **Pupil role in anti-bullying strategy:** The School appoints a Pupil Support Prefect who is trained by the Deputy Head of Boarding and Pastoral Care in peer-mentoring, conflict resolution and child protection strategies. She works closely with the other school prefects to promote good behaviour and to respond to problems. Each House has a team of House Prefects trained in child protection strategies, part of whose job it is to unobtrusively monitor behaviour, to guide younger pupils in their houses and to produce literature which helps in our anti-bullying strategy. This team liaises with and is led by the Pupil Support Prefect, who in turn reports to the Deputy Head of Boarding and Pastoral Care.

Appendix 4

Anti-Cyberbullying Strategy

- **Preventative measures:** The best way to deal with cyberbullying is to prevent it happening in the first place. We aim to do this by educating and training pupils and staff about the impact of cyberbullying and the ways in which it differs from other forms of bullying. They are made aware of their responsibilities in their use of ICT and we encourage all members of our community to treat one another with respect and sensitivity.
- **Ethos:** We encourage a culture of open communication between staff and pupils, so concerns can be reported with impunity, and we promote the positive and safe use of technology.
- **Awareness:** Pupils are made aware that they will be held personally responsible for material they have placed on a website, that their internet activity is monitored and what the sanctions for misuse will be.
- **Misconduct:** It is made clear that misconduct outside School will be subject to school discipline if the welfare of other pupils or the culture or reputation of the School is placed at risk.
- **Induction:** The Acceptable Use of Mobile Phones and Handheld Devices Policy (AUP) is presented to all new pupils as part of their Induction Programme. The briefing is repeated several times in a pupil's school career in Fourth Form, Lower Fifth and Six One and at other times if significant amendments are made.
- **Digital Leader:** Each Lower School House has a designated Digital Leader, drawn from the House Prefect body. Their primary role is to actively promote safe and responsible engagement with the internet and virtual world. In consultation with the Online Safety Officer and the Grey Jumper responsible for e-safety, they take Prayers every term and focus on a feature of e-safety.