

# Respect for All:

## Supplementary Guidance on Recording and Monitoring of Bullying Incidents in Schools



Fairness

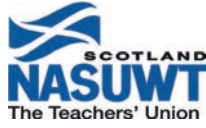
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## FOREWORD FROM THE WORKING GROUP

Following the publication of '[Respect for All; The National Approach to Anti-Bullying for Scotland's Children and Young People](#)' in November 2017, John Swinney MSP, Deputy First Minister and Cabinet Secretary for Education and Skills established a Working Group to develop a consistent and uniform approach to recording and monitoring of bullying incidents. There is an expectation that all local authorities and schools adopt the approach outlined within this guidance.

The working group has identified the next steps and priority actions to support local authorities and schools to further improve the recording and monitoring of bullying incidents. This guidance should be read in conjunction with '[Respect for All](#)'.

We recognise that bullying behaviour may be a result of prejudice that relates to perceived or actual differences. This can lead to behaviour and language that manifests as racism, sexism, homophobia, biphobia or transphobia or prejudice and discrimination towards disability or faith. It can also be based on characteristics unique to a child or young person's identity or circumstance. There is therefore a need to address the root cause of prejudice as well as respond to incidents as they arise.

The existence of bullying and harassment in schools impacts upon a wide range of children and young people's human rights. This guidance has been written considering children young people's rights and the frameworks in which they are imbedded including Getting it right for every child and The Children and Young People (Scotland) Act 2014.

The Scottish Government currently has no plans for the numbers of bullying incidents to be collated at a national level. However, figures gathered at a local level may be used by the Scottish Government, working in partnership with Convention of Scottish Local Authorities (COSLA), Association of Directors of Education in Scotland (ADES), teaching unions and other stakeholder bodies to support self-improvement and inform future policy and practice.

# Contents

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## CONTENTS

### What you will find in this document:

Foreword from the Working Group	3
Introduction	6
Purpose	7
Who is this document for?	8
What do we mean by bullying?	9
Ensuring our children and young people receive the support they require	10
Why is it important for schools to record bullying incidents?	11
When should bullying incidents be recorded?	12
What information should/should not be recorded?	12
Confidentiality	14
Professional Learning for Practitioners	15
Monitoring of bullying incidents in schools and local authorities	16
Effective engagement	17
<b>Appendices</b>	
Appendix A - Useful links/Further resources/Links to legislation	19

## Introduction

1. In November 2017, the Scottish Government published updated anti-bullying guidance. The focus of '[Respect for All: The National Approach to Anti-bullying for Scotland's Children and Young People](#)' is on prevention and early intervention and this must be reflected in all anti-bullying policies. We know that the most successful interventions are embedded within a positive ethos and inclusive culture rather than just focussing on individual incidents as and when they occur.
2. Within Curriculum for Excellence (CfE) all staff are expected to be proactive in promoting positive relationships and behaviour in the classroom, playground and the wider school community. In addition, in fulfilling the General Teaching Council for Scotland (GTCS) Standard for Full Registration teachers demonstrate their commitment to the professional values of Social Justice, and Trust and Respect, and to developing positive relationships with all learners.
3. All children, young people, staff, parents, carers and partners should feel welcomed and supported within a school which is inclusive and respectful of all. The most important part of our school education system is the relationship between our teachers, practitioners, parents, carers, children and young people.
4. It is important that schools develop a culture of cooperation between teachers, support staff, parents, carers, children and young people and the wider learning community. The strengths and assets of children and young people should be recognised by staff and an ethos of participation and decision making by young people seen as a core part of how the school is managed.
5. The Education (Additional Support for Learning) (Scotland) Act 2004 (as amended) provides a comprehensive legal framework for the provision of additional, targeted support for children and young people who face barriers to learning. Children with additional support needs may experience bullying differently and may be targeted because of their additional support need. In addition, social, emotional or behavioural needs which can arise from bullying, may be considered an additional support need if the bullying is having an impact on the child or young person's learning, including those children and young people who are demonstrating bullying behaviour.

6. 'Respect for All' recognised that a streamlined and uniform recording and monitoring process by local authorities and schools would help to identify key measures and actions that can be undertaken to address incidents of bullying. Bullying behaviour may be a result of prejudice that relates to perceived or actual differences. **There is a need to address the root cause of prejudice as well as effectively respond to incidents as they arise in school settings.**

7. Environments that promote respect, celebrate difference and promote positive relationships and behaviour are less likely to see bullying as acceptable behaviour. The focus should always be on prevention and making improvements at a local level to ensure the correct support is in place for our children and young people. Implementing preventative strategies should result in an overall reduction in bullying incidents.

8. The Bullying and Equalities Module within the SEEMiS system has been identified as the most appropriate tool for schools and local authorities to record and monitor bullying incidents. A number of updates will be made to the Bullying and Equalities module which will be effective from 27 September 2018.

9. Independent schools are responsible to their own Governing Boards and should have robust recording and monitoring systems in place.

## Purpose

10. This guidance outlines a new policy ambition to develop a consistent uniform approach to recording and monitoring incidents of bullying through SEEMiS or the equivalent information management system in Independent Schools.

11. Local authorities are subject to the general equality duty as set out in the Equality Act 2010, which requires 'due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations in the exercise of their functions'.

12. The self-evaluation tool '**How Good is Our School 4**' includes a safeguarding quality indicator and specific quality indicator on ensuring wellbeing, equality and inclusion. This supports schools to effectively evaluate their own practice and support self-improvement.

## Who is this document for?

- **All school staff** – It is crucial that everyone within the school community has a consistent approach to addressing bullying within their establishment and that all staff are aware of the process within the school for recording these incidents on the SEEMiS system.
- **Nominated school staff** who have responsibility for logging information into SEEMiS. This could include senior management, guidance staff or office staff. In authorities in which the SEEMiS Bullying and Equalities module is not being used currently, decisions on this should be taken at the Local Negotiating Committee for Teachers (LNCT) and other council negotiating forums.
- **Relevant local authority staff** in ensuring that SEEMiS is accessible for all schools and used consistently to ensure that bullying incidents across the authority are monitored on a regular basis.

13. This guidance does not apply to early learning and childcare settings outwith the remit of local authorities. However, it should support early learning and childcare settings in developing their own policies on promoting positive relationships and behaviour on anti-bullying.

14. The Scottish Council of Independent Schools (SCIS) and Education Scotland support the advice within '[Respect for All](#)' and recommend that individual schools continue to develop and improve recording and monitoring systems in keeping with their chosen management information system.

15. This guidance will assist local authorities and schools in implementing the recording and monitoring procedures within their local anti-bullying policy, in line with '[Respect for All](#)'.

16. This guidance also outlines the responsibilities of local authorities and head teachers to monitor bullying incidents at a local level; and identify how improvements can be made to ensure their schools are supporting the wellbeing of all children and young people within the school community.



17. Where Community Learning and Development (CLD) staff are working within schools and have access to SEEMiS, they should record incidents on the system but only where protocols have been agreed within the local authority and/or the school.

18. The [National Guidance for Child Protection in Scotland 2014](#) makes clear that individual agencies are responsible for ensuring that their staff are competent and confident in carrying out their responsibilities for safeguarding and promoting children's wellbeing. We expect teachers and all those working with children to identify and act on any concerns to ensure the safety and wellbeing of the child or young person concerned.

### What do we mean by bullying?

19. 'Respect for All' contains an agreed definition of bullying:

**Bullying is both behaviour and impact; the impact is on a person's capacity to feel in control of themselves. This is what we term as their sense of 'agency'. Bullying takes place in the context of relationships; it is behaviour that can make people feel hurt, threatened, frightened and left out. This behaviour happens face-to-face and online.**  
(*respectme*, 2015)

20. Bullying behaviour can include:

- Being called names, teased, put down or threatened face-to-face/online.
- Being hit, tripped, pushed or kicked.
- Having belongings taken or damaged.
- Being ignored, left out or having rumours spread about you (face-to-face and/or online).
- Sending abusive messages, pictures or images on social media, online gaming platforms or phone.
- Behaviour which makes people feel like they are not in control of themselves or their lives (face-to-face and/or online).
- Being targeted because of who you are or who you are perceived to be (face to face and/or online).

21. Bullying behaviour may be a result of prejudice that relates to a perceived and actual difference. This can lead to behaviour and language that could manifest into racism, sexism, homophobia, biphobia, transphobia or prejudice and discrimination towards disability or faith. Prejudice based bullying can be based on any characteristics unique to an individual's actual or perceived identity or circumstances such as their appearance or socio-economic background.

### **Ensuring our children and young people receive the support they require**

22. Perceived incidents of bullying may be raised by concerned individuals such as the individual who believes they are being bullied, another child or young person(s), a parent/carer or teaching/non-teaching staff.

23. Recording incidents of bullying is one part of the overall process in preventing and managing bullying incidents. The main focus for staff in schools should be on supporting changes in behaviour among children and young people in school and promoting health and wellbeing.

24. Although bullying is often persistent, a single incident can have a significant impact on the health and wellbeing of children and young people and instil a fear that it might happen again. Bullying behaviour and its potential impact on children and young people must be addressed as it arises.

25. Individuals and/or groups of children and young people can display or be affected by bullying behaviour.

26. It is important that the appropriate support is put in place for all children and young people involved in a bullying incident. This may be through pastoral support and could include counselling, peer support, solution oriented approaches/restorative approaches. Refer to Education Scotland's [National Improvement Hub](#) and [respectme's](#) website for information on ways to support children and young people.

27. Children and young people with an additional support need may have a formal plan which is used to record the support that they require to overcome barriers to their learning. In these circumstances, it may be appropriate to record any support which is put in place for those involved in a bullying incident within this plan.

### **Why is it important for schools to record bullying incidents?**

28. Recording and monitoring of bullying incidents is essential and can provide valuable information on the scope and scale of the issue in order to guide improvements in policy and practice and inform anti-bullying interventions. Recording, monitoring and analysis of bullying is best carried out locally where it can support self-improvement.

29. In addition, the data can help identify numeric trends, specific issues around equality and diversity and other relevant data/patterns which may help schools and local authorities to address bullying incidents efficiently.

30. The most successful anti-bullying interventions are embedded within a positive ethos and culture and do not focus on individual incidents. The aim is to create safe and secure environments where bullying is openly acknowledged, discussed and challenged as unacceptable behaviour, resulting in the reduction of incidents.

31. Data monitoring locally will support the improvement of targeted support and interventions that can be applied in a focussed, responsive way, recognises the unique nuances of geography and demographics.

## When should bullying incidents be recorded?

32. It is recommended that once an incident has been raised, this should be logged on SEEMiS as soon as possible, in accordance with the local authority advice on recording and monitoring personal data – ideally within three working days. An investigation into the incident should follow and SEEMiS should be updated throughout the process. Once concluded, the incident(s) should be closed off. Where an incident is found to be bullying, schools should ensure that appropriate supports/interventions are in place for individuals/groups to address any underlying prejudice.

33. Teachers/all those working in schools should consider the following:

- What was the behaviour?
- What is the impact on the school environment, learning or health and wellbeing?
- What does the child/young person(s) want to happen?
- What do I need to do?
- Is there evidence of any prejudice-based attitudes or behaviour?

## What information should/should not be recorded?

Schools have a statutory duty to make general provision relating to pupils educational records which include: Data Protection Act 1998, Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2003, The Pupils' Educational Records (Scotland) Regulations 2003 and the General Data Protection Regulation (GDPR).

34. Schools should refer to their own Data Protection Team within the local authority regarding local procedures for obtaining permission to record personal data.

35. Bullying takes place in the context of relationships and can happen anywhere. Within the context of this guidance, the critical issue is the impact bullying behaviour has on the school environment and/or on a child or young person's learning or health and wellbeing. These factors are the responsibility of schools and provide the guiding principles for the recording of incidents on SEEMiS by the nominated member of staff.

36. When recording bullying incidents, the following information must be included:

- the children and young people involved, as well as staff or other adults;
- where and when bullying has taken place;
- the type of bullying experienced, e.g. name-calling, rumours, threats etc.;
- any underlying prejudice including details of any protected characteristic(s);
- the impact of the bullying incident, including consideration of personal or additional support needs and wellbeing concerns; and
- actions taken including resolution at an individual or organisational level.

37. Impact on the individual/group's health and wellbeing and/or learning and school environment can be established through an investigation of alleged, observed or reported bullying incidents.

38. The impact of an incident on wellbeing can be considered through the eight indicators: safe, healthy, achieving, nurturing, active, respected, responsible and included (SHANARRI). The principles of Getting it right for every child and the SHANARRI indicators should be used to assess the impact of bullying.

39. Recording systems must gather information on any underlying prejudice including details related to any protected characteristic(s). If the incident was motivated by, or was perceived to be motivated by prejudice by any other party, including witnesses and school staff, this should also be recorded.

40. Schools may investigate any incidents of bullying that occur away from school premises or out of hours that have an effect upon the health and wellbeing and learning of children and young people. Staff members investigating the incident must ensure that appropriate support is provided within school to the child or young person(s) involved.

41. SEEMiS has updated the accompanying Technical Guidance to incorporate the changes to recording of bullying incidents. A short video has also been produced by SEEMiS to support school staff who are responsible for inputting data into the module. The Technical Guidance and video are available at [www.seemis.gov.scot](http://www.seemis.gov.scot) (September 2018).

42. Peer to peer bullying should be recorded on SEEMiS. Local authorities should have agreed procedures to record any other types of bullying ( i.e. young person to adult, adult to adult, adult to young person) in learning establishments.

## Confidentiality

43. How and when schools involve parents and carers in relation to bullying, will be set out by local authority anti-bullying policy. Bullying incidents should be handled carefully and sensitively whilst considering the opinion of a child or young person in line with Article 12 of the UN Convention on the Rights of the Child. It is important to ensure the child or young person's privacy is respected unless they disclose potential harm to themselves or someone else.

44. Children and young people should normally be informed of any intention to share information and why this is felt necessary. An exception to this would be where you believe informing the child would place the child at significant risk of harm. If a bullying incident has occurred in school it is important to talk to the children or young people involved before talking to parents/carers. If they do not wish the nature of the bullying incident disclosed, every effort should be made for it not to be.

45. Changes were made to the Education (Additional Support for Learning)(Scotland) Act 2004 (as amended), which extended the age range of some of the provisions, so that they now cover children aged 12-15, as well as young people and parents. This means that children can now ask for their additional support needs to be identified and planned for; receive advice and information about their additional support needs; be part of discussions about the support that they will receive; and access dispute resolution procedures to resolve concerns. Procedures and support in relation to bullying incidents fall under the terms of the Act.

46. In keeping with Getting it right for every child national policy, many local authorities provide a Named Person service for children and families. For children in school the Named Person is usually a promoted teacher such as a head teacher, deputy or pastoral care teacher who can provide advice or support in response to a request from a child or parent.

47. Teachers should ensure that they are fully aware of children and young people's right to privacy in the context of disclosures and the limits of that right in terms of child protection guidance. The right to privacy is not an absolute right, and where there is a child protection concern, local child protection procedures must be followed.

## Professional Learning for Practitioners

48. It is crucial that local authority and school staff have access to high-quality Career-Long Professional Learning (CLPL) which will help improve the health and wellbeing outcomes of children and young people that they work with. Professional learning and skills development are an important part of building adult confidence and capacity to recognise and respond to bullying locally.

49. All local authorities should include LNCT in discussions about professional learning and implementation of this guidance.

50. Approaches to preventing bullying can be found on page 24 of '[Respect for All](#)'. It's every child's right not to be bullied and all approaches should take into consideration children and young people's rights outlined in the United Nations Convention on the Rights of the Child [UNCRC](#).

51. Support and guidance is available from Scotland's anti-bullying service [respectme](#), which offers free training to all those with a role to play in the lives of children and young people to address bullying effectively, aligned to '[Respect for All](#)'.

52. Professional learning will support staff to follow a consistent approach to bullying in their schools. Education Scotland and local authorities have a role to play to support the implementation of positive relationships and behaviour approaches and embed children's rights in schools. Education Scotland provide professional learning programmes to develop relationships and behaviour; promote equality and challenge inequality; and develop emotional wellbeing to help prevent and address bullying. More information can be found on the [Education Scotland's National Improvement Hub](#).

53. A toolkit<sup>2</sup> has been developed to provide practitioners with a practical resource to help support partnerships with parents and families in all aspects of their child's learning.

54. [respectme](#) has a range of information resources and training opportunities to increase parents' and carers' awareness of bullying behaviour and to look at the different ways they can respond if their child is being bullied, or is involved in the bullying of others. These resources also offers guidance on how schools and parents can work together to create inclusive environments and provide effective support for children and young people.

1 <http://www.gov.scot/Resource/0052/00527674.pdf>

2 <https://education.gov.scot/improvement/learning-resources/Engaging%20parents%20and%20families:%20A%20toolkit%20for%20practitioners>

## Monitoring of bullying incidents in schools and local authorities

### Role of local authorities and head teachers

#### Why do bullying incidents in schools need to be monitored?

55. To inform appropriate interventions, the data captured by SEEMiS will be used by schools and local authorities.

#### How often should these cases be monitored at school level?

56. Recorded incidents of bullying on SEEMiS should be monitored by the Senior Leadership Team school on a regular basis i.e. more than once a term.

#### How often should bullying incidents be monitored by local authorities?

57. It is recommended that local authorities monitor incidents at the end of each term. Data should not be analysed in isolation. The local context and other relevant information should be considered alongside the statistical evidence.

#### Areas that local authorities may wish to consider when monitoring bullying incidents:

58. Number, type, location, year group and timing of bullying incidents and whether there is change over time.

59. Incidents of prejudice-based bullying and whether there is a change over time.

#### In addition local authorities may also wish to consider:

60. How effective are the interventions, how readily accessible training opportunities are and where good practice can be shared locally.



## Effective engagement

### Vital role of parents and carers

61. Parents and carers should have access to a school's anti-bullying policy and have an opportunity to engage with its development and implementation. Schools and local authorities should ensure that this is accessible for all parents and carers.
62. It's vital that schools engage directly with parents and carers and foster a positive environment where they are encouraged to work in partnership to ensure a consistent message relating to bullying is shared between home and school. Parents and carers have an important role in alerting bullying incidents to school staff and should expect to be listened to and taken seriously.
63. Please refer to '[Respect for All](#)' (page 23) for further information on how everyone can work to prevent and manage incidents of bullying.

### Vital role of children and young people

64. Children and young people play a vital role in the reporting of bullying incidents. Inclusive and safe environments in schools are essential to creating cultures where young people feel able to disclose their experiences and/or concerns. Schools will want to consider:
- Have children and young people been involved in the development of the school's anti-bullying policy?
  - Are children and young people clear about how to report and what will happen if they do?
  - Are children and young people able to disclose concerns about bullying and trust that these concerns will be taken seriously and adults will intervene effectively?

# Appendices



## Appendix A

### Useful links

How Good is Our School? 4 (HGIOS4)<sup>3</sup>, has a strong focus on inclusion and equity. The framework includes quality indicators on 'Personalised Support' and 'Ensuring Wellbeing Inclusion and Equality', and it references bullying, including prejudice-based bullying as well as considerations for all protected characteristics.

In addition, Scotland's [National Improvement Framework for Scottish Education](#) prioritises the need for improvement in children and young people's health and wellbeing.

<sup>3</sup> <https://education.gov.scot/improvement/self-evaluation/HGIOS4>

## Further resources

Getting it Right for Every Child

<http://www.gov.scot/Topics/People/Young-People/gettingitright>

National Improvement Hub

<https://education.gov.scot/improvement>

respectme website good anti-bullying practice

[www.respectme.org.uk](http://www.respectme.org.uk)

Equality and Human Rights Commission 'Technical Guidance for Schools in Scotland'

<https://www.equalityhumanrights.com/en/publication-download/technical-guidance-schools-scotland>

UN Convention of the Rights of the Child (UNCRC)

<https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>

Education Scotland - How Good is The Learning and Development in Our Community?

<https://education.gov.scot/improvement/self-evaluation/How%20good%20is%20the%20learning%20and%20development%20in%20our%20community?>

Enquire: Understanding children and young peoples' rights

<http://enquire.org.uk/professionals/understanding-additional-support-learning-children-young-peoples-rights/>

## Links to legislation

Data Protection Act 1998

<https://www.legislation.gov.uk/ukpga/1998/29/contents>

Children and Young People (Scotland) Act 2014

<http://www.legislation.gov.uk/asp/2014/8/contents/enacted>

Pupils' Educational Records (Scotland) Regulations 2003

<http://www.legislation.gov.uk/ssi/2003/581/contents/made>

Equality Act 2010

<https://www.gov.uk/guidance/equality-act-2010-guidance>

Guide to the General Data Protection Regulation (GDPR)

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32016R0679>

but please refer to local authority procedures







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